



Statutes of Québec 2013

NATIONAL ASSEMBLY OF QUÉBEC

The Honourable
PIERRE DUCHESNE, *Lieutenant-Governor*

QUÉBEC OFFICIAL PUBLISHER



Statutes of Québec 2013

assented to between 1 January 2013 and 31 December 2013

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NOTE

This volume contains essentially the text of the public and private Acts assented to in 2013.

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on 31 December 2013, a list of the Acts, regulations, orders in council or ministerial orders amended, replaced or repealed by the Act, and the explanatory notes, if any.

A table of the amendments made by public Acts passed in 2013 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 2013, is now available on the CD-ROM provided with this volume and is also posted on the website of Les Publications du Québec at the following address: http://www2.publicationsduquebec.gouv.qc.ca/lois_et_reglements/tab_modifs/AaZ.pdf.

A table of concordance lists the chapter number in the *Compilation of Québec Laws and Regulations* assigned to certain Acts passed between 1 January 2013 and 31 December 2013.

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.

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2013, chapter 1
APPROPRIATION ACT NO. 1, 2013-2014

Bill 19

Introduced by Mr. Stéphane Bédard, Minister responsible for Government Administration and Chair of the Conseil du trésor

Introduced 21 February 2013

Passed in principle 21 February 2013

Passed 21 February 2013

Assented to 27 February 2013

Coming into force : 27 February 2013

Legislation amended : None

Explanatory notes

This Act authorizes the Government to pay out of the general fund of the Consolidated Revenue Fund, for the 2013-2014 fiscal year, a sum not exceeding \$50,090,479,500.00, including \$488,600,000.00 for the payment of expenditures chargeable to the 2014-2015 fiscal year, representing the appropriations to be voted in respect of each of the programs in the portfolios.

Moreover, the Act indicates which programs are covered by a net voted appropriation and specifies the amount of appropriations not entirely expended that may be carried over to 2014-2015. Finally, it determines to what extent the Conseil du trésor may authorize the transfer of appropriations between programs or portfolios.

Lastly, the Act approves the expenditure and investment estimates for the special funds for the 2013-2014 fiscal year.



Chapter 1

APPROPRIATION ACT NO. 1, 2013-2014

[Assented to 27 February 2013]

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 \$50,090,479,500.00 to defray the Expenditure Budget of Québec tabled in the National Assembly for the 2013-2014 fiscal year, for which provision has not otherwise been made, including an amount of \$488,600,000.00 for the payment of expenditures chargeable to the 2014-2015 fiscal year, being the amount of the appropriations to be voted for each of the programs listed in Schedules 1 and 2.
- 2.** The balance of any appropriation allocated for the 2013-2014 fiscal year that is not entirely used may, subject to the conditions stipulated in the Expenditure Budget, be carried over to 2014-2015, up to the equivalent of \$139,328,500.00. Moreover, the Conseil du trésor may authorize the carryover of an additional \$98,103,400.00 subject to the conditions and procedures stipulated in the Expenditure Budget.
- 3.** In the case of programs in respect of which a net voted appropriation appears in the Expenditure Budget, the amount of the appropriation pertaining to the programs concerned may be increased, subject to the stipulated conditions, when the revenues associated with this net voted appropriation exceed revenue forecasts.
- 4.** In the case of programs in respect of which a provision has been made to this effect, the Conseil du trésor may authorize the transfer of a portion of an appropriation between programs or portfolios, for the purposes and, if need be, under the conditions described in the Expenditure Budget.
- 5.** Except for the programs covered by section 4, the Conseil du trésor may authorize the transfer of a portion of an appropriation between programs in a given portfolio, provided that such a transfer does not increase or reduce by more than 10% the amount of the appropriation authorized by statute.
- 6.** The expenditure and investment estimates for the special funds listed in Schedule 3 are approved for the 2013-2014 fiscal year.
- 7.** This Act comes into force on 27 February 2013.

SCHEDULE 1

GENERAL FUND

AFFAIRES MUNICIPALES, RÉGIONS ET OCCUPATION
DU TERRITOIRE

PROGRAM 1

Regional Development and Rurality	97,592,600.00
--------------------------------------	---------------

PROGRAM 2

Municipal Infrastructure Modernization	435,751,400.00
-------------------------------------------	----------------

PROGRAM 3

Compensation in Lieu of Taxes and Financial Assistance to Municipalities	624,885,700.00
--------------------------------------------------------------------------------	----------------

PROGRAM 4

General Administration	72,709,700.00
------------------------	---------------

PROGRAM 5

Commission municipale du Québec	2,579,500.00
---------------------------------	--------------

PROGRAM 6

Housing	331,872,600.00
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PROGRAM 7

Régie du logement	20,053,800.00
-------------------	---------------

1,585,445,300.00

AGRICULTURE, PÊCHERIES ET ALIMENTATION

PROGRAM 1

Bio-food Business Development, Training and Food Quality	456,335,600.00
-------------------------------------------------------------	----------------

PROGRAM 2

Government Agencies	628,008,300.00
---------------------	----------------

1,084,343,900.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

PROGRAM 1

Secrétariat du Conseil du trésor	99,668,900.00
----------------------------------	---------------

PROGRAM 2

Government Operations	259,690,500.00
-----------------------	----------------

PROGRAM 3

Commission de la fonction publique	4,256,500.00
------------------------------------	--------------

PROGRAM 4

Retirement and Insurance Plans	4,417,800.00
--------------------------------	--------------

PROGRAM 5

Contingency Fund	1,036,023,800.00
------------------	------------------

	1,404,057,500.00
--	------------------

CONSEIL EXÉCUTIF

PROGRAM 1	
Lieutenant-Governor's Office	748,900.00
PROGRAM 2	
Support Services for the Premier and the Conseil exécutif	59,647,400.00
PROGRAM 3	
Canadian Intergovernmental Affairs	15,344,700.00
PROGRAM 4	
Aboriginal Affairs	230,925,200.00
PROGRAM 5	
Youth	53,552,600.00
PROGRAM 6	
Democratic Institutions and Active Citizenship	10,204,300.00
PROGRAM 7	
Promotion and Development of the Metropolitan Region	118,543,200.00
PROGRAM 8	
Promotion and Development of the Capitale-Nationale	62,248,800.00
	<hr/>
	551,215,100.00

CULTURE ET COMMUNICATIONS

PROGRAM 1

Internal Management, Centre de conservation du Québec and Conseil du patrimoine culturel du Québec	63,588,900.00
-------------------------------------------------------------------------------------------------------------	---------------

PROGRAM 2

Support for Culture, Communications and Government Corporations	572,073,400.00
	<hr/>
	635,662,300.00

DÉVELOPPEMENT DURABLE, ENVIRONNEMENT, FAUNE ET PARCS

PROGRAM 1

Environmental Protection and Parks Management	319,178,000.00
--------------------------------------------------	----------------

PROGRAM 2

Bureau d'audiences publiques sur l'environnement	5,286,900.00
	<hr/>
	324,464,900.00

ÉDUCATION, LOISIR ET SPORT

PROGRAM 1

Administration	129,569,300.00
----------------	----------------

PROGRAM 2

Preschool, Primary and Secondary Education	9,141,354,800.00
-----------------------------------------------	------------------

PROGRAM 3

Development of Recreation and Sports	68,745,300.00
-----------------------------------------	---------------

	9,339,669,400.00
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EMPLOI ET SOLIDARITÉ SOCIALE

PROGRAM 1

Employment Assistance Measures	817,398,700.00
--------------------------------	----------------

PROGRAM 2

Financial Assistance Measures	2,672,910,400.00
-------------------------------	------------------

PROGRAM 3

Administration	466,102,000.00
----------------	----------------

PROGRAM 4

Status of Women	11,577,000.00
-----------------	---------------

	3,967,988,100.00
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ENSEIGNEMENT SUPÉRIEUR, RECHERCHE, SCIENCE ET
TECHNOLOGIE

PROGRAM 1	
Administration	60,470,000.00
PROGRAM 2	
Organizations involved with Specialized Training Programs	26,837,700.00
PROGRAM 3	
Financial Assistance for Education	748,021,400.00
PROGRAM 4	
Higher Education	5,179,976,900.00
PROGRAM 5	
Support for Science, Research and Innovation	137,563,000.00
PROGRAM 6	
Research and Innovation Agencies	165,326,900.00
	<hr/>
	6,318,195,900.00

FAMILLE

PROGRAM 1

Planning, Research and Administration	66,315,200.00
------------------------------------------	---------------

PROGRAM 2

Assistance Measures for Families	2,217,330,100.00
	<hr/>
	2,283,645,300.00

FINANCES ET ÉCONOMIE

PROGRAM 1

Department Administration	78,459,900.00
---------------------------	---------------

PROGRAM 2

Budget and Taxation Policies, Economic Analysis and Administration of Government Financial and Accounting Activities	93,106,900.00
-------------------------------------------------------------------------------------------------------------------------------	---------------

PROGRAM 3

Debt Service	3,000,000.00
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PROGRAM 4

Technical and Financial Support for Economic Development	178,879,800.00
-------------------------------------------------------------	----------------

PROGRAM 5

Economic Development Fund Interventions	229,680,000.00
--------------------------------------------	----------------

PROGRAM 6

Promotion and Development of Tourism	130,126,900.00
	<hr/>
	713,253,500.00

IMMIGRATION ET COMMUNAUTÉS CULTURELLES

PROGRAM 1

Immigration, Integration and Cultural Communities	311,671,000.00
------------------------------------------------------	----------------

PROGRAM 2

Charter of the French Language	28,955,600.00
	<hr/>
	340,626,600.00

JUSTICE

PROGRAM 1

Judicial Activity	30,508,300.00
-------------------	---------------

PROGRAM 2

Administration of Justice	290,254,900.00
---------------------------	----------------

PROGRAM 3

Administrative Justice	12,216,800.00
------------------------	---------------

PROGRAM 4

Justice Accessibility	167,374,000.00
-----------------------	----------------

PROGRAM 5

Agencies Reporting to the Minister	24,236,700.00
------------------------------------	---------------

PROGRAM 6

Criminal and Penal Prosecutions	117,754,400.00
---------------------------------	----------------

	642,345,100.00
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PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

PROGRAM 1

The Public Protector	16,516,900.00
----------------------	---------------

PROGRAM 2

The Auditor General	27,324,100.00
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PROGRAM 4

The Lobbyists Commissioner	3,169,600.00
----------------------------	--------------

	47,010,600.00
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RELATIONS INTERNATIONALES, FRANCOPHONIE ET
COMMERCE EXTÉRIEUR

PROGRAM 1

International Affairs

137,475,300.00

137,475,300.00

RESSOURCES NATURELLES

PROGRAM 1

Management of Natural Resources	442,394,700.00
	<hr/>
	442,394,700.00

SANTÉ ET SERVICES SOCIAUX

PROGRAM 1	
Québec-wide Operations	382,487,400.00
PROGRAM 2	
Regional Operations	17,552,528,000.00
PROGRAM 3	
Office des personnes handicapées du Québec	13,030,200.00
PROGRAM 5	
Condition of Seniors	29,419,300.00
PROGRAM 6	
Public Curator	50,339,200.00
	<hr/>
	18,027,804,100.00

SÉCURITÉ PUBLIQUE

PROGRAM 1

Security, Prevention and Internal Management	602,249,300.00
-------------------------------------------------	----------------

PROGRAM 2

Sûreté du Québec	635,987,000.00
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PROGRAM 3

Agencies Reporting to the Minister	36,572,700.00
------------------------------------	---------------

	1,274,809,000.00
--	------------------

TRANSPORTS

PROGRAM 1

Infrastructures and Transportation Systems	684,138,000.00
-----------------------------------------------	----------------

PROGRAM 2

Administration and Corporate Services	251,941,900.00
	<hr/>
	936,079,900.00

TRAVAIL

PROGRAM 1

Labour

33,993,000.00

33,993,000.00

50,090,479,500.00

SCHEDULE 2

GENERAL FUND

APPROPRIATIONS TO BE VOTED FOR EXPENDITURES
CHARGEABLE TO THE 2014-2015 FISCAL YEAR

EMPLOI ET SOLIDARITÉ SOCIALE

PROGRAM 2

Financial Assistance Measures	279,000,000.00
	<hr/>
	279,000,000.00

FAMILLE

PROGRAM 2

Assistance Measures for Families	<u>209,600,000.00</u>	
	209,600,000.00	<u>488,600,000.00</u>

SCHEDULE 3

SPECIAL FUNDS

AFFAIRES MUNICIPALES, RÉGIONS ET OCCUPATION
DU TERRITOIRE

REGIONAL DEVELOPMENT FUND

Expenditure estimate	40,000,000.00
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SUBTOTAL	
Expenditure estimate	40,000,000.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

NATURAL DISASTER ASSISTANCE
FUND

Expenditure estimate	<u>12,675,000.00</u>
SUBTOTAL	
Expenditure estimate	12,675,000.00

CULTURE ET COMMUNICATIONS

QUÉBEC CULTURAL HERITAGE
FUND

Expenditure estimate	<u>20,991,900.00</u>
SUBTOTAL	
Expenditure estimate	20,991,900.00

DÉVELOPPEMENT DURABLE, ENVIRONNEMENT, FAUNE ET PARCS

GREEN FUND

Expenditure estimate	448,217,500.00
Investment estimate	6,582,300.00
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SUBTOTALS

Expenditure estimate	448,217,500.00
Investment estimate	6,582,300.00

ÉDUCATION, LOISIR ET SPORT

SPORTS AND PHYSICAL ACTIVITY
DEVELOPMENT FUND

Expenditure estimate	<u>72,379,600.00</u>
SUBTOTAL	
Expenditure estimate	72,379,600.00

EMPLOI ET SOLIDARITÉ SOCIALE

ASSISTANCE FUND FOR INDEPENDENT
COMMUNITY ACTION

Expenditure estimate	23,255,700.00
----------------------	---------------

LABOUR MARKET DEVELOPMENT
FUND

Expenditure estimate	1,078,615,200.00
----------------------	------------------

FONDS DE FOURNITURE DE BIENS
OU DE SERVICES DU MINISTÈRE
DE L'EMPLOI ET DE LA SOLIDARITÉ
SOCIALE

Expenditure estimate	2,434,900.00
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INFORMATION TECHNOLOGY FUND
OF THE MINISTÈRE DE L'EMPLOI
ET DE LA SOLIDARITÉ SOCIALE

Expenditure estimate	17,993,400.00
Investment estimate	14,268,000.00

FONDS QUÉBÉCOIS D'INITIATIVES
SOCIALES

Expenditure estimate	30,314,900.00
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SUBTOTALS

Expenditure estimate	1,152,614,100.00
Investment estimate	14,268,000.00

ENSEIGNEMENT SUPERIEUR, RECHERCHE, SCIENCE ET
TECHNOLOGIEUNIVERSITY EXCELLENCE AND
PERFORMANCE FUND

Expenditure estimate	22,596,300.00
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SUBTOTAL	
Expenditure estimate	22,596,300.00

FINANCES ET ÉCONOMIE

FINANCING FUND

Expenditure estimate	1,722,700.00
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TOURISM PARTNERSHIP FUND

Expenditure estimate	132,284,900.00
Investment estimate	1,100,000.00

FUND OF THE BUREAU
DE DÉCISION ET DE RÉVISION

Expenditure estimate	1,950,700.00
Investment estimate	67,000.00

IFC MONTRÉAL FUND

Expenditure estimate	1,402,500.00
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ECONOMIC DEVELOPMENT
FUND

Expenditure estimate	330,049,000.00
----------------------	----------------

NORTHERN PLAN FUND

Expenditure estimate	64,024,600.00
----------------------	---------------

TAX ADMINISTRATION FUND

Expenditure estimate	825,335,200.00
----------------------	----------------

SUBTOTALS

Expenditure estimate	1,356,769,600.00
Investment estimate	1,167,000.00

JUSTICE

ACCESS TO JUSTICE FUND

Expenditure estimate	10,153,900.00
----------------------	---------------

FONDS D'AIDE AUX VICTIMES
D'ACTES CRIMINELS

Expenditure estimate	22,217,600.00
Investment estimate	75,000.00

REGISTER FUND OF THE MINISTÈRE
DE LA JUSTICE

Expenditure estimate	21,860,700.00
Investment estimate	4,643,300.00

FUND OF THE ADMINISTRATIVE
TRIBUNAL OF QUÉBEC

Expenditure estimate	33,239,400.00
Investment estimate	1,165,700.00

SUBTOTALS

Expenditure estimate	87,471,600.00
Investment estimate	5,884,000.00

RESSOURCES NATURELLES

NATURAL RESOURCES FUND

Expenditure estimate	573,089,200.00
Investment estimate	15,106,700.00

TERRITORIAL INFORMATION FUND

Expenditure estimate	119,160,600.00
Investment estimate	49,335,900.00

SUBTOTALS

Expenditure estimate	692,249,800.00
Investment estimate	64,442,600.00

SANTÉ ET SERVICES SOCIAUX

FUND TO FINANCE HEALTH AND
SOCIAL SERVICES INSTITUTIONS

Expenditure estimate	1,449,000,000.00
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CAREGIVER SUPPORT FUND

Expenditure estimate	14,880,000.00
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FUND FOR THE PROMOTION
OF A HEALTHY LIFESTYLE

Expenditure estimate	20,000,000.00
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SUBTOTAL

Expenditure estimate	1,483,880,000.00
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SÉCURITÉ PUBLIQUE

POLICE SERVICES FUND

Expenditure estimate	565,324,400.00
Investment estimate	21,266,300.00
	<hr/>

SUBTOTALS

Expenditure estimate	565,324,400.00
Investment estimate	21,266,300.00

TRANSPORTS

ROLLING STOCK MANAGEMENT
FUND

Expenditure estimate	112,155,500.00
Investment estimate	36,330,500.00

HIGHWAY SAFETY FUND

Expenditure estimate	25,176,400.00
Investment estimate	5,712,600.00

LAND TRANSPORTATION NETWORK
FUND

Expenditure estimate	3,140,767,300.00
Investment estimate	2,783,082,200.00

SUBTOTALS

Expenditure estimate	3,278,099,200.00
Investment estimate	2,825,125,300.00

TRAVAIL

FUND OF THE COMMISSION
DES LÉSIONS PROFESSIONNELLES

Expenditure estimate	62,045,800.00
Investment estimate	1,090,000.00

FUND OF THE COMMISSION
DES RELATIONS DU TRAVAIL

Expenditure estimate	18,981,900.00
Investment estimate	700,000.00

SUBTOTALS

Expenditure estimate	81,027,700.00
Investment estimate	1,790,000.00

TOTALS

Expenditure estimate	9,314,296,700.00
Investment estimate	2,940,525,500.00

2013, chapter 2 AN ACT TO AMEND THE SUSTAINABLE FOREST DEVELOPMENT ACT AND OTHER LEGISLATIVE PROVISIONS

Bill 7

Introduced by Madam Martine Ouellet, Minister of Natural Resources

Introduced 15 November 2012

Passed in principle 21 February 2013

Passed 28 March 2013

Assented to 9 April 2013

Coming into force: 9 April 2013, except

(1) sections 1 and 2, sections 8 to 15, section 39 to the extent that it enacts sections 116.1 to 116.3, and sections 44 to 57, 65 to 72 and 74 to 76, which come into force on 1 April 2013;

(2) section 29 to the extent that it enacts the first and second paragraphs of section 103.6, which comes into force on 1 April 2014

Legislation amended:

Sustainable Forest Development Act (chapter A-18.1)

Labour Code (chapter C-27)

Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2)

Explanatory notes

The main purpose of this Act is to clarify the rights and obligations of the Minister of Natural Resources and Wildlife and the holders of timber supply guarantees with regard to the granting of such guarantees, as well as the nature and the legal effects of the resulting acts, including option exercises, timber sales contracts, harvest agreements and integration agreements.

The Minister is empowered to grant harvest rights by means of a permit to harvest timber to supply a wood processing plant. The rules governing such permits and their holders are defined, in particular the obligations relating to the planning of forest development activities, the integration of harvests and membership in forest protection organizations.

New rules are established with regard to the indemnities which the Government may pay to holders of a timber supply guarantee or a permit to harvest timber to supply a wood processing plant in order to provide compensation for any damage they may have sustained as a result of situations which affected the use of infrastructures for which they assumed the costs.

(Cont'd on next page)

Explanatory notes (Cont'd)

The rules for converting timber supply and forest management agreements into supply guarantees are changed, in particular the rules allowing the Minister to set the guaranteed annual volumes of timber. The conversion rules with respect to forest management agreements are also changed. Agreement holders must first obtain a permit to harvest timber to supply a wood processing plant, and then may choose to replace the permit by a local forest management delegation agreement.

Rules governing the management and surveillance activities of forest protection organizations are defined, and a contribution to the Natural Resources Fund is required of public forest resource management delegates.

The Minister may, when implementing a government program for regional development, delegate to a municipality the regulatory powers the Government holds under the program. In addition, a regional county municipality is empowered to subdelegate to a local municipality included in its territory the powers delegated to the regional county municipality under a management delegation agreement.

The Labour Code is amended to adapt it to the new forest regime.

Lastly, certain technical amendments are made to the Sustainable Forest Development Act in order to facilitate its administration.



Chapter 2

AN ACT TO AMEND THE SUSTAINABLE FOREST DEVELOPMENT ACT AND OTHER LEGISLATIVE PROVISIONS

[Assented to 9 April 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

SUSTAINABLE FOREST DEVELOPMENT ACT

1. Section 13 of the Sustainable Forest Development Act (chapter A-18.1) is amended by striking out the second sentence of the third paragraph.

2. Section 41 of the Act is amended by replacing “built or used to give access to the forest and its many resources” in the second paragraph by “built or used for multiple purposes, notably to give access to the forest and its resources”.

3. Section 46 of the Act is amended

(1) by replacing “for forest development units and local forests” in subparagraph 5 of the first paragraph by “for forest development units, local forests and certain residual forests”;

(2) by inserting the following subparagraph after subparagraph 8 of the first paragraph:

“(8.1) in accordance with section 46.1 and after the five-year review of allowable cuts, determining the volumes of unharvested timber available for harvest, and making public those volumes and the grounds for the determination;”.

4. The Act is amended by inserting the following section after section 46:

“46.1. In determining the volumes of timber referred to in subparagraph 8.1 of the first paragraph of section 46, the chief forester ensures that harvesting that timber will not affect the allowable cut assigned to the area concerned or impact negatively on the achievement of sustainable forest development objectives. Such timber may, as the Minister determines, be left standing, be marketed by the timber marketing board, or be sold to one or more wood processing plants at the rates set by the timber marketing board.

The volumes of timber referred to in subparagraph 8.1 of the first paragraph of section 46 are the volumes which were not harvested in the area concerned during the five years preceding the five-year review of annual cuts or during the period covered by the previous tactical plans for integrated forest

development, but which, solely for the purpose of calculating the allowable cut, were considered by the chief forester as having been harvested.”

5. Section 54 of the Act is amended by replacing “a guide that the Minister follows to prepare silvicultural prescriptions” in the fourth paragraph by “guides that the Minister follows to prepare silvicultural prescriptions”.

6. Section 55 of the Act is amended by adding the following subparagraph after subparagraph 7 of the second paragraph:

“(7.1) the holders of a permit to harvest timber to supply a wood processing plant;”.

7. Section 56 of the Act is amended by replacing the first sentence of the second paragraph by the following sentence: “However, holders of a timber supply guarantee or of a permit to harvest timber to supply a wood processing plant need not make a request and their specific interest is presumed insofar as the plan concerns, as applicable, a development unit included in a region covered by their guarantee or a development unit covered by their permit.”

8. Sections 62, 63 and 64 of the Act are replaced by the following sections:

“**62.** Planned forest development activities are carried out by the Minister or by forest development enterprises that hold the certificates recognized by the Minister or that are registered in a program to obtain such certificates. They may also be carried out under the supervision and responsibility of an enterprise that holds the required certificates or is registered in a program to obtain such certificates.

The contracts entered into with the forest development enterprises may cover, in addition to the forest development activities to be carried out, the activities related to their planning or management, or the activities related to timber transportation.

Some planned forest development activities may also be carried out by the holder of a timber supply guarantee or the holder of a permit to harvest timber to supply a wood processing plant, on the conditions prescribed by this Act, provided they hold the certificates recognized by the Minister or are registered in a program to obtain such certificates.

“**63.** The timber harvested in the course of planned forest development activities, if not allocated to the holder of a timber supply guarantee or to the holder of a permit to harvest timber to supply a wood processing plant, may be marketed by the timber marketing board or sold to one or more wood processing plants at the rates set by the timber marketing board.”

9. Section 65 of the Act is amended by replacing “particularly those carried out under forest contracts and agreements” in the first paragraph by “particularly those carried out by forest development enterprises, holders of timber supply

guarantees and holders of permits to harvest timber to supply a wood processing plant”.

10. Section 73 of the Act is amended by inserting the following subparagraph after subparagraph 6 of the first paragraph:

“(6.1) the harvest of timber to supply a wood processing plant, provided the plant is not otherwise authorized under this Act;”.

11. Section 76 of the Act is amended by replacing the first paragraph by the following paragraph:

“**76.** If not otherwise set by regulation of the Minister, the dues payable by the permit holder are based on the rates set by the timber marketing board for timber purchased by holders of a timber supply guarantee.”

12. Section 77 of the Act is replaced by the following section:

“**77.** The term of permits other than a sugar bush management permit and a permit to harvest timber to supply a wood processing plant is set by the Minister; it may not exceed 12 months.”

13. Section 80 of the Act is amended by inserting “general” before “provisions applicable”.

14. The Act is amended by inserting the following after section 86:

“*ii.1. — Special provisions respecting the harvest of timber to supply a wood processing plant*

“**86.1.** In addition to the general provisions applicable to all forestry permits, a permit to harvest timber to supply a wood processing plant is governed in particular by the following provisions.

“**86.2.** Only legal persons and bodies that do not hold a wood processing plant operating permit and are not related within the meaning of the Taxation Act (chapter I-3) to the holder of such a permit are eligible to obtain a permit to harvest timber to supply a wood processing plant.

The conditions set out in the first paragraph do not apply where the permit requested is solely for the harvest of forest biomass.

For the purposes of the second paragraph, forest biomass consists of unmerchantable igneous matter resulting from forest development activities or from short rotation plantations for energy production, excluding stumps and roots.

“**86.3.** The Minister issues the permit if the allowable cut is sufficient, if the volumes of timber available on the open market are large enough to assess

the market value of timber from the forests in the domain of the State, and if the Minister is of the opinion that it is in the public interest and in keeping with the principle of sustainable development.

“86.4. The term of the permit is five years. The Minister may nonetheless issue a permit for a shorter period if the Minister deems this necessary to facilitate forest planning in development units.

“86.5. The Minister enters permits in a public register that the Minister establishes and keeps up to date.

The Minister publishes a notice of each entry in the *Gazette officielle du Québec*, setting out in the notice the permit registration number, the name of the permit holder and the annual volumes of timber, by species or group of species, that may be harvested by the permit holder in each development unit concerned.

“86.6. Despite section 78, a permit issued for the harvest of timber to supply a wood processing plant is not transferable.”

15. Section 87 of the Act is amended by inserting the following paragraph after paragraph 2:

“(2.1) define, for permits other than a sugar bush management permit, the conditions of the permit that may be revised while it is in effect and at the time of its renewal;”.

16. Section 88 of the Act is amended

(1) by replacing “the amount from sales of the timber” in the third paragraph by “the amounts owing for timber purchased under the guarantee”;

(2) by replacing “receiving order” in the fourth paragraph by “bankruptcy order”.

17. Section 89 of the Act is amended by replacing “the annual volumes of timber guaranteed for each species or group of species for each region concerned” in the second paragraph by “the annual volumes of timber for each species or group of species that the guarantee holder may purchase from each region concerned”.

18. Section 90 of the Act is amended by replacing the second paragraph by the following paragraph:

“It specifies the annual volumes of timber for each species or group of species that the holder may purchase from each region concerned.”

19. Section 91 of the Act is amended

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

“**91.** The annual volumes of timber that the holder may purchase under the guarantee are residual volumes determined by the Minister, taking into account”;

(2) by replacing subparagraph 2 of the first paragraph by the following subparagraph:

“(2) other available sources of supply, such as timber from private forests or from outside Québec, chips, sawdust, shavings, recycled wood fibres, timber that may be harvested by holders of a permit to harvest timber to supply a wood processing plant as well as timber from local forests and from other forests in the domain of the State covered by a management delegation agreement.”;

(3) by replacing “the Minister intends to guarantee” at the end of the second paragraph by “the Minister intends to specify in the guarantee”.

20. Section 93 of the Act is amended by striking out “guaranteed” wherever it appears.

21. The heading of subdivision iii of subdivision 2 of Division VI of Chapter VI of Title II of the Act, preceding section 95, is replaced by the following heading:

“iii. — *Annual royalty and price of timber*”.

22. Section 96 of the Act is amended by replacing “acquis” in the French text by “achetés”.

23. The heading of subdivision iv of subdivision 2 of Division VI of Chapter VI of Title II of the Act, preceding section 98, is replaced by the following heading:

“iv. — *Waiver of right to purchase annual volumes of timber*”.

24. Section 98 of the Act is amended by replacing “all or part of its right to guaranteed volumes of timber for the year” by “all or part of its right to the annual volumes of timber specified in the guarantee for the year”.

25. Section 100 of the Act is amended by replacing the first paragraph by the following paragraph:

“**100.** The Minister establishes and sends to the holder of the timber supply guarantee a calendar of the dates on which the holder is to decide whether or not to purchase part of the annual volumes of timber specified in the guarantee.”

26. Section 101 of the Act is amended by striking out “garantis” in the French text.

27. Section 102 of the Act is replaced by the following section:

“**102.** Timber to which the guarantee holder waived or is deemed to have waived the right may, as the Minister determines, be left standing, be sold by the timber marketing board or be sold to one or more other wood processing plants at the rates set by the timber marketing board.”

28. Section 103 of the Act is amended

(1) by replacing “the holder was not able to acquire all the guaranteed annual volumes of timber” in the first paragraph by “part of the annual volumes of timber specified in the guarantee could not be sold to the holder”;

(2) by replacing the last sentence of the second paragraph by the following sentence: “If there is more than one guarantee holder entitled to them, the volumes of timber are divided among the guarantee holders in proportion to the volumes that could not be sold to them.”

29. The Act is amended by inserting the following after section 103:

“v.1. — *Purchase of annual volumes of timber*

“**103.1.** The purchase of all or part of the annual volumes of timber by the holder of a timber supply guarantee is evidenced in a contract.

The contract specifies, by species or group of species, the volumes of timber purchased by the guarantee holder and the areas from which the timber comes. It also specifies whether the sale was of standing or harvested timber.

The contract is not transferable.

“**103.2.** The Minister may not be held liable for damage caused to the holder of a timber supply guarantee resulting from the holder’s delivering only part of the timber provided for in the timber sales contract if, in the course of a year, part of the volumes of timber purchased by the holder under the guarantee could not be delivered because of

(1) the variable quantity of minor or under-represented species in a region, which species, according to the best available information, should have been found in the forest operations zones specified in the operational plan for integrated forest development, such as Eastern white cedar, white and red pine, red oak and eastern hemlock;

(2) timber left in forest operations zones that should have been harvested by the designated holders under this Act, the regulations and the applicable silvicultural prescriptions;

(3) harvest integration problems due to holders' waiving their right to purchase part of the annual volumes of timber specified in their guarantee or due to the cancellation or suspension of guarantees involving the volumes covered by the annual program; or

(4) differences of opinion related to the performance of an integration agreement.

“v.2.—Harvesting volumes of wood purchased

“103.3. Subject to subparagraphs 2 and 3 of the third paragraph of section 103.7, holders of a timber supply guarantee are responsible for harvesting the standing timber they purchase.

“103.4. The rights and obligations of guarantee holders with regard to the harvest of the standing timber they purchase are set out in an agreement entered into with the Minister.

The harvest agreement specifies the forest operations zones where the timber is to be harvested and sets out the conditions for harvesting and for the other forest development activities related to this responsibility. It also sets out the other commitments the guarantee holder must meet and the penalties for failure to meet the applicable obligations.

In addition, it contains rules respecting the annual program of forest development activities as the latter are set out in the operational plan for integrated forest development, as well as rules that govern, in the forest operations zones concerned, the harvest of timber not intended for the guarantee holder.

The information in the agreement must be available to the public.

“103.5. The Minister may refuse to allow a guarantee holder responsible for harvesting timber to carry out the harvest if the holder has previously failed to comply with the conditions of a forest development plan, a prior forest harvest agreement, the standards applicable to forest development activities or any other obligation under this Act or the regulations.

“103.6. All the guarantee holders responsible for the harvest in the forest operations zones specified in a harvest agreement must sign the agreement. The agreement must specify which of the guarantee holders is to carry out the harvest in each of the forest operations zones and which is to establish the infrastructures needed to carry out the harvest.

Only the designated guarantee holders are required to carry out the timber harvest and establish the infrastructures needed to carry out the harvest, but each of the other guarantee holders party to the agreement is liable for carrying out the forest development activities specified in the agreement as if each were bound as solidary surety. In addition, all guarantee holders party to the

agreement are solidarily responsible for applying the corrective measures required by the Minister under the second paragraph of section 65 and, in a case of failure to comply, for the payment of the costs incurred by the Minister pursuant to that paragraph.

The guarantee holders designated to carry out the harvest and establish the infrastructures represent all the guarantee holders party to the agreement in their relations with the Minister, unless other persons have been designated for that purpose. They act as contact persons with the Minister with respect to forest operations and, if applicable, inform the Minister of any difficulties encountered or apprehended in forest operations zones with regard to forest planning.

To facilitate the operational organization of harvest activities and the maintenance of forestry certification, if applicable, the Minister constitutes, for the area covered by the harvest agreement, an operations panel comprising the designated guarantee holders and the holders of a permit to harvest timber to supply a wood processing plant who are concerned by the harvest agreement.

“103.7. However, a harvest agreement to which two or more guarantee holders are party may not be entered into unless it is demonstrated that an integration agreement has been signed by all the guarantee holders concerned and, if applicable, by the holders of a permit to harvest timber to supply a wood processing plant that are authorized to harvest timber in the forest operations zones concerned.

The integration agreement sets out the mechanisms ensuring harvest integration and timber transportation and the manner in which decisions are to be made and disputes settled on harvest integration and timber transportation and on the allocation of their costs.

If it cannot be demonstrated that an integration agreement has been signed by all the guarantee and permit holders concerned within the time determined by the Minister, the Minister may, with regard to the forest operations zones involved, make any of the following decisions:

(1) in accordance with section 103.8, submit or allow to be submitted for arbitration any dispute that prevents the integration agreement from being entered into and that involves an object of the integration agreement, and, despite the first paragraph of this section, enter into a harvest agreement with all the guarantee holders concerned if the Minister believes that the dispute is not such as to significantly compromise harvest integration;

(2) carry out the harvest or have it carried out by forest development enterprises, in accordance with the first paragraph of section 62, or allow the harvest to be carried out by such enterprises within the framework of a management delegation agreement entered into under section 17.22 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2); or

(3) leave the timber standing or allow the timber to be marketed by the timber marketing board and, in those cases, subtract from the contract for the sale of standing timber of the guarantee holders concerned the volumes they were required to harvest in the forest operations zones involved.

The reduction of the volumes of timber referred to in subparagraph 3 of the third paragraph does not give the guarantee holder the right to an indemnity. These volumes are deemed to be volumes to which the guarantee holder waived all rights and may not be reclaimed by the holder in subsequent years.

103.8. The arbitration referred to in subparagraph 1 of the third paragraph of section 103.7 is governed by Book VII of the Code of Civil Procedure (chapter C-25) or in accordance with a decision-making and dispute-settlement mechanism the Minister may impose on all the guarantee and permit holders concerned.

However, if the guarantee and permit holders concerned have already agreed on another mechanism, one of them may, with the Minister's consent and in accordance with the mechanism, submit the dispute to arbitration under those terms.

The decisions made under a decision-making and dispute-settlement mechanism operate as stipulations agreed upon by the parties with regard to the object of the dispute."

30. Section 104 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: "However, it may be granted for a shorter period if the Minister deems this necessary to facilitate forest planning in development units.";

(2) by replacing "it is renewed for the same period every five years" in the second paragraph by "it is renewed, at expiry, for a period of five years, and subsequently for the same period every five years".

31. Section 105 of the Act is amended

(1) by replacing "including the guaranteed annual volumes of timber and the forest from which the timber may be purchased" in the first paragraph by "including the annual volumes of timber that the guarantee holder may purchase and the forest from which they come";

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

"(2) other available sources of supply, such as timber from private forests or from outside Québec, chips, sawdust, shavings, recycled wood fibres, timber that may be harvested by holders of a permit to harvest timber to supply a wood processing plant as well as timber from local forests and timber from other

forests in the domain of the State covered by a management delegation agreement;”;

(3) by inserting the following subparagraphs after subparagraph 4 of the second paragraph:

“(4.1) the constraints and the wood fibre losses associated with harvest integration, the volumes of timber used for purposes other than the supply of wood processing plants, such as firewood harvested for domestic or commercial purposes, and any other factor that may reduce the volume available at the time of harvest;

“(4.2) the physical characteristics of the timber that limit its use by certain categories of wood processing plants, notably the size of the timber in relation to the type of products made;”;

(4) by replacing “the Minister intends to guarantee” at the end of the third paragraph by “the Minister intends to specify in the guarantee”.

32. Section 106 of the Act is amended by replacing “the guaranteed annual volumes of timber” in the first paragraph by “the annual volumes of timber specified in the holder’s guarantee”.

33. Section 107 of the Act is amended by replacing “guaranteed annual volumes” by “annual volumes of timber specified in their guarantees”.

34. Section 109 of the Act is amended by replacing subparagraph 2 of the first paragraph by the following subparagraph:

“(2) if the guarantee holder fails to pay the annual royalty or the amounts payable for timber purchased under the guarantee on time; or”.

35. Section 110 of the Act is amended by striking out “guaranteed” in the second paragraph.

36. Section 112 of the Act is amended by replacing “receiving order” in paragraph 2 by “bankruptcy order”.

37. Section 113 of the Act is amended by replacing the last sentence of the second paragraph in the French text by the following sentence: “Ce montant est établi au prorata des volumes de bois que le bénéficiaire avait encore le droit d’acheter avant la fin de l’année.”

38. Section 114 of the Act is replaced by the following section:

“114. If the Minister terminates a timber supply guarantee, the Minister may, for the time remaining before the next five-year review of allowable cuts, decide that the timber allocated to the guarantee holder be left standing, request the timber marketing board to market the timber, or sell the timber to one or

more other wood processing plants at the rates set by the timber marketing board.”

39. Section 116 of the Act is replaced by the following:

“**116.** The Minister may, by regulation, determine the terms and schedules for the payment of the annual royalty and the timber purchased by the guarantee holder under the timber supply guarantee.

“§3. — *Indemnity payable for certain infrastructures established by the holder of a timber supply guarantee or the holder of a permit to harvest timber to supply a wood processing plant*

“**116.1.** The holder of a timber supply guarantee may obtain an indemnity, on the conditions prescribed by section 116.2, for the roads, bridges and forest camps the holder establishes under a plan developed by the Minister if, pursuant to a statute or for reasons of public interest, the forest area on which the infrastructures stand is no longer intended for forest production.

An indemnity may also be granted to the guarantee holder, on the same conditions, if the forest area on which the infrastructures stand has been integrated into a local forest or a forest operations zone whose timber is to be sold on the open market.

“**116.2.** The Government grants a fair and equitable indemnity to guarantee holders who demonstrate that they have suffered a loss, to cover infrastructures costs for which no subsidies or credits were granted.

The indemnity is based, in particular, on the net value of the infrastructures after depreciation and on the vouchers submitted. It may be paid to the guarantee holder in a lump sum, credited to the purchase of volumes of timber under the holder’s guarantee, or paid in any other manner determined by the Government.

“**116.3.** This subdivision applies, on the same conditions, to holders of forestry permits issued for the harvest of timber to supply a wood processing plant.”

40. Section 120 of the Act is amended

(1) by replacing “the market value of timber offered for sale to holders of timber supply guarantees” in subparagraph 12 of the first paragraph by “the market value of timber purchased by holders of a timber supply guarantee”;

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

“The marketing manual, the value of forest development activities, the rates used to set the annual royalty that must be paid by the holder of a timber supply guarantee and the price of timber purchased by such a holder under the

guarantee, the instruction manual for scaling timber and the conversion factors are all made public by the timber marketing board.”

41. Section 122 of the Act is amended by inserting “, holders of permits to harvest timber to supply a wood processing plant” after “holders of timber supply guarantees” in the first sentence.

42. The Act is amended by inserting the following section after section 125:

“**125.1.** Interest is charged on any unpaid balance of amounts owing on purchases made on the open market from the thirtieth day following the date of billing, at the rate determined for a debt owed to the State under section 28 of the Tax Administration Act (chapter A-6.002). Interest is capitalized monthly.”

43. Section 126 of the Act is amended by replacing “timber offered to holders of timber supply guarantees” in paragraph 1 by “timber purchased under a timber supply guarantee”.

44. Section 173 of the Act is amended

- (1) by replacing “fees payable” in paragraphs 1 and 4 by “dues payable”;
- (2) by replacing “total fees” in paragraph 3 by “total dues and fees”.

45. Section 177 of the Act is amended by replacing “the dues on the timber or the amount from the sales of guaranteed timber” in the first paragraph by “the dues or amounts owing on the timber”.

46. Section 180 of the Act is amended by replacing “fees payable” in paragraph 4 by “dues payable”.

47. Sections 181 and 182 of the Act are replaced by the following sections:

“**181.** The Minister may certify a non-profit organization as a forest protection organization mandated to protect an area defined by the Minister from forest fires.

The organization is responsible for organizing forest fire protection in the area for which it is certified. It fulfills its duties in accordance with the policy directions and directives set out by the Minister.

“**181.1.** The general by-laws of the forest protection organization must include

- (1) rules concerning membership dues;

(2) rules of ethics and professional conduct applicable to the members of the board of directors and to the officers and members of the committees to which the board of directors delegates powers;

(3) penalties for failure to comply with the rules of ethics and professional conduct; and

(4) rules concerning the funding of its activities.

The by-laws and any amendments to them must be submitted for approval to the Minister before being ratified by the members. The Minister may approve them with or without changes.

“182. The forest protection organization prepares, in accordance with the Minister’s requirements, a framework plan for the prevention and suppression of forest fires in the area for which it is certified. The plan must define the intensive protection zone and state, among other things, the number of people, the equipment and the means the organization intends to use to prevent and suppress forest fires.

The plan is submitted to the Minister for approval within the time determined by the Minister, who may approve it with or without changes. If the organization fails to send the plan to the Minister within the prescribed time, the Minister establishes the plan at the expense of the organization or its members.

The organization must keep the plan up to date until a new plan is required by the Minister. Updates of the plan and any changes are submitted for approval to the Minister.”

48. Section 183 of the Act is amended by replacing the first and second paragraphs by the following paragraph:

“183. The following persons must be members of the forest protection organization certified by the Minister:

(1) holders of a timber supply guarantee for the regions covered by the guarantee and included in the intensive protection zone defined in the framework plan;

(2) holders of a permit to harvest timber to supply a wood processing plant for the development units covered by the permit and included in such a zone;

(3) managers of local forests and any other delegatee for the area covered by a management delegation agreement and included in such a zone; and

(4) owners of a private forest consisting of a single block of 800 hectares or more, as regards the part of the forest included in such a zone.”

49. The Act is amended by inserting the following sections after section 187:

“**187.1.** The books and accounts of the forest protection organization are audited every year by external auditors. The remuneration of the external auditors is borne by the organization.

“**187.2.** Within four months after the end of each fiscal year, the forest protection organization must send the Minister the audit report on its books and accounts, its financial statements and an activity report. The financial statements and activity report must contain all the information required by the Minister.

“**187.3.** Before the beginning of each fiscal year, the forest protection organization sends its budget estimates for the following fiscal year to the Minister in the manner prescribed by the Minister.

“**187.4.** The forest protection organization must also provide the Minister with any information on its activities.”

50. Sections 196 and 197 of the Act are replaced by the following sections:

“**196.** The Minister may certify a non-profit organization as a forest protection organization mandated to protect an area defined by the Minister against destructive insects and cryptogamic diseases.

The organization is responsible for organizing the protection of forests against such insects and diseases in the area for which it is certified. It fulfills its duties in accordance with the policy directions and directives set out by the Minister.

“**196.1.** The general by-laws of the forest protection organization must include

- (1) rules concerning membership dues;
- (2) rules of ethics and professional conduct applicable to the members of its board of directors and to the officers and members of the committees to which the board of directors delegates powers;
- (3) penalties for failure to comply with the rules of ethics and professional conduct; and
- (4) rules concerning the funding of its activities.

The by-laws and any amendments to them are submitted for approval to the Minister before being ratified by the members. The Minister may approve them with or without changes.

“**197.** The forest protection organization prepares, in accordance with the Minister’s requirements, a framework plan for the protection of forests against destructive insects and cryptogamic diseases in the area for which it is

certified. The plan must define the area to be protected and state, among other things, the number of people, the equipment and the means the organization intends to use to prepare and implement action plans.

The plan is submitted to the Minister for approval within the time determined by the Minister, who may approve it with or without changes. If the organization fails to send the Minister the plan within the prescribed time, the Minister establishes the plan at the expense of the organization or its members.

The organization must keep the plan up to date until a new plan is required by the Minister. Updates of the plan and any changes are submitted for approval to the Minister.”

51. Section 198 of the Act is amended by replacing the first and second paragraphs by the following paragraph:

“**198.** The following persons must be members of the forest protection organization certified by the Minister:

(1) holders of a timber supply guarantee for the regions covered by the guarantee and included in the protected area defined in the framework plan;

(2) holders of a permit to harvest timber to supply a wood processing plant for the development units covered by the permit and included in such a protected area; and

(3) managers of local forests and any other delegatee for the area covered by a management delegation agreement and included in such a protected area.”

52. Section 199 of the Act is amended by replacing “for the area in question” in the first paragraph by “for the area defined by the Minister”.

53. The Act is amended by inserting the following sections after section 202:

“**202.1.** The books and accounts of the forest protection organization are audited every year by external auditors. The remuneration of the external auditors is borne by the organization.

“**202.2.** Within four months after the end of each fiscal year, the forest protection organization must send the Minister the audit report on its books and accounts, its financial statements and an activity report. The financial statements and activity report must contain all the information required by the Minister.

“**202.3.** Before the beginning of each fiscal year, the forest protection organization sends its budget estimates for the following fiscal year to the Minister in the manner prescribed by the Minister.

“202.4. The forest protection organization must also provide the Minister with any information on its activities.”

54. Section 225 of the Act is replaced by the following section:

“225. The following persons and bodies must provide the Minister with the information and documents the Minister considers necessary to prepare the review:

- (1) holders of timber supply guarantees;
- (2) holders of permits to harvest timber to supply a wood processing plant;
- (3) managers of a local forest and any other delegates party to a management delegation agreement under section 17.22 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2); and
- (4) public bodies referred to in the first paragraph of section 3 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).”

55. Section 228 of the Act is amended by replacing “cutting areas identified on the forestry permit, forest operations contract or agreement or the applicable forest development plan” by “forest operations zones where cutting is authorized”.

56. Section 230 of the Act is amended

- (1) by striking out “or a timber supply guarantee” and “or guarantee”;
- (2) by adding the following paragraph:

“The holder of a timber supply guarantee who ships or allows to be shipped to a destination other than the processing plant specified in the guarantee timber the guarantee holder purchased under the guarantee, unless authorized to do so under this Act, is also guilty of an offence and liable to the same fine.”

57. Section 231 of the Act is amended by replacing “set out in this Act or a standard or condition required under the person’s forestry permit, forest operations contract or agreement or the applicable forest development plan” by “to which the person is subject under this Act”.

58. Section 336 of the Act is amended by adding the following subparagraph at the end of the second paragraph:

- “(5) paying the dues payable under the agreements.”

59. Section 337 of the Act is replaced by the following section:

“337. Cancellation of the agreements does not give agreement holders the right to an indemnity.

However, holders of a timber supply and forest management agreement and holders of a forest management agreement are entitled, respectively,

(1) to obtain a timber supply guarantee on the conditions set out in Division II of this chapter; and

(2) to obtain a forestry permit to harvest timber to supply a wood processing plant or to enter into a local forest management delegation agreement on the conditions set out in Division III of this chapter.”

60. Sections 339 and 340 of the Act are replaced by the following sections:

“339. The annual volumes of timber to which an agreement holder is entitled are set by the Minister after the Minister has revised, in accordance with this section, the volumes specified in the agreement holder’s agreement.

After giving the agreement holder an opportunity to submit observations, the Minister revises the volumes provided for in the agreement, taking into account

(1) the requirements of the wood processing plant;

(2) other available supply sources, such as timber from private forests or from outside Québec, chips, sawdust, shavings, recycled wood fibres and timber from other sources in forests in the domain of the State;

(3) the volumes of timber, by origin, used by the plant between 1 April 2003 and 31 March 2007;

(4) the allowable cuts assigned to the development units by the chief forester;

(5) all the forest development activities carried out in the development units under the agreement holder’s agreement since 1 April 2008, and especially the impact of those activities on the state of conservation of the forest and the forest resources and the effectiveness of the silvicultural treatments and the other protection and conservation measures applied in the development units;

(6) the constraints and the wood fibre losses associated with harvest integration, the volumes of timber used for purposes other than the supply of wood processing plants, such as firewood harvested for domestic or commercial purposes, and any other factor that may reduce the volume available at the time of harvest; and

(7) the physical characteristics of the timber that limit its use by certain categories of wood processing plants, notably the size of the timber in relation to the type of products made.

No increase in volume may be allocated to an agreement holder in a development unit pursuant to a revision if the Minister is of the opinion that the forest development activities carried out in the unit were unsatisfactory, taking into account the factors mentioned in subparagraph 5 of the second paragraph.

If a development unit is covered by more than one agreement and the allowable cut assigned to the unit has been reduced, the Minister may choose to vary the reduction in volume from one agreement holder to another for the species or group of species concerned, taking into account the impact such action may have on regional or local economic activity.

The timber made available under this section may be left standing or reserved either for the purposes set out in paragraphs 1 and 2 of section 341 or with a view to supplying wood processing plants.

“340. The Minister sets the annual volumes of timber for each agreement holder by reducing, by a percentage determined by the Minister, the part of the revised volumes of timber that exceeds the following volumes:

(1) 100,000 cubic metres for species from the fir, spruce, jack pine, larch (FSPL) group allocated to the agreement holder; or

(2) 25,000 cubic metres for all other species and groups of species combined, allocated to the agreement holder.

The reduction may vary from one agreement holder to another depending on the species or group of species concerned or depending on whether all or part of the areas from which the timber comes is concerned.

The Minister makes public the reduction rates determined under this section.”

61. Section 341 of the Act is amended by replacing the introductory clause by the following:

“341. The timber reserved by the Minister for the purposes of this section and made available under section 339, and the reductions in volume made by the Minister under section 340, must ensure that a sufficient quantity of timber remains”.

62. Section 342 of the Act is amended by replacing “the guaranteed annual volumes of timber, by species or group of species, to which an agreement holder is entitled in each of the regions the Minister identifies” in the first paragraph by “the annual volumes of timber, by species or group of species, the agreement holder is entitled to purchase from each region covered by the guarantee”.

63. Section 343 of the Act is amended by adding the following sentence at the end of the second paragraph: “However, the guarantees and related juridical acts, including timber sales contracts and harvest agreements, may validly be entered into before that date.”

64. The Act is amended by replacing Division III of Chapter I of Title XI, comprising sections 344 to 346, by the following division:

“DIVISION III

**“PROVISIONS GIVING ENTITLEMENT TO A PERMIT TO HARVEST
TIMBER TO SUPPLY A WOOD PROCESSING PLANT OR TO A LOCAL
FOREST MANAGEMENT DELEGATION AGREEMENT**

“344. The holder of a forest management agreement is entitled to obtain a permit to harvest timber to supply a wood processing plant for 1 April 2013, unless the holder waives such entitlement in writing before that date.

“345. The annual volumes of timber are set out in the permit by the Minister once the Minister has revised the volumes of timber provided for in the agreement holder’s agreement.

After giving the agreement holder an opportunity to submit observations, the Minister makes the revision, taking into account the factors mentioned in subparagraphs 4 to 6 of the second paragraph of section 339.

“346. Before 31 March 2015, the Minister must offer the permit holder an opportunity to replace all or part of the permit by an agreement to delegate to the permit holder the management of an area identified as a local forest.

The permit holder must inform the Minister of the holder’s desire to enter into such an agreement or to retain all or part of the permit. If applicable, the permit holder also informs the Minister of the areas the holder wishes to see identified as local forests.

“346.1. The identification of land areas as local forests is governed by subdivision 2 of Division II.2 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2).

The Minister makes a decision, taking into account how close the area is to the territory of the municipality or the Native community concerned.

The management delegation agreement is entered into in accordance with subdivision 3 of Division II.2 of the Act respecting the Ministère des Ressources naturelles et de la Faune.”

65. Section 371 of the Act is amended by adding the following paragraphs after the first paragraph:

“Despite the first paragraph, sections 27, 28, 28.1, 28.2 and 180, the first paragraph of section 181, the first and second paragraphs of section 186.3 and the first paragraph of sections 186.4 and 186.5 of the Forest Act remain in force until the Regulation respecting standards of forest management for forests in the domain of the State (chapter F-4.1, r. 7) is repealed or replaced by a regulation made under this Act.

For the purposes of the Regulation respecting standards of forest management for forests in the domain of the State, a standard that the Regulation imposes on a holder of a forestry permit without specifying the type of forestry permit concerned is a standard that is also imposed on any person who, though not a holder of such a permit, is otherwise authorized to carry out a forest development activity under this Act.”

LABOUR CODE

66. Section 1 of the Labour Code (chapter C-27) is amended by replacing paragraph *n* by the following paragraph:

“(n) “logging operations”: all activities in the forest related to the felling and harvest of timber, including cutting, cross-cutting, barking, hauling, piling and loading, but excluding highway transportation of timber;”.

67. Sections 2, 7 and 8 of the Code are repealed.

68. The Code is amended by inserting the following after section 111.22:

“CHAPTER V.2

“SPECIAL PROVISIONS APPLICABLE TO LOGGING OPERATIONS

“111.23. For the purposes of Chapters II and III, a logging operator is deemed to be the employer of all the employees assigned to logging operations involving the volumes of standing timber that the logging operator purchased under the timber supply guarantee or, in the case of a forest producer that supplies a wood processing plant from a private woodlot, all employees assigned to logging operations on that woodlot.

Despite the first paragraph, where two or more holders of a timber supply guarantee must conclude an integration agreement under section 103.7 of the Sustainable Forest Development Act (chapter A-18.1), they must identify, by an accord and within the time period fixed by the Minister of Natural Resources and Wildlife to prove the existence of the integration agreement, the deemed employer or employers, for the purposes of Chapters II and III, of the employees assigned to logging operations involving the volumes of standing timber which the guarantee holders purchased under their respective supply guarantees for the forest operations zones covered by the integration agreement. To that end, they may allocate responsibilities by specific forest operations zones or by the logging operations for which they assume responsibility, as long as each

employee is able to identify his deemed employer. In all cases, the deemed employer may be one of the guarantee holders designated to carry out the harvest, a group comprising some or all of the guarantee holders concerned, or an employers' association.

The accord referred to in the second paragraph must be sent, within the same time period, to the Minister of Natural Resources and Wildlife, the Minister of Labour, and the Commission. If the guarantee holders fail to reach such an accord or fail to send it to the proper authorities on time, the Minister of Natural Resources and Wildlife informs the Minister of Labour of the fact, who in turn submits the matter to the Commission so that it may designate a deemed employer after allowing the guarantee holders to make observations, in accordance with the procedure required by the Commission.

This section does not apply where it is not the logging operator who harvests the standing timber purchased, in accordance with section 103.5 or subparagraph 2 of the third paragraph of section 103.7 of the Sustainable Forest Development Act. Neither does it apply to employees who are members of a cooperative that carries out logging operations.

“111.24. A change in the deemed employer that is due to an accord or to a decision of the Commission under section 111.23 constitutes a transfer of part of the operation of the undertaking and entails the application of the first and second paragraphs of section 45.

Section 45.2 does not apply to such a transfer. However, a collective agreement that has not expired on the effective date of the transfer under the first paragraph expires on its prescribed expiry date or 24 months after the date of transfer, whichever occurs first.

Section 46 applies, with the necessary modifications, in cases of difficulties arising out of the application of this section.

“111.25. In logging operations, the premises set aside for employees' meals are not considered places of employment and no meeting may be held in the premises set aside as employees' living quarters.

“111.26. Subject to the Sustainable Forest Development Act (chapter A-18.1), the logging operator or the owner of any land where logging operations are carried on must allow any representative of an association of employees holding a permit issued by the Commission in accordance with the regulations made for such purpose under section 138 to enter on the land and to have access to the logging camp.

The operator must supply the representative with food and shelter at the price fixed for the employees by regulation under the Act respecting labour standards (chapter N-1.1).

On the written application of an employee, the logging operator shall advance to the employee the sum required as first dues to an association of employees, provided that the employee has that amount to his credit.

The written authorization given by an employee to withhold from his salary the above amount constitutes a payment within the meaning of subparagraph *c* of the first paragraph of section 36.1; the employer must remit to the association indicated, within the following month, the amounts so withheld accompanied with a memorandum of the list of names.

This section does not apply to logging operations carried on by a farm producer on his own property.”

69. Schedule I to the Code is amended by adding the following paragraph at the end:

“(31) section 75 of the Act to amend the Sustainable Forest Development Act and other legislative provisions (2013, chapter 2).”

ACT RESPECTING THE MINISTÈRE DES RESSOURCES NATURELLES ET DE LA FAUNE

70. Section 17.12.15 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) is amended by inserting the following subparagraph after subparagraph 1 of the first paragraph:

“(1.1) the contributions from forest resource management delegates that are party to a management delegation agreement entered into under section 17.22, paid to the Minister under section 17.24.1;”.

71. Section 17.13 of the Act, amended by section 316 of chapter 3 of the statutes of 2010, is again amended by adding the following paragraph:

“Such a program identifies the regulatory powers assigned to the Government and provided for in the Act respecting the lands in the domain of the State (chapter T-8.1) and the Sustainable Forest Development Act (chapter A-18.1) that the Minister may, for the purposes of the implementation of the program, delegate to a municipality, in accordance with section 17.22.”

72. Section 17.22 of the Act is amended

(1) by striking out “and, in the case of a municipality, the exercise of regulatory powers” at the end of the first paragraph;

(2) by adding the following sentence at the end of the first paragraph: “Management delegated to a municipality may include the exercise of regulatory powers assigned to the Minister under the Acts under the responsibility of the Minister or assigned to the Government under the Act respecting the lands in the domain of the State (chapter T-8.1) or the Sustainable Forest Development

Act (chapter A-18.1) but only, in the latter case, to the extent and in the manner provided for in a program prepared under section 17.13.”;

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

“The Minister may also delegate to those groups, by agreement, the management of a program the Minister devises under paragraph 3 or 16.6 of section 12. The same applies to a program the Minister prepares under section 17.13, to the extent and in the manner provided for in the program.”

73. Section 17.23 of the Act is amended by adding the following subparagraph after subparagraph 8 of the first paragraph:

“(9) if the delegatee is a regional county municipality, the delegated powers that may be subdelegated to a local municipality whose territory is included in that of the regional county municipality, as well as the terms governing the subdelegation.”

74. The Act is amended by adding the following sections after section 17.24:

“17.24.1. Forest resource management delegates must, in accordance with the terms determined by ministerial regulation, pay a contribution to the Minister for the funding of the goods and services available to them, in particular for activities related to the management or sustainable development of the area covered by the delegation or for other activities carried out in the area that may be financed by the sustainable forest development component of the Natural Resources Fund.

The contribution is established on the basis of a percentage of the revenues generated by the activities carried out in the area covered by the delegation, minus management costs for the area, or on the basis of any other computation rule determined by ministerial regulation.

“17.24.2. The Minister may, by regulation,

(1) set the percentage of revenues generated by the activities carried out in an area covered by a delegation, on the basis of which the contribution to be paid by a forest resource management delegatee must be established, or determine any other computation rule to establish the contribution;

(2) determine the terms of payment of the contribution the forest resource management delegatee must make to the Minister, as well as the documents and information the delegatee must send to the Minister.”

TRANSITIONAL AND FINAL PROVISIONS

75. Any timber supply guarantee issued under section 338 of the Sustainable Forest Development Act (chapter A-18.1) to the holder of a timber supply and forest management agreement issued under the Forest Act (chapter F-4.1)

entails the maintenance of the certified association and of the collective agreement in force on 1 April 2013.

The Commission des relations du travail may, on a motion, resolve any difficulty arising from the application of this section and, where necessary, from the application of sections 111.23 and 111.24 of the Labour Code (chapter C-27) that this section entails.

The provisions of the Labour Code having to do with the Commission des relations du travail, its commissioners, their decisions and the exercise of their functions apply, with the necessary modifications.

76. Unless the context indicates otherwise and subject to the necessary modifications, in any by-law, regulation, order in council, order, contract or other document, a reference to section 7 or 8 of the Labour Code is a reference, respectively, to section 111.25 or 111.26 of that Code.

77. The holders of a timber supply guarantee who are responsible for the harvest in the forest operations zones specified in the 2013-2014 harvest agreement must designate one of their number to carry out the timber harvest in each of the forest operations zones and those of their number who are to establish the infrastructures needed to carry out the harvest.

Only the guarantee holders responsible for carrying out forest development activities are obliged to sign the harvest agreement. They are solidarily responsible for applying the corrective measures required by the Minister under the second paragraph of section 65 of the Sustainable Forest Development Act and, in a case of failure to comply, for the payment of the costs incurred by the Minister pursuant to that paragraph.

The 2013-2014 harvest agreements are those which provide that the harvest must be carried out, and the infrastructures established, before 1 April 2014.

78. This Act comes into force on 9 April 2013, except

(1) sections 1 and 2, sections 8 to 15, section 39 to the extent that it enacts sections 116.1 to 116.3, and sections 44 to 57, 65 to 72 and 74 to 76, which come into force on 1 April 2013;

(2) section 29 to the extent that it enacts the first and second paragraphs of section 103.6, which comes into force on 1 April 2014.

2013, chapter 3

AN ACT TO PROVIDE FOR THE PROVISIONAL RELIEF FROM OFFICE OF AN ELECTED MUNICIPAL OFFICER

Bill 10

Introduced by Mr. Sylvain Gaudreault, Minister of Municipal Affairs, Regions
and Land Occupancy

Introduced 15 November 2012

Passed in principle 29 November 2012

Passed 28 March 2013

Assented to 9 April 2013

Coming into force : 9 April 2013

Legislation amended :

Cities and Towns Act (chapter C-19)

Municipal Code of Québec (chapter C-27.1)

Act respecting elections and referendums in municipalities (chapter E-2.2)

Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3)

Explanatory notes

This Act introduces a measure that allows the Superior Court, on a motion by a municipality, a municipal elector or the Attorney General, to declare provisionally incapable to perform any duty of office a member of the council of the municipality against whom proceedings have been brought for an offence under an Act of the Parliament of Québec or Canada that is punishable by a term of imprisonment of two years or more.

Provisional incapacity may be declared if the court considers it warranted in the public interest in view of the connection between the alleged offence and the council member's duties and the extent to which that offence is likely to discredit the administration of the municipality. The council member may ask the court to put an end to the provisional incapacity if it considers it warranted in view of the fact that the proceedings on which the provisional incapacity motion was based were substantially modified.

This Act contains rules for the cessation of the provisional incapacity.

It provides that the municipality's obligation to assume the defence costs of council members applies when a provisional incapacity motion is brought against a council member.

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Explanatory notes (Cont'd)

A council member found guilty of the offence alleged in the proceedings on which a provisional incapacity motion was based must reimburse the municipality for expenses paid for council member's defence against the motion. In such case, the council member must also repay to the municipality and any mandatory body of the municipality or supramunicipal body any sum received as remuneration or an allowance under the Act respecting the remuneration of elected municipal officers for the period during which the council member was forced to cease performing any duty of office. Moreover, the council member also loses the right to any severance allowance or transition allowance under that Act, and any such sums already received must be repaid to the municipality, except if they were received before the beginning of the term during which the council member was forced to cease performing any duty of office. Any benefits accrued to the council member under a pension plan will be adjusted to take into account the period during which the council member was forced to cease performing any duty of office.

This Act provides that the Minister of Municipal Affairs, Regions and Land Occupancy may set up a program to provide financial support to any elector who has brought or intends to bring a provisional incapacity motion against a council member.

Lastly, it provides that proceedings brought before the date of coming into force of the new measure may serve as the basis for a provisional incapacity motion.



Chapter 3

AN ACT TO PROVIDE FOR THE PROVISIONAL RELIEF FROM OFFICE OF AN ELECTED MUNICIPAL OFFICER

[Assented to 9 April 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CITIES AND TOWNS ACT

1. Section 56 of the Cities and Towns Act (chapter C-19) is amended by adding the following sentence at the end of the second paragraph: “When the inability results from a provisional incapacity declared under section 312.1 of the Act respecting elections and referendums in municipalities (chapter E-2.2), the acting mayor shall have and exercise all the powers conferred on the mayor, despite the fourth paragraph of section 53 and any inconsistent legislative provision contained in the charter of a municipality governed in part by this Act.”

2. Section 604.6 of the Act is amended by adding the following subparagraph after subparagraph 2 of the first paragraph:

“(3) assume the defence of a member of the council against whom a motion has been brought under section 312.1 of the Act respecting elections and referendums in municipalities (chapter E-2.2).”

3. Section 604.7 of the Act is amended by adding the following sentence at the end of the third paragraph: “They do not apply in the case provided for in subparagraph 3 of the first paragraph of section 604.6.”

MUNICIPAL CODE OF QUÉBEC

4. Article 711.19.1 of the Municipal Code of Québec (chapter C-27.1) is amended by adding the following subparagraph after subparagraph 2 of the first paragraph:

“(3) assume the defence of a member of the council against whom a motion has been brought under section 312.1 of the Act respecting elections and referendums in municipalities (chapter E-2.2).”

5. Article 711.19.2 of the Code is amended by adding the following sentence at the end of the third paragraph: “They do not apply in the case provided for in subparagraph 3 of the first paragraph of article 711.19.1.”

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

6. The Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by inserting the following after section 312:

“CHAPTER IX.1**“PROVISIONAL INCAPACITY**

“312.1. The Superior Court may, on a motion, if it considers it warranted in the public interest, declare provisionally incapable to perform any duty of office a member of the council of a municipality against whom proceedings have been brought for an offence under an Act of the Parliament of Québec or Canada that is punishable by a term of imprisonment of two years or more.

The motion may be brought by the municipality, the Attorney General or any of the municipality’s electors. It is heard and decided by preference. Notice of the motion is given to the Director of Criminal and Penal Prosecutions and to any other authority responsible for the proceedings on which the motion is based, so that they may make representations concerning any order needed to protect the right to a fair trial in the context of those proceedings.

To assess whether it is warranted in the public interest, the court considers the connection between the alleged offence and the council member’s duties and the extent to which the alleged offence is likely to discredit the administration of the municipality.

“312.2. The court may not declare the council member provisionally incapable if the motion is based on proceedings brought before the polling day for the most recent election in which the council member was declared elected or, as applicable, before the day on which the council member was declared elected under section 168 in that election.

“312.3. No appeal lies from the judgment.

“312.4. The provisional incapacity ceases on the first of the following dates:

(1) the date on which the prosecutor stays or withdraws all charges in the proceedings on which the motion was based;

(2) the date of a judgment of acquittal or a stay of proceedings in respect of all such charges; and

(3) the date on which the council member’s term that was in progress on the date of the judgment ends in accordance with the provisions of this Act.

“312.5. On a motion by the council member, the Superior Court may put an end to the provisional incapacity if it considers it warranted in view of the fact that the proceedings on which a provisional incapacity motion was based were substantially modified.

It is heard and decided by preference.

“312.6. If found guilty, by a judgment that has become final, of the offence alleged in the proceedings on which the judgment declaring him provisionally incapable was based, the council member must repay to the municipality and any mandatory body of the municipality or supramunicipal body any sum received as remuneration or an allowance under the Act respecting the remuneration of elected municipal officers (chapter T-11.001) for the period during which he was forced to cease performing any duty of office. The council member also loses the right to any severance allowance or transition allowance under that Act for the period prior to the finding of guilty and any such sums already received must be repaid to the municipality, except if they were received before the beginning of the term during which the council member was forced to cease performing any duty of office.

The council member must also reimburse the municipality for any expenses paid in the context of the defence of the council member against a provisional relief motion brought under subparagraph 3 of the first paragraph of section 604.6 of the Cities and Towns Act (chapter C-19) or subparagraph 3 of the first paragraph of article 711.19.1 of the Municipal Code of Québec (chapter C-27.1).

“312.7. The Minister of Municipal Affairs, Regions and Land Occupancy may set up a program to provide financial support to any elector who has brought or intends to bring a motion under the second paragraph of section 312.1.”

7. Section 317 of the Act is amended by adding “or by reason of the existence of a judgment declaring him provisionally incapable under section 312.1” at the end of the fourth paragraph.

ACT RESPECTING THE PENSION PLAN OF ELECTED MUNICIPAL OFFICERS

8. The Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3) is amended by inserting the following after the heading of Chapter XII:

“DIVISION 0.1

“MISCELLANEOUS PROVISIONS

“76.7. Despite any provision to the contrary in this Act or in any of the supplementary benefits plans established under sections 76.4 and 80.1, a council member who, by a judgment that has become final, was found guilty of an

offence alleged in proceedings that served as a basis for a motion referred to in section 312.1 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is deemed not to have participated in this plan during the period the council member was forced, in accordance with the judgment rendered under that section, to cease performing any duty of office. That period cannot be credited for the purposes of this plan.

The pension of the council member is recomputed, if necessary, as a result of the application of the first paragraph. Despite section 147.0.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), the Commission may, not later than the date occurring 24 months after the date on which the judgment became final, adjust downwards the amount of a pension already in payment in order to take the application of the first paragraph into account.”

FINAL PROVISIONS

9. Proceedings brought before this Act comes into force may serve as a basis for a motion under section 312.1 of the Act respecting elections and referendums in municipalities (chapter E-2.2), enacted by section 6.

10. This Act comes into force on 9 April 2013.

2013, chapter 4
**AN ACT TO OPTIMIZE GOVERNMENT ACTION IN
DELIVERING PUBLIC SERVICES TO CITIZENS
AND BUSINESSES**

Bill 21

Introduced by Madam Agnès Maltais, Minister of Employment and Social Solidarity

Introduced 13 February 2013

Passed in principle 20 March 2013

Passed 10 April 2013

Assented to 17 April 2013

Coming into force: 17 April 2013

Legislation amended:

Financial Administration Act (chapter A-6.001)

Public Administration Act (chapter A-6.01)

Individual and Family Assistance Act (chapter A-13.1.1)

Health Insurance Act (chapter A-29)

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 du Développement économique, de l'Innovation et de l'Exportation (chapter M-30.01)

Legislation repealed:

Act respecting Services Québec (chapter S-6.3)

Explanatory notes

This Act confers the mission to provide citizens and businesses throughout Québec a single window for simplified access to public services on the Minister of Employment and Social Solidarity. For that purpose, the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail is amended to transfer responsibility for certain activities exercised by Services Québec to the Minister.

This Act contains provisions allowing the Minister to carry out that mission, in particular by providing information to citizens and businesses, by providing referral services with respect to the delivery of services and by exercising any functions and engaging in any activities related to delivery of services that are assigned to the Minister by an agreement.

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Explanatory notes (Cont'd)

As well, responsibility for the register of civil status and the power to appoint the registrar of civil status are transferred to the Minister.

In addition, the Goods and Services Fund is established to finance the delivery of goods and services under the Minister's authority, including those related to the functions of the registrar of civil status.

Changes are introduced as regards the handling of complaints concerning service delivery and the implementation of measures or programs under the Minister's authority.

Lastly, transitional and consequential provisions are introduced, in particular with respect to terminating the terms of office of the members of the board of Services Québec and to the transfer of Services Québec personnel, assets and documents.



Chapter 4

AN ACT TO OPTIMIZE GOVERNMENT ACTION IN DELIVERING PUBLIC SERVICES TO CITIZENS AND BUSINESSES

[Assented to 17 April 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING SERVICES QUÉBEC

1. The Act respecting Services Québec (chapter S-6.3) is repealed.

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

2. 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

(1) by adding “as well as in the area of services to citizens and businesses” at the end of the first paragraph;

(2) by adding the following paragraph after the second paragraph:

“In the area of services to citizens and businesses, the Minister’s mission is to provide a single window in order to procure simplified access to public services throughout Québec. To do so, the Minister shall

(1) see that integrated service delivery is developed in a manner that guarantees its efficiency and ensure a government presence in all regions of Québec, based on the directions determined by the Government;

(2) provide information to citizens and businesses and referral services with respect to the delivery of the services that are available to them;

(3) ensure that the department provides a main gateway to business start-up and development services, including ready access to the forms and procedures needed to complete registration, modification, declaration and other formalities;

(4) ensure optimal use of information technologies in the delivery of services while taking into consideration the choice of citizens and businesses regarding the mode of service delivery;

(5) facilitate access to public documents by citizens and businesses in keeping with the provisions of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);

(6) foster concerted action and partnership in the delivery of services; and

(7) propose to any person, department or body the Minister may enter into agreements with, means to enhance the delivery of services to citizens and businesses.”

3. Section 3 of the Act is amended by inserting “, subject to subparagraph 4 of the first paragraph of section 77.1 of the Public Administration Act (chapter A-6.01),” after “shall” in the first paragraph.

4. The Act is amended by inserting the following section after section 5:

“5.0.1. When exercising functions or engaging in activities assigned by an agreement entered into for the purposes of this Act, the Minister is vested with all the necessary powers.

When a function or activity assigned to the Minister is exercised or engaged in by a public officer, the officer becomes a member of the personnel of the department if the agreement so provides. Otherwise, the Minister designates persons to exercise the function or engage in the activity, and publishes the designations in the *Gazette officielle du Québec*.”

5. The Act is amended by inserting the following sections after section 57:

“57.1. The Minister is responsible for the register of civil status and appoints the registrar of civil status.

“57.2. The registrar of civil status is a public officer and a member of the personnel of the department. The registrar exercises the functions provided for by law, attending exclusively to the work and duties of the registrar of civil status. However, at the request and in lieu of the Minister of Justice, the registrar may also grant the special exemptions provided for in articles 63 and 67 of the Civil Code and the authorizations provided for in article 366 of that Code.

If no designation has been made under article 151 of the Civil Code and the registrar of civil status is absent or unable to act, the Minister designates a public servant from the department to exercise the functions of registrar of civil status, and publishes the designation in the *Gazette officielle du Québec*.

“57.3. The registrar of civil status must inform the Attorney General, as soon as possible, of cases that could raise general interest issues or require the intervention of the Minister of Justice or Attorney General.

“57.4. The Minister must adopt a policy for the examination and processing of complaints received in respect of the delivery of services and the implementation of measures or programs under the Minister’s authority.

“57.5. To process such complaints, the Minister designates an administrative unit separate from the units responsible for delivering services or implementing measures or programs under the Minister’s authority.

“57.6. Complaints received by the administrative unit must be processed promptly and must be examined and analyzed, unless they are clearly unfounded, including if they do not pertain to one of the matters governed by this Act.

“57.7. The complainant must be informed of the results of the examination of the complaint, as well as of any applicable remedy procedures.

The first paragraph does not operate to allow the disclosure of confidential information.

“57.8. In the department’s annual management report, the Minister reports on the policy described in section 57.4, and states the number of complaints received, the nature of the complaints, the means used to settle them, the follow-up given to the complaints, and the level of satisfaction of complainants.”

6. The Act is amended by inserting the following chapter before Chapter VII:

“CHAPTER VI.1

“GOODS AND SERVICES FUND

“68.1. The Goods and Services Fund is established within the Ministère de l’Emploi et de la Solidarité sociale.

The Fund is to be used to finance

(1) the delivery of goods and services under the Minister’s authority that are related to the functions of the registrar of civil status;

(2) activities to further the achievement of the mission described in the third paragraph of section 2; and

(3) goods and services delivery activities, including with respect to products or services related to the department’s expertise.

“68.2. The following are credited to the Fund:

(1) the sums collected in achieving the objects of the second paragraph of section 68.1;

(2) the sums transferred to it by a minister out of the appropriations granted for that purpose by Parliament;

(3) the other sums the Minister is entitled to under any Act, regulation, order, order in council or agreement as consideration for the services rendered by the Minister;

(4) the sums transferred to it by the Minister of Finance under sections 53 and 54 of the Financial Administration Act (chapter A-6.001);

(5) the gifts, legacies and other contributions paid into it to further the achievement of its objects; and

(6) the revenue generated by the sums credited to the Fund.

“68.3. The sums required for the payment of any investment-related cost or expense needed to achieve the objects of the second paragraph of section 68.1 are debited from the Fund.

“68.4. Any surplus accumulated by the Fund may only be transferred to the general fund on the dates and to the extent determined by the Government.”

OTHER AMENDING PROVISIONS

FINANCIAL ADMINISTRATION ACT

7. Schedule 2 to the Financial Administration Act (chapter A-6.001) is amended by striking out “Services Québec”.

PUBLIC ADMINISTRATION ACT

8. The Public Administration Act (chapter A-6.01) is amended by inserting the following sections after section 73:

“73.1. The Conseil du trésor may, on the conditions it determines, require one or more departments or bodies of the Administration to have recourse to a department or a body of the Administration that it designates to exercise specific functions or engage in specific activities related to the delivery of services to citizens or businesses.

The decision may provide for the remuneration of that designated department or body by the department or body concerned. The decision may also provide for the transfer to the designated department or body of any document or property in the possession of the department or body that is required for the carrying out of the decision.

Such a decision requires the approval of the Government.

This section does not apply to administrative bodies exercising adjudicative functions.

“73.2. When exercising functions or engaging in activities assigned by a decision under section 73.1, the Minister or the chief executive officer of the body is vested with all the necessary powers.

When such a function or activity is exercised or engaged in by a public officer, the officer becomes a member of the personnel of the department or body if the decision so provides. Otherwise, the Minister or chief executive officer designates persons to exercise the function or engage in the activity, and publishes the designations in the *Gazette officielle du Québec*.”

9. Section 77.2 of the Act is repealed.

INDIVIDUAL AND FAMILY ASSISTANCE ACT

10. Section 38 of the Individual and Family Assistance Act (chapter A-13.1.1) is amended by striking out “and establish a complaint processing procedure for matters governed by this Act” in the first paragraph.

11. Sections 40 to 43 of the Act are repealed.

HEALTH INSURANCE ACT

12. Section 65 of the Health Insurance Act (chapter A-29) is amended by striking out “, Services Québec” in the sixth paragraph.

ACT RESPECTING THE MINISTÈRE DU DÉVELOPPEMENT ÉCONOMIQUE, DE L’INNOVATION ET DE L’EXPORTATION

13. Section 5 of the Act respecting the Ministère du Développement économique, de l’Innovation et de l’Exportation (chapter M-30.01) is amended by striking out paragraph 2.

TRANSITIONAL AND FINAL PROVISIONS

14. Unless the context indicates otherwise and with the necessary modifications, in any document,

(1) a reference to Services Québec, depending on the context, is a reference to the Minister of Employment and Social Solidarity or the Ministère de l’Emploi et de la Solidarité sociale;

(2) a reference to the Act respecting Services Québec (chapter S-6.3) or to any of its provisions is a reference to 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); and

(3) a reference to the Supply of Goods and Services Fund of the Ministère de l’Emploi et de la Solidarité sociale established by Order in Council 431-2006 (2006, G.O. 2, 2456, in French only) is a reference to the

Goods and Services Fund, established by section 68.1 of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail.

15. The Minister of Employment and Social Solidarity replaces Services Québec; the Minister acquires the rights of Services Québec and assumes its obligations.

16. The records and other documents of Services Québec become records and documents of the Ministère de l'Emploi et de la Solidarité sociale.

17. The assets and liabilities of Services Québec are transferred to the Goods and Services Fund.

18. The assets and liabilities of the Supply of Goods and Services Fund of the Ministère de l'Emploi et de la Solidarité sociale are transferred to the Goods and Services Fund.

19. The activities of the Supply of Goods and Services Fund of the Ministère de l'Emploi et de la Solidarité sociale end on 17 April 2013.

20. The expenditure and investment estimates for the Goods and Services Fund that are set out in Schedule I are approved for the 2013–2014 fiscal year. Those estimates include the appropriations allocated for that year to the Supply of Goods and Services Fund of the Ministère de l'Emploi et de la Solidarité sociale.

21. The members of the personnel of Services Québec become, without further formality, employees of the Ministère de l'Emploi et de la Solidarité sociale, except those working as jurists or legal managers in the Direction des services juridiques, who become employees of the Ministère de la Justice.

22. The terms of office of the members of the board of directors of Services Québec end on 17 April 2013.

23. The terms of office of the vice-chairs of Services Québec end on 17 April 2013, with no compensation other than the compensation provided for in section 22 of the Règles concernant la rémunération et les autres conditions de travail des titulaires d'un emploi supérieur à temps plein, enacted by Order in Council 450-2007 (2007, G.O. 2, 2723, in French only). However, vice-chairs who benefit from public service job security are reinstated under the conditions set out in their notice of appointment in the case of a return to the public service.

24. The Regulation respecting the signing of certain deeds, documents or writings of Services Québec adopted by the board of directors of Services Québec remains in force until it is repealed or replaced by the Government.

25. The Attorney General of Québec becomes, without continuance of suit, a party to all proceedings to which Services Québec was a party.

26. The examination of any complaint of which Services Québec was seized under section 18 of the Act respecting Services Québec and of which the Minister of Employment and Social Solidarity was seized under section 40 of the Individual and Family Assistance Act (chapter A-13.1.1) is continued by the Minister of Employment and Social Solidarity under sections 57.4 to 57.8 of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail.

27. This Act has effect from 1 April 2013 and all acts performed by Services Québec from that date until 17 April 2013 are deemed to have been performed by the Minister.

28. This Act comes into force on 17 April 2013.

SCHEDULE I
(Section 20)

GOODS AND SERVICES FUND

2013–2014 EXPENDITURE AND INVESTMENT ESTIMATES

Revenue	\$97,004,537
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Expenditures	<u>\$96,833,937</u>
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Surplus (deficit) for the fiscal year	<u><u>\$170,600</u></u>
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Investments

Capital investments	\$7,318,279
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Balance of loans and advances	(\$9,143,978)
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2013, chapter 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

Bill 13

Introduced by Mr. Bernard Drainville, Minister responsible for Democratic Institutions and Active Citizenship

Introduced 30 November 2012

Passed in principle 12 March 2013

Passed 23 April 2013

Assented to 24 April 2013

Coming into force: 24 April 2013, except sections 1 and 2, paragraphs 1 and 2 of section 5, sections 9, 11 and 12, and 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” in section 15, which come into force on 24 November 2013.

However, the provisions to come into force on 24 November 2013 may come into force at an earlier date set by the Government. Such a date may not be set before a recommendation to that effect is obtained from the Chief Electoral Officer stating that the preparations needed for the implementation of those provisions have been made and that the provisions may therefore come into force.

– 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”)
O.C. 1042-2013
G.O., 2013, Part 2, p. 3141

Legislation amended:

Election Act (chapter E-3.3)

Act to amend the Election Act to encourage and facilitate voting (2006, chapter 17)

(Cont'd on next page)

Explanatory notes

This Act amends the Election Act in order to provide, during general elections, for the establishment of polling stations on the premises of vocational training centres and post-secondary educational institutions, to enable voters who are students at such a centre or institution to vote there on the tenth, sixth, fifth or fourth day before polling day.

In addition, amendments are made to the provisions on voting at the offices of the returning officer and the coming into force of those provisions, adopted in 2006, is provided for.



Chapter 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

[Assented to 24 April 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ELECTION ACT

- 1.** Section 135.1 of the Election Act (chapter E-3.3) is amended by replacing “the executive director” in the second paragraph by “a person in authority at a vocational training centre or a post-secondary educational institution referred to in section 301.23 or”.
- 2.** Section 180 of the Act is amended by striking out the second paragraph.
- 3.** Section 202 of the Act is repealed.
- 4.** Section 206 of the Act is repealed.
- 5.** Section 262 of the Act, enacted by section 15 of chapter 17 of the statutes of 2006 and amended by section 37 of chapter 22 of the statutes of 2008, is again amended
 - (1) by replacing “II.2” in the first paragraph by “II.3”;
 - (2) by inserting the following subparagraph after subparagraph 3 of the first paragraph:

“(4) on the campus of a vocational training centre or a post-secondary educational institution that meets the criteria determined by a directive of the Chief Electoral Officer.”;
 - (3) by striking out the second paragraph.
- 6.** Section 269 of the Act, enacted by section 15 of chapter 17 of the statutes of 2006 and amended by section 39 of chapter 22 of the statutes of 2008 and by section 35 of chapter 5 of the statutes of 2011, is again amended by adding “and that they have not already voted in the current election. The statement must also include the information prescribed by the Chief Electoral Officer” at the end of the second paragraph.

7. Section 270 of the Act, enacted by section 15 of chapter 17 of the statutes of 2006 and amended by section 35 of chapter 5 of the statutes of 2011, is again amended by inserting “265,” before “307”.

8. The Act is amended by inserting the following section after section 280:

“280.1. Despite section 269, election officers who wish to vote may do so at the main office or at one of the branch offices of the returning officer in the electoral division where they are working on polling day.

The electors described in the first paragraph must, at the time of voting, provide a sworn written statement attesting that they are election officers and that they have not already voted in the current election. The statement must also include the information prescribed by the Chief Electoral Officer.”

9. The Act is amended by inserting the following division after section 301.22:

“DIVISION II.3

“ON-CAMPUS VOTING IN VOCATIONAL TRAINING CENTRES AND POST-SECONDARY EDUCATIONAL INSTITUTIONS

“301.23. For the purposes of this division:

(1) any vocational training centre described in the first paragraph of section 97 of the Education Act (chapter I-13.3) and any private educational institution described in paragraph 4 of section 1 of the Act respecting private education (chapter E-9.1) is deemed to be a vocational training centre; and

(2) any educational institution governed by the Act respecting the Barreau du Québec (chapter B-1), the General and Vocational Colleges Act (chapter C-29), the Act respecting the Conservatoire de musique et d’art dramatique du Québec (chapter C-62.1), the Act respecting the École de laiterie and intermediate agricultural schools (chapter E-1), the Act respecting private education (chapter E-9.1) insofar as the institution is covered by subparagraph 7 or 8 of the first paragraph of section 1, the Act respecting educational institutions at the university level (chapter E-14.1), the Act respecting the Institut de tourisme et d’hôtellerie du Québec (chapter I-13.02), the Police Act (chapter P-13.1) or the Fire Safety Act (chapter S-3.4) and their regulations is a post-secondary educational institution.

The Chief Electoral Officer may, by directives, add other vocational training centres or post-secondary educational institutions to those referred to in the first paragraph.

“301.24. At a general election, the returning officer establishes polling stations on the campuses of vocational training centres and post-secondary educational institutions, in accordance with the directives of the Chief Electoral Officer.

However, the Chief Electoral Officer may decide, given the time of the year, that there will be no polling stations on the campuses of all or some of the centres or institutions.

Vocational training centres and post-secondary educational institutions must permit the use of their premises free of charge for the purpose of establishing polling stations.

“301.25. Electors who are students at a vocational training centre or post-secondary educational institution may vote at a polling station set up on the campus of that centre or institution.

The electors described in the first paragraph must, at the time of voting, provide a sworn written statement attesting that they are students at that centre or institution and that they have not already voted in the current election. The statement must also include the information prescribed by the Chief Electoral Officer.

“301.26. The returning officer establishes a special board of revisors for each vocational training centre and post-secondary educational institution where a polling station is established, in accordance with the directives of the Chief Electoral Officer.

Vocational training centres and post-secondary educational institutions must permit the use of their premises free of charge for the purpose of establishing special boards of revisors.

“301.27. Voting and the special revision process take place from 9 a.m. to 9 p.m. on the tenth, sixth, fifth and fourth day before polling day. On the last day, voting ends at 2 p.m.

However, the Chief Electoral Officer may authorize the returning officer, according to the circumstances, to reduce the number of hours during which the voting and special revision process will take place on the campus of a vocational training centre or a post-secondary educational institution.

“301.28. Unless otherwise provided and with the necessary modifications,

(1) sections 264 to 268 apply to voting by electors whose domicile is in the same electoral division as the vocational training centre or post-secondary educational institution;

(2) sections 270, 272, 275 to 277, 279 and 280 apply to voting by electors whose domicile is not in the same electoral division as the vocational training centre or post-secondary educational institution; and

(3) section 221, the second paragraph of section 222 and sections 223 to 228 apply to the special board of revisors.”

10. Section 350 of the Act is amended by striking out “resided or” in subparagraph 2 of the first paragraph.

11. Section 551 of the Act is amended by replacing “executive director of” in paragraph 2 by “person in authority at”.

12. Section 553 of the Act is amended by replacing paragraph 1 by the following paragraph:

“(1) every manager, superintendent, caretaker, operator, owner or person in charge of a place described in the first paragraph of section 135.1 and every person in authority at a centre or an institution described in the second paragraph of section 135.1 who hinders access to a special board of revisors, to a mobile board of revisors, to a polling station or to a mobile polling station;”.

ACT TO AMEND THE ELECTION ACT TO ENCOURAGE AND FACILITATE VOTING

13. Section 21 of the Act to amend the Election Act to encourage and facilitate voting (2006, chapter 17) is repealed.

14. Section 38 of the Act is amended by replacing the introductory clause by the following:

“**38.** Until the coming into force of section 13.”.

TRANSITIONAL AND FINAL PROVISIONS

15. Despite sections 200 to 204 of the Election Act (chapter E-3.3) and until the coming into force of section 13 of the Act to amend the Election Act to encourage and facilitate voting (2006, chapter 17), electors may file an application for revision to the special board of revisors in one of the offices of the returning officer of the electoral division where they exercise their right to vote under section 263 or in a vocational training centre or a post-secondary educational institution where they exercise their right to vote under section 301.25.

16. Despite section 39 of the Act to amend the Election Act to encourage and facilitate voting, the following sections of that Act come into force on 24 April 2013:

(1) section 3;

(2) section 15, amended by sections 37 to 41 of chapter 22 of the statutes of 2008 and by section 35 of chapter 5 of the statutes of 2011, where it enacts the parts not in force of section 262, Division II of Chapter V and the second paragraph of section 301.18;

(3) the part of section 19 not in force.

17. The provisions of this Act come into force on 24 April 2013, except sections 1 and 2, paragraphs 1 and 2 of section 5, sections 9, 11 and 12, and 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” in section 15, which come into force on 24 November 2013.

However, the provisions to come into force on 24 November 2013 may come into force at an earlier date set by the Government. Such a date may not be set before a recommendation to that effect is obtained from the Chief Electoral Officer stating that the preparations needed for the implementation of those provisions have been made and that the provisions may therefore come into force.

2013, chapter 6 AN ACT TO AMEND THE POLICE ACT AS CONCERNS INDEPENDENT INVESTIGATIONS

Bill 12

Introduced by Mr. Stéphane Bergeron, Minister of Public Security

Introduced 29 November 2012

Passed in principle 20 March 2013

Passed 9 May 2013

Assented to 15 May 2013

Coming into force : 15 May 2013, except section 3 insofar as it enacts sections 289.1 to 289.3 and 289.19 to 289.22 of the Police Act, and sections 4 and 5, which come into force on the date or dates to be set by the Government

Legislation amended :

Financial Administration Act (chapter A-6.001)

Police Act (chapter P-13.1)

Act respecting the determination of the causes and circumstances of death (chapter R-0.2)

Explanatory notes

This Act amending the Police Act makes the conduct of an independent investigation mandatory in every case where a person, other than an on-duty police officer, dies, sustains a serious injury or is injured by a firearm used by a police officer during a police intervention or while the person is in police custody.

It establishes an investigation bureau, known as the Bureau des enquêtes indépendantes, whose mission is to conduct independent investigations and any investigation entrusted to it, in exceptional cases, by the Minister of Public Security on any other occurrence involving a peace officer and related to the officer's functions or on criminal offence allegations made against a peace officer.

The Bureau is a police force for the purposes of the pursuit of its mission. It is composed of a director, an assistant director and investigators appointed by the Government. This Act sets out rules applicable to the appointment and selection of the members of the Bureau as well as the minimum requirements they must meet to be appointed and exercise their functions.

The director of a police force that provides level 4 services or services of a higher level must make available to the Bureau the support services and police officers requested by the director of the Bureau. To that end, the director of a police force and any other member or employee of the police force is required to cooperate with the Bureau.

(Cont'd on next page)

Explanatory notes (Cont'd)

This Act also provides that once an investigation is completed, the investigation record must be sent to the Director of Criminal and Penal Prosecutions and, if the investigation was conducted following a death, to the coroner.

Lastly, it amends the Act respecting the determination of the causes and circumstances of death so that, in the cases and on the conditions determined by government regulation, financial assistance may be granted by the Chief Coroner to the family members of a person who died during an occurrence that led to an independent investigation, in order to cover the legal assistance and representation expenses they incur for the purposes of a coroner's inquest.



Chapter 6

AN ACT TO AMEND THE POLICE ACT AS CONCERNS INDEPENDENT INVESTIGATIONS

[Assented to 15 May 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

POLICE ACT

- 1.** Section 48 of the Police Act (chapter P-13.1) is amended by replacing “and 69,” in the first paragraph by “, 69 and 289.6.”
- 2.** Section 257 of the Act is amended by adding the following paragraph after the second paragraph:

“In addition, the Government shall make a regulation concerning the internal discipline of the members of the Bureau des enquêtes indépendantes established under section 289.5, on the recommendation of the director of the Bureau.”

- 3.** The Act is amended by inserting the following chapter after section 289:

“CHAPTER III.1

“INDEPENDENT INVESTIGATIONS

“DIVISION I

“CONDUCT OF AN INDEPENDENT INVESTIGATION

“**289.1.** An independent investigation must be conducted if a person, other than an on-duty police officer, dies, sustains a serious injury or is injured by a firearm used by a police officer during a police intervention or while the person is in police custody.

A government regulation shall determine what constitutes a serious injury within the meaning of the first paragraph.

“**289.2.** The director of the police force involved must inform the Minister without delay of any occurrence described in section 289.1. The director must also inform the internal affairs of the police force.

The Minister shall, upon being informed of such an occurrence, charge the Bureau des enquêtes indépendantes established under section 289.5 with

conducting the investigation in order to ensure the impartiality of the investigation.

“289.3. The Minister may also, in exceptional cases, charge the Bureau des enquêtes indépendantes with conducting an investigation on any occurrence involving a peace officer and related to the peace officer’s functions, other than an occurrence described in section 289.1.

“289.4. A government regulation shall be made to establish rules concerning the investigations the Bureau is charged with conducting under section 289.2. The regulation shall determine, among other things, the obligations of the police officers involved in an occurrence described in section 289.1, the police officers who witnessed the occurrence and the director of the police force involved.

“DIVISION II

“BUREAU DES ENQUÊTES INDÉPENDANTES

“§1. — *Establishment, composition, mission and operation*

“289.5. An investigation bureau to be known as the “Bureau des enquêtes indépendantes” is established.

The Bureau is composed of the following members appointed by the Government:

- (1) a director;
- (2) an assistant director; and
- (3) investigators.

The Government may designate investigation supervisors from among the investigators.

The Bureau is a police force for the purposes of the pursuit of its mission.

“289.6. The mission of the Bureau is to conduct any investigation the Minister has charged it with under Division II of Chapter III or Division I of this chapter. To that end, the Bureau shall have jurisdiction to prevent and repress statutory offences throughout Québec.

“289.7. The director of the Bureau is chosen from a list of at least three persons declared fit to hold that office by a selection committee formed by the Minister for that purpose.

The committee is composed of the Deputy Minister of Justice or the Deputy Minister’s representative, an advocate recommended by the Barreau du Québec,

a former director of a police force who is not a peace officer, recommended by the board of directors of the Association des directeurs de police du Québec, the secretary of the Conseil du trésor or the secretary's representative and the executive director of the École nationale de police du Québec. If the executive director of the École nationale de police is unable to participate in the committee, he or she shall designate and be represented by a member of the school's executive committee, subject to the Minister's approval.

The committee shall evaluate the candidates' fitness for the office of director of the Bureau according to the selection criteria it has established, on the basis of their knowledge, including knowledge of criminal and penal law, their experience, including investigative experience, and their qualifications. The committee shall present a report to the Minister listing the candidates met by the committee whom it considers fit to hold the office of director of the Bureau. All information and documents regarding the candidates are confidential.

The members of the committee shall receive no remuneration except in the cases, and on the conditions and to the extent that may be determined by the Government. They are, however, entitled to reimbursement, on the conditions and to the extent determined by the Government, of expenses they incur in the exercise of their functions.

The selection process does not apply to a director of the Bureau whose term is renewed.

“289.8. After consultation with the director of the Bureau, the assistant director is chosen from among a list of at least three persons declared fit to hold that office by a selection committee formed by the Minister for that purpose.

The committee is composed of the director of the Bureau, an advocate recommended by the Barreau du Québec, a former director of a police force who is not a peace officer, recommended by the board of directors of the Association des directeurs de police du Québec, the secretary of the Conseil du trésor or the secretary's representative and the executive director of the École nationale de police du Québec. If the executive director of the École nationale de police is unable to participate in the committee, he or she shall designate and be represented by a member of the school's executive committee, subject to the Minister's approval.

The third, fourth and fifth paragraphs of section 289.7, with the necessary modifications, apply in the case of the assistant director.

“289.9. The minimum requirements for the offices of director and assistant director are the following:

(1) be either a retired judge, or an advocate who has been a member of the Barreau du Québec for at least 15 years;

(2) meet the conditions set out in the first paragraph of section 115, except subparagraph 4; and

(3) never have been a peace officer, otherwise than as a director, assistant director or investigator of the Bureau.

“289.10. The investigators are appointed on the recommendation of the director of the Bureau. When making a recommendation, the director must encourage parity between investigators who have never been peace officers and those who have.

“289.11. The minimum requirements for the position of investigator are the following:

(1) those referred to in paragraph 2 of section 289.9; and

(2) not be a peace officer, otherwise than as an investigator of the Bureau.

A government regulation shall determine the selection criteria and process applicable to investigators.

“289.12. The director, the assistant director and the investigators shall be appointed for a fixed term of five years or less. At the expiry of their terms, they shall remain in office until reappointed or replaced.

The Government shall determine their remuneration, employee benefits and other conditions of employment.

The director, the assistant director and the investigators shall exercise their functions on a full-time basis.

“289.13. The director shall take the oaths provided in Schedules A and B before a judge of the Court of Québec, and the assistant director and the investigators, before the director.

The director, in exercising the functions of office, is authorized to administer throughout Québec the same oaths as a commissioner for oaths appointed under the Courts of Justice Act (chapter T-16).

“289.14. A government regulation shall determine the training the members of the Bureau must undergo.

“289.15. The employees of the Bureau shall be appointed in accordance with the Public Service Act (chapter F-3.1.1).

The minimum requirements for a position as an employee of the Bureau are set out in paragraphs 2 and 3 of section 289.9.

“289.16. The director shall direct the activities of the Bureau and coordinate its work. The director shall define the duties and the responsibilities of the other members and the employees of the Bureau. The director is assisted by the assistant director.

“289.17. If the director is absent or unable to act, the assistant director shall act as interim director.

If the office of director is vacant following a resignation or otherwise, the assistant director shall act as interim director for a period which cannot exceed 18 months.

“289.18. An act, document or writing is binding on or may be attributed to the Bureau only if it is signed by the director or the assistant director or, to the extent provided in the delegation of signature instrument, by an investigator or an employee of the Bureau. The delegation of signature instrument must be published in the *Gazette officielle du Québec* but takes effect upon its signing by the director.

“289.19. The director, or a member of the Bureau designated by the director, shall designate a principal investigator to conduct each investigation.

An investigator may not be designated as the principal investigator if the investigation concerns a police force of which the investigator has at any time been a member or an employee.

“289.20. The director of a police force that provides level 4 services or services of a higher level must make available to the Bureau the support services and police officers requested by the director of the Bureau or any member of the Bureau designated by the director. To that end, the director and any other member or employee of the police force must cooperate with the Bureau.

A government regulation shall determine the terms governing the provision of support services mentioned in the first paragraph.

“289.21. Once the investigation under Division I of this chapter is completed, the director of the Bureau shall send the investigation record to the Director of Criminal and Penal Prosecutions and, if a death is involved, to the coroner.

“§2. — Communications

“289.22. The director of the Bureau shall report to the public on the status of the Bureau’s activities at least twice yearly and within an interval of not more than eight months.

“289.23. The government regulation made under section 289.4 may provide rules relating to the director’s communications with the public and the family members of a person described in section 289.1.

“§3. — *Financial provisions, recommendations and report*

“**289.24.** The fiscal year of the Bureau ends on 31 March.

“**289.25.** Each year, the director of the Bureau shall submit budgetary estimates for the following fiscal year to the Minister, in accordance with the form and content and the schedule determined by the Minister.

“**289.26.** The Bureau may, at any time, give written advice or make written recommendations to the Minister on any subject that it considers appropriate and that is related to the pursuit of its mission.

“**289.27.** Not later than 31 July each year, the Bureau shall submit an annual management report to the Minister, who shall table it in the National Assembly within 30 days after receiving it or, if the Assembly is not sitting, within 30 days after resumption.

The report must include the following information:

- (1) the number of investigations it has been charged with;
- (2) the number of investigations in progress;
- (3) the number of investigations completed;
- (4) the number of investigators, specifying how many of them had never been peace officers before their appointment; and
- (5) the support services the Bureau requested under section 289.20 and the cost of each such service furnished by police forces that provide level 4 or 5 services.

The report must contain any other information required by the Minister.

Every year before 1 April, the director of a police force that provides level 4 or 5 services must submit a report to the director of the Bureau, in the form determined by the latter, which states the cost of each of the support services the police force furnished to the Bureau in the previous fiscal year.”

4. Section 310 of the Act is amended by inserting “any of” before “sections” and by replacing “120, 152, 286 and 288” by “120 and 152”.

5. Section 311 of the Act is amended by inserting “any of” before “sections” and by replacing “and 294” by “, 286, 288 and 289.20 and the first paragraph of section 289.2”.

6. Section 354 of the Act is amended by replacing “or a special constable” in the first paragraph by “, a special constable or a member of the Bureau des enquêtes indépendantes”.

FINANCIAL ADMINISTRATION ACT

7. Schedule 1 to the Financial Administration Act (chapter A-6.001) is amended by inserting the following, in alphabetical order:

“Bureau des enquêtes indépendantes”.

ACT RESPECTING THE DETERMINATION OF THE CAUSES AND CIRCUMSTANCES OF DEATH

8. The Act respecting the determination of the causes and circumstances of death (chapter R-0.2) is amended by inserting the following section after section 125:

“**125.1.** The Chief Coroner may, on the recommendation of the coroner conducting the inquest and in accordance with the regulation under section 168.1, grant financial assistance to members of a deceased person’s family.”

9. The Act is amended by inserting the following section after section 168:

“**168.1.** A government regulation may be made to determine the amounts, the eligibility requirements and the terms and conditions of payment of the financial assistance the Chief Coroner may grant to members of a deceased person’s family under section 125.1 to cover expenses incurred for legal assistance and representation during a coroner’s inquest following an independent investigation conducted by the Bureau des enquêtes indépendantes in accordance with section 289.2 of the Police Act (chapter P-13.1).”

TRANSITIONAL AND FINAL PROVISIONS

10. Not later than three years after the beginning of its first investigation, the Bureau des enquêtes indépendantes must report to the Minister on the carrying out of Chapter III.1 of Title V of the Police Act (chapter P-13.1), enacted by section 3, and may make recommendations to the Minister.

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 after resumption.

11. This Act comes into force on 15 May 2013, except section 3 insofar as it enacts sections 289.1 to 289.3 and 289.19 to 289.22 of the Police Act, and sections 4 and 5, which come into force on the date or dates to be set by the Government.

2013, chapter 7

AN ACT TO AMEND THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES WITH RESPECT TO FINANCING

Bill 26

Introduced by Mr. Sylvain Gaudreault, Minister of Municipal Affairs, Regions
and Land Occupancy

Introduced 12 March 2013

Passed in principle 16 April 2013

Passed 16 May 2013

Assented to 22 May 2013

Coming into force : 21 June 2013

Legislation amended :

Act respecting elections and referendums in municipalities (chapter E-2.2)

Explanatory notes

This Act amends the Act respecting elections and referendums in municipalities in order to reduce from \$1,000 to \$300 the total contributions that may be paid by the same elector in a municipality, in the same fiscal year, to each of the authorized political parties and authorized independent candidates and, during a given political party leadership campaign, to each of the leadership candidates. It also limits to \$300 the gifts a contributor may make to a candidate running in a municipality of less than 5,000 inhabitants. It specifies, however, that a candidate may also pay contributions or sums of money for the candidate's own benefit or that of the candidate's party, the total of which may not exceed \$700.

The ceiling on electoral expenses incurred during an election by a party or authorized independent candidate is reduced by 30%, and the amount of the electoral expenses incurred by a party or independent candidate that are reimbursable by the municipality is increased by 70%. Moreover, the manner in which a gift of money amounting to \$100 or more must be made in the case of a municipality of less than 5,000 inhabitants is specified.

Penalties may be imposed, in particular, on a person who contributes a gift of money amounting to more than \$300 to a candidate running in a municipality of less than 5,000 inhabitants. Moreover, a legal person found guilty of contributing a gift of money to a candidate running in a municipality of less than 5,000 inhabitants may not obtain a public contract.



Chapter 7

AN ACT TO AMEND THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES WITH RESPECT TO FINANCING

[Assented to 22 May 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 431 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended

(1) by replacing “\$1,000” by “\$300”;

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

“In addition to the contributions described in the first paragraph, a candidate of an authorized party or an authorized independent candidate may, during the fiscal year of the election, make contributions for the candidate’s own benefit or that of the party for which the candidate is running, the total of which may not exceed \$700.”

2. Section 465 of the Act is amended

(1) by replacing “\$5,400” in subparagraph 1 of the first paragraph by “\$3,780”;

(2) by replacing “\$0.42” in subparagraph *a* of subparagraph 1 of the first paragraph by “\$0.30”;

(3) by replacing “\$0.72” in subparagraph *b* of subparagraph 1 of the first paragraph by “\$0.51”;

(4) by replacing “\$0.54” in subparagraph *c* of subparagraph 1 of the first paragraph by “\$0.38”;

(5) by replacing “\$2,700” and “\$0.42” in subparagraph 2 of the first paragraph by “\$1,890” and “\$0.30”, respectively.

3. Section 475 of the Act is amended by replacing “50%” by “70%”.

4. Section 476 of the Act is amended by replacing “50%” in the first paragraph by “70%”.

5. Section 499.7 of the Act is amended

(1) by replacing “\$1,000” in the third paragraph by “\$300”;

(2) by adding the following sentence at the end of the third paragraph: “In addition to those contributions, a candidate may make contributions for the candidate’s own benefit, the total of which may not exceed \$700.”

6. Section 513.0.1 of the Act is amended by adding “, and may issue directives respecting such enforcement” at the end.

7. Section 513.1 of the Act is amended

(1) by replacing the first and second paragraphs by the following paragraphs:

“513.1. Every person who is a candidate at an election for the office of member of the council of a municipality to which Divisions II to IX of Chapter XIII do not apply shall, within 90 days after the polling day fixed for that election, transmit to the treasurer a list of the persons who, to promote the election of the candidate, contributed a sum of \$100 or more, or contributed two or more sums amounting to \$100 or more. The list must indicate the amount thus contributed by each person as well as any amount of \$100 or more that the candidate made to promote his or her own election, if applicable.

The Chief Electoral Officer prescribes the other information that must be included on the list referred to in the first paragraph.”;

(2) by striking out “at the request of and” in the third paragraph.

8. Section 513.1.1 of the Act is replaced by the following section:

“513.1.1. Only a natural person may make gifts of money, the total of which may not exceed \$300 per candidate. In addition to those gifts, a candidate may contribute sums of money for the candidate’s own benefit, the total of which may not exceed \$700.”

9. The Act is amended by inserting the following section after section 513.1.1:

“513.1.2. Every gift of money of \$100 or more must be made by cheque or other order of payment signed by the person who makes the gift and drawn on the person’s account in a financial institution having an office in Québec and be made payable to the order of the person described in the first paragraph of section 513.1.”

10. Section 610.1 of the Act is amended

(1) by replacing “and who collects a gift of money from, or another person who, on that candidate’s behalf, collects a gift of money from, a legal person” in paragraph 1 by “and who collects a gift of money from a legal person, or collects a gift of money from a natural person that causes the maximum amount provided for in section 513.1.1 to be exceeded”;

(2) by striking out “legal” in paragraph 2;

(3) by adding the following paragraph after paragraph 2:

“(3) a person who collects a gift referred to in paragraph 1 on behalf of a person referred to in that paragraph.”

11. The Act is amended by inserting the following section after section 612:

“612.1. An elector who makes a contribution of \$100 or more that is not made in accordance with section 436 is guilty of an offence.”

12. Section 641 of the Act is amended by replacing “, 612,” by “to”.

13. Section 641.2 of the Act is amended by replacing “for contravening any of sections 429, 430 and 431 or an offence under any of paragraphs 2 to 4 of section 610” in the first paragraph by “under any of paragraphs 2 to 4 of section 610 or paragraph 2 of section 610.1”.

FINAL PROVISION

14. This Act comes into force on 21 June 2013.

2013, chapter 8

AN ACT TO AMEND THE CRIME VICTIMS COMPENSATION ACT, THE ACT TO PROMOTE GOOD CITIZENSHIP AND CERTAIN PROVISIONS OF THE CIVIL CODE CONCERNING PRESCRIPTION

Bill 22

Introduced by Mr. Bertrand St-Arnaud, Minister of Justice

Introduced 21 February 2013

Passed in principle 16 April 2013

Passed 22 May 2013

Assented to 23 May 2013

Coming into force : 23 May 2013

Legislation amended :

Civil Code of Québec

Act to promote good citizenship (chapter C-20)

Crime Victims Compensation Act (chapter I-6)

Explanatory notes

This Act amends the Crime Victims Compensation Act to provide that the costs for cleaning a crime scene may be paid back in accordance with the conditions prescribed. It also provides for the payment of certain expenses incurred for the resiliation of a residential lease, in the case of a victim of spousal violence or sexual aggression, or for the reimbursement of certain expenses incurred by the victim of crime in vacating a dwelling if the victim must pay rent for another dwelling as well, and the victim's relocation is required to facilitate rehabilitation.

It also extends the time in which to file an application for compensation from one year to two years and specifies that the occurrence of the injury, which serves as the starting point of the two-year period, is the moment the victim becomes aware of the damage suffered and of its probable connection with the criminal offence.

It also raises the amount of the lump sum indemnity to which the parents of a dependent child are entitled, if the child dies, as well as the amount that may be reimbursed to the person who paid for a victim's funeral expenses.

(Cont'd on next page)

Explanatory notes (Cont'd)

It also amends the Act to promote good citizenship to increase the time limit for applying for a benefit from one to two years and to raise the amount granted to cover a rescuer's funeral expenses.

In addition, this Act amends the Civil Code by extending the prescriptive period from three years to ten years in cases of civil liability where the act causing bodily injury could constitute a criminal offence. The prescriptive period is of 30 years when the injury results from a sexual aggression, violent behaviour suffered during childhood, or the violent behaviour of a spouse or former spouse. If the victim or the author of the act dies, the prescriptive period is reduced to three years and runs from the date of death.

This Act states the time from which the prescriptive period in such cases runs by setting it clearly, not from the time of the criminal act, but from the time the victim becomes aware that the injury suffered is attributable to that act. The prescriptive period applicable to these same actions does not run against a minor or a person of full age under curatorship or tutorship.

Lastly, this Act contains transitional and final provisions.



Chapter 8

AN ACT TO AMEND THE CRIME VICTIMS COMPENSATION ACT, THE ACT TO PROMOTE GOOD CITIZENSHIP AND CERTAIN PROVISIONS OF THE CIVIL CODE CONCERNING PRESCRIPTION

[Assented to 23 May 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CRIME VICTIMS COMPENSATION ACT

1. Section 1 of the Crime Victims Compensation Act (chapter I-6) is amended by replacing “the person referred to in section 6” in paragraph *c* by “the persons referred to in sections 6 and 6.1”.

2. Section 6 of the Act is amended

(1) by replacing “Notwithstanding section 2, the person who” at the beginning of the first paragraph by “Despite section 2, a natural person who”;

(2) by replacing “\$3,000” in the first paragraph by “\$5,000”;

(3) by adding the following sentence at the end of the second paragraph: “The Minister publishes the indemnity amount so revalorized in the *Gazette officielle du Québec*.”

3. The Act is amended by inserting the following sections after section 6:

“6.1. Despite section 2, the costs for cleaning the crime scene in a private residence are paid back by the Commission to the natural person who assumed them, if the victim died following the crime and the services of a specialized cleaning firm were required.

The cleaning costs are paid up to an amount of \$3,200, revalorized on 1 January of each year in accordance with sections 119 to 123 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001). The Minister publishes the indemnity amount so revalorized in the *Gazette officielle du Québec*.

“6.2. The costs incurred under article 1974.1 of the Civil Code for the resiliation of a residential lease are paid by the Commission up to the equivalent of two months’ rent, without exceeding \$1,000 per month.

The maximum amount referred to in the first paragraph is revalorized on 1 January of each year in accordance with sections 119 to 123 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001). The Minister publishes the indemnity amount so revalorized in the *Gazette officielle du Québec*.

“6.3. The rental costs incurred by the victim of a criminal offence listed in the schedule to this Act in vacating a dwelling otherwise than pursuant to article 1974.1 of the Civil Code may be paid by the Commission up to the equivalent of three months’ rent if the victim must pay rent for another dwelling as well, and the victim’s relocation is required to facilitate rehabilitation.”

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

“7. Despite section 2, the father and mother of a dependent person may invoke this Act to obtain an indemnity of \$6,000 each if the person died in circumstances to which this Act applies.

However, only one of the parents is entitled to an indemnity of \$12,000 in the following cases:

- (1) that parent is the only parent who may claim benefits under this Act;
- (2) the other parent is deprived of parental authority or has abandoned the dependent person.

If one of the parents entitled to the indemnity fails to submit a claim within the time prescribed in section 11, the Commission pays an additional indemnity of \$6,000 to the other parent provided that person submitted a claim within the required time.

The indemnity amounts referred to in this section are revalorized on 1 January of each year in accordance with sections 119 to 123 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001). The Minister publishes the indemnity amounts so revalorized in the *Gazette officielle du Québec*.”

5. Section 11 of the Act is amended

- (1) by replacing “one year” in the first paragraph by “two years”;
- (2) by inserting the following paragraph after the first paragraph:

“For the purposes of the first paragraph, the occurrence of an injury is the moment the victim becomes aware of the damage suffered and of its probable connection with the criminal offence.”;

(3) by adding the following sentence at the end of the second paragraph: “This presumption may be rebutted if, among other things, it is shown that it was impossible for the victim to act.”

CIVIL CODE OF QUÉBEC

6. Article 2905 of the Civil Code of Québec is amended by replacing the second paragraph by the following paragraph:

“Nor does it run against a minor or a person of full age under curatorship or tutorship with respect to remedies they may have against their representative or against the person entrusted with their custody, or with respect to remedies they may have against any person for bodily injury resulting from an act which could constitute a criminal offence.”

7. The Code is amended by inserting the following article after article 2926:

“2926.1. An action in damages for bodily injury resulting from an act which could constitute a criminal offence is prescribed by 10 years from the date the victim becomes aware that the injury suffered is attributable to that act. However, the prescriptive period is 30 years if the injury results from a sexual aggression, violent behaviour suffered during childhood, or the violent behaviour of a spouse or former spouse.

If the victim or the author of the act dies, the prescriptive period, if not already expired, is reduced to three years and runs from the date of death.”

8. Article 2930 of the Code is replaced by the following article:

“2930. Notwithstanding any provision to the contrary, where an action is based on the obligation to make reparation for bodily injury caused to another, the requirement that notice be given prior to bringing the action or that the action be instituted within a period of less than 3 years, 10 years or 30 years, as the case may be, cannot affect a prescriptive period provided for in this Book.”

ACT TO PROMOTE GOOD CITIZENSHIP

9. Section 2 of the Act to promote good citizenship (chapter C-20) is amended

(1) by replacing “The person” at the beginning of the second paragraph by “A natural person”;

(2) by replacing “\$600” in the second paragraph by “\$5,000”;

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

“The amount set out in the second paragraph for the reimbursement of funeral expenses is revalorized on 1 January of each year in accordance with

sections 119 to 123 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001). The Minister publishes the amount of the revalorized indemnity in the *Gazette officielle du Québec*.”

10. Section 3 of the Act is amended by replacing “one year” wherever it appears in the first paragraph by “two years”.

TRANSITIONAL AND FINAL PROVISIONS

11. Section 5 of this Act applies in respect of a person who, on or after 23 May 2013, becomes a crime victim within the meaning of section 3 of the Crime Victims Compensation Act (chapter I-6).

12. Suspension of prescription provided for in article 2905 of the Civil Code of Québec, enacted by section 6, applies to existing juridical situations only as of the coming into force of section 6.

13. The prescriptive periods provided for in article 2926.1 of the Civil Code, enacted by section 7, apply to existing juridical situations taking into account the time already elapsed.

The provisions of article 2926.1 of the Civil Code concerning the starting point of prescriptive periods are declaratory.

14. This Act comes into force on 23 May 2013.

2013, chapter 9

AN ACT TO AMEND THE ACT RESPECTING THE PENSION PLAN OF PEACE OFFICERS IN CORRECTIONAL SERVICES AND OTHER LEGISLATIVE PROVISIONS

Bill 32

Introduced by Mr. Stéphane Bédard, Minister responsible for Government Administration and Chair of the Conseil du trésor

Introduced 21 March 2013

Passed in principle 17 April 2013

Passed 22 May 2013

Assented to 23 May 2013

Coming into force: 23 May 2013, except sections 54, 57 to 59, 61 and 62, which come into force on 1 November 2013

Legislation amended:

Public Administration Act (chapter A-6.01)

Act respecting the Caisse de dépôt et placement du Québec (chapter C-2)

Act respecting the Commission administrative des régimes de retraite et d'assurances (chapter C-32.1.2)

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)

Explanatory notes

This Act amends the Act respecting the Pension Plan of Peace Officers in Correctional Services with respect to the financing and governance structure of the pension plan established by that Act. More specifically, the amendments deal with the creation, at the Caisse de dépôt et placement du Québec, of the employees' contribution fund under the plan and the employers' contributory fund, the creation of a pension committee, the modification of the apportionment of the cost of the plan and the possibility of revising annually the basic rate of contribution applicable to the plan.

The Act respecting the Commission administrative des régimes de retraite et d'assurances is amended to provide for the manner in which the administrative expenses related to the plan are paid.

Lastly, various consequential and transitional amendments are introduced.



Chapter 9

AN ACT TO AMEND THE ACT RESPECTING THE PENSION PLAN OF PEACE OFFICERS IN CORRECTIONAL SERVICES AND OTHER LEGISLATIVE PROVISIONS

[Assented to 23 May 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE PENSION PLAN OF PEACE OFFICERS IN CORRECTIONAL SERVICES

1. Section 20 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2) is amended

(1) by replacing “185.19%” in the second paragraph by “217.39%”;

(2) by replacing “section 42 and” in the second paragraph by “section 42, 100% of which represents the employee contribution and 117.39% of which represents the employer contribution, and an amount equal to”.

2. Section 26 of the Act is amended

(1) by replacing “determined for each period in Schedule VII to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10)” in the fourth paragraph by “given for each period in Schedule III”;

(2) by replacing “determined in Schedule VII” in the fourth paragraph by “determined in Schedule III”.

3. Section 29 of the Act is amended by replacing “Schedule VI to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10)” in the third paragraph by “Schedule II”.

4. Section 30 of the Act is amended by replacing “Schedule VII to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10)” in the second paragraph by “Schedule III”.

5. Section 33 of the Act is amended by replacing “Schedule VI to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10)” in the second paragraph by “Schedule II”.

6. Section 34 of the Act is amended by replacing “Schedule VI to the Act respecting the Government and Public Employees Retirement Plan to the date the application is received at the Commission and at the rate determined in

Schedule VII to that Act” in the second paragraph by “Schedule II to this Act to the date the application is received at the Commission and at the rate determined in Schedule III”.

7. Section 36 of the Act is amended

(1) by replacing “Schedule VI to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10)” in the second paragraph by “Schedule II to this Act”;

(2) by replacing “Schedule VII to that Act” in the second paragraph by “Schedule III”.

8. Section 40 of the Act is amended by replacing “Schedule VI to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) to the date the application is received at the Commission and at the rate determined in Schedule VII to that Act” in the fourth paragraph by “Schedule II to this Act to the date the application is received at the Commission and at the rate determined in Schedule III”.

9. Section 41 of the Act is amended by replacing “Schedule VI to that Act to the date the application is received at the Commission and at the rate determined in Schedule VII to that Act” in the second paragraph by “Schedule II to this Act to the date the application is received at the Commission and at the rate determined in Schedule III”.

10. Section 41.8 of the Act is amended

(1) by replacing “determined for each period in Schedule VII to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) from the first day of the month following the date on which the actuarial values are established to the date the transfer application is received at the Commission, and at the rate determined in Schedule VII” in the third paragraph by “given for each period in Schedule III from the first day of the month following the date on which the actuarial values are established to the date the transfer application is received at the Commission, and at the rate determined in that Schedule III”;

(2) by replacing “determined in Schedule VII to the Act respecting the Government and Public Employees Retirement Plan” in the fourth paragraph by “given in Schedule III”.

11. Section 41.12 of the Act is amended by replacing “Schedule VI to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10)” in the third paragraph by “Schedule II”.

12. The Act is amended by inserting the following section after section 43.3:

“43.4. The Minister of Finance shall determine the amounts that could, from year to year and at prescribed periods, be capitalized to take into account undertakings or guarantees of the Government with respect to this Act. The amounts so capitalized are drawn from the Consolidated Revenue Fund.”

13. Section 66.2 of the Act is repealed.

14. Section 66.6 of the Act is repealed.

15. Section 66.7 of the Act is amended by replacing “sections 66.5 and 66.6” at the end of the first paragraph by “section 66.5”.

16. Section 67 of the Act is amended by replacing “Schedule VI to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) until the date the application is received at the Commission and at the rate determined in Schedule VII to that Act” in the first paragraph by “Schedule II to the date the application is received at the Commission and at the rate determined in Schedule III”.

17. Section 70 of the Act is amended by replacing “Schedule VI to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) until the date of death and at the rate determined in Schedule VII to that Act” by “Schedule II until the date of death and at the rate determined in Schedule III”.

18. Section 70.1 of the Act is amended by replacing “Schedule VI to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) until the date of death and at the rate determined in Schedule VII to that Act” by “Schedule II until the date of death and at the rate determined in Schedule III”.

19. Section 72 of the Act is amended by replacing the first paragraph by the following paragraph:

“72. Subject to section 73, contributions are refunded with interest, compounded annually, at the rates given for each period in Schedule II to the date determined in each of the relevant sections and at the rate determined in Schedule III, in force on that date, unless otherwise provided, from the day following that date. Contributions accrued with interest during the period of application of the rates determined in Schedule II may not be less than the contributions.”

20. Section 74 of the Act is amended

(1) by replacing “Schedule VII to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10)” in the first paragraph by “Schedule III”;

(2) by replacing “Schedule VI to that Act” at the end of the first paragraph by “Schedule II”.

21. Section 74.0.1 of the Act is amended

(1) by replacing “determined for each period in Schedule VI to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10)” in the first paragraph by “given for each period in Schedule II”;

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

“The rates of interest in Schedule II are determined according to the rules and procedures determined by regulation for the period indicated and the rates of return on certain categories of amounts referred to in section 134 and designated by the regulation. The rates of interest in Schedule III are determined according to the rules and procedures determined by regulation for the period indicated and an external index designated by the regulation. The Chair of the Conseil du trésor publishes in the *Gazette officielle du Québec* the rates of interest determined under those regulations, and the amendments to the schedules resulting from the new rates are integrated into the Compilation of Québec Laws and Regulations.

The applicable rates determined in Schedule II are the rates determined for each period according to the period of application of those rates provided for in the relevant sections. The applicable rate determined in Schedule III is the rate in force on the day that precedes the date the period of application of that rate begins as provided in the relevant sections, unless otherwise provided.”

22. Section 74.1 of the Act is amended by replacing “Schedule VII to the Act respecting the Government and Public Employees Retirement Plan” in the third paragraph by “Schedule III”.

23. Section 74.6 of the Act is amended by replacing “Schedule VI to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) from the date the refund is paid to the date the application is received at the Commission and at the rate determined in Schedule VII to that Act” in the first paragraph by “Schedule II from the date the refund is paid to the date the application is received at the Commission and at the rate determined in Schedule III”.

24. Section 74.7 of the Act is amended by replacing “Schedule VI to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), for each year, from the midpoint of the period during which the employee would have paid contributions if the employee had been a member of this plan during that year to the date the application is received at the Commission and at the rate determined in Schedule VII to that Act” in the first paragraph by “Schedule II, for each year, from the midpoint of the period during which the employee would have paid contributions if the employee had been a member of this plan during that year to the date the application is received at the Commission and at the rate determined in Schedule III”.

25. Section 126 of the Act is replaced by the following section:

“126. Once every three years, the pension committee established under section 139.3 shall require the Commission to cause an actuarial valuation of the plan to be prepared by the actuaries designated by the Commission. If no such request is made, the Commission shall cause the actuarial valuation to be prepared if more than three years have elapsed since the last valuation.

The committee shall send the actuarial valuation to the Minister within 90 days after receiving it.

The committee may request an independent actuary to report, within 30 days of his or her appointment, on the validity of the assumptions used for the actuarial valuation. In such a case, the committee shall send the report and the actuarial valuation to the Minister within 90 days after receiving the report.”

26. Section 127 of the Act is amended by replacing the first paragraph by the following paragraph:

“127. For the years of service subsequent to 2012, the cost of the plan is shared in the proportion of 46% for the employees and 54% for the employer.”

27. Section 128 of the Act is replaced by the following section:

“128. The Government may, by regulation, revise the rate of contribution applicable to the plan from 1 January of each year on the basis of the result of the actuarial valuation referred to in the first paragraph of section 126.”

28. Section 130 of the Act is amended

(1) by replacing “The Government” in the introductory clause by “After the Commission has consulted the pension committee established under section 139.3, the Government”;

(2) by inserting the following paragraph after paragraph 7.3.1:

“(7.3.1.1) for the purposes of section 74.0.1, determine for a given period the rules and procedures for determining the rates of interest in Schedule II according to the rates of return on certain categories of amounts referred to in section 134 and designated by the regulation, and the rules and procedures for determining the rates of interest in Schedule III according to an external index designated by the regulation;”;

(3) by replacing “contribution rates” in paragraph 9 by “contribution rate”;

(4) by striking out paragraph 12;

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

“For the purposes of the consultation provided for in the first paragraph, draft regulations must be submitted to the pension committee at least 30 days before they are adopted, together with a report describing their effects.”

29. The heading of Chapter VIII of the Act is amended by replacing “TRANSFER OF FUNDS” by “FUNDS OF THE PLAN”.

30. Section 132.1 of the Act is amended by replacing “reexamination committee or” in the fourth paragraph by “pension committee established under section 139.3 or an”.

31. Section 132.1.1 of the Act is amended

(1) by striking out “to the Commission” in the first sentence of the first paragraph;

(2) by replacing “review committee or” in the first paragraph by “pension committee established under section 139.3 or the”;

(3) by replacing “provided for in Schedule VII to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10)” in the second paragraph by “given in Schedule III”.

32. The Act is amended by inserting the following division after section 133:

“DIVISION I.1

“FUNDS OF THE PLAN

“§1. — *Investment of funds*

“133.1. The employees’ contribution fund under this plan is established at the Caisse de dépôt et placement du Québec. The employers’ contributory fund in respect of employees covered by this plan is also established at the Caisse.”

33. Section 134 of the Act is replaced by the following sections:

“134. The Commission shall deposit into the funds established under section 133.1

(1) the funds derived from the contributions deducted from the salary of the employees or paid in their stead by the employer or the insurer;

(2) the sums paid by the employees to redeem service;

(3) the funds transferred to the Commission under agreements respecting this plan and entered into under section 133;

(4) the contributory amounts paid by the employers under sections 42.2 to 43.1; and

(5) the sums paid by the insurer under section 20.

The funds derived from the contributions deducted from the salary of the employees under the third paragraph of section 42 are deposited into the employers' contributory fund.

However, the Commission shall, according to the standards determined by the Government, withhold the part of those amounts it expects to need immediately for the payments it is required to make during the period determined by the Government.

“§2. — Terms and conditions of the payment of benefits

“134.1. The payment of benefits due as pensions, pension credits, refunds or additional benefit and the payment of the sums necessary in respect of transfers are made by the Commission.

The sums necessary for such payments are taken, first, out of the sums withheld by the Commission under section 134, and thereafter, out of the sums paid to the Caisse de dépôt et placement du Québec,

(1) in a proportion of 54% out of the employees' contribution fund and 46% out of the employers' contributory fund for the years of service prior to 1 January 2013; and

(2) in a proportion of 46% out of the employees' contribution fund and 54% out of the employers' contributory fund for the years of service subsequent to 31 December 2012.

“134.2. Despite section 134.1, the sums necessary for the payment of a pension credit acquired under section 41.1 are taken out of the Consolidated Revenue Fund.

“134.3. Despite section 134.1, the sums necessary for the payment of the supplementary benefits due as a pension, provided for in section 66.4, are taken out of the employees' contribution fund at the Caisse de dépôt et placement du Québec.

“134.4. If the employers' contributory fund is exhausted, the sums necessary for the payments referred to in section 134.1 are taken, first, out of the funds capitalized under section 43.4 and, thereafter, out of the Consolidated Revenue Fund.”

34. Section 135 of the Act is amended by replacing “Consolidated Revenue Fund” in the first paragraph by “employees' contribution fund under this plan at the Caisse de dépôt et placement du Québec”.

35. Section 136 of the Act is amended

(1) by replacing “consolidated revenue fund” in the first paragraph by “relevant funds under this plan, at the Caisse de dépôt et placement du Québec”;

(2) by striking out “to the consolidated revenue fund” in the second paragraph;

(3) by adding the following sentence at the end of the second paragraph: “The sums are paid to the Caisse, into the funds and in the proportions determined under the second paragraph of section 134.1.”

36. Section 137 of the Act is amended by inserting “taken out of the relevant funds at the Caisse de dépôt et placement du Québec according to the procedure for the payment of benefits contained in Division I.1 of Chapter VIII, to be” after “The sums are” in the second sentence of the second paragraph.

37. Section 139 of the Act is amended

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

“**139.** When the transfer of years and parts of a year of service is cancelled under section 25, the Commission must transfer the sums that were initially deposited in the Caisse de dépôt et placement du Québec in accordance with sections 138 and 138.1, as they read before 1 January 2005, into the relevant funds of this plan at the Caisse as though sections 138 and 138.1 had not applied. These sums bear interest in accordance with the Government and Public Employees Retirement Plan or the Pension Plan of Management Personnel from the date they were initially deposited until the date they are transferred. The sums are paid to the Caisse, into the funds and in the proportions determined under the second paragraph of section 134.1.”;

(2) by replacing everything after “1 January 2005,” in the second paragraph by “and that were transferred into the relevant funds of this plan at the Caisse de dépôt et placement du Québec as though sections 135 to 136.1 had not applied. These sums bear interest in accordance with this plan from the date they were initially deposited until the date they are deposited in the Caisse de dépôt et placement du Québec.”

38. Section 139.1 of the Act is amended

(1) by replacing “Except in the case of an officer who has sent the Commission a notice under section 67.1 of the Police Act (chapter P-13.1), with” at the beginning of the first paragraph by “With”;

(2) by striking out “after 31 December 2006” in the first paragraph;

(3) by replacing “Consolidated Revenue Fund” in the first paragraph by “Caisse de dépôt et placement du Québec”;

(4) by striking out “ in the Consolidated Revenue Fund” in the second paragraph;

(5) by adding the following sentence at the end of the second paragraph: “The sums are paid to the Caisse, into the funds and in the proportions determined under the second paragraph of section 134.1.”

39. Section 139.2 of the Act is amended

(1) by replacing “Except in the case of an officer who has sent the Commission a notice under section 67.1 of the Police Act (chapter P-13.1), with” at the beginning of the first paragraph by “With”;

(2) by striking out “after 31 December 2006” in the first paragraph;

(3) by adding the following sentence at the end of the second paragraph: “The sums are taken out of the relevant funds at the Caisse de dépôt et placement du Québec according to the procedure for the payment of benefits contained in Division I.1 of Chapter VIII.”

40. The Act is amended by inserting the following chapter after section 139.2:

“CHAPTER VIII.1

“PENSION COMMITTEE

“139.3. The pension committee of the Pension Plan of Peace Officers in Correctional Services is hereby established.

“139.4. The pension committee is composed of a chair and 10 other members appointed by the Government for a term of up to three years, as follows:

(1) five members representing the employees and pensioners, including

(a) three from the Syndicat des agents de la paix en services correctionnels du Québec, appointed after consultation with the Syndicat;

(b) one person referred to in paragraph 3 of section 1, appointed after consultation with the associations and groups representing those employees; and

(c) one pensioner under the Pension Plan of Peace Officers in Correctional Services, appointed after consultation with the unions, associations and groups representing the employees under the plan; and

(2) five members representing the Government.

The chair of the committee is appointed by the Government, for a term not exceeding three years, after consultation with the committee members. The chair of the committee must be independent and sections 12 to 18 of the Act respecting the Commission administrative des régimes de retraite et d'assurances (chapter C-32.1.2) apply to the chair, with the necessary modifications.

“139.5. The functions of the committee include

(1) reexamining, on request, the decisions made by the Commission in respect of employees and beneficiaries under the plan;

(2) determining the conditions of implementation of the agreements entered into if no such conditions have been determined, to the extent that the costs of those conditions are consistent with the Commission's budget;

(3) establishing, jointly with the Caisse de dépôt et placement du Québec, an investment policy in respect of funds derived from contributions paid by employees under the plan;

(4) approving the financial statements of the pension plan within 30 days after the recommendation of the audit committee of the Commission's board of directors;

(5) receiving for examination the Commission's annual action plan for the pension plan, and reporting on it to the Commission;

(6) receiving for examination the actuarial valuation for the plan and requesting from the Commission any additional information it considers relevant;

(7) recommending to the Minister the contribution rates applicable;

(8) recommending to the Government the adoption of regulations related to the pension plan; and

(9) establishing a financing policy with respect to the employees' contribution fund under the plan.

For the purposes of subparagraph 4 of the first paragraph, the financial statements of the plan must be signed by two members of the committee, one from the Syndicat des agents de la paix en services correctionnels du Québec and the other representing the Government. If the financial statements are not approved by the committee within the time prescribed in that subparagraph, the Commission's board of directors is responsible for approving them.

“139.6. The committee may request that the Commission carry out studies on the administration of the plan.

The committee may also request that the Commission provide additional services to employees and beneficiaries under the plan and determine the manner in which the resulting administrative expenses are to be shared by the employees and the Government, without more than 54% of those expenses being borne by the Government.

“139.7. The committee may, within the scope of its functions, commission independent studies and hire the services of an independent actuary, particularly to obtain a report for the purposes of the third paragraph of section 126.

The fees and expenses of the independent actuary are to be paid by the Commission. The cost of commissioning independent studies is shared according to the apportionment of the cost of the plan.

“139.8. The committee may make recommendations on the application of the plan to the Government, to the associations representing the employees covered by the plan, to the Commission and to the Minister.

“139.9. At the expiry of their term, the members of the committee remain in office until they are replaced or reappointed.

A vacancy occurring during a term of office is filled in the manner prescribed for appointing the member to be replaced.

“139.10. If the chair of the committee is absent or unable to act, the chair of the pension committee established under section 163 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) replaces the chair of the committee temporarily.

“139.11. The members of the committee, other than the chair, are not remunerated.

However, the members of the committee are entitled, according to the standards established by the Government, to an attendance allowance and to the reimbursement of justifiable expenses incurred in the exercise of their functions. The Government determines the remuneration of the chair.

“139.12. Each member of the committee is entitled to one vote. The chair is not entitled to vote unless there is a tie vote. The chair may not vote at all on a resolution concerning

- (1) additional services requested by the pension committee under the second paragraph of section 139.6;
- (2) a mandate to be given to a consultant hired to advise the committee;
- (3) the approval of the financial statements of the plan; or

(4) any matter entailing an increase in the cost of the plan or a budget overrun for the Commission.

In addition, any decision of the pension committee concerning the investment policy, the financing policy, the regulations, including the rates of interest applicable, or the selection of the chair must be made by a majority of the members present, including two members from the Syndicat des agents de la paix en services correctionnels du Québec.

“139.13. The secretary of the Commission is secretary of the committee by virtue of office.

“139.14. The committee may make by-laws.

The by-laws only come into force after being approved by the Government.

“139.15. The minutes of the sittings of the committee, approved by it and certified by the chair, the secretary or any other person authorized to do so by the committee, are authentic.

Similarly, documents or copies emanating from the committee are authentic, if certified in the same manner.

“139.16. The committee may delegate all or part of its powers under subparagraphs 1 and 3 of the first paragraph of section 139.5 to subcommittees.

A subcommittee to which the powers under subparagraph 1 of the first paragraph of section 139.5 are delegated is composed of four persons appointed by the committee, including two from the unions or associations representing the employees, on the recommendation of the union or association concerned. The committee may, in the same manner, appoint a substitute for each of these members, to replace them whenever they are absent or unable to act. Other terms respecting the composition of this subcommittee may be provided in a by-law.

A subcommittee to which the powers under subparagraph 3 of the first paragraph of section 139.5 are delegated is composed of two persons representing the Government and two persons representing the employees and beneficiaries covered by the plan, one of whom must be recommended by the Syndicat des agents de la paix en services correctionnels du Québec.

“139.17. The president and chief executive officer, the vice-presidents and the employees of the Commission may not sit on the committee.

“139.18. No proceedings may be brought against the pension committee, its subcommittees or their members by reason of an omission made or an act performed in good faith in the exercise of their functions.”

41. Section 140 of the Act is amended by replacing “to the Commission for a review of any decision rendered by it” in the first paragraph by “to the pension committee for a review of any decision rendered by the Commission”.

42. Section 141 of the Act is repealed.

43. Section 142 of the Act is amended

(1) by replacing “review committee” in the first and fourth paragraphs by “pension committee”;

(2) by replacing “comité” in the second sentence of the fourth paragraph in the French text by “Comité”.

44. Section 143 of the Act is amended by replacing “review committee” by “pension committee”.

45. Section 143.4 of the Act is amended

(1) by replacing “determined for each period in Schedule VII to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10)” in subparagraph 2 of the second paragraph by “given for each period in Schedule III”;

(2) by replacing “determined for each period in Schedule VI to that Act” in subparagraph 3 of the second paragraph by “given for each period in Schedule II”;

(3) by replacing “Schedule VII to the Act respecting the Government and Public Employees Retirement Plan” in the fourth paragraph by “Schedule III”.

46. Section 143.28 of the Act is amended by replacing “to the Consolidated Revenue Fund are deposited in that fund” in the last sentence by “are paid into the relevant funds of the plan at the Caisse de dépôt et placement du Québec”.

47. Section 147.5 of the Act is amended by replacing “provided for in Schedule VII to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10)” at the end by “given in Schedule III”.

48. The Act is amended by adding the following schedules after Schedule I:

“SCHEDULE II
“(Section 74.0.1)

“INTEREST RATES BASED ON THE RATES OF RETURN

“I. INTEREST RATES APPLICABLE UNTIL 31 MAY 2014 BASED ON
THE RATES OF RETURN ON CERTAIN FUNDS OF THE
GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

Rate	Period
7.25%	1 July 1973 to 31 March 1975
9.04%	1 April 1975 to 30 April 1976
9.19%	1 May 1976 to 30 April 1977
9.62%	1 May 1977 to 30 April 1978
8.88%	1 May 1978 to 30 April 1979
9.47%	1 May 1979 to 30 April 1980
11.38%	1 May 1980 to 30 June 1981
10.61%	1 July 1981 to 30 April 1982
12.60%	1 May 1982 to 30 April 1983
11.02%	1 May 1983 to 30 April 1984
10.97%	1 May 1984 to 30 April 1985
10.81%	1 May 1985 to 30 April 1986
12.74%	1 May 1986 to 30 April 1987
12.78%	1 May 1987 to 30 April 1988
12.35%	1 May 1988 to 30 April 1989
9.33%	1 May 1989 to 31 July 1990
12.01%	1 August 1990 to 31 July 1991
7.92%	1 August 1991 to 31 July 1992
9.48%	1 August 1992 to 31 July 1993
7.22%	1 August 1993 to 31 July 1994

9.75%	1 August 1994 to 31 July 1995
7.05%	1 August 1995 to 31 July 1996
8.60%	1 August 1996 to 31 July 1997
12.15%	1 August 1997 to 31 July 1998
14.92%	1 August 1998 to 31 July 1999
14.30%	1 August 1999 to 31 July 2000
12.54%	1 August 2000 to 31 July 2001
21.00%	1 August 2001 to 31 July 2002
4.45%	1 August 2002 to 31 July 2003
-2.57%	1 August 2003 to 31 July 2004
-0.19%	1 August 2004 to 31 May 2005
5.20%	1 June 2005 to 31 May 2006
13.20%	1 June 2006 to 31 May 2007
12.95%	1 June 2007 to 31 May 2008
10.72%	1 June 2008 to 31 May 2009
-3.94%	1 June 2009 to 31 May 2010
-4.78%	1 June 2010 to 31 May 2011
-2.33%	1 June 2011 to 31 May 2012
9.09%	as of 1 June 2012

**“II. INTEREST RATES APPLICABLE AS OF 1 JUNE 2014
BASED ON THE RATE OF RETURN ON THE EMPLOYEES’
CONTRIBUTION FUND**

Rate	Period
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“SCHEDULE III

“(Section 74.0.1)

“INTEREST RATES BASED ON AN EXTERNAL INDEX

Rate	Period
5.34%	1 June 2001 to 31 July 2002
4.60%	1 August 2002 to 31 July 2003
3.50%	1 August 2003 to 31 July 2004
4.01%	1 August 2004 to 31 May 2005
3.67%	1 June 2005 to 31 May 2006
3.50%	1 June 2006 to 31 May 2007
4.10%	1 June 2007 to 31 May 2008
4.21%	1 June 2008 to 31 May 2009
2.96%	1 June 2009 to 31 May 2010
2.15%	1 June 2010 to 31 May 2011
2.21%	1 June 2011 to 31 May 2012
1.85%	1 June 2012 to 31 May 2013
1.30%	1 June 2013 to 31 May 2014”.

PUBLIC ADMINISTRATION ACT

49. Section 40 of the Public Administration Act (chapter A-6.01) is amended by striking out paragraph 1.

ACT RESPECTING THE CAISSE DE DÉPÔT ET PLACEMENT DU QUÉBEC

50. Section 20 of the Act respecting the Caisse de dépôt et placement du Québec (chapter C-2) is amended by replacing subparagraph *c* of the first paragraph by the following subparagraph:

“(c) the Pension Plan of Peace Officers in Correctional Services established by the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2), the Pension Plan of Elected Municipal Officers established by the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3),

the Government and Public Employees Retirement Plan established by the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), the Pension Plan of Management Personnel established by the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) and the Superannuation Plan for the Members of the Sûreté du Québec established under the Act respecting the Syndical Plan of the Sûreté du Québec (chapter R-14).”

51. Section 21 of the Act is amended by replacing “of the plan contemplated by paragraph *c* of the said section, taking into account the general standards, if they have been prescribed, made by the pension committee in respect of the funds referred to in paragraph 2 of section 165 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10)” by “of the plans contemplated by subparagraph *c* of the first paragraph of that section, taking into account their respective investment policies established jointly by the pension committees and the Caisse for the funds of those plans”.

ACT RESPECTING THE COMMISSION ADMINISTRATIVE DES RÉGIMES DE RETRAITE ET D’ASSURANCES

52. The Act respecting the Commission administrative des régimes de retraite et d’assurances (chapter C-32.1.2) is amended by inserting the following section after section 59:

“**59.1.** The sums required to cover the administrative expenses related to the Pension Plan of Peace Officers in Correctional Services are taken

(1) in a proportion of 46% out of the employees’ contribution fund under the plan, at the Caisse de dépôt et placement du Québec; and

(2) in a proportion of 54% out of the employers’ contributory fund under the plan, at the Caisse de dépôt et placement du Québec, and then in accordance with section 134.4 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2).

However, the sums required to cover the expenses related to additional services offered to employees and beneficiaries under the plan are taken in the proportions determined by the pension committee in its request.

In addition, the sums required to cover the administrative expenses related to the development of the Commission’s information resources project entitled “Renouvellement et intégration des systèmes essentiels” are taken in full out of the Consolidated Revenue Fund.

The sums taken out of the Consolidated Revenue Fund are deemed to be contributions by the Government as employer with respect to that plan.”

53. Section 61 of the Act is amended by inserting “the Pension Plan of Peace Officers in Correctional Services,” after “Personnel,” in the first paragraph.

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES
RETIREMENT PLAN

54. Section 134 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended by replacing subparagraph 22.4 of the first paragraph by the following subparagraph:

“(22.4) for the purposes of section 217, determine for a given period the rules and procedures for determining the rates of interest in Schedule VI according to the rates of return on certain categories of amounts referred to in section 127 and designated by the regulation, and the rules and procedures for determining the rate of interest in Schedule VII according to an external index also designated by the regulation;”.

55. Section 191 of the Act is amended by inserting “, section 72 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2)” after “of this Act” in the last sentence of the second paragraph.

56. Section 214 of the Act is amended by replacing “section 163 of this Act and 196.2” in the first paragraph by “section 163 of this Act, section 139.3 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2) and section 196.2”.

57. Section 217 of the Act is amended by replacing the first and second paragraphs by the following paragraph:

“**217.** For the purposes of this Act and unless otherwise provided, the word “interest” used alone refers to interest compounded annually at the rates given for each period in Schedule VI. The rates of interest in Schedule VI are determined according to the rules and procedures determined by regulation for the period indicated and the rates of return on certain categories of amounts referred to in section 127 and designated by the regulation. The rates of interest in Schedule VII are determined according to the rules and procedures determined by regulation for the period indicated and an external index designated by the regulation. The Chair of the Conseil du trésor publishes in the *Gazette officielle du Québec* the rates of interest determined under those regulations, and the amendments to the schedules resulting from the new rates are integrated into the Compilation of Québec Laws and Regulations.”

58. Section 220 of the Act is amended by replacing “III, III.1, VI and VII” in the first paragraph by “III and III.1”.

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT
PERSONNEL

59. Section 196 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended by replacing subparagraph 23.1 of the first paragraph by the following subparagraph:

“(23.1) for the purposes of section 204, determine for a given period the rules and procedures for determining the rates of interest in Schedule VII according to the rates of return on certain categories of amounts referred to in section 177 and designated by the regulation, and the rules and procedures for determining the rates of interest in Schedule VIII according to an external index designated by the regulation;”.

60. Section 196.5 of the Act is amended by adding the following subparagraph at the end of the first paragraph:

“(7) establishing a financing policy with respect to the employees’ contribution fund under the plan.”

61. Section 204 of the Act is amended by replacing the first and second paragraphs by the following paragraph:

“**204.** For the purposes of this Act and unless otherwise provided, the word “interest” used alone refers to interest compounded annually at the rates determined for each period in Schedule VII. The rates of interest in Schedule VII are determined according to the rules and procedures determined by regulation for the period indicated and the rates of return on certain classes of amounts referred to in section 177 and designated by the regulation. The rates of interest in Schedule VIII are determined according to the rules and procedures established by regulation for the period indicated and an external index designated by the regulation. The Chair of the Conseil du trésor publishes in the *Gazette officielle du Québec* the rates of interest determined under those regulations, and the amendments to the schedules resulting from the new rates are integrated into the Compilation of Québec Laws and Regulations.”

62. Section 207 of the Act is amended by replacing “VIII” in the first paragraph by “VI”.

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

63. The sums that were paid into the Consolidated Revenue Fund for the members of the Pension Plan of Peace Officers in Correctional Services and that are entered in the financial statements of that plan as at 31 December 2012 as an asset identified as “Fonds confiés au Fonds consolidé du revenu” are transferred to the employees’ contribution fund under that plan at the Caisse de dépôt et placement du Québec, on the basis of the value entered in those financial statements for that asset.

These sums, excluding the value of the supplementary benefits and excluding the sums representing the interest accrued for the year 2012, are transferred in the following manner:

(1) a first transfer representing 25% of that value as at 31 December 2012, not later than 21 August 2013;

(2) a second transfer representing 25% of that value as at 31 December 2012, not later than 1 July 2014;

(3) a third transfer representing 25% of that value as at 31 December 2012, not later than 1 July 2015; and

(4) a fourth transfer representing 25% of that value as at 31 December 2012, not later than 1 July 2016.

Until the transfer of the sums is completed, the portion of the sums that is not transferred bears interest based on the rate of return on the employees' contribution fund of the Government and Public Employees Retirement Plan, determined according to the cost value. Any interest accrued during the year is transferred to the employees' contribution fund under the Pension Plan of Peace Officers in Correctional Services not later than 1 July of the following year.

The sums representing the interest accrued for the year 2012 and the sums representing the value of the supplementary benefits that are entered in the financial statements of that plan as at 31 December 2012 are transferred to the employees' contribution fund under that plan on 21 August 2013.

Until the transfer of the sums representing the value of the supplementary benefits is completed, they bear interest compounded annually and computed according to the rate of return obtained at the Caisse de dépôt et placement du Québec determined according to the cost value of the employees' contribution fund of the Government and Public Employees Retirement Plan. The interest accrued for the year 2013 with respect to these sums is transferred to the employees' contribution fund under the Pension Plan of Peace Officers in Correctional Services not later than 1 July 2014.

64. The rate of interest in Schedule II to the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2), for the period from 1 June 2013 to 31 May 2014, corresponds to the rate of interest determined for that period in Schedule VI to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10). The Chair of the Conseil du trésor publishes that rate in the *Gazette officielle du Québec* and it is integrated into the Compilation of Québec Laws and Regulations.

65. The review committees set up under section 141 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2), as it read on 22 May 2013, are deemed to be subcommittees of the pension committee established under that Act to which the pension committee has delegated its powers under subparagraph 1 of the first paragraph of section 139.5 of that Act. The members of the review committees become members of the subcommittees.

66. Until a by-law is adopted by the pension committee of the Pension Plan of Peace Officers in Correctional Services and approved by the Government

in accordance with section 139.14 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2), section 8.4 of the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2, r. 1), as it read on 22 May 2013, continues to apply. Moreover, the quorum of each of the subcommittees referred to in section 139.16 of that Act, set up for the purposes of the powers provided for in subparagraph 1 of the first paragraph of section 139.5 of that Act, is four members, and every decision of a subcommittee requires the vote of a majority of its members.

67. The chair of the pension committee established under section 163 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) acts as chair of the pension committee established under section 139.3 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2) until the Government appoints a chair in accordance with the second paragraph of section 139.4 of that Act.

68. Sections 1, 12 to 14, 26, 29, 32 to 39, 46 and 50 to 53 have effect from 1 January 2013.

69. This Act comes into force on 23 May 2013, except sections 54, 57 to 59, 61 and 62, which come into force on 1 November 2013.

2013, chapter 10 AN ACT TO AMEND THE TAXATION ACT AND OTHER LEGISLATIVE PROVISIONS

Bill 18

Introduced by Mr. Nicolas Marceau, Minister of Finance and the Economy

Introduced 21 February 2013

Passed in principle 19 March 2013

Passed 29 May 2013

Assented to 5 June 2013

Coming into force : 5 June 2013

Legislation amended :

Tax Administration Act (chapter A-6.002)

Act to establish the Fonds de solidarité des travailleurs du Québec (F.T.Q.) (chapter F-3.2.1)

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)

Cooperative Investment Plan Act (chapter R-8.1.1)

Act respecting the Québec sales tax (chapter T-0.1)

Explanatory notes

This Act amends various legislation to, among other things, give effect to measures announced in the Budget Speech delivered on 20 March 2012 and in Information Bulletins published in 2011 and 2012.

The Tax Administration Act is amended to allow the communication of information contained in a tax record, with the authorization of a judge, not only to a member of a police force but also to a department or to a public body when it is reasonable to believe that certain offences have been committed or are about to be committed.

The Taxation Act is amended to introduce, amend or abolish fiscal measures specific to Québec. More specifically, the amendments deal with

(1) the enhancement of the tax credit for home support for seniors and an increase in the amount granted to the informal caregiver of an elderly spouse who is unable to live independently;

(2) the introduction of a tax credit in respect of expenses incurred by seniors for a stay in a functional rehabilitation transition unit and of a tax credit for the acquisition or rental of property intended to help seniors live independently longer;

(Cont'd on next page)

Explanatory notes (Cont'd)

- (3) greater recognition of postsecondary studies for the purposes of the tax credit for new graduates working in the resource regions;
- (4) the introduction of a tax credit to foster the modernization of the tourist accommodation offering;
- (5) the implementation of tax relief measures to promote employer-organized intermunicipal shared transportation;
- (6) the introduction of tax credits relating to new financial services corporations and of a tax holiday for foreign specialists employed by such new corporations;
- (7) the introduction of a tax credit for the market diversification of manufacturing businesses;
- (8) the enhancement of the tax credit for investments relating to manufacturing and processing equipment;
- (9) the renewal of the tax credit for labour training in the manufacturing, forestry and mining sectors;
- (10) adjustments to tax credits in the cultural sector;
- (11) the renewal of the patronage dividend tax deferral mechanism; and
- (12) the tax treatment applicable to inter vivos trusts.

Adjustments are made to the Act to establish the Fonds de solidarité des travailleurs du Québec (F.T.Q.) and to the cooperative investment plan.

In addition, the Act respecting the Québec sales tax is amended to provide for a specific accommodation tax of \$3 per overnight stay in certain tourist regions of Québec.

The Taxation Act is also amended to make amendments similar to those made to the Income Tax Act of Canada by Bill C-13 (Statutes of Canada, 2011, chapter 24) assented to on 15 December 2011 and Bill C-38 (Statutes of Canada, 2012, chapter 19) assented to on 29 June 2012. This Act thus gives effect mainly to harmonization measures announced in Information Bulletins 2011-3 dated 6 July 2011, 2011-5 dated 21 December 2011 and 2012-5 dated 6 July 2012. More specifically, the amendments deal with

- (1) adjustments to the registered disability savings plans;
- (2) the limitation of corporate tax deferral; and
- (3) the rules relating to environmental trusts.

Lastly, this Act amends other legislation to make various technical amendments as well as consequential and terminology-related amendments.



Chapter 10

AN ACT TO AMEND THE TAXATION ACT AND OTHER LEGISLATIVE PROVISIONS

[Assented to 5 June 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

TAX ADMINISTRATION ACT

1. Section 69.0.0.12 of the Tax Administration Act (chapter A-6.002) is amended

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

“**69.0.0.12.** Subject to other exceptions provided for in this division, an employee of the Agency authorized by regulation may, without the consent of the person concerned, communicate information contained in a tax record to a member of a police force, to a department or to a public body responsible for the enforcement of an Act, with the authorization of a judge of the Court of Québec where the judge is satisfied on the basis of an affidavit that there is reasonable cause to believe that the information may serve to prevent or repress a serious offence within the meaning of subsection 1 of section 467.1 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) or an offence referred to in the second paragraph other than a criminal or penal offence provided for in section 69.0.0.16, committed or about to be committed by a person.”;

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

“The offences to which the first paragraph refers are the following:

- (a) an offence under Division IX of the Health Insurance Act (chapter A-29);
- (b) an offence under Chapter IX of the Building Act (chapter B-1.1);
- (c) an offence under Schedule I to the Act respecting contracting by public bodies (chapter C-65.1);
- (d) an offence under Chapter VII of the Act respecting labour standards (chapter N-1.1);
- (e) an offence under Division VII of Title VI of the Act respecting the Québec Pension Plan (chapter R-9);

(f) an offence under Chapter XIV of the Act respecting occupational health and safety (chapter S-2.1); and

(g) any other prescribed offence.”;

(3) by inserting the following paragraphs after the third paragraph:

“The Minister shall, no later than 5 June 2016, report to the Government on the implementation of the amendments made to this section by chapter 10 of the statutes of 2013.

The report is tabled within 30 days in the National Assembly or, if the Assembly is not in session, within 30 days of resumption. The competent committee of the National Assembly shall examine the report.”;

(4) by striking out the fourth paragraph.

2. Section 69.0.0.13 of the Act is amended

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

“**69.0.0.13.** Information contained in a tax record which is communicated to a police force, a department or a public body in accordance with section 69.0.0.12 or 69.0.2 is accessible only to persons qualified to receive it where such information is necessary for the discharge of their duties.”;

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

“Such information may be used only for the purposes for which it was obtained.

In addition, such information may be communicated to a member of another police force, to the Attorney General or to the Director of Criminal and Penal Prosecutions only for those purposes or in connection with a suit or a proceeding relating to those purposes.”

3. Section 69.0.0.14 of the Act is replaced by the following section:

“**69.0.0.14.** In addition to the situations described in section 59 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), a police force may communicate, without the consent of the person concerned, any information for the application or enforcement of a fiscal law, to an employee authorized in conformity with the first paragraph of section 69.0.0.12.”

4. (1) Section 93.1.9.1 of the Act is amended by replacing the first paragraph by the following paragraph:

“93.1.9.1. A person may, within 90 days after the date of sending of the notice provided for in any of sections 985.4.3, 985.6 to 985.8.1, 985.8.5, 985.8.6, 985.23.9, 999.3, 999.3.1 and 1064 of the Taxation Act (chapter I-3), object to the notice by notifying a notice of objection to the Minister, setting out the reasons for the objection and all the relevant facts. Sections 93.1.3 to 93.1.7, 93.1.9 and 93.1.14 apply, with the necessary modifications.”

(2) Subsection 1 has effect from 29 June 2012.

5. (1) Section 93.1.9.2 of the Act is replaced by the following section:

“93.1.9.2. If a qualified donee, within the meaning of section 1 of the Taxation Act (chapter I-3), notified a notice of objection to a suspension provided for in section 999.3 or 999.3.1 of that Act, the donee may apply to a judge of the Court of Québec for a postponement of that portion of the period of suspension that has not elapsed until the time determined by the judge.”

(2) Subsection 1 has effect from 29 June 2012.

6. (1) Section 93.1.10.1 of the Act is amended by replacing subparagraph *a* of the first paragraph by the following subparagraph:

“(a) confirms a proposal, decision or designation in respect of which a notice was issued by the Minister under any of sections 985.4.3, 985.6 to 985.8.1, 985.8.5, 985.8.6, 985.23.9, 999.3, 999.3.1 and 1064 of the Taxation Act (chapter I-3), to a person that is or was registered or recognized as a registered Canadian amateur athletic association, a registered Québec amateur athletic association, a registered charity, a registered museum, a registered cultural or communications organization or a recognized political education organization, as the case may be, or is an applicant for registration or recognition as such; or”.

(2) Subsection 1 has effect from 29 June 2012.

7. Section 94.0.4 of the Act is replaced by the following section:

“94.0.4. The Minister may, for a taxation year subsequent to the year 1997, remit the tax, interest and penalties paid or payable by an individual under Part I of the Taxation Act (chapter I-3) where the individual became resident in Canada in the year and the individual’s taxable income for the year, within the meaning assigned by section 1 of that Act, does not exceed the aggregate of all amounts each of which is an amount received as a social assistance payment made on the basis of a means, needs or income test that was included in computing the individual’s income for the year under section 311.1 of the Taxation Act and that was not deductible in computing the individual’s taxable income under paragraph *c* of section 725 of that Act.”

ACT TO ESTABLISH THE FONDS DE SOLIDARITÉ DES
TRAVAILLEURS DU QUÉBEC (F.T.Q.)

3. (1) Section 15 of the Act to establish the Fonds de solidarité des travailleurs du Québec (F.T.Q.) (chapter F-3.2.1) is amended

(1) by adding the following subparagraph after subparagraph *e* of subparagraph 5 of the fourth paragraph:

“(f) if the fiscal year ends after 31 May 2012, the amount designated by the Fund for the fiscal year, which amount may not exceed the lesser of \$500,000,000 and the amount determined for the fiscal year by the formula

$$(F_{A-1} - G_{A-2}) + \{(F_{A-2} - G_{A-3}) - [E_{A-1} - (F_{A-3} - G_{A-4})]\}.”;$$

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

“In the formula in subparagraph *f* of subparagraph 5 of the fourth paragraph,

(1) E_{A-1} is the amount designated by the Fund under subparagraph *f* of subparagraph 5 of the fourth paragraph for the preceding fiscal year or, in the absence of such a designation, an amount equal to zero;

(2) F_{A-1} is the amount of the Fund’s average eligible investments for the preceding fiscal year, which amount is determined as if the formula in subparagraph 3 of the third paragraph were read without reference to “+ E”;

(3) F_{A-2} is the amount of the Fund’s average eligible investments for the second preceding fiscal year, which amount is determined as if the formula in subparagraph 3 of the third paragraph were read without reference to “+ E”;

(4) F_{A-3} is the amount of the Fund’s average eligible investments for the third preceding fiscal year, which amount is determined as if the formula in subparagraph 3 of the third paragraph were read without reference to “+ E”;

(5) G_{A-2} is 60% of the Fund’s average net assets for the second preceding fiscal year;

(6) G_{A-3} is 60% of the Fund’s average net assets for the third preceding fiscal year;

(7) G_{A-4} is 60% of the Fund’s average net assets for the fourth preceding fiscal year; and

(8) where the result of a subtraction is less than zero, it is deemed to be equal to zero.”;

(3) by adding the following subparagraph after subparagraph 13 of the fifth paragraph:

“(14) investments made by the Fund after 20 March 2012 in Fonds Valorisation Bois, s.e.c.”;

(4) by replacing the seventh, eighth and ninth paragraphs and the portion of the tenth paragraph before subparagraph 1 by the following:

“For the purposes of the sixth and seventh paragraphs, the investments that the Fund has agreed to make, for which it has committed but not yet disbursed sums at the end of a fiscal year, and that would have been described in any of subparagraphs 1 to 7 and 14 of the sixth paragraph or in the seventh paragraph had they been made by the Fund, are deemed to have been made by the Fund. However, for a particular fiscal year, the aggregate of those deemed investments may not exceed 12% of the Fund’s net assets at the end of the preceding fiscal year.

For the purposes of the sixth paragraph, the investments that the Fund has agreed to make, for which it has committed but not yet disbursed sums at the end of a fiscal year, and that would have been described in any of subparagraphs 8 to 10, 12 and 13 of that paragraph had they been made by the Fund, are deemed to have been made by the Fund.

For the purposes of subparagraph 2 of the sixth paragraph, a dealer acting as an intermediary or firm underwriter is not considered to be a first purchaser of securities.

For the application of the sixth paragraph to a particular fiscal year, the following rules apply:”;

(5) by replacing the eleventh and twelfth paragraphs by the following paragraphs:

“Investments in immovables situated in Québec and intended mainly for the operation of shopping centres are not permitted under subparagraph 3 of the sixth paragraph otherwise than as part of a project in the recreation and tourism sector.

The second paragraph of section 14.1 applies, with the necessary modifications, in relation to the determination of the assets or net equity of a Québec enterprise referred to in subparagraph 8 of the sixth paragraph.”

(2) Subsection 1 has effect from 21 March 2012.

9. (1) Section 15.0.0.1 of the Act is amended by replacing the portion of the first paragraph before subparagraph 1 by the following:

“**15.0.0.1.** The investments to which subparagraph 6 of the sixth paragraph of section 15 refers are, for a particular fiscal year, the following:”.

(2) Subsection 1 has effect from 21 March 2012.

10. (1) Section 15.0.1 of the Act is amended by replacing the portion of the first paragraph before subparagraph 1 by the following:

“**15.0.1.** The investments to which subparagraph 7 of the sixth paragraph of section 15 refers are, for a particular fiscal year and in the cases and to the extent determined by the investment policy referred to in that subparagraph, in this section referred to as the “investment policy”.”.

(2) Subsection 1 has effect from 21 March 2012.

11. (1) Section 16 of the Act is amended

(1) by replacing the second and third paragraphs by the following paragraphs:

“The percentage may be increased to 10% where the investment

(1) enables the Fund to acquire securities from an enterprise doing business in Québec that is not an eligible enterprise; or

(2) is made after 20 March 2012 by the Fund in a financial institution that is registered with the Autorité des marchés financiers or the Office of the Superintendent of Financial Institutions established by the Office of the Superintendent of Financial Institutions Act (Revised Statutes of Canada, 1985, chapter 18, 3rd Supplement) and that is part of a financial group recognized by the Minister of Finance.

However, in the case of an investment described in subparagraph 1 of the second paragraph and made in an enterprise referred to in that subparagraph 1, the Fund cannot, directly or indirectly, acquire or hold shares that include more than 30% of the voting rights attached to the shares of the enterprise and that can be exercised in any circumstances. Where, at the time of the investment, the Fund already holds, directly or indirectly, shares that include more than 30% of the voting rights attached to the shares of the enterprise and that can be exercised in any circumstances, it shall have a period of five years from the date of the investment to cause its interest in the capital stock of the enterprise to include 30% or less of the voting rights attached to the shares of the enterprise and that can be exercised in any circumstances.”;

(2) by replacing the fifth paragraph in the French text by the following paragraph:

“Une entreprise qui possède les titres lui permettant en tout état de cause d’élire la majorité des administrateurs d’une autre entreprise est réputée former, avec cette dernière, une même entreprise pour l’application du présent article.”

(2) Subsection 1 has effect from 21 March 2012.

TAXATION ACT

12. (1) Section 1 of the Taxation Act (chapter I-3) is amended

(1) by replacing the definition of “bank” by the following definition:

““bank” means a bank within the meaning of section 2 of the Bank Act (other than a federal credit union) or an authorized foreign bank;”;

(2) by inserting the following definition in alphabetical order:

““federal credit union” has the meaning assigned by section 2 of the Bank Act;”;

(3) by replacing the definition of “eligible dividend” by the following definition:

““eligible dividend” means an amount, in respect of a person resident in Canada, that is deemed to be a taxable dividend received by the person under section 603.1 or 663.4, or a portion of a taxable dividend that is paid by a corporation resident in Canada, that is received by a person resident in Canada and that

(a) is designated, in accordance with subsection 14 of section 89 of the Income Tax Act, as an eligible dividend for the purposes of that Act; or

(b) if the taxable dividend is included in a particular amount that is deemed to be a dividend or taxable dividend, corresponds, without exceeding the particular amount, to the portion, designated, in accordance with subsection 14 of section 89 of the Income Tax Act, as an eligible dividend for the purposes of that Act, of the amount, corresponding to the particular amount, that is deemed to be a dividend or taxable dividend for the purposes of that Act;”;

(4) by replacing the definition of “environmental trust” by the following definition:

““environmental trust” has the meaning assigned by the first paragraph of section 1129.51;”;

(5) by inserting the following definition in alphabetical order:

““specified pension plan” means a prescribed arrangement;”;

(6) by inserting the following definition in alphabetical order:

““foreign accrual property income” has the meaning assigned by section 579;”.

(2) Paragraphs 1 and 2 of subsection 1 have effect from 19 December 2012.

(3) Paragraph 3 of subsection 1 applies in respect of a dividend paid after 28 March 2012.

(4) Paragraph 4 of subsection 1 applies from the taxation year 2012.

(5) Paragraph 5 of subsection 1 has effect from 1 January 2010.

(6) Paragraph 6 of subsection 1 applies to a taxation year that begins after 31 December 2006.

13. (1) Section 8.1 of the Act is replaced by the following section:

“8.1. In determining whether an individual is, for all or part of a taxation year, a foreign researcher within the meaning of section 737.19, a foreign researcher on a postdoctoral internship within the meaning of section 737.22.0.0.1, a foreign expert within the meaning of section 737.22.0.0.5, an eligible individual within the meaning of section 737.22.0.9, a foreign professor within the meaning of section 737.22.0.5, a foreign specialist within the meaning of any of sections 737.18.6, 737.18.29, 737.22.0.1 and 737.22.0.4.1 or a foreign farm worker within the meaning of section 737.22.0.12 and in determining whether the requirement of the definition of “eligible production” in section 737.22.0.9 in relation to a producer’s residence is satisfied, section 8 is to be read without reference to its paragraph *a*.”

(2) Subsection 1 applies from the taxation year 2012.

14. (1) Section 11.4 of the Act is repealed.

(2) Subsection 1 applies from the taxation year 2012.

15. (1) Chapter XIV of Title II of Book I of Part I of the Act, comprising section 21.40, is repealed.

(2) Subsection 1 applies from the taxation year 2012.

16. (1) Section 25 of the Act is amended by inserting “737.22.0.4.7,” after “737.22.0.3,” in the second paragraph.

(2) Subsection 1 applies from the taxation year 2012.

17. (1) The Act is amended by inserting the following section after section 38.1:

“38.2. An individual is not required in computing the individual’s income to include the value of benefits resulting from the use of a shared transportation service of a taxpayer who is the individual’s employer in respect of which the taxpayer may deduct, under section 156.10, an amount in computing the taxpayer’s income from a business.

In this section, “shared transportation service” has the meaning assigned by section 156.10.”

(2) Subsection 1 applies from the taxation year 2012.

18. (1) The Act is amended by inserting the following after section 156.9:

“DIVISION VIII.4

“ADDITIONAL DEDUCTION RELATING TO THE ORGANIZATION OF AN INTERMUNICIPAL SHARED TRANSPORTATION SERVICE

“156.10. A taxpayer may deduct, in computing the taxpayer’s income from a business for a taxation year, the aggregate of all amounts each of which is an amount otherwise deductible in computing that income for that taxation year in respect of the setting up or operation of a shared transportation service of the taxpayer.

For the purposes of the first paragraph, a shared transportation service of a taxpayer means a transportation service organized by the taxpayer, alone or jointly with others, for the benefit of employees whose place of residence is outside the local municipal territory where their employer’s establishment to which they ordinarily report for work is located, if

(a) the shared transportation service is provided at least five days a week, except during holiday periods or a slowdown in the business’ activities;

(b) employees are transported in a coach, minibus or van or any other vehicle with a design capacity of at least 15 people; and

(c) employees can get on and off the vehicle only at predetermined places.”

(2) Subsection 1 applies from the taxation year 2012.

19. (1) Section 175.2 of the Act is amended by striking out paragraph *d.2*.

(2) Subsection 1 has effect from 1 January 2010.

20. (1) The heading of Division VIII.1 of Chapter V of Title III of Book III of Part I of the Act is replaced by the following heading:

“ADDITIONAL BUSINESS INCOME OF AN INDIVIDUAL”.

(2) Subsection 1 has effect from 22 March 2011.

21. (1) The Act is amended by inserting the following after section 217.17:

“DIVISION VIII.3**“ADDITIONAL BUSINESS INCOME OF A CORPORATION**

“§1. — *Limitation on the deferral of corporate tax through the use of a partnership*

“217.18. In this division,

“adjusted stub period accrual” of a corporation in respect of a partnership—in which the corporation has a significant interest at the end of the last fiscal period of the partnership that ends in the corporation’s taxation year in circumstances where another fiscal period (in subparagraphs *c* and *e* of the second paragraph and in section 217.33 referred to as the “particular fiscal period”) begins in the year and ends after the end of the year—means

(a) if paragraph *b* does not apply, the amount determined by the formula

$$[(A - B) \times C/D] - (E + F); \text{ or}$$

(b) if a fiscal period of the partnership ends in the corporation’s taxation year and the year is the first taxation year in which the fiscal period of the partnership (in this paragraph and subparagraphs *j* to *m* of the second paragraph referred to as the “eligible fiscal period”) is aligned with the fiscal period of one or more other partnerships under a multi-tier alignment,

i. where a fiscal period of the partnership ends in the year and before the eligible fiscal period, the amount determined by the formula

$$[(G - H) \times C/I] - (E + F), \text{ and}$$

ii. where the eligible fiscal period of the partnership is the first fiscal period of the partnership that ends in the corporation’s taxation year, the amount determined by the formula

$$[(J - K - L) \times C/M] - (E + F);$$

“eligible alignment income”, of a corporation, means

(a) if a partnership is subject to a single-tier alignment, the first aligned fiscal period of the partnership ends in the first taxation year of the corporation ending after 22 March 2011 (in this paragraph and subparagraphs *n* to *p* of the second paragraph referred to as the “eligible fiscal period”) and the corporation is a member of the partnership at the end of the eligible fiscal period,

i. where the eligible fiscal period is preceded by another fiscal period of the partnership that ends in the corporation’s first taxation year that ends after 22 March 2011 and the corporation is a member of the partnership at the end of that preceding fiscal period, the amount determined by the formula

N – O – P, or

ii. where the eligible fiscal period is the first fiscal period of the partnership that ends in the corporation's first taxation year ending after 22 March 2011, an amount equal to zero; or

(b) if a partnership is subject to a multi-tier alignment, the first aligned fiscal period of the partnership ends in the taxation year of the corporation (in this paragraph and subparagraphs *q* to *s* of the second paragraph referred to as the "eligible fiscal period") and the corporation is a member of the partnership at the end of the eligible fiscal period, the amount determined by the formula

Q – R – S;

"multi-tier alignment", in respect of a partnership, means the alignment of the fiscal period of the partnership and the fiscal period of one or more other partnerships that results from a valid alignment election the members of the partnership make under subsection 9 of section 249.1 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) or from the deemed alignment election under subsection 11 of that section;

"qualified resource expense", of a corporation for a taxation year in respect of a fiscal period of a partnership that begins in the year and ends after the end of the year, means an expense incurred by the partnership in the portion of the fiscal period that is in the year and that is a Canadian exploration expense, a Canadian development expense, a foreign resource expense or a Canadian oil and gas property expense;

"qualifying transitional income", of a corporation that is a member of a partnership on 22 March 2011, means the amount that is the aggregate of the following amounts, computed in accordance with section 217.31,

(a) the corporation's eligible alignment income in respect of the partnership; and

(b) the corporation's adjusted stub period accrual in respect of the partnership for

i. if there is a multi-tier alignment in respect of the partnership, the corporation's taxation year during which ends the fiscal period of the partnership that is aligned with the fiscal period of one or more other partnerships under the multi-tier alignment, or

ii. in any other case, the corporation's first taxation year that ends after 22 March 2011;

"significant interest", of a corporation in a partnership at any time, means an interest of the corporation in the partnership if the corporation, or the corporation together with one or more persons or partnerships related to or affiliated with the corporation, is entitled at that time to more than 10% of

- (a) the income or loss of the partnership; or
- (b) the net assets of the partnership if it were to cease to exist;

“single-tier alignment”, in respect of a partnership, means the determination of the partnership’s fiscal period end date as part of a valid alignment election the members of the partnership make under subsection 8 of section 249.1 of the Income Tax Act;

“specified percentage”, of a corporation for a particular taxation year in respect of a partnership, means

(a) if the first taxation year in respect of which the corporation has qualifying transitional income ends in the calendar year 2011 and the particular year ends in

- i. the calendar year 2011, 100%,
- ii. the calendar year 2012, 85%,
- iii. the calendar year 2013, 65%,
- iv. the calendar year 2014, 45%,
- v. the calendar year 2015, 25%, and
- vi. the calendar year 2016, 0%;

(b) if the first taxation year in respect of which the corporation has qualifying transitional income ends in the calendar year 2012 and the particular year ends in

- i. the calendar year 2012, 100%,
- ii. the calendar year 2013, 85%,
- iii. the calendar year 2014, 65%,
- iv. the calendar year 2015, 45%,
- v. the calendar year 2016, 25%, and
- vi. the calendar year 2017, 0%; and

(c) if the first taxation year in respect of which the corporation has qualifying transitional income ends in the calendar year 2013 and the particular year ends in

- i. the calendar year 2013, 85%,

- ii. the calendar year 2014, 65%,
- iii. the calendar year 2015, 45%,
- iv. the calendar year 2016, 25%, and
- v. the calendar year 2017, 0%.

In the formulas in the definitions of “adjusted stub period accrual” and “eligible alignment income” in the first paragraph,

(a) A is the aggregate of all amounts each of which is the corporation’s share of an income or taxable capital gain of the partnership for a fiscal period of the partnership that ends in the year (other than any amount in respect of which a deduction is available under sections 738 to 749);

(b) B is the aggregate of all amounts each of which is the corporation’s share of a loss or allowable capital loss—to the extent that the total of all allowable capital losses does not exceed the total of all taxable capital gains included in the aggregate described in subparagraph *a*—of the partnership for a fiscal period of the partnership that ends in the year;

(c) C is the number of days that are in both the year and the particular fiscal period;

(d) D is the number of days in fiscal periods of the partnership that end in the year;

(e) E is the amount of the qualified resource expense in respect of the particular fiscal period of the partnership that is designated by the corporation for the year under section 217.23 in its fiscal return for the year filed with the Minister on or before its filing-due date for the year;

(f) F is an amount (other than an amount included in the amount described in subparagraph *e*) designated by the corporation in its fiscal return for the year filed with the Minister on or before its filing-due date for the year;

(g) G is the aggregate of all amounts each of which is the corporation’s share of an income or taxable capital gain of the partnership for the first fiscal period of the partnership that ends in the year (other than any amount in respect of which a deduction is available under sections 738 to 749);

(h) H is the aggregate of all amounts each of which is the corporation’s share of a loss or allowable capital loss—to the extent that the total of all allowable capital losses does not exceed the total of all taxable capital gains included in the aggregate described in subparagraph *g*—of the partnership for the first fiscal period of the partnership that ends in the year;

(i) I is the number of days in the first fiscal period of the partnership that ends in the year;

(j) J is the aggregate of all amounts each of which is the corporation's share of an income or taxable capital gain of the partnership for the eligible fiscal period (other than any amount in respect of which a deduction is available under sections 738 to 749);

(k) K is the aggregate of all amounts each of which is the corporation's share of a loss or allowable capital loss—to the extent that the total of all allowable capital losses does not exceed the total of all taxable capital gains included in the aggregate described in subparagraph *j*—of the partnership for the eligible fiscal period;

(l) L is the corporation's eligible alignment income for the eligible fiscal period;

(m) M is the number of days that are in the eligible fiscal period that ends in the year;

(n) N is the aggregate of all amounts each of which is the corporation's share of an income or taxable capital gain of the partnership for the eligible fiscal period (other than any amount in respect of which a deduction is available under sections 738 to 749);

(o) O is the aggregate of all amounts each of which is the corporation's share of a loss or allowable capital loss—to the extent that the total of all allowable capital losses does not exceed the total of all taxable capital gains included in the aggregate described in subparagraph *n*—of the partnership for the eligible fiscal period;

(p) P is, where an outlay or expense of the partnership is deemed by section 359.18 to have been made or incurred by the corporation at the end of the eligible fiscal period, the aggregate of all amounts each of which is an amount that would be deductible by the corporation for the taxation year under any of Divisions III to IV.1 of Chapter X of Title VI if each such outlay or expense were the only amount used in determining the amount deductible;

(q) Q is the aggregate of all amounts each of which is the corporation's share of an income or taxable capital gain of the partnership for the eligible fiscal period, other than any amount

- i. in respect of which a deduction is available under sections 738 to 749, or
- ii. that would be included in computing the income of the corporation for the year if there were no multi-tier alignment;

(r) R is the aggregate of all amounts each of which is the corporation's share of a loss or allowable capital loss—to the extent that the total of all allowable capital losses does not exceed the total of all taxable capital gains included in the aggregate described in subparagraph *q*—of a partnership for the eligible fiscal period; and

(s) S is, where an outlay or expense of the partnership is deemed by section 359.18 to have been made or incurred by the corporation at the end of the eligible fiscal period, the aggregate of all amounts each of which is an amount that would be deductible by the corporation for the taxation year under any of Divisions III to IV.1 of Chapter X of Title VI if each such outlay or expense were the only amount used in determining the amount deductible.

Chapter V.2 of Title II of Book I applies in relation to an election made under subsection 8 or 9 of section 249.1 of the Income Tax Act.

“217.19. Subject to sections 217.22 and 217.25, a corporation (other than a professional corporation) shall include in computing its income for a taxation year its adjusted stub period accrual in respect of a partnership if

(a) the corporation has a significant interest in the partnership at the end of the last fiscal period of the partnership that ends in the year;

(b) another fiscal period of the partnership begins in the year and ends after the end of the year; and

(c) at the end of the year, the corporation is entitled to a share of an income, loss, taxable capital gain or allowable capital loss of the partnership for the fiscal period referred to in paragraph *b*.

“217.20. Subject to section 217.22, if a corporation (other than a professional corporation) becomes a member of a partnership during a fiscal period of the partnership (in this section referred to as the “particular fiscal period”) that begins in the corporation’s taxation year and ends after the end of the taxation year but on or before its filing-due date for the taxation year and the corporation has a significant interest in the partnership at the end of the particular fiscal period, the corporation may include in computing its income for the taxation year the lesser of

(a) the amount designated by the corporation in its fiscal return for the taxation year; and

(b) the amount determined by the formula

$$A \times B/C.$$

In the formula in subparagraph *b* of the first paragraph,

(a) A is the corporation’s income from the partnership for the particular fiscal period (other than any amount in respect of which a deduction is available under sections 738 to 749);

(b) B is the number of days that are both in the corporation’s taxation year and the particular fiscal period; and

(c) C is the number of days in the particular fiscal period.

“217.21. A corporation may deduct in computing its income for a taxation year each amount that was included in computing its income in respect of a partnership for the preceding taxation year under section 217.19 or 217.20.

“217.22. For the purposes of this Act, the following rules apply:

(a) in computing the income of a corporation for a taxation year,

i. an adjusted stub period accrual included under section 217.19 in respect of a partnership for the year is deemed to be income and taxable capital gains having the same character and to be in the same proportions as any income and taxable capital gains that were allocated by the partnership to the corporation for all fiscal periods of the partnership ending in the year,

ii. an amount included under section 217.20 in respect of a partnership for the year is deemed to be income and taxable capital gains having the same character and to be in the same proportions as any income and taxable capital gains that were allocated by the partnership to the corporation for the particular fiscal period referred to in that section,

iii. an amount deductible under section 217.21 in respect of a partnership for the year is deemed to have the same character and to be in the same proportions as the income and taxable capital gains included in computing the corporation’s income for the preceding taxation year under section 217.19 or 217.20 in respect of the partnership,

iv. an amount deductible as a reserve under section 217.27 in respect of a partnership for the year is deemed to have the same character and to be in the same proportions as the qualifying transitional income in respect of the partnership for the year, and

v. an amount included in computing income under section 217.28 in respect of the partnership for the year is deemed to have the same character and to be in the same proportions as the amount deducted under section 217.27 for the preceding taxation year; and

(b) a corporation is deemed to have realized at the end of a taxation year an allowable capital loss equal to the amount determined by the formula

$$A - (B - C).$$

In the formula in subparagraph *b* of the first paragraph,

(a) A is the amount deductible for the year under section 217.21 in respect of taxable capital gains of a partnership;

(b) B is the amount that is the aggregate of

i. all taxable capital gains allocated by the partnership to the corporation for the year,

ii. the amount included in computing the corporation's income for the year under section 217.19 in respect of taxable capital gains of the partnership, and

iii. the amount included in computing the corporation's income for the year under section 217.28 in respect of taxable capital gains of the partnership; and

(c) C is the amount that is the lesser of

i. the amount that is the aggregate of all allowable capital losses allocated by the partnership to the corporation for the year, and

ii. the amount determined under subparagraph i of subparagraph *b*.

“217.23. A corporation may designate an amount for a taxation year in respect of a qualified resource expense for the purposes of the definition of “adjusted stub period accrual” in section 217.18, subject to the following rules:

(a) the corporation cannot designate an amount for the year in respect of a qualified resource expense in respect of a partnership except to the extent the corporation obtains from the partnership, before the corporation's filing-due date for the year, information in writing identifying the qualified resource expenses described in paragraph *d* of section 395 or 408, paragraph *e* of section 418.1.1 or paragraph *b* of section 418.2 and determined as if those expenses had been incurred by the partnership in its last fiscal period that ended in the year; and

(b) the amount designated for the year by the corporation is not to exceed the maximum amount that would be deductible by the corporation under any of Divisions III to IV.1 of Chapter X of Title VI in computing its income for the year if

i. the amounts referred to in paragraph *a* in respect of the partnership were the only amounts used in determining the maximum amount, and

ii. the fiscal period of the partnership that begins in the year and ends after the year had ended at the end of the year and each qualified resource expense were deemed under section 359.18 to be incurred by the corporation at the end of the year.

“217.24. Sections 217.19 and 217.20 do not apply in computing a corporation's income for a taxation year in respect of a partnership if the corporation becomes a bankrupt in the year.

“217.25. If a corporation is a member of a partnership subject to a multi-tier alignment, section 217.19 does not apply to the corporation in respect of the partnership for taxation years preceding the taxation year that includes

the end of the first aligned fiscal period of the partnership under the multi-tier alignment.

“217.26. Once a corporation makes a designation in calculating its adjusted stub period accrual in respect of a partnership for a taxation year under subparagraph *e* or *f* of the second paragraph of section 217.18, the designation cannot be amended or revoked.

“217.27. A corporation that has qualifying transitional income in respect of a partnership for a particular taxation year may deduct in computing its income, as a reserve, for the particular year such amount as the corporation claims not exceeding the least of

(a) the specified percentage for the particular year of the corporation’s qualifying transitional income in respect of the partnership;

(b) if, for the preceding taxation year, an amount was deductible under this section in computing the corporation’s income in respect of the partnership, the amount that is the aggregate of

i. the amount included under section 217.28 in computing the corporation’s income for the particular year in respect of the partnership, and

ii. the amount by which the corporation’s qualifying transitional income in respect of the partnership is increased in the particular year because of the application of sections 217.32 and 217.33; and

(c) the corporation’s income for the particular year computed before deducting any amount under this section in respect of the partnership or under sections 346.2 to 346.4.

“217.28. A corporation shall include in computing its income in respect of a partnership for a taxation year the amount deducted by it under section 217.27 in respect of the partnership for its preceding taxation year.

“217.29. No deduction may be made under section 217.27 in computing a corporation’s income for a taxation year in respect of a partnership

(a) unless, in the case of a corporation that is a member of a partnership in respect of which there is a multi-tier alignment, the corporation has been a member of the partnership continuously since before 22 March 2011 to the end of the year;

(b) unless, in the case of a corporation that is a member of a partnership in respect of which there is no multi-tier alignment, the corporation is a member of the partnership

i. at the end of the partnership’s fiscal period that begins before 22 March 2011 and ends in the taxation year of the corporation that includes that date,

ii. at the end of the partnership's fiscal period commencing immediately after the fiscal period referred to in subparagraph i and continues to be a member until after the end of the taxation year of the corporation that includes 22 March 2011, and

iii. continuously since before 22 March 2011 until the end of the year;

(c) if at the end of the year or at any time in the following taxation year,

i. the corporation's income is exempt from tax under this Part, or

ii. the corporation is not resident in Canada and the partnership does not carry on business through an establishment in Canada; or

(d) if the year ends immediately before another taxation year

i. at the beginning of which the partnership no longer principally carries on the activities to which the reserve relates,

ii. in which the corporation becomes a bankrupt, or

iii. in which the corporation is dissolved or wound up (other than in circumstances to which the rules in sections 556 to 564.1 and 565 apply).

“217.30. A corporation that cannot deduct an amount under section 217.27 for a taxation year in respect of a partnership solely because it has disposed of its interest in the partnership is deemed for the purposes of paragraphs *a* and *b* of section 217.29 to be a member of the partnership continuously until the end of the taxation year if

(a) the corporation disposed of its interest to another corporation related to, or affiliated with, the corporation at the time of the disposition; and

(b) a corporation related to, or affiliated with, the corporation has the partnership interest referred to in paragraph *a* at the end of the taxation year.

“217.31. For the purpose of determining a corporation's qualifying transitional income, the income or loss of a partnership for a fiscal period must be computed as if

(a) the partnership had deducted for the fiscal period the maximum amount deductible in respect of any expense, reserve or other amount;

(b) this Act were read without reference to subparagraph *b* of the second paragraph of section 194; and

(c) the partnership had made a valid election for the purposes of paragraph *a* of section 34 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement).

“217.32. Section 217.33 applies for a particular taxation year of a corporation and for each subsequent taxation year for which the corporation may deduct an amount under section 217.27 in respect of a partnership if the particular year is the first taxation year

(a) that is after the taxation year in which the corporation has, or would have if the partnership had income, an adjusted stub period accrual that is included in the corporation’s qualifying transitional income in respect of the partnership because of paragraph *b* of the definition of “qualifying transitional income” in the first paragraph of section 217.18; and

(b) in which ends the fiscal period of the partnership that began in the taxation year referred to in paragraph *a*.

“217.33. If, because of section 217.32, this section applies in respect of a partnership for a taxation year of a corporation, the adjusted stub period accrual included in the corporation’s qualifying transitional income in respect of the partnership for the year must be computed as if subparagraphs *a*, *b*, *d*, *f* to *k* and *m* of the second paragraph of section 217.18 were read as follows:

“(a) A is the aggregate of all amounts each of which is the corporation’s share of an income or taxable capital gain of the partnership for the particular fiscal period (other than any amount in respect of which a deduction is available under sections 738 to 749);

“(b) B is the aggregate of all amounts each of which is the corporation’s share of a loss or allowable capital loss—to the extent that the total of all allowable capital losses does not exceed the total of all taxable capital gains included in the aggregate described in subparagraph *a*—of the partnership for the particular fiscal period;

“(d) D is the number of days in the particular fiscal period;

“(f) F is an amount equal to zero;

“(g) G is the aggregate of all amounts each of which is the corporation’s share of an income or taxable capital gain of the partnership for the particular fiscal period (other than any amount in respect of which a deduction is available under sections 738 to 749);

“(h) H is the aggregate of all amounts each of which is the corporation’s share of a loss or allowable capital loss—to the extent that the total of all allowable capital losses does not exceed the total of all taxable capital gains included in the aggregate described in subparagraph *g*—of the partnership for the particular fiscal period;

“(i) I is the number of days in the particular fiscal period;

“(j) J is the aggregate of all amounts each of which is the corporation’s share of an income or taxable capital gain of the partnership for the particular fiscal period (other than any amount in respect of which a deduction is available under sections 738 to 749);

“(k) K is the aggregate of all amounts each of which is the corporation’s share of a loss or allowable capital loss—to the extent that the total of all allowable capital losses does not exceed the total of all taxable capital gains included in the aggregate described in subparagraph *j*—of the partnership for the particular fiscal period;

“(m) M is the number of days in the particular fiscal period;”.

“217.34. If it is reasonable to conclude that one of the main reasons a corporation is a member of a partnership in a taxation year is to avoid the application of section 217.29, the corporation is deemed not to be a member of the partnership for the purposes of that section.

“§2. — *Income shortfall adjustment*

“217.35. In this subdivision,

“actual stub period accrual”, of a corporation in respect of a qualifying partnership for a taxation year, means the positive or negative amount determined by the formula

$$(A - B) \times C/D - E;$$

“base year”, of a corporation in respect of a qualifying partnership for a taxation year, means the preceding taxation year of the corporation in which began a fiscal period of the partnership that ends in the corporation’s taxation year;

“income shortfall adjustment”, of a corporation in respect of a qualifying partnership for a particular taxation year, means the positive or negative amount determined by the formula

$$(F - G) \times H \times I;$$

“qualifying partnership”, in respect of a corporation for a particular taxation year, means a partnership a fiscal period of which began in a preceding taxation year and ends in the particular taxation year, and in respect of which the corporation was required to calculate an adjusted stub period accrual for the preceding taxation year.

In the formulas in the definitions of “actual stub period accrual” and “income shortfall adjustment” in the first paragraph,

(a) A is the aggregate of all amounts each of which is the corporation's share of an income or taxable capital gain of the qualifying partnership for the last fiscal period of the partnership that began in the base year (other than any amount in respect of which a deduction was available under sections 738 to 749);

(b) B is the aggregate of all amounts each of which is the corporation's share of a loss or allowable capital loss of the qualifying partnership for the last fiscal period of the partnership that began in the base year (to the extent that the total of all allowable capital losses included in the aggregate described in this subparagraph in respect of all qualifying partnerships for the taxation year does not exceed the corporation's share of all taxable capital gains of all qualifying partnerships for the taxation year);

(c) C is the number of days that are in both the base year and the fiscal period;

(d) D is the number of days in the fiscal period;

(e) E is the amount of the qualified resource expense in respect of the qualifying partnership that was designated by the corporation for the base year under section 217.23 in its fiscal return for the base year filed with the Minister on or before its filing-due date for the base year;

(f) F is the amount that is the lesser of

i. the actual stub period accrual in respect of the qualifying partnership, and

ii. the amount that would be the corporation's adjusted stub period accrual for the base year in respect of the qualifying partnership if, for the purposes of paragraph *a* of the definition of "adjusted stub period accrual" in the first paragraph of section 217.18, the amount determined under subparagraph *f* of the second paragraph of that section were equal to zero;

(g) G is the amount included under section 217.19 in computing the corporation's income for the base year in respect of the qualifying partnership;

(h) H is the number of days in the period that begins on the day after the day on which the base year ends and ends on the day on which the taxation year ends; and

(i) I is the average daily rate of interest determined by reference to the rate of interest prescribed under section 28 of the Tax Administration Act (chapter A-6.002) for the period referred to in subparagraph *h*.

"217.36. Section 217.37 applies to a corporation for a taxation year if

(a) the corporation has designated an amount for the purposes of subparagraph *f* of the second paragraph of section 217.18 in calculating its

adjusted stub period accrual for the base year in respect of a qualifying partnership for the taxation year; and

(b) where the corporation has qualifying transitional income, the taxation year is after the first taxation year of the corporation to which section 217.33 applies.

“217.37. If, because of section 217.36, this section applies to a corporation for a taxation year, the corporation shall include in computing its income for the taxation year the amount determined by the formula

$$A + 0.50 \times (A - B).$$

In the formula in the first paragraph,

(a) A is the aggregate of all amounts each of which is the corporation’s income shortfall adjustment in respect of a qualifying partnership for the year; and

(b) B is the lesser of the aggregate described in subparagraph *a* and the aggregate of all amounts each of which is 25% of the positive amount that would be the income shortfall adjustment in respect of a qualifying partnership for the year if the amount referred to in subparagraph *g* of the second paragraph of section 217.35 were equal to zero.”

(2) Subsection 1 applies to a taxation year that ends after 22 March 2011.

22. (1) Section 257 of the Act is amended by replacing subparagraph i.4 of paragraph *l* by the following subparagraph:

“i.4. unless the particular time immediately precedes a disposition of the interest, if the taxpayer is a member of the partnership and the taxpayer has been a specified member of the partnership at all times since becoming a member of the partnership, or the taxpayer is at the particular time a limited partner of the partnership for the purposes of section 261.1,

(1) where the particular time is in the taxpayer’s first taxation year for which the taxpayer is eligible to deduct an amount in respect of the partnership under section 217.27, the portion of the amount deducted in computing the taxpayer’s income for the taxation year under section 217.27 in respect of the partnership that would be deductible if the definition of “qualifying transitional income” in the first paragraph of section 217.18 were read without reference to its paragraph *b*, and

(2) where the particular time is in any other taxation year, the portion of the amount deducted under section 217.27 in computing the taxpayer’s income for the taxation year preceding that other taxation year in respect of the partnership that would be deductible if the definition of “qualifying transitional income”

in the first paragraph of section 217.18 were read without reference to its paragraph *b*,”.

(2) Subsection 1 applies from the taxation year 2011.

23. (1) Section 257.3 of the Act is repealed.

(2) Subsection 1 applies from the taxation year 2011.

24. (1) Section 314 of the Act is replaced by the following section:

“314. A payment or transfer to another person, according to the taxpayer’s instructions or with the taxpayer’s consent, of money, rights or property for the benefit of the taxpayer or for that of the other person (otherwise than by partition of a retirement pension pursuant to sections 158.3 to 158.8 of the Act respecting the Québec Pension Plan (chapter R-9) or any comparable provision of a similar plan, within the meaning of that Act) is deemed received by the taxpayer and must be included in computing the taxpayer’s income to the extent that it would be if the payment or transfer had been made to the taxpayer.”

(2) Subsection 1 applies in respect of a payment or transfer made after 31 December 2010.

25. (1) Section 317 of the Act is amended by replacing subparagraph *c* of the first paragraph by the following subparagraph:

“(c) the amount of any payment out of or under a specified pension plan; and”.

(2) Subsection 1 applies in respect of a payment made after 31 December 2009.

26. (1) Section 339 of the Act is amended by striking out paragraph *i*.

(2) Subsection 1 applies to a taxation year that begins after 31 December 2009.

27. (1) Section 346.2 of the Act is amended

(1) by replacing “second” in subparagraph *c* of the second paragraph by “third”;

(2) by replacing “an insurance corporation or a bank” in subparagraph *a* of the third paragraph by “an insurance corporation, a federal credit union or a bank”;

(3) by replacing “or an insurance corporation” in subparagraph *b* of the third paragraph by “, a federal credit union or an insurance corporation”.

(2) Paragraphs 2 and 3 of subsection 1 have effect from 19 December 2012.

28. (1) Section 350.6 of the Act is amended by replacing the portion before paragraph *c* by the following:

“350.6. If an individual is, at any time in a taxation year, a foreign researcher within the meaning of section 737.19, a foreign researcher on a postdoctoral internship within the meaning of section 737.22.0.0.1, a foreign expert within the meaning of section 737.22.0.0.5, a foreign specialist within the meaning of section 737.22.0.1 or 737.22.0.4.1, a foreign professor within the meaning of section 737.22.0.5, an eligible individual within the meaning of section 737.22.0.9 or a foreign farm worker within the meaning of section 737.22.0.12, the following rules apply for the purpose of computing the amount that the individual may deduct under section 350.1 for the year:

(*a*) if the individual has included in computing the individual’s income for the year an amount received, or the value of a benefit received or enjoyed, by the individual and the amount or value is both described in subparagraph *a* of the first paragraph of section 350.2 and included in the individual’s eligible income for the year, in relation to an employment, within the meaning of any of sections 737.19, 737.22.0.0.1, 737.22.0.0.5, 737.22.0.1, 737.22.0.4.1 and 737.22.0.5, as the case may be, in the amount determined in respect of the individual for the year under section 737.22.0.10, or in the individual’s work income for the year, in relation to an employment, within the meaning of section 737.22.0.12, the amount or value, as the case may be, is deemed to be nil;

(*b*) for the purposes of subparagraphs 1 and 2 of subparagraph ii of subparagraph *b* of the first paragraph of section 350.2, the number of days in the year included in the qualifying period in which the individual resided in the particular region does not include a day included in the individual’s research activity period, the individual’s eligible activity period or the individual’s specialized activity period, in relation to an employment, within the meaning of any of sections 737.19, 737.22.0.0.1, 737.22.0.0.5, 737.22.0.1, 737.22.0.4.1 and 737.22.0.5, as the case may be; and”.

(2) Subsection 1 applies from the taxation year 2012.

29. Section 359 of the Act is amended by replacing paragraph *a* by the following paragraph:

“(a) “outlay” or “expense” made or incurred by a taxpayer before a particular time does not include any amount paid or payable for services to be rendered after that time or any amount paid or payable as rent for a period after that time, but includes an amount designated by the taxpayer at that time, under paragraph *b* of section 622 or 628, as that paragraph read before being struck out, as a cost in respect of property that is a Canadian resource property or a foreign resource property;”.

30. Section 386 of the Act is replaced by the following section:

“386. Except as expressly otherwise provided in this Part, in computing a taxpayer’s cumulative Canadian exploration expenses, there shall be deducted under paragraph *b* of section 399 the amount which, at a particular time in a taxation year, becomes receivable by the taxpayer as a result of a transaction made after 6 May 1974 in the case of an oil business, after 31 March 1975 in the case of a mining business or after 5 December 1996 in all other cases, in consideration of services rendered or property ceded by the taxpayer, if the original cost of those services or that property may reasonably be regarded as having been, for the taxpayer, primarily Canadian exploration expenses or Canadian exploration and development expenses, or as if it would have been such expenses if they had been incurred by the taxpayer after 1971 and before 7 May 1974 or before 1 April 1975, as the case may be.”

31. Section 395 of the Act is amended by replacing the portion before paragraph *a* by the following:

“395. For the purposes of this chapter, “Canadian exploration expense” of a taxpayer means any expense incurred after 6 May 1974 in the case of an oil business, after 31 March 1975 in the case of a mining business or after 5 December 1996 in all other cases, to such extent as that expense is”.

32. Section 418.18 of the Act is amended by replacing the first paragraph by the following paragraph:

“418.18. Subject to sections 418.22 and 418.23, where a corporation acquired after 6 May 1974 in the case of an oil business, after 31 March 1975 in the case of a mining business or after 5 December 1996 in all other cases, in any manner whatsoever, a particular Canadian resource property (referred to in this section as “particular property”), it may deduct in computing its income for a taxation year an amount not exceeding the aggregate of all amounts each of which is the lesser of the amount referred to in the second paragraph and the amount referred to in the third paragraph determined in respect of an original owner of the particular property.”

33. (1) Section 462.1 of the Act is replaced by the following section:

“462.1. Where an individual has transferred or loaned property, otherwise than by partition of a retirement pension pursuant to sections 158.3 to 158.8 of the Act respecting the Québec Pension Plan (chapter R-9) or any comparable provision of a similar plan, within the meaning of that Act, either directly or indirectly, by means of a trust or otherwise, to or for the benefit of a person who is, or who has since become, the spouse of the individual, any income or loss of that person for a taxation year from the property or from property substituted for it, that relates to the period in the year throughout which the individual is resident in Canada and is the person’s spouse, is deemed to be income or a loss of the individual for the year and not of that person.”

(2) Subsection 1 applies in respect of a transfer or a loan made after 31 December 2010.

34. (1) Section 462.24 of the Act is amended

(1) by striking out paragraph *a.1*;

(2) by inserting “(Revised Statutes of Canada, 1985, chapter 1, 5th Supplement)” after “Income Tax Act” in paragraph *c*.

(2) Subsection 1 applies in respect of a transfer made after 31 December 2010.

35. Section 579 of the Act is replaced by the following section:

“579. In this Title, the foreign accrual property income of a foreign affiliate of a taxpayer for a taxation year of such affiliate means an amount equal to that which is computed as foreign accrual property income in respect of the affiliate for the year under the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) and the Income Tax Regulations made under that Act.”

36. (1) Section 600 of the Act is amended by replacing paragraph *d* by the following paragraph:

“(d) in computing each income or loss of the partnership for a taxation year, no account shall be taken of paragraph z.4 of section 87, sections 145 and 217.2 to 217.9.1, 217.18 to 217.34, paragraphs *a*, *d*, *e* and *e.1* of section 330 and section 418.12, and no deduction is permitted under section 88.4 of the Act respecting the application of the Taxation Act (chapter I-4), section 217.13, the first paragraph of section 360 or sections 362 to 418.12;”.

(2) Subsection 1 applies from the taxation year 2011.

37. (1) Section 608 of the Act is replaced by the following section:

“608. For the purposes of sections 7 to 7.0.6, 217.2 to 217.34, 600, 607, 634 and 635, where the principal activity of a partnership is carrying on a business in Canada and its members have entered into an agreement to allocate a share of the income or loss of the partnership from any source in Canada or from sources in another place to any person described in section 609, that person is deemed to be a member of the partnership and the amount so allocated for a particular fiscal period of the partnership must be included in computing the person’s income for the taxation year in which that fiscal period of the partnership ends.”

(2) Subsection 1 has effect from 22 March 2011.

38. (1) Section 693 of the Act is amended by inserting “737.22.0.4.7,” after “737.22.0.3,” in the second paragraph.

(2) Subsection 1 applies from the taxation year 2012.

39. (1) Section 714.1 of the Act is amended by replacing “g to i” in the first paragraph by “g to j”.

(2) Subsection 1 has effect from 1 January 2012.

40. (1) Section 725.6 of the Act is amended by inserting “, 737.22.0.4.8” after “737.22.0.4” in the portion before paragraph a.

(2) Subsection 1 applies from the taxation year 2012.

41. Section 726.20.2 of the Act is amended by replacing the third paragraph by the following paragraph:

“For the purposes of subparagraph c of the first paragraph, where an individual is deemed to have realized, at any time in a taxation year, a capital gain from the disposition of another capital property under section 262.5, the capital gain is deemed to be a capital gain realized by the individual in the year in respect of the disposition of a resource property.”

42. (1) Section 726.27 of the Act is amended by replacing the definitions of “qualified cooperative” and “qualified patronage dividends” by the following definitions:

““qualified cooperative” for a taxation year means a cooperative or a federation of cooperatives to which a qualification certificate has been issued by the Minister of Economic Development, Innovation and Export Trade for the purposes of this Title, for which it has not received a notice of revocation at the end of the year;

““qualified patronage dividend” for a taxation year means a patronage dividend allocated in the form of a preferred share received in the year and before 1 January 2023 by a taxpayer who is a member of a cooperative or a federation of cooperatives, or of a partnership that is a member of a cooperative or a federation of cooperatives, and included by the taxpayer in computing the taxpayer’s income for the year under section 795, if the patronage dividend is allocated by the cooperative or the federation of cooperatives in respect of a taxation year for which it is a qualified cooperative.”

(2) Subsection 1 applies in respect of a patronage dividend allocated in respect of a taxation year that ends after 22 December 2009. However, when the definition of “qualified cooperative” in section 726.27 of the Act applies in respect of a qualification certificate issued before 21 March 2012, it is to be read as follows:

““qualified cooperative” for a taxation year means a cooperative or a federation of cooperatives that holds a qualification certificate issued, for the purposes of this Title, by the Minister of Economic Development, Innovation and Export Trade for the year;”.

43. (1) Section 726.27.1 of the Act is replaced by the following section:

“726.27.1. For the purposes of the definition of “qualified patronage dividend” in section 726.27, if a partnership receives, at any time before 1 January 2023, a patronage dividend allocated in the form of a preferred share, a taxpayer who is a member of the partnership at the end of the partnership’s fiscal period that includes that time is deemed to have received, at that time, and included, under section 795, in computing the taxpayer’s income for the year in which the fiscal period ends, the portion of the patronage dividend that is equal to the product obtained by multiplying the agreed proportion in respect of the taxpayer for the fiscal period by the patronage dividend received by the partnership.”

(2) Subsection 1 applies in respect of a patronage dividend allocated in respect of a taxation year that ends after 22 December 2009.

44. (1) Section 726.29 of the Act is amended

(1) by replacing the second paragraph and the portion of the third paragraph before subparagraph *b* by the following:

“For the purposes of the first paragraph, a member of a cooperative or of a federation of cooperatives is deemed to dispose of the preferred shares issued by the cooperative or federation of cooperatives, as the case may be, that are identical properties in the order in which the member acquired them.

The first paragraph does not apply if the disposition by a member of a preferred share issued by a cooperative or a federation of cooperatives results from any of the operations referred to in the fourth paragraph and if, after the operation,

(a) all of the outstanding preferred shares issued by the cooperative or federation of cooperatives, as the case may be, and relating to qualified patronage dividends for a particular taxation year have been exchanged for consideration consisting only of preferred shares or fractions of such shares; and”;

(2) by replacing subparagraphs *a* and *b* of the fourth paragraph by the following subparagraphs:

“(a) an amalgamation, within the meaning of section 544, or a winding-up of the cooperative or federation of cooperatives, if, as a consequence of the amalgamation or winding-up, the member receives from another cooperative or federation of cooperatives a new preferred share issued by the other cooperative or federation of cooperatives, as the case may be, to replace the preferred share so disposed of; and

“(b) a conversion of the preferred share or a reorganization of the capital stock of the cooperative or federation of cooperatives, if, as a consequence of

the conversion or reorganization, the member receives from the cooperative or federation of cooperatives a new preferred share to replace the preferred share so disposed of.”

(2) Subsection 1 applies in respect of a patronage dividend allocated in respect of a taxation year that ends after 22 December 2009.

45. (1) Section 737.19.2 of the Act is amended by replacing the second and third paragraphs by the following paragraphs:

“The particular period to which the first paragraph refers is a period that precedes the research activity period and is established in respect of the individual under any of sections 737.18.6, 737.18.29, 737.19, 737.22.0.0.1, 737.22.0.0.5, 737.22.0.1, 737.22.0.4.1 and 737.22.0.5, or section 69 of the Act respecting international financial centres (chapter C-8.3), or regulations made under the first paragraph of section 737.16, as they read for a taxation year beginning on or before 20 December 1999.

The amount to which the first paragraph refers is an amount that the individual may deduct in computing the individual’s taxable income for a taxation year, in relation to a preceding employment, under any of sections 737.16, 737.18.10, 737.18.34, 737.21, 737.22.0.0.3, 737.22.0.0.7, 737.22.0.3, 737.22.0.4.7 and 737.22.0.7.”

(2) Subsection 1 has effect from 21 March 2012.

46. (1) Section 737.20 of the Act is amended by replacing subparagraph ii of paragraph *a* by the following subparagraph:

“ii. the individual would meet the condition set out in subparagraph i if an employer had not failed to apply, in respect of the individual, for a qualification certificate or a certificate referred to in any of sections 737.18.6, 737.18.29, 737.19, 737.22.0.0.1, 737.22.0.0.5, 737.22.0.1, 737.22.0.4.1 and 737.22.0.5, section 3.5 of Schedule E to the Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1), section 19 of the Act respecting international financial centres (chapter C-8.3), as it read before being repealed, or section 737.15, as it read before being repealed; and”.

(2) Subsection 1 has effect from 21 March 2012.

47. (1) The Act is amended by inserting the following after section 737.22.0.4:

“TITLE VII.3.1.1**“DEDUCTION RELATING TO FOREIGN SPECIALISTS WORKING FOR FINANCIAL SERVICES CORPORATIONS****“CHAPTER I****“INTERPRETATION AND GENERAL RULES****“737.22.0.4.1.** In this Title,

“eligible employer” for a taxation year means a qualified corporation for the year within the meaning of section 1029.8.36.166.65 that holds a certificate for the year, issued by the Minister of Finance, for the purposes of Division II.6.14.4 of Chapter III.1 of Title III of Book IX or a corporation that would be such a qualified corporation for the year but for the expiration of the period of validity specified in the corporation’s qualification certificate;

“eligible income”, for a taxation year, of an individual who is a foreign specialist at any time, in relation to an employment the individual holds with an eligible employer, means the aggregate of all amounts paid to the individual as wages in the year by that employer and that may reasonably be attributed to the foreign specialist’s specialized activity period in relation to that employment;

“foreign specialist” for all or part of a taxation year means an individual in respect of whom the following conditions are met:

(a) at a particular time after 20 March 2012, the individual takes up employment, as an employee, with an eligible employer under an employment contract that they entered into after that date but in the period of validity specified in the employer’s qualification certificate;

(b) the individual is not resident in Canada immediately before entering into the employment contract or immediately before taking up employment, as an employee, with the eligible employer;

(c) the individual works exclusively or almost exclusively for the eligible employer from the particular time to the end of the year or the part of the year; and

(d) the eligible employer has obtained in respect of the individual, for the purposes of this Title, a certificate issued by the Minister of Finance for the taxation year and the certificate and, if applicable, all the similar certificates that were obtained in respect of the individual for preceding taxation years certify that, from the particular time to the end of the year or the part of the year, the individual is recognized as a specialist;

“qualification certificate” of a corporation means the qualification certificate issued to the corporation for the purposes of Division II.6.14.4 of Chapter III.1 of Title III of Book IX;

“specialized activity period” of an individual who is a foreign specialist for all or part of a taxation year, in relation to an employment the individual holds with an eligible employer, means the period that, subject to the second paragraph, begins on the day on which the individual begins to perform the duties of that employment and ends on the earlier of

(a) the day preceding the day on which the individual ceases to be a foreign specialist; and

(b) the last day of the five-year period that begins,

i. unless subparagraph ii applies, on the day on which the individual first begins to perform the duties of an employment for which the individual may deduct an amount in computing the individual’s taxable income for a taxation year under any of the sections mentioned in the third paragraph of section 737.19.2, or could so deduct such an amount if an employer had not failed to apply, in respect of the individual, for a qualification certificate or a certificate referred to in any of the sections mentioned in subparagraph ii of paragraph *a* of section 737.20, or

ii. if the individual began to perform the duties of the employment referred to in subparagraph i under a contract of employment entered into with a particular corporation or partnership operating an international financial centre established by the individual and if the individual was resident in Canada immediately before the contract of employment was entered into and immediately before the individual took up that employment, on the day, determined without reference to paragraph *a* of section 8, on which the individual becomes resident in Canada to work on the establishment of that centre;

“specified period” of an individual, in relation to an employment held by the individual with an eligible employer, means any part of the individual’s specialized activity period in relation to that employment that is included in any of the five years of the period described in paragraph *b* of the definition of “specialized activity period”;

“wages” means the income computed under Chapters I and II of Title II of Book III.

Where the certificate referred to in paragraph *d* of the definition of “foreign specialist” in the first paragraph was not issued in respect of an individual for the taxation year that includes the particular day on which the individual begins to perform the duties of an employment the individual holds with an eligible employer, the specialized activity period of the individual in relation to that employment begins only on the first day of the first taxation year following the particular day for which such a certificate has been issued in respect of the individual.

For the purposes of the definition of “eligible income” in the first paragraph, any benefit that an individual is deemed to receive, in a particular taxation year, in connection with an employment held by the individual with an eligible

employer, because of the application of any of sections 49 and 50 to 52.1, is considered to be included in the amounts that are paid to the individual as wages in the year by that employer.

“737.22.0.4.2. If, in a taxation year, an individual is absent from an employment the individual holds with an eligible employer and, were it not for that absence, would be a foreign specialist for the part of the year that is included in the individual’s period of absence, the Minister may, for the purposes of this Title, consider the wages paid by the eligible employer to the individual for that part of the year to be included in the individual’s eligible income for the year in relation to the employment, that the eligible employer certifies in prescribed manner, if the Minister is of the opinion that the individual is temporarily absent from the employment for reasons the Minister considers reasonable.

The individual is deemed to be a foreign specialist for the part of the year in respect of which the Minister has exercised discretion in the individual’s favour in accordance with the first paragraph.

“737.22.0.4.3. Where, but for this section, a corporation would no longer be an eligible employer for a taxation year because of the revocation of its qualification certificate or of the certificate it was issued for the year, the following rules must, for the purposes of this Title, be taken into consideration despite any provision to the contrary:

(a) the qualification certificate is deemed to be valid until the time it is revoked, and it is deemed, only as of that time, not to have been issued; and

(b) the certificate is deemed not to have been revoked.

“737.22.0.4.4. For the purposes of the definition of “foreign specialist” in the first paragraph of section 737.22.0.4.1, an individual is deemed not to be resident in Canada immediately before taking up employment, as an employee, with an eligible employer if

(a) the individual may deduct an amount in computing the individual’s taxable income for the taxation year in which the individual so took up employment or for a preceding taxation year, in relation to a preceding employment, under any of the sections mentioned in the third paragraph of section 737.19.2; or

(b) the individual would meet the condition of paragraph *a* if an employer had not failed to apply, in respect of the individual, for a qualification certificate or a certificate referred to in any of the sections mentioned in subparagraph ii of paragraph *a* of section 737.20.

“737.22.0.4.5. For the purposes of this Title, the employment contract that an individual entered into with an eligible employer (in this section referred to as the “original contract”), or a deemed contract referred to in the second

paragraph, is deemed to end at the time when the individual ceases to be a foreign specialist.

In addition, where at a particular time an individual would again become a foreign specialist if this section were read without reference to the first paragraph and paragraphs *c* and *d* of the definition of “foreign specialist” in the first paragraph of section 737.22.0.4.1 were read as if “from the particular time to the end of the year or the part of the year” was replaced by “throughout the year or the part of the year”, the following rules apply:

(a) the individual is deemed to enter into, with the eligible employer, 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

(b) the individual is deemed to take up employment, as an employee, with the eligible employer at the particular time and is also deemed to begin at that time to perform the duties of that new employment.

The expiry, termination or cancellation of the original contract or any other event having the effect of terminating the original contract also entails the expiry, termination or cancellation, as the case may be, of a deemed contract continuing the original contract, or otherwise terminates such a contract.

The renewal of the original contract also entails the renewal of a deemed contract continuing the original contract, except if the deemed contract is deemed to have ended under the first paragraph.

“737.22.0.4.6. For the purposes of this Title, the contract resulting from the renewal, after the date specified in the second paragraph, of an employment contract referred to in the definition of “foreign specialist” in the first paragraph of section 737.22.0.4.1 and in this section referred to as the “original contract”, is deemed not to be an employment contract separate from the original contract.

The date to which the first paragraph refers is the date of expiry of the period of validity specified in the qualification certificate of the eligible employer with whom the individual entered into the original contract.

The first paragraph does not apply in respect of a contract that is deemed to have ended under the first paragraph of section 737.22.0.4.5.

“CHAPTER II

“DEDUCTION

“737.22.0.4.7. An individual who, at any time, holds employment as a foreign specialist with an eligible employer 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

$$A \times (B - C).$$

In the formula provided for in the first paragraph,

(a) A is

i. 100%, if that specified period of the individual is included in the first or second year of the period described in paragraph *b* of the definition of “specialized activity period” in the first paragraph of section 737.22.0.4.1,

ii. 75%, if that specified period of the individual is included in the third year of the period described in that paragraph *b*,

iii. 50%, if that specified period of the individual is included in the fourth year of the period described in that paragraph *b*, or

iv. 25%, if that specified period of the individual is included in the fifth year of the period described in that paragraph *b*;

(b) B is the portion of the individual’s eligible income for the year, in relation to that employment, that is certified by the eligible employer in the prescribed manner and that may reasonably be attributed to that specified period of the individual; and

(c) C is the aggregate of all amounts that the individual may deduct in computing the individual’s income for the year under Chapter III of Title II of Book III and that may reasonably be attributed to the individual’s employment as a foreign specialist during that specified period of the individual.

“CHAPTER III

“COMPUTATION OF TAXABLE INCOME

“**737.22.0.4.8.** For the purpose of computing the taxable income of an individual referred to in section 737.22.0.4.7 for a taxation year, the following rules apply:

(a) where the individual has included in computing income for the year an amount that is the benefit the individual is deemed to receive in the year under any of sections 49 and 50 to 52.1, in respect of a security, or the transfer or any other disposition of the rights under the agreement referred to in section 48 and the amount of the benefit is included in the individual’s eligible income for the year, in relation to an employment, the amount of the benefit is, for the purpose of computing the deduction under section 725.2, deemed to be nil;

(b) where the individual has included in computing income for the year an amount that is the benefit the individual is deemed to receive under section 49 as a consequence of the application of section 49.2 in respect of a share acquired by the individual after 22 May 1985 and the amount of the benefit is included in the individual's eligible income for the year, in relation to an employment, the amount of the benefit is, for the purpose of computing the deduction under section 725.3, deemed to be nil;

(c) where the individual has included in computing income for the year an amount referred to in paragraph *a* or *e* of section 725 and the amount is included in the portion of the individual's eligible income for the year, in relation to an employment, that may reasonably be attributed to any of the individual's specified periods, in relation to that employment, the amount is, for the purpose of computing the deduction under that paragraph, deemed to be equal to the product obtained by multiplying that amount by the amount by which 100% exceeds the percentage determined under subparagraph *a* of the second paragraph of section 737.22.0.4.7 in respect of that period;

(d) where the individual has included in computing income for the year an amount referred to in subparagraph *a* of the second paragraph of section 725.1.2 and the amount is included in the portion of the individual's eligible income for the year, in relation to an employment, that may reasonably be attributed to any of the individual's specified periods, in relation to that employment, the amount is, for the purpose of computing the deduction under the first paragraph of that section, deemed to be equal to the product obtained by multiplying that amount by the amount by which 100% exceeds the percentage determined under subparagraph *a* of the second paragraph of section 737.22.0.4.7 in respect of that period; and

(e) where the individual has included in computing income for the year an amount under sections 487.1 to 487.6 in respect of a benefit received by the individual as a home relocation loan, the individual shall, for the purpose of computing the deduction under section 725.6,

i. subtract from the amount determined under paragraph *a* of section 725.6, the product obtained by multiplying the portion of that amount that may reasonably be attributed to the part of the year that is included in any of the individual's specified periods, in relation to an employment, by the percentage determined under subparagraph *a* of the second paragraph of section 737.22.0.4.7 in respect of that period,

ii. subtract from the amount determined under paragraph *b* of section 725.6, the product obtained by multiplying the amount of interest that is computed, in accordance with that paragraph, for the part of the year that is included in any of the individual's specified periods, in relation to an employment, by the percentage determined under subparagraph *a* of the second paragraph of section 737.22.0.4.7 in respect of that period, and

iii. subtract from the amount determined under paragraph *c* of section 725.6, the product obtained by multiplying the portion of that amount that may

reasonably be considered to have been received in the part of the year that is included in any of the individual's specified periods, in relation to an employment, by the percentage determined under subparagraph *a* of the second paragraph of section 737.22.0.4.7 in respect of that period."

(2) Subsection 1 has effect from 21 March 2012.

48. (1) Section 750.1 of the Act is amended by striking out "768, 770," in the portion before paragraph *a*.

(2) Subsection 1 applies to a taxation year that ends after 19 March 2012.

49. (1) The Act is amended by inserting the following section after section 750.1:

"750.1.1. The percentage to which sections 768 and 770 refer is 24%."

(2) Subsection 1 applies to a taxation year that ends after 19 March 2012.

50. (1) Section 752.0.8 of the Act is amended by replacing subparagraph *i* of paragraph *a* by the following subparagraph:

"*i.* a payment in respect of a life annuity out of or under a pension plan or a specified pension plan,".

(2) Subsection 1 has effect from 1 January 2010.

51. (1) Section 752.0.10 of the Act is amended by replacing paragraph *e* by the following paragraph:

"(*e*) an amount received out of or under a retirement compensation arrangement, a salary deferral arrangement, an employee trust or an employee benefit plan;".

(2) Subsection 1 has effect from 1 January 2010.

52. (1) Section 752.0.10.11.1 of the Act is amended by replacing "g to *i*" in the first paragraph by "g to *j*".

(2) Subsection 1 has effect from 1 January 2012.

53. (1) Section 752.0.11.1 of the Act is amended by replacing paragraph *k* by the following paragraph:

"(*k*) for the care, or the care and training, at a school, institution or other place, of a particular person, if the particular person has been certified in writing by a qualified person to be a person who, by reason of a physical or mental handicap, requires the equipment, facilities or personnel specially provided by that school, institution or other place for the care, or the care and training, of

persons suffering from such a handicap, other than amounts paid to the operator of a private seniors' residence, within the meaning of the first paragraph of section 1029.8.61.1 if the definition of that expression were read without reference to "for a particular month" and ", at the beginning of the particular month,";

(2) Subsection 1 applies from the taxation year 2013.

54. (1) Section 752.0.18.7 of the Act is amended by inserting "737.22.0.4.7," after "737.22.0.3,".

(2) Subsection 1 applies from the taxation year 2012.

55. (1) Section 752.0.24 of the Act is amended

(1) by replacing the portion of subparagraph *a* of the first paragraph before subparagraph ii by the following:

"(a) only the following amounts may be deducted by the individual under sections 752.0.0.1 to 752.0.7, 752.0.10.0.2 to 752.0.10.0.5 and 752.0.10.1 to 752.0.18.15 in respect of any period in the year throughout which the individual was resident in Canada:

i. such of the amounts deductible under any of sections 752.0.10.0.2 to 752.0.10.0.5, 752.0.10.6, 752.0.11 to 752.0.13.3, 752.0.18.3, 752.0.18.8, 752.0.18.10 and 752.0.18.15 as can reasonably be considered wholly applicable to such a period, computed as though that period were a whole taxation year, and";

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

"(b) the amount deductible for the year under any of sections 752.0.0.1 to 752.0.7, 752.0.10.0.2 to 752.0.10.0.5 and 752.0.10.1 to 752.0.18.15 in respect of the part of the year that is not included in the period referred to in subparagraph *a* is to be computed as though such part were a whole taxation year.";

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

"However, the amount deductible for the year by the individual under any of sections 752.0.0.1 to 752.0.7, 752.0.10.0.2 to 752.0.10.0.5 and 752.0.10.1 to 752.0.18.15 must not exceed the amount that would have been deductible under that section had the individual been resident in Canada throughout the year."

(2) Subsection 1 applies from the taxation year 2012.

56. (1) Section 768 of the Act is replaced by the following section:

“**768.** Despite section 750, the tax payable under this Part for a taxation year by an inter vivos trust, other than a mutual fund trust or a SIFT trust, is equal to the amount obtained by multiplying the percentage specified in section 750.1.1 by its taxable income for the year.”

(2) Subsection 1 applies to a taxation year that ends after 19 March 2012.

57. (1) Section 770 of the Act is replaced by the following section:

“**770.** Despite section 750, the tax payable under this Part by a mutual fund trust, other than a SIFT trust, on its taxable income for a taxation year is equal to the amount obtained by multiplying the percentage specified in section 750.1.1 by its taxable income reduced by the amount by which its taxable capital gains for the year exceed its allowable capital losses for the year and increased by the amounts deducted for the year under section 729.”

(2) Subsection 1 applies to a taxation year that ends after 19 March 2012.

58. (1) Section 772.7 of the Act is amended by inserting “737.22.0.4.7,” after “737.22.0.3,” in subparagraph ii of subparagraph *b* of the first paragraph.

(2) Subsection 1 applies from the taxation year 2012.

59. (1) Section 772.9 of the Act is amended by inserting “737.22.0.4.7,” after “737.22.0.3,” in subparagraph 2 of subparagraph ii of paragraph *a*.

(2) Subsection 1 applies from the taxation year 2012.

60. (1) Section 772.11 of the Act is amended by inserting “737.22.0.4.7,” after “737.22.0.3,” in subparagraph 2 of subparagraph ii of subparagraph *a* of the second paragraph.

(2) Subsection 1 applies from the taxation year 2012.

61. (1) Section 776.1.1.1 of the Act is amended by replacing the second paragraph by the following paragraph:

“The period to which the first paragraph refers begins on 1 June 2009 and ends on 31 May 2015.”

(2) Subsection 1 has effect from 21 March 2012.

62. (1) Section 776.1.5.0.16 of the Act is amended, in the first paragraph,

(1) by replacing “comme étant comparable” in paragraph *e* of the definition of “diplôme reconnu” in the French text by “comme comparable”;

(2) by inserting the following definition in alphabetical order:

““recognized post-secondary diploma” means

(a) a diploma referred to in any of paragraphs *b* to *d* and *f* of the definition of “recognized diploma”; or

(b) a diploma that is considered, under paragraph *e* of the definition of “recognized diploma”, to be comparable to one of the diplomas referred to in paragraphs *b* to *d* of that definition;”;

(3) by replacing paragraph *a* of the definition of “eligible individual” by the following paragraph:

“(a) begins to hold the eligible employment at a time in the year that is within the 24-month period that follows the date on which the individual successfully completes the courses and, where applicable, the internships leading to the awarding of the recognized diploma, or, where the recognized diploma is a master’s or doctoral degree, the date on which the individual obtains the diploma under an educational program requiring the writing of an essay, dissertation or thesis; or”;

(4) by inserting the following definition in alphabetical order:

““specified employment” of an individual means an eligible employment of the individual that the individual begins to hold after 20 March 2012 and in respect of which the following conditions are met:

(a) the recognized diploma to which paragraph *b* of the definition of “eligible employment” refers, in relation to that employment, is a recognized post-secondary diploma; and

(b) the individual

i. began to hold the employment within the 24-month period that follows the date on which the individual successfully completed the courses and, where applicable, the internships leading to the awarding of the recognized diploma, or, where the diploma is a master’s or doctoral degree, the date on which the individual obtained the diploma under an educational program requiring the writing of an essay, dissertation or thesis, or

ii. held a former employment that is a specified employment of the individual.”

(2) Subsection 1 applies from the taxation year 2012.

63. (1) Section 776.1.5.0.17 of the Act is replaced by the following section:

“**776.1.5.0.17.** An eligible individual for a taxation year may deduct from the eligible individual’s tax otherwise payable for the year under this Part an amount equal to the lesser of

(a) \$3,000; and

(b) the total of

i. the lesser of

(1) 40% of the aggregate of all amounts each of which is the salary or wages of the individual for the year from any eligible employment of the individual, other than a specified employment, in respect of which the individual is an eligible individual for the year, and

(2) the amount by which \$8,000 exceeds the aggregate of all amounts each of which is an amount that the individual has deducted from the individual's tax otherwise payable under this chapter or is deemed to have paid to the Minister on account of the individual's tax payable under Division II.20 of Chapter III.1 of Title III of Book IX, for a preceding taxation year, and

ii. the lesser of

(1) 40% of the aggregate of all amounts each of which is the salary or wages of the individual for the year from any specified employment of the individual in respect of which the individual is an eligible individual for the year, and

(2) the amount by which \$10,000 exceeds the aggregate of all amounts each of which is either an amount that the individual has deducted from the individual's tax otherwise payable under this chapter or is deemed to have paid to the Minister on account of the individual's tax payable under Division II.20 of Chapter III.1 of Title III of Book IX, for a preceding taxation year, or the amount determined for the year in accordance with subparagraph i."

(2) Subsection 1 applies from the taxation year 2012. In addition, when section 776.1.5.0.17 of the Act applies to a taxation year preceding the taxation year 2012, the portion before paragraph *a* is to be read as if “, in relation to an eligible employment,” was struck out.

64. (1) Section 776.41.5 of the Act is amended by replacing subparagraph *b* of the second paragraph by the following subparagraph:

“(b) B is the tax otherwise payable of the individual's eligible spouse for the taxation year, computed without reference to the deductions provided for in this Book, except those provided for in sections 752.0.10.0.3, 752.12, 776.1.5.0.17 and 776.1.5.0.18.”

(2) Subsection 1 applies from the taxation year 2003. However, when subparagraph *b* of the second paragraph of section 776.41.5 of the Act applies to

(1) any of the taxation years 2003 to 2005, it is to be read as follows:

“(b) B is the tax otherwise payable of the individual’s eligible spouse for the taxation year, computed without reference to the deductions provided for in this Book, except the deduction provided for in section 752.12.”; or

(2) any of the taxation years 2006 to 2011, it is to be read as follows:

“(b) B is the tax otherwise payable of the individual’s eligible spouse for the taxation year, computed without reference to the deductions provided for in this Book, except those provided for in sections 752.12, 776.1.5.0.17 and 776.1.5.0.18.”

65. (1) Section 776.41.21 of the Act is amended by inserting “752.0.10.0.3,” after “752.0.7.4,” in subparagraph *b* of the second paragraph.

(2) Subsection 1 applies from the taxation year 2012.

66. (1) Section 779 of the Act is amended by replacing “II.11.7” by “II.11.9”.

(2) Subsection 1 has effect from 1 January 2012.

67. (1) Section 782 of the Act is amended by replacing paragraph *b* by the following paragraph:

“(b) in Chapters I.0.1 to I.0.2.0.2 and I.0.3 of Title I of Book V;”.

(2) Subsection 1 applies from the taxation year 2012.

68. (1) Section 785.0.1 of the Act is amended

(1) by striking out subparagraph iii of paragraph *g* of the definition of “excluded right or interest”;

(2) by adding the following definition:

““specified immovable” means either an immovable property situated in Québec that is used principally for the purpose of earning or producing gross revenue that is rent, or any interest in or option in respect of the property, whether or not the property exists at that time.”

(2) Paragraph 1 of subsection 1 applies to a taxation year that begins after 31 December 2009.

(3) Paragraph 2 of subsection 1 has effect from 20 March 2012.

69. (1) Section 785.1 of the Act is amended

(1) by replacing “a trust, other than a testamentary trust” in paragraph *a.1* by “an inter vivos trust”;

(2) by replacing subparagraph *i* of paragraph *b* by the following subparagraph:

“*i.* property that is a taxable Canadian property, subject to the application of paragraph *b.1.*”;

(3) by inserting the following paragraph after paragraph *b*:

“(b.1) if the taxpayer is an inter vivos trust, other than a trust exempt from tax under Book VIII, the taxpayer is deemed to have disposed, at the time of disposition, of each property that is a specified immovable then owned by the taxpayer for proceeds of disposition equal to its fair market value at the time of disposition;”;

(4) by replacing “paragraph *b*” in paragraph *c* by “paragraph *b* or *b.1*”.

(2) Paragraphs 2 to 4 of subsection 1 apply in respect of an inter vivos trust that becomes resident in Canada after 19 March 2012.

70. (1) The Act is amended by inserting the following sections after section 785.2.5:

“**785.2.6.** An inter vivos trust that is deemed under paragraph *b.1* of section 785.1 to have disposed of each property that is a specified immovable because it became resident in Canada and that proposes to dispose of such a property shall, before the disposition, send to the Minister a notice in the prescribed form containing prescribed information.

“**785.2.7.** The Minister shall, upon receipt of the notice provided for in section 785.2.6 and after ascertaining that the tax payable by an inter vivos trust referred to in that section resulting from the deemed disposition referred to in paragraph *b.1* of section 785.1 has been paid or that a surety acceptable to the Minister in that respect to guarantee the payment of that tax has been furnished, issue without delay a certificate in prescribed form attesting those facts to the trust and the proposed purchaser.

“**785.2.8.** Where a person (in this section referred to as the “purchaser”) acquires from an inter vivos trust (in this section referred to as the “vendor”) a property that is a specified immovable that the vendor is deemed to have disposed of in a taxation year under paragraph *b.1* of section 785.1 because the vendor became resident in Canada, the following rules apply:

(a) the purchaser shall pay to the Minister on behalf of the vendor, as or on account of tax payable by the vendor under this Part for the year, an amount equal to 12% of the purchase price of the property;

(b) the purchaser is authorized to deduct from any amount the purchaser pays to the vendor or to withhold from any amount credited by the purchaser to the vendor or to otherwise recover from the vendor the amount paid by the purchaser under subparagraph *a*; and

(c) the purchaser shall, within 30 days after the end of the month in which the purchaser acquires the property, pay to the Minister the amount the purchaser is required to pay under subparagraph *a*.

The first paragraph does not apply to a purchaser if

(a) a certificate has been issued to the purchaser by the Minister under section 785.2.7 in respect of the property; or

(b) after reasonable inquiry, the purchaser had no reason to believe that the vendor was deemed to have disposed of the property in the year under paragraph *b.1* of section 785.1.”

(2) Subsection 1 applies in respect of an inter vivos trust that becomes resident in Canada after 19 March 2012.

71. (1) Section 905.0.3 of the Act is amended

(1) by inserting the following definition in alphabetical order:

““qualifying family member”, in relation to a beneficiary of a disability savings plan, at any time, means an individual who, at that time, is

(a) the father or mother of the beneficiary; or

(b) the spouse of the beneficiary who is not living separate and apart from the beneficiary by reason of a breakdown of their marriage;”;

(2) by adding the following paragraph after paragraph *b* of the definition of “qualifying person”:

“(c) other than for the purposes of subparagraph *iv* of subparagraph *b* of the first paragraph of section 905.0.6, an individual who is a qualifying family member in relation to the beneficiary if

i. at or before that time, the beneficiary has reached 18 years of age and is not a beneficiary under a disability savings plan,

ii. at that time, none of the persons described in subparagraphs *ii* and *iii* of paragraph *a* is legally authorized to act on behalf of the beneficiary, and

iii. in the issuer’s opinion after reasonable inquiry, the beneficiary’s contractual competence to enter into a disability savings plan at that time is in doubt;”;

(3) by replacing subparagraph *ii* of paragraph *a* of the definition of “disability savings plan” by the following subparagraph:

“ii. a person who, at the time the arrangement is entered into, is a qualifying person described in paragraph *a* or *b* of the definition of “qualifying person” in relation to the beneficiary.”;

(4) by inserting the following subparagraphs after subparagraph ii of paragraph *a* of the definition of “disability savings plan”:

“ii.1. if the arrangement is entered into before 1 January 2017, a qualifying family member in relation to the beneficiary who, at the time the arrangement is entered into, is a qualifying person in relation to the beneficiary,

“ii.2. a qualifying family member in relation to the beneficiary who, at the time the arrangement is entered into, is not a qualifying person in relation to the beneficiary but is a holder of another arrangement that is a registered disability savings plan of the beneficiary, and”.

(2) Subsection 1 has effect from 29 June 2012.

72. (1) The Act is amended by inserting the following sections after section 905.0.3:

“905.0.3.1. Any holder of a disability savings plan who is a qualifying person in relation to the beneficiary under the plan solely because of the application of paragraph *c* of the definition of “qualifying person” in section 905.0.3 ceases to be a holder of the plan and the beneficiary becomes the holder of the plan if

(a) the beneficiary is determined to be contractually competent by a competent tribunal or other authority under the laws of a province or, in the issuer’s opinion after reasonable inquiry, the beneficiary’s contractual competence to enter into a disability savings plan is no longer in doubt; and

(b) the beneficiary notifies the issuer that the beneficiary chooses to become the holder of the plan.

“905.0.3.2. If a particular person described in subparagraph ii or iii of paragraph *a* of the definition of “qualifying person” in section 905.0.3 is appointed in respect of a beneficiary of a disability savings plan and a holder of the plan is a qualifying person solely because of the application of paragraph *c* of that definition, the following rules apply:

(a) the particular person shall notify the issuer without delay of the person’s appointment;

(b) the holder of the plan ceases to be a holder of the plan; and

(c) the particular person becomes the holder of the plan.

“905.0.3.3. If a dispute arises as a result of an issuer’s acceptance of a qualifying family member who is a qualifying person solely because of the application of paragraph *c* of the definition of “qualifying person” in section 905.0.3 as a holder of a disability savings plan, from the time the dispute arises until the time that the dispute is resolved or a person becomes the holder of the plan under section 905.0.3.1 or 905.0.3.2, the holder of the plan shall make every effort to avoid any reduction in the fair market value of the property held by the plan trust, having regard to the reasonable needs of the beneficiary under the plan.

“905.0.3.4. If, after reasonable inquiry, an issuer of a disability savings plan is of the opinion that an individual’s contractual competence to enter into a disability savings plan is in doubt, no judicial recourse may be exercised against the issuer for entering into a disability savings plan, under which the individual is the beneficiary, with a qualifying family member who is a qualifying person in relation to the beneficiary solely because of the application of paragraph *c* of the definition of “qualifying person” in section 905.0.3.”

(2) Subsection 1 has effect from 29 June 2012.

73. (1) Section 905.0.6 of the Act is amended

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

“(*p*) the plan provides for any amounts remaining in the plan, after taking into consideration any repayments under the Canada Disability Savings Act or a designated provincial program, to be paid to the beneficiary under the plan or the beneficiary’s succession, and for the plan to cease to exist, at or before the end of the calendar year following the calendar year in which the beneficiary under the plan dies or the first calendar year throughout which the beneficiary has no severe and prolonged impairment in mental or physical functions the effects of which are described in paragraph *a.1* of subsection 1 of section 118.3 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement).”;

(2) by striking out “(R.S.C. 1985, c. 1 (5th Suppl.))” in subparagraph *a* of the second paragraph.

(2) Subsection 1 applies from the taxation year 2008. However, when subparagraph *p* of the first paragraph of section 905.0.6 of the Act applies to the taxation year 2008, it is to be read without reference to “or a designated provincial program”.

74. (1) Section 905.0.21 of the Act is amended by adding the following subparagraph after subparagraph *d* of the first paragraph:

“(e) if the issuer enters into the plan with a qualifying family member who is a qualifying person solely because of the application of paragraph c of the definition of “qualifying person” in section 905.0.3,

i. so notify the beneficiary under the plan without delay in writing and include in the notification information setting out the circumstances in which the holder of the plan may be replaced under section 905.0.3.1 or 905.0.3.2, and

ii. collect and use any information provided by the holder of the plan that is relevant to the administration and operation of the plan.”

(2) Subsection 1 has effect from 29 June 2012.

75. (1) The Act is amended by inserting the following sections after section 905.1:

“**905.1.1.** For the purposes of this Title and paragraph *a* of sections 462.24, 935.3 and 935.14, a contribution made by an individual to an account of the individual, or of the individual’s spouse, under a specified pension plan is deemed to be a premium paid by the individual to a registered retirement savings plan under which the individual, or the individual’s spouse, as the case may be, is the annuitant.

“**905.1.2.** For the purposes of section 133.4, subparagraph *i* of paragraph *a* of the definition of “excluded right or interest” in section 785.0.1, subparagraph *d* of the first paragraph of section 890.0.1, sections 913 and 924.0.1, paragraph *b* of the definition of “excluded premium” in the first paragraph of section 935.1, paragraph *c* of the definition of “excluded premium” in the first paragraph of section 935.12, subparagraph *b* of the second paragraph of section 961.17 and Chapter III of Title VI.0.1, an individual’s account under a specified pension plan is deemed to be a registered retirement savings plan under which the individual is the annuitant.

“**905.1.3.** For the purposes of sections 924.1, 931.1, 931.3 and 931.5, a payment received by an individual from a specified pension plan is deemed to be a payment received by the individual from a registered retirement savings plan.”

(2) Subsection 1, when it enacts sections 905.1.1 and 905.1.2 of the Act, applies to a taxation year that begins after 31 December 2009.

(3) Subsection 1, when it enacts section 905.1.3 of the Act, applies to a taxation year that begins after 31 December 2010.

76. (1) The Act is amended by inserting the following section after section 923:

“923.0.1. If an individual’s entitlement to benefits under a defined benefit provision of a registered pension plan is transferred, after 28 February 2009 and before 1 January 2011, in accordance with section 965.0.8, there may be deducted in computing the individual’s income for a taxation year that ends on or after the day on which the transfer was made, in respect of a premium paid by the individual to a registered retirement savings plan under which the individual is the annuitant, the amount that is allowed as a deduction for the year in computing the individual’s income for the purposes of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) under subsection 5.2 of section 146 of that Act.

A premium referred to in the first paragraph that is paid before 1 January 2013 is deemed, if the individual makes a valid election under subsection 5.201 of section 146 of the Income Tax Act, in respect of the premium, to have been paid in the taxation year in which the transfer referred to in that paragraph was made and not in the taxation year in which it was actually paid.

Chapter V.2 of Title II of Book I applies in relation to an election made under subsection 5.201 of section 146 of the Income Tax Act.”

(2) Subsection 1 applies in respect of a transfer made after 28 February 2009.

77. (1) Section 935.1 of the Act is amended by replacing paragraph *b* of the definition of “excluded premium” in the first paragraph by the following paragraph:

“(b) was an amount transferred directly from a registered retirement savings plan, registered pension plan, registered retirement income fund or deferred profit sharing plan,”.

(2) Subsection 1 applies to a taxation year that begins after 31 December 2009.

78. (1) Section 935.12 of the Act is amended by replacing paragraph *c* of the definition of “excluded premium” in the first paragraph by the following paragraph:

“(c) was an amount transferred directly from a registered retirement savings plan, registered pension plan, registered retirement income fund or deferred profit sharing plan; or”.

(2) Subsection 1 applies to a taxation year that begins after 31 December 2009.

79. (1) Section 965.55 of the Act is amended by replacing the definition of “designated qualified issuing corporation” in the first paragraph by the following definition:

““designated qualified issuing corporation” has the meaning assigned by sections 965.95 and 965.95.1;”.

(2) Subsection 1 has effect from 19 May 2012.

80. (1) The Act is amended by inserting the following section after section 965.95:

“**965.95.1.** A capital pool company that, for the purposes of section 965.76 and in accordance with an exemption from filing a prospectus, makes a public share issue to a qualified mutual fund may be designated by the Minister as a qualified issuing corporation if, on the date of the exemption from filing a prospectus,

(a) the issue is made concomitantly with an eligible transaction carried out by the capital pool company;

(b) the capital pool company meets the requirements of paragraphs *a* and *b* of section 965.95;

(c) the major portion of the proceeds of the issue of qualifying shares to the qualified mutual fund will be used for the carrying out of a concomitant eligible transaction whose purpose is, directly or indirectly, to continue an existing business that is carried on by a corporation that, on the date of the exemption from filing a prospectus, meets the requirements of paragraphs *a* to *e* of section 965.90; and

(d) the Minister is of the opinion that the public share issue complies with the objectives of this Title.

For the purposes of the first paragraph, the Minister may require any document or information the Minister considers necessary to render an advance ruling on compliance with the objectives of this Title.”

(2) Subsection 1 applies in respect of a public share issue made after 18 May 2012.

81. (1) Section 985.1 of the Act is amended by replacing paragraph *d* by the following paragraph:

“(d) “charitable foundation” means a corporation or trust, other than a charitable organization, constituted and operated exclusively for charitable purposes, including the payment of funds to a qualified donee, except insofar as such payment is a gift the making of which is a political activity, if no part of the income of such corporation or trust is payable to, or is otherwise available for, the personal benefit of any proprietor, member, shareholder, trustee or settlor of the corporation or trust;”.

(2) Subsection 1 has effect from 29 June 2012.

82. (1) Section 985.2 of the Act is amended by replacing paragraphs *b* to *d* by the following paragraphs:

“(b) it disburses part of its income to qualified donees, other than income disbursed by way of a gift the making of which is a political activity, if the total amount of the charitable organization’s income that is disbursed to qualified donees in a taxation year does not exceed 50% of its income for the year;

“(c) it disburses part of its income to a registered charity that is deemed to be a charity associated with it under section 985.3, other than income disbursed by way of a gift the making of which is a political activity; or

“(d) it pays to a qualified donee an amount that is not paid out of the income of the charitable organization, other than an amount paid as a gift the making of which is a political activity.”

(2) Subsection 1 has effect from 29 June 2012.

83. (1) The Act is amended by inserting the following section after section 985.2.4:

“**985.2.5.** For the purposes of paragraph *d* of section 985.1 and sections 985.2, 985.2.1, 985.2.3 and 985.2.4, a political activity includes the making of a gift to a qualified donee if it can reasonably be considered that a purpose of the gift is to support the political activities of the qualified donee.”

(2) Subsection 1 has effect from 29 June 2012.

84. (1) Section 985.23.5 of the Act is amended by adding the following paragraph:

“For the purposes of the first paragraph, a political activity includes the making of a gift to a qualified donee if it can reasonably be considered that a purpose of the gift is to support the political activities of the qualified donee.”

(2) Subsection 1 has effect from 29 June 2012.

85. (1) Section 985.35.1 of the Act is amended by replacing “*j*” in paragraph *a* of the definition of “qualified donee” by “*k*”.

(2) Subsection 1 has effect from 1 January 2012.

86. (1) Section 985.35.11 of the Act is amended by replacing “*j*” in paragraph *a* of the definition of “qualified donee” by “*k*”.

(2) Subsection 1 has effect from 1 January 2012.

87. (1) Section 999.2 of the Act is amended

(1) by replacing paragraph *j* by the following paragraph:

“(j) a foreign charitable organization to which the State has made a gift in the 36-month period that begins 24 months before that time; or”;

(2) by adding the following paragraph:

“(k) the State or Her Majesty in right of Canada or a province, other than Québec.”

(2) Subsection 1 has effect since 1 January 2012.

88. (1) Section 999.3 of the Act is amended by adding the following subparagraphs in the first paragraph:

“(d) where the donee is a registered charity that is a charitable foundation, the foundation devotes resources, in respect of which it is not deemed under section 985.2.3 to be constituted and operated for charitable purposes, to political activities;

“(e) where the donee is a registered charity that is a charitable organization, the organization devotes resources, which are not deemed under section 985.2.4 to be devoted to charitable activities, to political activities; or

“(f) where the donee is a registered Canadian amateur athletic association or a registered Québec amateur athletic association, the association devotes resources, which are not deemed under section 985.23.5 to be devoted to its exclusive purpose and exclusive function, to political activities.”

(2) Subsection 1 has effect from 29 June 2012.

89. (1) The Act is amended by inserting the following section after section 999.3:

“999.3.1. If a registered charity, a registered Canadian amateur athletic association or a registered Québec amateur athletic association fails to provide information in a prescribed form filed under section 985.22 or 985.23.7, as the case may be, the Minister may give notice by registered mail to the charity or association that its authority to issue a receipt in accordance with the regulations is suspended as of the eighth day that follows the day on which the notice is sent until such time as the Minister notifies the charity or association that the Minister has received the required information in prescribed form.”

(2) Subsection 1 has effect from 29 June 2012.

90. (1) Section 999.4 of the Act is amended by replacing the portion before paragraph *a* by the following:

“999.4. Subject to section 93.1.9.2 of the Tax Administration Act (chapter A-6.002), the following rules apply if the Minister has issued a notice to a donee in accordance with section 999.3 or 999.3.1:”.

(2) Subsection 1 has effect from 29 June 2012.

91. (1) Section 999.5 of the Act is replaced by the following section:

“999.5. If the authority of a qualified donee to issue receipts is suspended for the purposes of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) under any of subsections 1 to 2.1 of section 188.2 of that Act, the authority is deemed to be suspended for the purposes of this Act and the regulations, subject to a postponement of the period of suspension under subsection 4 of that section 188.2.”

(2) Subsection 1 has effect from 29 June 2012.

92. (1) Section 1000 of the Act is amended

(1) by inserting the following paragraph after paragraph *c* of subsection 1:

“(c.1) at any particular time of which, the individual, as a specified trust, owns a specified immovable or is a member of a partnership that owns a specified immovable;”;

(2) by inserting the following subsection after subsection 2:

“(2.1) For the purposes of paragraph *c.1* of subsection 1, “specified immovable” and “specified trust” have the meaning assigned by section 1129.77.”

(2) Subsection 1 applies to a taxation year that ends after 19 March 2012.

93. (1) The Act is amended by inserting the following section after section 1007.5:

“1007.6. A waiver in respect of the period during which the Minister may make a determination under section 1007.1 in respect of a partnership for a fiscal period may be made by one member of the partnership if that member is

(a) designated for that purpose in the information return filed under section 1086R78 of the Regulation respecting the Taxation Act (chapter I-3, r. 1) for the fiscal period; or

(b) otherwise expressly authorized by the partnership to so act.”

(2) Subsection 1 applies from 29 June 2012.

94. (1) Section 1015.0.1 of the Act is amended, in the first paragraph,

(1) by inserting “737.22.0.4.7,” after “737.22.0.3,” in the portion before subparagraph *a*;

(2) by inserting the following subparagraph after subparagraph *d*:

“(d.1) the qualification certificate referred in section 7.3 of Schedule E to the Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1) has been issued in respect of the individual in relation to the individual’s employment with an eligible employer, within the meaning of the first paragraph of section 737.22.0.4.1, and the qualification certificate is valid for that period or part of the period;”.

(2) Subsection 1 applies from the taxation year 2012.

95. Division III of Chapter III of Title III of Book IX of Part I of the Act, comprising sections 1027.1 to 1027.3, is repealed.

96. (1) Section 1029.6.0.0.1 of the Act is amended, in the second paragraph,

(1) by replacing the portion before subparagraph *a* by the following:

“For the purposes of Divisions II.4 to II.5.2, II.6 to II.6.0.8, II.6.0.10, II.6.0.11, II.6.4.2, II.6.5.3, II.6.5.6, II.6.6.1 to II.6.15 and II.22, the following rules apply:”;

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

“(b) in the case of each of Divisions II.4.2, II.5.1.1, II.5.1.2, II.5.2, II.6.0.0.1, II.6.0.0.4.1, II.6.0.1.7 to II.6.0.1.9, II.6.0.4 to II.6.0.7, II.6.0.10, II.6.0.11, II.6.4.2, II.6.5.3, II.6.5.6, II.6.6.1 to II.6.6.7 and II.6.14.3 to II.6.14.5, government assistance or non-government assistance does not include an amount that is deemed to have been paid to the Minister for a taxation year under that division;”.

(2) Paragraph 1 of subsection 1 has effect from 21 March 2012.

(3) Paragraph 2 of subsection 1 has effect from 21 March 2012. However, when subparagraph *b* of the second paragraph of section 1029.6.0.0.1 of the Act applies before 9 May 2012, it is to be read as if “II.6.6.7” was replaced by “II.6.14.1”.

97. Section 1029.6.0.1.2 of the Act is amended by replacing the third paragraph by the following paragraph:

“For the purposes of the first paragraph, a taxpayer is deemed to have filed with the Minister the prescribed form containing prescribed information and, if applicable, a copy of the documents referred to in the first paragraph on or before the day that is 12 months after the taxpayer’s filing-due date for a taxation year so as to be deemed to have paid an amount to the Minister for the year in respect of a cost, an expenditure or any costs under a provision of any of Divisions II to II.6.15 (in this paragraph referred to as the “particular provision”), if

(a) the taxpayer files with the Minister the prescribed form containing prescribed information and, if applicable, a copy of the documents referred to in the first paragraph more than 12 months after that date so as to be deemed to have paid an amount to the Minister for the year in respect of the cost, expenditure or costs under the particular provision; and

(b) the taxpayer has filed with the Minister the prescribed form containing prescribed information and, if applicable, a copy of the documents referred to in the first paragraph on or before the day that is 12 months after that date or, if applicable, within the time limit extended in accordance with the second paragraph or the second paragraph of section 36.0.1 of the Tax Administration Act (chapter A-6.002), so as to be deemed to have paid an amount to the Minister for the year in respect of the cost, expenditure or costs under a provision of any of Divisions II to II.6.15 other than the particular provision.”

98. (1) Section 1029.6.0.6 of the Act is amended, in the fourth paragraph,

- (1) by replacing “\$50,000” in subparagraph *a* by “\$54,790”;
- (2) by striking out subparagraph *b.4*;
- (3) by inserting the following subparagraph before subparagraph *c*:
“(b.5) the amount of \$1,000 mentioned in section 1029.8.61.93;”.
- (2) Paragraph 1 of subsection 1 applies from the taxation year 2014.
- (3) Paragraph 2 of subsection 1 applies from the taxation year 2012.
- (4) Paragraph 3 of subsection 1 applies from the taxation year 2017.

99. (1) Section 1029.6.0.7 of the Act is amended, in the second paragraph,

- (1) by striking out “b.4,”;
- (2) by inserting “b.5,” before “g”.
- (2) Paragraph 1 of subsection 1 applies from the taxation year 2012.
- (3) Paragraph 2 of subsection 1 applies from the taxation year 2017.

100. Section 1029.8.33.11.1 of the Act is amended by replacing “31 December 2011” in paragraphs *a* and *b* of the definition of “eligibility period” in the first paragraph by “31 December 2015”.

101. Section 1029.8.33.11.7 of the Act is amended by replacing “1 January 2014” in the portion before paragraph *a* by “1 January 2018”.

102. Section 1029.8.33.11.8 of the Act is amended by replacing “1 January 2014” in the portion of the first paragraph before subparagraph *a* by “1 January 2018”.

103. Section 1029.8.33.11.9 of the Act is amended by replacing “1 January 2014” in the portion of the first paragraph before subparagraph *a* by “1 January 2018”.

104. Section 1029.8.34 of the Act is amended by replacing subparagraph *b* of the fifth paragraph by the following subparagraph:

“(b) no expenditure may be taken into consideration in computing a qualified labour expenditure of a corporation for a taxation year in respect of a property that is a Québec film production, or production costs directly attributable to the production of such a property incurred before the end of a taxation year, unless the expenditure is paid at the time the corporation first files with the Minister the prescribed form containing prescribed information provided for in the first paragraph of section 1029.8.35 for that taxation year.”

105. Section 1029.8.36.0.0.1 of the Act is amended

(1) by striking out subparagraph *c.1* of the second paragraph;

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

“For the purposes of the definition of “qualified film dubbing expenditure” in the first paragraph, the following rules apply:

(a) the definition is to be read as if

i. “285.71%” were replaced wherever it appears by “333 1/3%”, in the case of a production referred to in subparagraph *a.1* of the first paragraph of section 1029.8.36.0.0.2, and

ii. “285.71%” were replaced wherever it appears by “342.85%”, in the case of a production referred to in subparagraph *b* of the first paragraph of section 1029.8.36.0.0.2, and

(b) no expenditure may be taken into consideration in computing the qualified film dubbing expenditure of a corporation for a taxation year in respect of the production of a property, unless it is paid at the time the corporation first files with the Minister the prescribed form containing prescribed information provided for in the first paragraph of section 1029.8.36.0.0.2 for that taxation year.”

106. Section 1029.8.36.0.0.4 of the Act is amended

(1) by striking out subparagraph *h* of the third paragraph;

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

“For the purposes of the definition of “eligible production costs” in the first paragraph, no expenditure may be taken into consideration in computing the eligible production costs to a corporation for a taxation year in respect of a property, unless it is paid at the time the corporation first files the prescribed form containing prescribed information provided for in the first paragraph of section 1029.8.36.0.0.5 for that taxation year in respect of the property.”

107. Section 1029.8.36.0.0.7 of the Act is amended by replacing subparagraph *b* of the third paragraph by the following subparagraph:

“(b) no expenditure may be taken into consideration in computing a qualified labour expenditure of a corporation for a taxation year in respect of a property that is a qualified property, or production costs directly attributable to the production of such a property incurred before the end of the year, unless the expenditure is paid at the time the corporation first files with the Minister the prescribed form containing prescribed information provided for in the first paragraph of section 1029.8.36.0.0.8 for that taxation year; and”.

108. Section 1029.8.36.0.0.10 of the Act is amended

(1) by replacing subparagraph ii of subparagraph *d* of the second paragraph by the following subparagraph:

“ii. the amount of any benefit or advantage attributable to the particular amount that a person or a partnership has obtained, is entitled to obtain or may reasonably expect to obtain on or before the corporation’s filing-due date for that year, whether in the form of a reimbursement, compensation or guarantee, in the form of proceeds of disposition of a property which exceed the fair market value of the property, or in any other form or manner, and”;

(2) by replacing subparagraph *b* of the third paragraph by the following subparagraph:

“(b) no expenditure may be taken into consideration in computing a qualified labour expenditure of a corporation for a taxation year in respect of a property that is a qualified performance, or production costs directly attributable to the production of the property incurred before the end of the year, unless the expenditure is paid at the time the corporation first files with the Minister the prescribed form containing prescribed information provided for in the first paragraph of section 1029.8.36.0.0.11 for that taxation year.”

109. (1) Section 1029.8.36.0.0.11 of the Act is amended

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

“(a) 29.1667% of the portion of its qualified labour expenditure for the year in respect of the property, relating to a labour expenditure incurred in respect of the property and to which subparagraph *a.1* does not apply; and”;

(2) by striking out subparagraph *b* of the first paragraph;

(3) by replacing the third and fourth paragraphs by the following paragraphs:

“The amount that a corporation is deemed to have paid to the Minister, under the first paragraph, on account of its tax payable for a taxation year under this Part in respect of a property that is a qualified performance must not exceed,

(a) if the Société de développement des entreprises culturelles specifies, in the favourable advance ruling given or the certificate issued, as the case may be, to the corporation, that the property is a musical comedy for which any of the periods referred to in the definition of “qualified performance” in the first paragraph of section 1029.8.36.0.0.10 has not ended on 20 March 2012, the amount by which \$1,250,000 exceeds the amount by which the aggregate of all amounts each of which is an amount that the corporation is deemed to have paid to the Minister under the first paragraph in respect of the property for a preceding taxation year exceeds the aggregate of all amounts each of which is an amount that the corporation is required to pay under section 1129.4.0.14 in respect of the property for a preceding taxation year; or

(b) in all other cases, the amount by which \$750,000 exceeds the amount by which the aggregate of all amounts each of which is an amount that the corporation is deemed to have paid to the Minister under the first paragraph in respect of the property for a preceding taxation year exceeds the aggregate of all amounts each of which is an amount that the corporation is required to pay under section 1129.4.0.14 in respect of the property for a preceding taxation year.

If a property is a qualified performance that is co-produced by the corporation and one or more other qualified corporations, the following rules apply:

(a) in the case of a property referred to in subparagraph *a* of the third paragraph, that subparagraph *a* is to be read as if “\$1,250,000” were replaced by the amount obtained by applying to \$1,250,000 the corporation’s share, expressed as a percentage, of the production costs in relation to the property that is specified in the favourable advance ruling given or the certificate issued, as the case may be, by the Société de développement des entreprises culturelles in respect of the property; and

(b) in the case of a property referred to in subparagraph *b* of the third paragraph, that subparagraph *b* is to be read as if “\$750,000” were replaced by the amount obtained by applying to \$750,000 the corporation’s share, expressed as a percentage, of the production costs in relation to the property that is specified in the favourable advance ruling given or the certificate issued, as the case may be, by the Société de développement des entreprises culturelles in respect of the property.”;

(4) by striking out the fifth paragraph.

(2) Subsection 1 has effect from 21 March 2012.

110. (1) The Act is amended by inserting the following before Division II.6.0.0.5 of Chapter III.1 of Title III of Book IX of Part I:

“DIVISION II.6.0.0.4.1

“CREDIT FOR THE PRODUCTION OF MULTIMEDIA EVENTS OR ENVIRONMENTS PRESENTED OUTSIDE QUÉBEC

“1029.8.36.0.0.12.1. In this division,

“eligible employee” of an individual, a corporation or a partnership means an individual resident in Québec at any time in the calendar year in which the individual renders services as part of a qualified production, in relation to a function referred to in any of subparagraphs 1 to 9 of the second paragraph of section 9.5 of Schedule H to the Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1);

“eligible individual” means an individual resident in Québec at any time in the calendar year in which the individual renders services as part of a qualified production, in relation to a function referred to in any of subparagraphs 1 to 9 of the second paragraph of section 9.5 of Schedule H to the Act respecting the sectoral parameters of certain fiscal measures;

“excluded corporation” for a taxation year means a corporation that is

(a) controlled, directly or indirectly in any manner whatever, at any time in the year or during the 24 months preceding the year, by one or more persons not resident in Québec;

(b) a corporation that would be controlled, at any time in the year or during the 24 months preceding the year, by a particular person, if each share of the capital stock of the corporation owned by a person not resident in Québec were owned by the particular person;

(c) exempt from tax for the year under Book VIII; or

(d) controlled, directly or indirectly in any manner whatever, by one or more corporations that are exempt from tax under Book VIII at any time in the year;

“labour expenditure” of a corporation for a taxation year in respect of a property that is a qualified production means, subject to the second and third paragraphs, the aggregate of the following amounts, to the extent that they are reasonable in the circumstances, but does not include any amount relating to the promotion of the property:

(a) the salaries or wages directly attributable to the production of the property that are incurred by the corporation in the year and, where the year is the taxation year in which the corporation files an application for an advance ruling or, in the absence of such an application, an application for a qualification certificate in respect of the property with the Société de développement des entreprises culturelles, the salaries or wages that are incurred by the corporation in a year preceding the year in which the corporation filed the application for an advance ruling or a qualification certificate, as the case may be, and that are paid by the corporation to its eligible employees, to the extent that they relate to services rendered in Québec as part of the production of the property until its first presentation outside Québec or within a period that is reasonable to the Minister but that must not extend beyond the date provided for in subparagraph *a* of the third paragraph; and

(b) the portion of the remuneration, other than salary or wages, that is incurred by the corporation in the year and, where the year is the taxation year in which the corporation files an application for an advance ruling or, in the absence of such an application, an application for a qualification certificate in respect of the property with the Société de développement des entreprises culturelles, the portion of the remuneration that is incurred by the corporation in a year preceding the year in which the corporation filed the application for an advance ruling or a qualification certificate, as the case may be, that relates to services rendered in Québec to the corporation as part of the production of the property, and that is paid by the corporation

i. to an eligible individual, to the extent that that portion of the remuneration is reasonably attributable to services personally rendered in Québec by the eligible individual as part of the production of the property, or to the wages of the eligible individual's eligible employees that relate to services rendered in Québec by the eligible employees as part of the production of the property,

ii. to a particular corporation having an establishment in Québec, other than a corporation referred to in subparagraph iii, to the extent that that portion of the remuneration is reasonably attributable to the wages of the particular corporation's eligible employees that relate to services rendered in Québec by the eligible employees as part of the production of the property,

iii. to a corporation having an establishment in Québec all the issued capital stock of which, except directors' qualifying shares, belongs to an eligible individual and the activities of which consist principally in the provision of the eligible individual's services, to the extent that that portion of the remuneration is reasonably attributable to services rendered in Québec by the eligible individual as part of the production of the property, or

iv. to a partnership carrying on a business in Québec and having an establishment in Québec, to the extent that that portion of the remuneration is reasonably attributable to services rendered in Québec, as part of the production of the property, by an eligible individual who is a member of the partnership, or to the wages of the partnership's eligible employees that relate to services

rendered in Québec by the eligible employees as part of the production of the property;

“qualified corporation” for a taxation year means a corporation, other than an excluded corporation, that, in the year, has an establishment in Québec and carries on a business in Québec that consists in particular in producing a qualified production;

“qualified labour expenditure” of a corporation for a taxation year in respect of a property that is a qualified production means, subject to the third and fifth paragraphs, the lesser of

(a) the amount by which

i. the aggregate of

(1) the labour expenditure of the corporation for the year in respect of the property,

(2) any repayment made in the year by the corporation, another person or a partnership, as the case may be, pursuant to a legal obligation, of any assistance that was received by the corporation, the other person or the partnership and that is referred to, in relation to the property, in subparagraph ii or in subparagraph *d* of the second paragraph in respect of a taxation year for which the corporation is a qualified corporation, or of any other assistance that was received by the corporation, the other person or the partnership and that is referred to, in relation to the production of the property, in subparagraph i of subparagraph *b* of the first paragraph of section 1129.4.0.16.2, up to 20/7 of the tax under Part III.1.0.4.1 that the corporation is required to pay in a taxation year preceding the year because of that subparagraph i in relation to that assistance, and

(3) the amount by which the aggregate of all amounts each of which is, for a taxation year preceding the year and in respect of the property, the labour expenditure of the corporation or an amount determined under subparagraph 2, exceeds the amount by which the aggregate of all amounts each of which is the qualified labour expenditure of the corporation in respect of the property, for a taxation year before the end of which an application for an advance ruling has been filed in respect of the property with the Société de développement des entreprises culturelles and which precedes the year, exceeds 20/7 of the aggregate of all amounts each of which is tax that the corporation is required to pay under Part III.1.0.4.1 for a taxation year preceding the year because of subparagraph i of subparagraph *b* of the first paragraph of section 1129.4.0.16.2, in relation to assistance referred to in subparagraph ii, exceeds

ii. the aggregate of

(1) the amount of any government assistance and non-government assistance that the corporation has received, is entitled to receive or may reasonably expect to receive on or before the corporation’s filing-due date for the year, that is

attributable to a labour expenditure of the corporation for a taxation year preceding the year in respect of the property, to the extent that the amount has not, under subparagraph i of subparagraph *d* of the second paragraph, reduced the amount of the labour expenditure of the corporation for that preceding year,

(2) the amount of any benefit or advantage that a person or partnership has obtained, is entitled to obtain or may reasonably expect to obtain on or before the corporation's filing-due date for the year, that is attributable to a labour expenditure of the corporation for a taxation year preceding the year in respect of the property, whether in the form of a reimbursement, compensation or guarantee, in the form of proceeds of disposition of a property which exceed the fair market value of the property or in any other form or manner, to the extent that that amount has not, under subparagraph ii of subparagraph *d* of the second paragraph, reduced the amount of that labour expenditure of the corporation for that preceding year, and

(3) the amount of any government assistance and non-government assistance that an eligible individual, another corporation or a partnership with whom the corporation is not dealing at arm's length has received, is entitled to receive or may reasonably expect to receive on or before the corporation's filing-due date for the year, that, for a taxation year preceding the year in respect of the property, is attributable to services rendered by an eligible individual or to the wages of the eligible employees of the eligible individual, the other corporation or the partnership, as the case may be, that are referred to in any of subparagraphs i to iv of paragraph *b* of the definition of "labour expenditure", to the extent that the amount has not, under subparagraph iii of subparagraph *d* of the second paragraph, reduced the amount of the labour expenditure of the corporation for that preceding year in respect of the property; and

(*b*) the amount by which

i. 50% of the amount by which the production costs directly attributable to the production of the property that are incurred by the corporation before the end of the year in respect of the property until the first presentation of the property outside Québec or within a period that is reasonable to the Minister but that must not extend beyond the date provided for in subparagraph *a* of the third paragraph, and that are paid by the corporation, exceeds the aggregate of

(1) the amount of any government assistance and non-government assistance attributable to those costs that the corporation or a person or partnership with whom the corporation is not dealing at arm's length has received, is entitled to receive or may reasonably expect to receive on or before the corporation's filing-due date for the year, and that the corporation, person or partnership, as the case may be, has not repaid at that time pursuant to a legal obligation, and

(2) the amount of any benefit or advantage attributable to those costs that a person or partnership has obtained, is entitled to obtain or may reasonably expect to obtain on or before the corporation's filing-due date for the year, whether in the form of a reimbursement, compensation or guarantee, in the

form of proceeds of disposition of a property which exceed the fair market value of the property or in any other form or manner, exceeds

ii. the amount by which the aggregate of all amounts each of which is the qualified labour expenditure of the corporation in respect of the production of the property for a taxation year preceding the year exceeds 20/7 of the aggregate of all amounts each of which is tax that the corporation is required to pay under Part III.1.0.4.1 for a taxation year preceding the year in respect of the production of the property;

“qualified production” of a corporation means any of the following properties in respect of which the corporation holds a favourable advance ruling given or a qualification certificate issued, as the case may be, by the Société de développement des entreprises culturelles for the purposes of this division:

(a) a multimedia event presented in a place of amusement situated outside Québec; or

(b) a multimedia environment for presentation outside Québec;

“salary or wages” means the income computed under Chapters I and II of Title II of Book III.

For the purposes of the definition of “labour expenditure” in the first paragraph, the following rules apply:

(a) a salary or wages or a remuneration does not include an expenditure incurred by a corporation in respect of the production of a qualified production before 21 March 2012 and after 31 December 2015;

(b) for the purposes of paragraph *a* of that definition, the salaries or wages directly attributable to the production of a property that is a qualified production are, where an eligible employee directly undertakes, supervises or supports the production of the property, the portion of the salaries or wages paid to or on behalf of the employee that may reasonably be considered to relate to the production of the property;

(c) remuneration, including a salary or wages, does not include remuneration by reference to the profits or revenues derived from the operation of the property, or an expenditure as remuneration that is, or may reasonably be considered to be, incurred by a corporation, as a mandatary, on behalf of another person;

(d) the amount of the labour expenditure of a corporation for a taxation year in respect of a property is to be reduced, where applicable, by the aggregate of all amounts each of which is the lesser of the particular amount that corresponds either to the salaries or wages described in paragraph *a* of that definition or to the portion of the remuneration described in any of subparagraphs i to iv of paragraph *b* of that definition, that are included in that labour expenditure of the corporation for the year, and the aggregate of

i. the amount of any government assistance and non-government assistance attributable to the particular amount that the corporation has received, is entitled to receive or may reasonably expect to receive on or before the corporation's filing-due date for that year,

ii. the amount of any benefit or advantage attributable to the particular amount that the corporation has obtained, is entitled to obtain or may reasonably expect to obtain on or before the corporation's filing-due date for that year, whether in the form of a reimbursement, compensation or guarantee, in the form of proceeds of disposition of a property which exceed the fair market value of the property, or in any other form or manner, and

iii. if the particular amount corresponds to the portion of the remuneration described in any of subparagraphs i to iv of paragraph *b* of that definition, the amount of any government assistance and non-government assistance that an eligible individual, another corporation or a partnership with whom the corporation is not dealing at arm's length has received, is entitled to receive or may reasonably expect to receive on or before the corporation's filing-due date for that year, that is attributable to services rendered by an eligible individual or to the wages of the eligible employees of the eligible individual, the other corporation or the partnership, as the case may be, that are referred to in that subparagraph; and

(*e*) where, for a taxation year, a corporation is not a qualified corporation, its labour expenditure for the year in respect of a property that is a qualified production is deemed to be nil.

For the purposes of the definitions of "labour expenditure" and "qualified labour expenditure" in the first paragraph, the following rules apply:

(*a*) the date to which those definitions refer is the date that is 18 months after the end of the corporation's fiscal period that includes the date of the first presentation outside Québec of a property that is a qualified production;

(*b*) no expenditure may be taken into consideration in computing a labour expenditure of a corporation for a taxation year in respect of a property that is a qualified production, or production costs directly attributable to the production of the property incurred before the end of the year, unless the expenditure is paid at the time the corporation first files with the Minister the prescribed form containing prescribed information provided for in the first paragraph of section 1029.8.36.0.0.12.2 for that taxation year; and

(*c*) an expenditure may not be taken into consideration in computing a qualified labour expenditure of a corporation for a taxation year in respect of a property that is a qualified production, or production costs directly attributable to the production of such a property incurred before the end of the year if it has been taken into consideration in computing such a labour expenditure or such costs in respect of another property that is a qualified production.

For the purposes of subparagraph 2 of subparagraph i of paragraph *a* of the definition of “qualified labour expenditure” in the first paragraph, an amount of assistance received by a corporation, another person or a partnership, as the case may be, is deemed, in respect of a property that is a qualified production, to be repaid by the corporation, the other person or the partnership in a taxation year, pursuant to a legal obligation, if that amount

(a) reduced, for the purpose of computing the amount that a corporation is deemed to have paid to the Minister for a taxation year under section 1029.8.36.0.0.12.2, in respect of the property,

i. because of subparagraph *d* of the second paragraph, a labour expenditure of the corporation in respect of the property, or

ii. because of subparagraph ii of paragraph *a* of the definition of “qualified labour expenditure” in the first paragraph, a qualified labour expenditure of the corporation in respect of the property;

(b) was not received by the corporation, the other person or the partnership; and

(c) ceased in the taxation year to be an amount that the corporation, the other person or the partnership may reasonably expect to receive.

For the purposes of subparagraph i of paragraph *b* of the definition of “qualified labour expenditure” in the first paragraph, the following rules apply:

(a) the production costs directly attributable to the production of a property that is described in paragraph *a* of the definition of “qualified production” in the first paragraph are the following amounts, to the extent that they are reasonable in the circumstances, but do not include however the costs incurred for the promotion of the property:

i. the portion of the production costs, other than the production fees and administration costs, to the extent that they are included in the production cost, cost or capital cost, as the case may be, of the property to the corporation, and

ii. the production fees and administration costs;

(b) the production costs directly attributable to the production of a property that is described in paragraph *a* of the definition of “qualified production” in the first paragraph include the portion of the cost of acquisition of a particular property, owned by a corporation and used by it as part of the production of the property, which corresponds to the portion of the depreciation of the particular property, for a taxation year, determined in accordance with the generally accepted accounting principles, relating to the use of the particular property by the corporation in the year, as part of the production of the property;

(c) the amount of a benefit attributable to production costs of a property that is described in paragraph *a* of the definition of “qualified production” in

the first paragraph includes the portion of the proceeds of disposition for a corporation of a particular property used by it as part of the production of the property that relates to the portion of the cost of acquisition of the particular property that has already been included in the production costs of the property up to the amount of the portion of the cost of acquisition of the particular property that has already been so included in the production costs of the property; and

(d) the production costs directly attributable to the production of a property that is described in paragraph *b* of the definition of “qualified production” in the first paragraph only include an amount equal to 75% of the consideration received by a corporation as part of the performance of the contract for the design and production of the property.

“1029.3.36.0.0.12.2. A corporation that encloses with the fiscal return it is required to file for a taxation year under section 1000 the prescribed form containing prescribed information and a copy of the favourable advance ruling given or qualification certificate issued by the Société de développement des entreprises culturelles in respect of a property that is a qualified production, is deemed, subject to the second paragraph, where the application for an advance ruling has been filed or, in the absence of such an application, an application for a qualification certificate has been filed in respect of the property with the Société de développement des entreprises culturelles before the end of the year, to have paid to the Minister on the corporation’s balance-due day for that year, on account of its tax payable for that year under this Part, an amount equal to 35% of its qualified labour expenditure for the year in respect of the property.

For the purpose of computing the payments that a corporation referred to in the first paragraph is required to make under subparagraph *a* of the first paragraph of section 1027, or any of sections 1159.7, 1175 and 1175.19 where they refer to that subparagraph *a*, the corporation is deemed to have paid to the Minister, on account of the aggregate of its tax payable for the year under this Part and of its tax payable for the year under Parts IV.1, VI and VI.1, on the date on or before which each payment is required to be made, an amount equal to the lesser of

(a) the amount by which the amount determined under the first paragraph for the year exceeds the aggregate of all amounts each of which is the portion of that amount that may reasonably be considered to be deemed to have been paid to the Minister under this paragraph in the year but before that date; and

(b) the amount by which the amount of that payment, determined without reference to this chapter, exceeds the aggregate of all amounts each of which is an amount that is deemed, under this chapter but otherwise than under the first paragraph, to have been paid to the Minister on that date, for the purpose of computing that payment.

The amount that a corporation is deemed to have paid to the Minister, under the first paragraph, on account of its tax payable for a taxation year under this

Part in respect of a property that is a qualified production must not exceed the amount by which, where the property is co-produced by the corporation and one or more other qualified corporations, the amount obtained by applying to \$350,000 the corporation's share, expressed as a percentage, of the production costs in relation to the production of the property that is specified in the favourable advance ruling given or the qualification certificate issued, as the case may be, by the Société de développement des entreprises culturelles in respect of the property or, in any other case, \$350,000, exceeds the amount by which the aggregate of all amounts each of which is an amount that the corporation is deemed to have paid to the Minister under that paragraph in respect of the property for a preceding taxation year exceeds the aggregate of all amounts each of which is an amount that the corporation is required to pay under section 1129.4.0.16.2 in respect of the property for a preceding taxation year.”

(2) Subsection 1 applies in respect of a qualified labour expenditure incurred after 20 March 2012.

111. Section 1029.8.36.0.0.13 of the Act is amended by replacing subparagraph *b* of the fourth paragraph by the following subparagraph:

“(b) no expenditure may be taken into consideration in computing a qualified labour expenditure attributable to printing and reprinting costs for a taxation year in respect of a property that is an eligible work or an eligible group of works or a qualified labour expenditure attributable to preparation costs and digital version publishing costs for the year in respect of the property, printing and reprinting costs directly attributable to the printing and reprinting of the property, preparation costs directly attributable to the preparation of the property and digital version publishing costs directly attributable to the publishing of an eligible digital version relating to the property, as the case may be, incurred before the end of the year, unless the expenditure is paid at the time the corporation first files with the Minister the prescribed form containing prescribed information provided for in the first paragraph of section 1029.8.36.0.0.14 for that taxation year; and”.

112. (1) Section 1029.8.36.0.3.8 of the Act is amended by replacing subparagraph *b* of the second paragraph by the following subparagraph:

“(b) the consideration referred to in paragraph *b* or *c* of that definition does not include an amount paid by a corporation to another corporation under the terms of a contract entered into before 21 March 2012, to the extent that the amount may reasonably be attributed to eligible production work in respect of a property that was carried out in a taxation year of that other corporation for which that other corporation holds a valid qualification certificate referred to in the first paragraph of section 1029.8.36.0.3.19 issued to it for that year; and”.

(2) Subsection 1 has effect from 20 March 2012.

113. (1) Section 1029.8.36.0.3.9 of the Act is amended by replacing the third paragraph by the following paragraph:

“The percentage to which the first paragraph refers in relation to a property that is a multimedia title for a taxation year is, as the case may be, one of the following percentages:

(a) if an application for a qualification certificate in respect of the property is filed before 21 March 2012, or after 20 March 2012 but in respect of a taxation year that ended before 21 March 2012,

i. 37.5%, where it is certified that the property is produced without having been ordered, is to be commercialized and is available in a French version,

ii. 30%, where it is certified that the property is produced without having been ordered, is to be commercialized and is not available in a French version, and

iii. 26.25%, in any other case; or

(b) if an application for a qualification certificate in respect of the property is filed after 20 March 2012 in respect of a taxation year that ends after that date,

i. 37.5%, where it is certified that the property is to be commercialized, is available in a French version and is not a vocational training title,

ii. 30%, where it is certified that the property is to be commercialized, is not available in a French version and is not a vocational training title, and

iii. 26.25%, in any other case.”

(2) Subsection 1 has effect from 20 March 2012.

114. (1) Section 1029.8.36.0.3.18 of the Act is amended by replacing subparagraph *b* of the second paragraph by the following subparagraph:

“(b) the consideration referred to in paragraph *b* or *c* of that definition does not include an amount paid by a corporation to another corporation under the terms of a contract entered into before 21 March 2012 where the amount may reasonably be attributed to eligible production work relating to eligible multimedia titles that was carried out in a taxation year of that other corporation for which that other corporation holds a valid qualification certificate referred to in the first paragraph of section 1029.8.36.0.3.19 issued to it for that year;”.

(2) Subsection 1 has effect from 20 March 2012.

115. (1) Section 1029.8.36.0.3.19 of the Act is amended by replacing the third paragraph by the following paragraph:

“The percentage to which the first paragraph refers for a taxation year is, as the case may be, one of the following percentages:

(a) if an application for a qualification certificate is filed for the year before 21 March 2012, or after 20 March 2012 but in respect of a taxation year that ended before 21 March 2012,

i. 37.5%, where the valid qualification certificate issued to the corporation for the year certifies that at least 75% of the eligible multimedia titles produced by the corporation in the year are produced without having been ordered, are to be commercialized and are available in a French version, or that at least 75% of its gross revenue for the year is derived from such eligible multimedia titles,

ii. 30%, where subparagraph i does not apply and the valid qualification certificate issued to the corporation for the year certifies that at least 75% of the eligible multimedia titles produced by the corporation in the year are produced without having been ordered and are to be commercialized, or that at least 75% of its gross revenue for the year is derived from such eligible multimedia titles, and

iii. 26.25%, in any other case; or

(b) if an application for a qualification certificate is filed after 20 March 2012 in respect of a taxation year that ends after that date,

i. 37.5%, where the valid qualification certificate issued to the corporation for the year certifies that at least 75% of the eligible multimedia titles produced by the corporation in the year are to be commercialized, are available in a French version and are not vocational training titles, or that at least 75% of its gross revenue for the year is derived from such eligible multimedia titles,

ii. 30%, where subparagraph i does not apply and the valid qualification certificate issued to the corporation for the year certifies that at least 75% of the eligible multimedia titles produced by the corporation in the year are to be commercialized and are not vocational training titles, or that at least 75% of its gross revenue for the year is derived from such eligible multimedia titles, and

iii. 26.25%, in any other case.”

(2) Subsection 1 has effect from 20 March 2012.

116. (1) The Act is amended by inserting the following after section 1029.8.36.0.106:

“DIVISION II.6.0.10**“CREDIT TO FOSTER THE MODERNIZATION OF THE TOURIST ACCOMMODATION OFFERING**

“§1. — *Interpretation and general*

“1029.8.36.0.107. In this division,

“eligible components” of a qualified tourist accommodation establishment means

(a) the rooms, including bathrooms;

(b) the dining rooms;

(c) the foyer, reception, rest areas, public lavatories, bar, shops, meeting rooms and other interior facilities that constitute public areas, except a fitness room, a health centre, a room equipped with a pool, spa or sauna, a games room or a parking lot; and

(d) the exterior structure of the building, in particular the facing, roofing, doors and windows;

“eligible contract” means a contract entered into after 20 March 2012 and before 1 January 2016 between a corporation or a partnership and a qualified contractor under which the qualified contractor undertakes to carry out eligible work in respect of a qualified tourist accommodation establishment of the corporation or partnership;

“eligible work” in respect of a qualified tourist accommodation establishment of a qualified corporation or a qualified partnership means the following particular work relating to the eligible components of the tourist accommodation establishment, other than work consisting exclusively of repair or maintenance work on the tourist accommodation establishment, and work required to restore the land on which the tourist accommodation establishment is situated to the condition it was in before the particular work was carried out:

(a) refurbishment work done to improve the appearance and functional nature of the tourist accommodation establishment;

(b) reorganization work that consists in altering the interior distribution of the rooms, openings and divisions of the tourist accommodation establishment without increasing the floor space or volume; and

(c) improvement, conversion or expansion work on the tourist accommodation establishment;

“excluded corporation” for a taxation year means

(a) a corporation that is exempt from tax for the year under Book VIII, other than an insurer referred to in paragraph *k* of section 998 that is not so exempt from tax on all of its taxable income for the year because of section 999.0.1; or

(b) a corporation that would be exempt from tax for the year under section 985, but for section 192;

“excluded region” means the Montréal census metropolitan area and the Québec census metropolitan area, as described in the *Standard Geographical Classification* (SGC) 2011 published by Statistics Canada;

“excluded tourist accommodation establishment” means a tourist accommodation establishment of a corporation or a partnership that, prior to the beginning of eligible work in respect of the tourist accommodation establishment, is the object of

(a) a notice of expropriation;

(b) a reserve for public purposes; or

(c) a prior notice of the exercise of a hypothecary right registered in the registry office or any other procedure calling the corporation’s or partnership’s right of ownership of the tourist accommodation establishment into question;

“expenditure relating to eligible work” for a qualified corporation or a qualified partnership means an expenditure that is attributable to the carrying out of eligible work provided for in an eligible contract entered into in respect of a qualified tourist accommodation establishment of the corporation or partnership and that corresponds to the aggregate of

(a) the cost of labour supplied by the qualified contractor who is a party to the eligible contract for the eligible work carried out before 1 January 2016, excluding the amount of any goods and services tax and Québec sales tax applicable; and

(b) the cost of movable property acquired, before 1 January 2016, from the qualified contractor or from a qualified merchant for use in the carrying out of the eligible work provided for in the eligible contract, excluding the amount of any goods and services tax and Québec sales tax applicable, if, after the work is carried out, the property

i. has been incorporated into the qualified tourist accommodation establishment, has lost its individuality and ensures the utility of the establishment, or

ii. has been permanently physically attached or joined to the qualified tourist accommodation establishment, without losing its individuality or being incorporated into the qualified tourist accommodation establishment, and ensures the utility of the establishment;

“qualified contractor” means a person or partnership that, in respect of an eligible contract entered into with a corporation, deals at arm’s length with the corporation, a specified shareholder of the corporation or, if the corporation is a cooperative, a specified member of the cooperative or, in respect of an eligible contract entered into with a partnership, deals at arm’s length with a corporation that is a member of the partnership, a specified shareholder of that corporation or, if the corporation is a cooperative, a specified member of the cooperative, and that

(a) at the time the contract is entered into, has an establishment in Québec; and

(b) at the time the eligible work provided for in the contract is being carried out and if required for the carrying out of such work, is the holder of the appropriate licence issued, in accordance with the Building Act (chapter B-1.1), by the Régie du bâtiment du Québec, the Corporation des maîtres électriciens du Québec or the Corporation des maîtres mécaniciens en tuyauterie du Québec and, if applicable, has paid the security provided for in that Act;

“qualified corporation” for a particular taxation year means a corporation that, in the particular year, owns a qualified tourist accommodation establishment and meets the following conditions:

(a) the corporation’s gross revenue for the particular year or the taxation year preceding the particular year is at least \$100,000; and

(b) the corporation’s assets shown in its financial statements submitted to its shareholders for its taxation year preceding the particular year or, if the corporation is in its first fiscal period, at the beginning of that fiscal period, is at least \$400,000;

“qualified expenditure” of a qualified corporation for a taxation year or of a qualified partnership for a fiscal period means the aggregate of all amounts each of which is an expenditure relating to eligible work of the corporation or partnership that is incurred after 20 March 2012 by the corporation in the taxation year or by the partnership in the fiscal period;

“qualified merchant” means a person or partnership who sells property to a qualified corporation or a qualified partnership for use in the carrying out of eligible work of the qualified corporation or qualified partnership, who, at the time of the sale, has an establishment in Québec and who

(a) if the property is sold to a qualified corporation, deals at arm’s length with the qualified corporation, a specified shareholder of the qualified corporation or, if the qualified corporation is a cooperative, a specified member of the cooperative; or

(b) if the property is sold to a qualified partnership, deals at arm’s length with a corporation that is a member of the qualified partnership, a specified

shareholder of that corporation or, if the corporation is a cooperative, a specified member of the cooperative;

“qualified partnership” for a particular fiscal period ended in a particular taxation year of a corporation means a partnership that, in the particular fiscal period, carries on a business in Québec, has an establishment in Québec, owns a qualified tourist accommodation establishment and meets the following conditions:

(a) the amount that would be the gross revenue of the partnership for its fiscal period that ends in the taxation year preceding the particular taxation year or for the particular fiscal period if, for the purposes of the definition of “gross revenue” in section 1, the qualified partnership was a corporation, is at least \$100,000; and

(b) the assets of the partnership shown in its financial statements for the particular fiscal period or, if the partnership is in its first fiscal period, at the beginning of that fiscal period is at least \$400,000;

“qualified tourist accommodation establishment” of a corporation for a taxation year or of a partnership for a fiscal period means a tourist accommodation establishment, other than an excluded tourist accommodation establishment, that is located in Québec, elsewhere than in an excluded region, and in respect of which a classification certificate, valid for the year or fiscal period, has been issued to the corporation or partnership under the Act respecting tourist accommodation establishments (chapter E-14.2), certifying that the tourist accommodation establishment is a hotel establishment, tourist home, resort, bed and breakfast establishment or youth hostel;

“specified member” of a corporation that is a cooperative, in a taxation year, means a member having, directly or indirectly, at any time in the year, at least 10% of the votes at a meeting of the members of the cooperative.

For the purposes of the definition of “qualified tourist accommodation establishment” in the first paragraph, a qualified corporation or a qualified partnership that holds a classification certificate, issued under the Act respecting tourist accommodation establishments, valid throughout the duration of the eligible work carried out in a taxation year or a fiscal period, as applicable, in respect of a qualified tourist accommodation establishment of the corporation or partnership is deemed to hold such a valid classification certificate for the taxation year or fiscal period. However, for the purposes of that definition and this paragraph, a qualified corporation or a qualified partnership whose classification certificate is suspended is deemed not to hold a valid classification certificate during the suspension period.

For the purposes of the definitions of “qualified corporation” and “qualified partnership” in the first paragraph and for the purpose of determining the assets of a corporation or a partnership, the following rules apply:

(a) if the financial statements of the corporation or partnership have not been prepared or were not prepared in accordance with generally accepted accounting principles, its assets are those that would be shown in the financial statements if they had been prepared in accordance with those accounting principles; and

(b) if the corporation is a cooperative, paragraph *b* of the definition of “qualified corporation” in the first paragraph is to be read as if “submitted to its shareholders” was replaced by “submitted to its members”.

“1029.8.36.0.108. For the purposes of this division, work carried out in respect of a qualified tourist accommodation establishment of a qualified corporation or a qualified partnership can be considered to be eligible work only if it is consistent with the policy of the Government referred to in section 2.1 of the Environment Quality Act (chapter Q-2).

“§2. — *Credit*

“1029.8.36.0.109. A corporation that, in a taxation year, carries on a business in Québec and has an establishment in Québec, that is not an excluded corporation for the year and that encloses with the fiscal return it is required to file for the year under section 1000 the prescribed form containing prescribed information and a copy of the agreement described in section 1029.8.36.0.111, if applicable, is deemed, subject to the second paragraph, to have paid to the Minister on the corporation’s balance-due day for that year, on account of its tax payable for that year under this Part, an amount equal to 25% of the amount by which the lesser of the following amounts exceeds \$50,000:

(a) the aggregate of

i. if the corporation is a qualified corporation for the year, the qualified expenditure of the corporation for the year, to the extent that that expenditure has been paid, and

ii. if the corporation is a member of a qualified partnership at the end of the partnership’s fiscal period ending in the year, the aggregate of all amounts each of which is the corporation’s share of the lesser of

(1) the qualified expenditure of such a qualified partnership for such a fiscal period, to the extent that that expenditure has been paid, and

(2) the qualified partnership’s qualified expenditure limit for that fiscal period; and

(b) the corporation’s qualified expenditure limit for the year.

For the purpose of computing the payments that a corporation is required to make under subparagraph *a* of the first paragraph of section 1027, or under any of sections 1159.7, 1175 and 1175.19 if they refer to that subparagraph *a*,

the corporation is deemed to have paid to the Minister, on account of the aggregate of its tax payable for the year under this Part and of its tax payable for the year under Parts IV.1, VI and VI.1, on the date on or before which each payment is required to be made, an amount equal to the lesser of

(a) the amount by which the amount determined under the first paragraph for the year exceeds the aggregate of all amounts each of which is the portion of that amount that may reasonably be considered to be deemed to have been paid to the Minister under this paragraph in the year but before that date; and

(b) the amount by which the amount of that payment, determined without reference to this chapter, exceeds the aggregate of all amounts each of which is an amount that is deemed, under this chapter but otherwise than under the first paragraph, to have been paid to the Minister on that date, for the purpose of computing that payment.

For the purposes of the first paragraph, the amount of \$50,000 is to be replaced by

(a) if the taxation year of the corporation has fewer than 51 weeks, except in cases where subparagraph *b* or *c* applies, the proportion of that amount that the number of days in the taxation year of the corporation is of 365;

(b) if the taxation year of the corporation includes 20 March 2012, the proportion of that amount that the number of days in the taxation year of the corporation that follow 20 March 2012 is of 365; or

(c) if the taxation year of the corporation includes 1 January 2016, the proportion of that amount that the number of days in the taxation year of the corporation that precede 1 January 2016 is of 365.

For the purposes of subparagraph ii of subparagraph *a* of the first paragraph, a corporation's share of a particular amount, in relation to a qualified partnership of which the corporation is a member at the end of a fiscal period, is equal to the agreed proportion of the amount in respect of the corporation for the fiscal period.

“1029.8.36.0.110. In this division, the qualified expenditure limit of a partnership for a fiscal period is equal to \$750,000 and the qualified expenditure limit of a corporation for a taxation year is equal to

(a) if the corporation is not a member of an associated group in the year, \$750,000; or

(b) if the corporation is a member of an associated group in the year, an amount attributed for the year to the corporation pursuant to the agreement described in section 1029.8.36.0.111 and enclosed with the fiscal return the corporation is required to file for the year under section 1000 or, if no amount

is attributed to the corporation under the agreement or in the absence of such an agreement, zero.

For the purposes of this section and sections 1029.8.36.0.111 to 1029.8.36.0.113, an associated group in a taxation year means all the corporations that, in the year, carry on a business in Québec and have an establishment in Québec, that are not excluded corporations for the year, that are associated with each other in the year and each of which is a qualified corporation for the year or a corporation that is a member of a qualified partnership at the end of a fiscal period of the qualified partnership that ends in the year.

“1029.8.36.0.111. The agreement to which subparagraph *b* of the first paragraph of section 1029.8.36.0.110 refers is the agreement under which all the corporations that are members of the associated group in the year attribute for the year, in the prescribed form, to one or more of their number, for the purposes of this division, one or more amounts the total of which does not exceed \$750,000.

If the aggregate of the amounts attributed, in respect of a taxation year, pursuant to an agreement described in the first paragraph and entered into by the corporations that are members of an associated group in the year exceeds \$750,000, the amount determined under subparagraph *b* of the first paragraph of section 1029.8.36.0.110 in respect of each of those corporations for the taxation year is deemed, for the purposes of this division, to be equal to the proportion of \$750,000 that that determined amount is of the aggregate of the amounts attributed for the year under the agreement.

“1029.8.36.0.112. If a corporation that is a member of an associated group referred to in subparagraph *b* of the first paragraph of section 1029.8.36.0.110 fails to file with the Minister an agreement described in that subparagraph within 30 days after notice in writing by the Minister has been sent to any of the corporations that are members of that group that such an agreement is required for the purposes of any assessment of tax under this Part or for the determination of another amount, the Minister shall, for the purposes of this division, attribute an amount to one or more of those corporations for the taxation year, which amount or the aggregate of which amounts must be equal to \$750,000, and in such a case, despite that subparagraph *b*, the qualified expenditure limit for the year of each of the corporations is equal to the amount so attributed to it.

“1029.8.36.0.113. Despite sections 1029.8.36.0.110 to 1029.8.36.0.112, the following rules apply:

(a) if a corporation that is a member of an associated group (in this paragraph referred to as the “first corporation”) has more than one taxation year ending in the same calendar year and is associated in two or more of those taxation years with another corporation that is a member of the group that has a taxation year ending in that calendar year, the qualified expenditure limit of the first

corporation for each particular taxation year that ends in the calendar year in which it is associated with the other corporation and that ends after the first taxation year ending in that calendar year is, subject to paragraph *b*, an amount equal to the lesser of

i. its qualified expenditure limit for the first taxation year ending in the calendar year, determined without reference to this section, and

ii. its qualified expenditure limit for the particular taxation year ending in the calendar year, determined without reference to this section;

(*b*) if a corporation has a taxation year of fewer than 51 weeks or if a partnership has a fiscal period of fewer than 51 weeks, except in cases where paragraph *c* or *d* applies, the qualified expenditure limit of the corporation for the year or of the partnership for the fiscal period is equal to that proportion of its qualified expenditure limit for the year or period, determined without reference to this paragraph, that the number of days in the year or period is of 365;

(*c*) if the taxation year of a corporation or the fiscal period of a partnership includes 20 March 2012, the qualified expenditure limit of the corporation for the year or of the partnership for the fiscal period is equal to that proportion of its qualified expenditure limit for the year or period, determined without reference to this paragraph, that the number of days in the year or period that follow 20 March 2012 is of 365; and

(*d*) if the taxation year of a corporation or the fiscal period of a partnership includes 1 January 2016, the qualified expenditure limit of the corporation for the year or of the partnership for the fiscal period is equal to that proportion of its qualified expenditure limit for the year or period, determined without reference to this paragraph, that the number of days in the year or period that precede 1 January 2016 is of 365.

“1029.8.36.0.114. Where it may reasonably be considered that one of the main reasons for the separate existence of two or more corporations in a taxation year is to cause a corporation to be deemed to have paid an amount to the Minister under this division for that year or to increase an amount that a corporation is deemed to have paid to the Minister under this division for that year, those corporations are deemed, for the purposes of this division, to be associated with each other in the year.

“§3. — Government assistance, non-government assistance and other particulars

“1029.8.36.0.115. For the purpose of computing the amount that is deemed to have been paid to the Minister by a corporation, for a taxation year, under section 1029.8.36.0.109, the following rules apply:

(a) the amount of the corporation's qualified expenditure referred to in subparagraph i of subparagraph *a* of the first paragraph of section 1029.8.36.0.109 is to be reduced, if applicable, by the amount of any government assistance or non-government assistance attributable to the expenditure that the corporation has received, is entitled to receive or may reasonably expect to receive on or before the corporation's filing-due date for the taxation year; and

(b) the corporation's share of a partnership's qualified expenditure referred to in subparagraph 1 of subparagraph ii of subparagraph *a* of the first paragraph of section 1029.8.36.0.109, for a fiscal period of the partnership that ends in the taxation year of the corporation, is to be reduced, if applicable,

i. by the corporation's share, for that fiscal period, of the amount of any government assistance or non-government assistance attributable to the expenditure that the partnership has received, is entitled to receive or may reasonably expect to receive on or before the day that is six months after the end of the fiscal period, and

ii. by the amount of any government assistance or non-government assistance attributable to the expenditure that the corporation has received, is entitled to receive or may reasonably expect to receive on or before the day that is six months after the end of the fiscal period.

For the purposes of subparagraph i of subparagraph *b* of the first paragraph, the corporation's share, for the partnership's fiscal period, of the amount of any government assistance or non-government assistance that the partnership has received, is entitled to receive or may reasonably expect to receive, is equal to the agreed proportion of the amount in respect of the corporation for the partnership's fiscal period that ends in its taxation year.

“1029.8.36.0.116. If, in respect of a qualified expenditure of a qualified corporation or a qualified partnership, a person or a partnership has obtained, is entitled to obtain or may reasonably expect to obtain a benefit or advantage, other than a benefit or advantage that may reasonably be attributed to eligible work carried out under an eligible contract between the qualified corporation or qualified partnership and a qualified contractor, whether in the form of a repayment, compensation or guarantee, in the form of proceeds of disposition of a property which exceed the fair market value of the property, or in any other form or manner, the following rules apply:

(a) for the purpose of computing the amount that is deemed to have been paid to the Minister for a taxation year by the qualified corporation under section 1029.8.36.0.109, the amount of the corporation's qualified expenditure referred to in subparagraph i of subparagraph *a* of the first paragraph of that section is to be reduced by the amount of the benefit or advantage that the person or partnership has obtained, is entitled to obtain or may reasonably expect to obtain on or before the qualified corporation's filing-due date for the taxation year; and

(b) for the purpose of computing the amount that is deemed to have been paid to the Minister under section 1029.8.36.0.109 by a corporation that is a member of the qualified partnership for a taxation year, the corporation's share of the qualified expenditure referred to in subparagraph 1 of subparagraph ii of subparagraph *a* of the first paragraph of that section, for the partnership's fiscal period that ends in the taxation year, is to be reduced

i. by its share, for the fiscal period, of the amount of the benefit or advantage that a partnership or a person, other than a person referred to in subparagraph ii, has obtained, is entitled to obtain or may reasonably expect to obtain on or before the day that is six months after the end of the qualified partnership's fiscal period in which the expenditure was incurred, and

ii. by the amount of the benefit or advantage that the corporation or a person with whom the corporation does not deal at arm's length has obtained, is entitled to obtain or may reasonably expect to obtain on or before the day that is six months after the end of the qualified partnership's fiscal period in which the expenditure was incurred.

For the purposes of subparagraph i of subparagraph *b* of the first paragraph, the corporation's share, for the qualified partnership's fiscal period, of the amount of the benefit or advantage that a partnership or a person has obtained, is entitled to obtain or may reasonably expect to obtain, is equal to the agreed proportion of the amount in respect of the corporation for the qualified partnership's fiscal period that ends in its taxation year.

“1029.8.36.0.117. If a corporation is deemed to have paid to the Minister, under section 1029.8.36.0.109, an amount on account of its tax payable under Part I for a particular taxation year, in relation to a qualified expenditure of the corporation for the particular taxation year or to a qualified expenditure of a partnership of which it is a member at the end of a particular fiscal period of the partnership that ends in the particular taxation year, in respect of a qualified tourist accommodation establishment, and, before 1 January 2018 and in a taxation year (in this section referred to as the “repayment year”) in which the corporation pays, pursuant to a legal obligation, an amount that may reasonably be considered to be a repayment of government assistance or non-government assistance that reduced, in accordance with subparagraph *a* of the first paragraph of section 1029.8.36.0.115, the corporation's qualified expenditure for the particular taxation year, or in which ends a fiscal period of the partnership (in this section referred to as “fiscal period of repayment”) in which the partnership or corporation pays, pursuant to a legal obligation, an amount that may reasonably be considered to be a repayment of government assistance or non-government assistance that reduced, in accordance with subparagraph *b* of the first paragraph of section 1029.8.36.0.115, the corporation's share of a qualified expenditure of the partnership for the particular fiscal period, the corporation is deemed, if it encloses the prescribed form containing prescribed information with the fiscal return it is required to file under section 1000 for the repayment year and, in the case of a repayment made in the fiscal period of repayment, if it is a member of the partnership at the end of the fiscal period of repayment, to have paid to the Minister on the

corporation's balance-due day for the repayment year on account of its tax payable for the year under this Part, an amount equal to the amount by which the particular amount it would be deemed, if the assumptions set out in the second paragraph were taken into account, to have paid to the Minister under section 1029.8.36.0.109 for the particular year, in respect of such a qualified expenditure, exceeds the aggregate of

(a) the amount that the corporation is deemed to have paid to the Minister under section 1029.8.36.0.109 in relation to such a qualified expenditure for the particular taxation year, or, in the case of a repayment made in the fiscal period of repayment, would be so deemed to have been paid to the Minister if the agreed proportion, in respect of the corporation for the particular fiscal period, were the same as that for the fiscal period of repayment; and

(b) any amount that the corporation is deemed to have paid to the Minister under this section for a taxation year preceding the repayment year, in respect of an amount of assistance repaid by the corporation or partnership, or, in the case of a repayment made in the fiscal period of repayment, would be so deemed to have paid to the Minister if the agreed proportion, in respect of the corporation for the particular fiscal period, were the same as that for the fiscal period of repayment.

The particular amount to which the first paragraph refers is to be computed as if

(a) any amount of assistance repaid at or before the end of the repayment year reduced the amount of any government assistance or non-government assistance referred to in section 1029.8.36.0.115; and

(b) in the case of a repayment made in the fiscal period of repayment, the agreed proportion in respect of the corporation for the particular fiscal period were the same as that for the fiscal period of repayment.

“1029.8.36.0.118. For the purposes of section 1029.8.36.0.117, an amount of assistance is deemed to be repaid by a corporation or partnership at a particular time, pursuant to a legal obligation, if that amount

(a) reduced, because of section 1029.8.36.0.115, a qualified expenditure or the share of a corporation that is a member of the partnership in such an expenditure, for the purpose of computing the amount that the corporation or the corporation that is a member of the partnership is deemed to have paid to the Minister for a taxation year under section 1029.8.36.0.109;

(b) was not received by the corporation or partnership; and

(c) ceased at the particular time to be an amount that the corporation or partnership could reasonably expect to receive.

“DIVISION II.6.0.11**“CREDIT FOR THE MARKET DIVERSIFICATION OF
MANUFACTURING BUSINESSES****“§1. — Interpretation**

“1029.8.36.0.119. In this division,

“certificate of compliance” in relation to a qualified property of a corporation means a certificate issued to the corporation certifying that the property complies with standards prescribed by an Act or regulation applicable outside Québec where the corporation intends to commercialize the property;

“eligibility period” means the period that begins on 21 March 2012 and ends on 31 December 2015;

“eligible activities” of a corporation for a taxation year means the activities that the corporation carries on in the year and that are covered by the certificate referred to in the first paragraph of section 1029.8.36.0.120 that is issued to the corporation for the year;

“eligible certification costs” of a corporation for a particular taxation year in relation to a certificate of compliance issued in respect of a qualified property of the corporation for the particular year mean the amount by which the amount determined under the second paragraph is exceeded by the aggregate of the following expenses incurred by the corporation in the part of the eligibility period that is included in the particular year or in a preceding taxation year for which it was a qualified corporation, to the extent that they are reasonable in the circumstances:

(a) the fees charged by a certification body to issue a certificate of compliance to the corporation in relation to the qualified property; and

(b) the cost of a contract between the corporation and an outside consultant, other than a person with whom the corporation does not deal at arm’s length, pursuant to which the outside consultant obtained, on behalf of the corporation, the certificate of compliance in relation to the qualified property;

“excluded corporation” for a particular taxation year means

(a) a corporation that is exempt from tax for the particular year under Book VIII, other than an insurer referred to in paragraph *k* of section 998 that is not so exempt from tax on all of its taxable income for the particular year because of section 999.0.1;

(b) a corporation that would be exempt from tax for the particular year under section 985, but for section 192; or

(c) a corporation whose assets shown in its financial statements submitted to the shareholders 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 taxation year that precedes the particular year, exceed \$50,000,000;

“qualified corporation” for a taxation year means a corporation, other than an excluded corporation for the year, that, in the year, carries on a business in Québec and has an establishment in Québec;

“qualified property” of a corporation for a taxation year means a property that is manufactured by the corporation in an establishment of the corporation situated in Québec within the scope of its eligible activities for the year and in respect of which it has obtained at or before the end of the year, but before 1 January 2017, a certificate of compliance.

The amount to which the definition of “eligible certification costs” in the first paragraph refers is equal to the portion of the expenses described in that definition that was taken into account for the purpose of determining the amount that the corporation is deemed to have paid to the Minister under section 1029.8.36.0.120 for a taxation year preceding the particular year.

“§2. — *Credit*

“**1029.8.36.0.120.** A qualified corporation for a taxation year that holds, for the year, a valid certificate issued for the purposes of this division and that encloses with the fiscal return it is required to file for the year under section 1000 a copy of the certificate as well as the prescribed form containing prescribed information is deemed, subject to the second paragraph, to have paid to the Minister on the corporation’s balance-due day for that year, on account of its tax payable for that year under this Part, an amount equal to 30% of the aggregate of all amounts each of which is the eligible certification costs of the corporation for the year in relation to a certificate of compliance issued in respect of a qualified property of the corporation for the year, to the extent that those costs are paid.

For the purpose of computing the payments that a corporation referred to in the first paragraph is required to make under subparagraph *a* of the first paragraph of section 1027, or any of sections 1159.7, 1175 and 1175.19 if they refer to that subparagraph *a*, the corporation is deemed to have paid to the Minister, on account of the aggregate of its tax payable for the year under this Part and of its tax payable for the year under Parts IV.1, VI and VI.1, on the date on or before which each payment is required to be made, an amount equal to the lesser of

(a) the amount by which the amount determined under the first paragraph for the year exceeds the aggregate of all amounts each of which is the portion

of that amount that may reasonably be considered to be deemed to have been paid to the Minister under this paragraph in the year but before that date; and

(b) the amount by which the amount of that payment, determined without reference to this chapter, exceeds the aggregate of all amounts each of which is an amount that is deemed, under this chapter but otherwise than under the first paragraph, to have been paid to the Minister on that date, for the purpose of computing that payment.

“1029.8.36.0.121. For the purposes of this division, the amount that a corporation is deemed to have paid to the Minister for a taxation year under this division may not exceed the amount by which \$45,000 exceeds the amount by which the aggregate of all amounts each of which is an amount deemed to have been paid to the Minister by the corporation under this division for a preceding taxation year exceeds the aggregate of all amounts each of which is a tax that the corporation is required to pay for the taxation year or a preceding taxation year under Part III.10.1.11, or under Part VI.3.1 in relation to the revocation or replacement of a certificate issued for the purposes of this division.

“§3. — Government assistance, non-government assistance and other particulars

“1029.8.36.0.122. For the purpose of computing the amount that is deemed to have been paid to the Minister for a taxation year by a qualified corporation under section 1029.8.36.0.120, the aggregate of the eligible certification costs that are referred to in the first paragraph of that section must be reduced, where applicable, by the amount of any government assistance or non-government assistance, attributable to those costs, that the qualified corporation has received, is entitled to receive or may reasonably expect to receive on or before its filing-due date for that year.

“1029.8.36.0.123. If, before 1 January 2018, a corporation pays in a taxation year (in this section referred to as the “repayment year”), pursuant to a legal obligation, an amount that may reasonably be considered to be a repayment of government assistance or non-government assistance that was taken into account for the purpose of computing the eligible certification costs of the corporation for a particular taxation year in respect of which the corporation is deemed to have paid an amount to the Minister under section 1029.8.36.0.120 for the particular taxation year, the corporation is deemed to have paid to the Minister for the repayment year, if it encloses the prescribed form with the fiscal return it is required to file for that year under section 1000, an amount equal to the amount by which the amount that it would be deemed to have paid to the Minister for the particular year under section 1029.8.36.0.120 in respect of those eligible certification costs if any amount of assistance so repaid at or before the end of the repayment year had reduced, for the particular year, the amount of any government assistance or non-government assistance referred to in section 1029.8.36.0.122, exceeds the aggregate of

(a) the amount that the corporation is deemed to have paid to the Minister for the particular year under section 1029.8.36.0.120 in respect of those eligible certification costs; and

(b) any amount that the corporation is deemed to have paid to the Minister under this section for a taxation year preceding the repayment year in respect of an amount of repayment of that assistance.

“1029.8.36.0.124. For the purposes of section 1029.8.36.0.123, an amount of assistance is deemed to be repaid at a particular time by a corporation, pursuant to a legal obligation, if that amount

(a) reduced, because of section 1029.8.36.0.122, the eligible certification costs for the purpose of computing the amount that the corporation is deemed to have paid to the Minister for a taxation year under section 1029.8.36.0.120;

(b) was not received by the corporation; and

(c) ceased at the particular time to be an amount that the corporation may reasonably expect to receive.

“1029.8.36.0.125. If, in respect of eligible certification costs of a qualified corporation, a person or a partnership has obtained, is entitled to obtain or may reasonably expect to obtain a benefit or advantage, other than the benefit or advantage that consists in the obtention by the corporation of a certificate of compliance in relation to a qualified property of the corporation, whether in the form of a reimbursement, compensation or guarantee, in the form of proceeds of disposition of a property which exceed the fair market value of the property, or in any other form or manner, for the purpose of computing the amount that the qualified corporation is deemed to have paid to the Minister for a taxation year under section 1029.8.36.0.120, the amount of the eligible certification costs of the qualified corporation that are referred to in the first paragraph of that section is to be reduced by the amount of the benefit or advantage relating to those costs that the person or partnership has obtained, is entitled to obtain or may reasonably expect to obtain on or before the qualified corporation’s filing-due date for that taxation year.”

(2) Subsection 1 has effect from 21 March 2012.

117. (1) Section 1029.8.36.59.32 of the Act is amended

(1) by replacing the formula in the definition of “tax credit relating to Part III.2.3” in the first paragraph by the following formula:

“30% (A – B) + C – D.”;

(2) by striking out the definitions of “specified percentage” and “transition time” in the first paragraph;

(3) by replacing subparagraphs *a* to *e* of the second paragraph by the following subparagraphs:

“(a) A is the amount by which the aggregate of the amounts paid in respect of the securities that are issued by the qualified cooperative under the Cooperative Investment Plan Act and under the cooperative investment plan enacted by Order in Council 1596-85 (1985, G.O. 2, 5580, in French only) and that are outstanding at the end of the calendar year ending in the particular taxation year, exceeds an amount equal to 165% of the acquisition cost, determined without taking into account the borrowing costs and the other costs related to their acquisition, of the aggregate of the investments under the plan that the qualified cooperative holds at the end of that calendar year;

“(b) B is the amount by which the aggregate of the amounts paid in respect of the securities that are issued by the qualified cooperative under the cooperative investment plan and that are outstanding immediately before the issue to the qualified cooperative of its first qualification certificate, exceeds the acquisition cost, determined without taking into account the borrowing costs and the other costs related to their acquisition, of the aggregate of the investments under the plan that the qualified cooperative held at that time;

“(c) C is the aggregate of all amounts each of which is an amount that the qualified cooperative is deemed to have paid to the Minister under this division on account of its tax payable under this Part for a taxation year preceding the particular taxation year;

“(d) D is the aggregate of all amounts each of which is a tax that the qualified cooperative is required to pay under Part III.2.3 for a calendar year preceding the calendar year in which the particular taxation year ends; and

“(e) where the result of the subtraction of the amounts that A and B represent is less than zero, the result of that subtraction is deemed to be equal to zero.”;

(4) by striking out subparagraph *f* of the second paragraph.

(2) Subsection 1 applies from the taxation year of a cooperative that includes 31 December 2012.

118. (1) Section 1029.8.36.59.33 of the Act is amended

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

“**1029.8.36.59.33.** A qualified cooperative that is a shareholding workers cooperative, within the meaning of the first paragraph of section 2 of the Cooperative Investment Plan Act (chapter R-8.1.1), and that holds a qualification certificate is deemed, subject to the second and third paragraphs, to have paid to the Minister, for a taxation year, on the qualified cooperative’s balance-due day for that year, on account of its tax payable for that year under this Part, an amount equal to its tax credit relating to Part III.2.3 for the year.”;

(2) by striking out “1145,” and “IV,” in the portion of the second paragraph before subparagraph *a*;

(3) by adding the following paragraph after the second paragraph:

“No amount may be deemed to have been paid to the Minister under the first paragraph for the taxation year in which ends the calendar year in which the qualified cooperative decides to wind-up in accordance with the Cooperatives Act (chapter C-67.2) or the Canada Cooperatives Act (Statutes of Canada, 1998, chapter 1) or for a subsequent taxation year.”

(2) Subsection 1 applies from the taxation year of a cooperative that includes 31 December 2012.

119. (1) The Act is amended by inserting the following section after section 1029.8.36.59.33:

“1029.8.36.59.33.1. A qualified cooperative that is a shareholding workers cooperative, within the meaning of the first paragraph of section 2 of the Cooperative Investment Plan Act (chapter R-8.1.1), and that holds a qualification certificate is deemed, subject to the third paragraph, to have paid to the Minister, for a particular taxation year in which ends the calendar year in which the cooperative decides to wind-up in accordance with the Cooperatives Act (chapter C-67.2) or the Canada Cooperatives Act (Statutes of Canada, 1998, chapter 1), on the cooperative’s balance-due day for that particular year, on account of its tax payable for that particular year under this Part, an amount equal to the amount determined by the formula

$A - B.$

In the formula in the first paragraph,

(*a*) *A* is the aggregate of all amounts each of which is a tax that the qualified cooperative is required to pay under Part III.2.3 for a calendar year preceding the calendar year ending in the particular taxation year; and

(*b*) *B* is the aggregate of all amounts each of which is an amount that the qualified cooperative is deemed to have paid to the Minister under this division on account of its tax payable under this Part for a taxation year preceding the particular taxation year.

For the purpose of computing the payments that a cooperative referred to in the first paragraph is required to make under subparagraph *a* of the first paragraph of section 1027, or any of sections 1159.7, 1175 and 1175.19 where they refer to that subparagraph *a*, the cooperative is deemed to have paid to the Minister, on account of the aggregate of the cooperative’s tax payable for the year under this Part and of the cooperative’s tax payable for the year under Parts IV.1, VI and VI.1, on the date on or before which each payment is required to be made, an amount equal to the lesser of

(a) the amount by which the amount determined under the first paragraph for the year exceeds the aggregate of all amounts each of which is the portion of the amount that may reasonably be considered to be deemed to have been paid to the Minister under this paragraph in the year but before that date; and

(b) the amount by which the amount of that payment, determined without reference to this chapter, exceeds the aggregate of all amounts each of which is an amount that is deemed, under this chapter but otherwise than under the first paragraph, to have been paid to the Minister on that date, for the purpose of computing that payment.”

(2) Subsection 1 applies from the taxation year of a cooperative that includes 31 December 2012.

120. (1) Section 1029.8.36.59.34 of the Act is replaced by the following section:

“1029.8.36.59.34. For the purposes of this Part and the regulations, the amount that a qualified cooperative is deemed to have paid to the Minister for a taxation year under section 1029.8.36.59.33 or 1029.8.36.59.33.1 is deemed not to be an amount of assistance or an inducement received by the cooperative from a government.”

(2) Subsection 1 applies from the taxation year of a cooperative that includes 31 December 2012.

121. (1) The Act is amended by inserting the following after section 1029.8.36.59.34:

“DIVISION II.6.5.6

“CREDIT RELATING TO CERTAIN SHARE ISSUE EXPENSES UNDER THE STOCK SAVINGS PLAN II

“§1. — Interpretation and general

“1029.8.36.59.35. In this division,

“eligible issue expenses” for a taxation year means the expenses that a qualified issuing corporation has incurred in the year or in a preceding taxation year in the course of its first public share issue under Title VI.5 of Book VII, without exceeding the lesser of

(a) 15% of the proceeds of the public share issue; and

(b) \$3,000,000;

“public share issue” means the distribution of a share in accordance with a receipt granted by the Autorité des marchés financiers;

“qualified issuing corporation” means a corporation described in section 965.90 or 965.94 and that is not governed by an Act establishing a labour-sponsored fund, by the Act constituting Capital régional et coopératif Desjardins (chapter C-6.1) or by the Act respecting Québec business investment companies (chapter S-29.1).

For the purposes of the definition of “eligible issue expenses” in the first paragraph, the expenses referred to in the definition do not include expenses that would, but for section 147.1, be deductible under section 147 in computing the qualified issuing corporation’s income for a taxation year and that are incurred after 20 March 2012.

“1029.8.36.59.36. The eligible issue expenses incurred for a taxation year must be attributable to a public share issue that, before the receipt for a final prospectus was obtained, was the subject of a favourable advance ruling by the Minister to the effect that it complies with the objectives of Title VI.5 of Book VII.

“§2. — *Credit*

“1029.8.36.59.37. A qualified issuing corporation that, in a taxation year, makes a first public share issue under Title VI.5 of Book VII and that encloses the prescribed form containing prescribed information with the fiscal return it is required to file for the year under section 1000 is deemed, subject to the second paragraph, to have paid to the Minister on its balance-due day for that year, on account of its tax payable for that year under this Part, an amount equal to 30% of its eligible issue expenses for the year, to the extent that those expenses are paid.

For the purpose of computing the payments that a qualified issuing corporation is required to make under subparagraph *a* of the first paragraph of section 1027, or any of sections 1159.7, 1175 and 1175.19 where they refer to that subparagraph *a*, the corporation is deemed to have paid to the Minister, on account of the aggregate of its tax payable for the year under this Part and of its tax payable for the year under Parts IV.1, VI and VI.1, on the date on or before which each payment is required to be made, an amount equal to the lesser of

(*a*) the amount by which the amount determined under the first paragraph for the year exceeds the aggregate of all amounts each of which is the portion of that amount that may reasonably be considered to be deemed to have been paid to the Minister under this paragraph in the year but before that date; and

(*b*) the amount by which the amount of that payment, determined without reference to this chapter, exceeds the aggregate of all amounts each of which is an amount that is deemed, under this chapter but otherwise than under the first paragraph, to have been paid to the Minister on that date, for the purpose of computing that payment.

“§3. — *Government assistance, non-government assistance and other particulars*

“**1029.8.36.59.38.** For the purpose of computing the amount that is deemed to have been paid to the Minister by a qualified issuing corporation, for a taxation year, under section 1029.8.36.59.37, the amount of the issue expenses incurred by the corporation is to be reduced, if applicable, by the amount of any government assistance or non-government assistance attributable to the expenses that the corporation has received, is entitled to receive or may reasonably expect to receive on or before its filing-due date for the taxation year.

“**1029.8.36.59.39.** Where a corporation pays, in a taxation year (in this section referred to as the “repayment year”), pursuant to a legal obligation, an amount that may reasonably be considered to be a repayment of government assistance or non-government assistance that reduced, because of section 1029.8.36.59.38, the issue expenses incurred by the corporation, for the purpose of computing the amount that it is deemed to have paid to the Minister under section 1029.8.36.59.37 in respect of its eligible issue expenses, for a particular taxation year, the corporation is deemed to have paid to the Minister on its balance-due day for the repayment year, on account of its tax payable for that year under this Part, if it encloses the prescribed form containing prescribed information with the fiscal return it is required to file for the repayment year under section 1000, an amount equal to the amount by which the amount that it would be deemed to have paid to the Minister under section 1029.8.36.59.37 for the particular year, in respect of its eligible issue expenses, if any amount of such assistance so repaid at or before the end of the repayment year had reduced, for the particular year, the amount of any government assistance or non-government assistance referred to in section 1029.8.36.59.38, exceeds the aggregate of

(a) the amount that the corporation is deemed to have paid to the Minister for the particular year under section 1029.8.36.59.37 in respect of its eligible issue expenses; and

(b) any amount that the corporation is deemed to have paid to the Minister under this section for a taxation year preceding the repayment year in respect of an amount of repayment of that assistance.

“**1029.8.36.59.40.** For the purposes of section 1029.8.36.59.39, an amount of assistance is deemed to be repaid at a particular time by a corporation pursuant to a legal obligation if that amount

(a) reduced, because of section 1029.8.36.59.38, eligible issue expenses for the purpose of computing the amount that the corporation is deemed to have paid to the Minister for a taxation year under section 1029.8.36.59.37;

(b) was not received by the corporation; and

(c) ceased at the particular time to be an amount that the corporation may reasonably expect to receive.

“1029.8.36.59.41. If, in respect of eligible issue expenses of a qualified issuing corporation, a person or a partnership has obtained, is entitled to obtain or may reasonably expect to obtain a benefit or advantage, other than a benefit or advantage that may reasonably be attributed to the public share issue to which those expenses relate, whether in the form of a reimbursement, compensation or guarantee, in the form of proceeds of disposition of a property which exceed the fair market value of the property, or in any other form or manner, for the purpose of computing the amount that the qualified issuing corporation is deemed to have paid to the Minister for a taxation year under section 1029.8.36.59.37, the amount of the eligible issue expenses referred to in the first paragraph of that section is to be reduced by the amount of the benefit or advantage relating to the expenses that the person or partnership has obtained, is entitled to obtain or may reasonably expect to obtain on or before the qualified issuing corporation’s filing-due date for the taxation year.”

(2) Subsection 1 applies in respect of issue expenses incurred after 20 March 2012 as part of a first public share issue that was the subject of a favourable advance ruling by the Minister of Revenue after that date.

122. (1) Section 1029.8.36.166.40 of the Act is amended

(1) by inserting the following definition in alphabetical order in the first paragraph:

““refining” means any processing of a product from a smelting or concentration operation to remove impurities, which produces very high grade metal;”;

(2) by replacing the portion of the definition of “qualified property” in the first paragraph before paragraph *b* by the following:

““qualified property” of a corporation or a partnership means a property that

(a) is acquired by the corporation or partnership,

i. in the case of a property to which paragraph *a.1* applies because of the application of subparagraph *i* of that paragraph, after 13 March 2008 and before the date provided for in the second paragraph, but is not a property acquired pursuant to an obligation in writing entered into before 14 March 2008 or the construction of which, if applicable, by or on behalf of the purchaser, had begun by 13 March 2008, or

ii. in the case of a property to which paragraph *a.1* applies because of the application of subparagraph *ii* of that paragraph, after 20 March 2012 and before 1 January 2018, but is not a property acquired pursuant to an obligation in writing entered into before 21 March 2012 or the construction of which, if applicable, by or on behalf of the purchaser, had begun by 20 March 2012;”;

(3) by inserting the following paragraph after paragraph *a* of the definition of “qualified property” in the first paragraph:

“(a.1) but for section 93.6, would be included

i. in Class 29 or 43 of Schedule B to the Regulation respecting the Taxation Act (chapter I-3, r. 1), or

ii. in Class 43 of Schedule B to the Regulation respecting the Taxation Act if subparagraphs i and ii of paragraph *b* of that class were read as follows:

“i. would be included in Class 10 under subparagraph *e* of the second paragraph of that class, if this schedule were read without reference to this paragraph and subparagraphs *a*, *b* and *e* of the first paragraph of Class 41, and

“ii. at the time of its acquisition, may reasonably be expected to be used entirely in Canada and primarily for the purposes of smelting, refining or hydrometallurgy activities in respect of ore (other than ore from a gold or silver mine) extracted from a mineral resource located in Canada.”;”;

(4) by inserting the following definition in alphabetical order in the first paragraph:

““smelting” means any processing of an ore or concentrate in the course of which the charge is melted and chemically converted to produce a slag and a matte or metal containing impurities;”;

(5) by inserting the following definition in alphabetical order in the first paragraph:

““hydrometallurgy” means any processing of an ore or concentrate that produces a metal, metallic salt or metallic compound by carrying out a chemical reaction in an aqueous or organic solution;”;

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

“The date to which subparagraph i of paragraph *a* of the definition of “qualified property” in the first paragraph refers, in respect of a property to which paragraph *a.1* of that definition applies because of the application of subparagraph i of that paragraph *a.1*, is

(*a*) 1 January 2018, if the property is included in Class 43 of Schedule B to the Regulation respecting the Taxation Act and is acquired primarily for the purposes of smelting, refining or hydrometallurgy activities in respect of ore (other than ore from a gold or silver mine); or

(*b*) 1 January 2016, in any other case.”

(2) Subsection 1 has effect from 20 March 2012.

123. (1) The Act is amended by inserting the following after section 1029.8.36.166.64:

“DIVISION II.6.14.4

“CREDIT FOR THE HIRING OF EMPLOYEES BY NEW FINANCIAL SERVICES CORPORATIONS

“1029.8.36.166.65. In this division,

“eligibility period” of a corporation for a taxation year means all of the taxation year for which a certificate has been issued to the corporation for the purposes of this division or, if applicable, the part of that year specified in the certificate;

“eligible employee” of a corporation for all or part of a taxation year means an individual who meets the following conditions:

(1) the individual is an employee of the corporation; and

(2) the corporation obtains a certificate for the year in respect of the individual, for the purposes of this division, certifying that the employee is recognized as an eligible employee for that year or part of year;

“excluded corporation” for a taxation year means

(a) a corporation that is exempt from tax for the year under Book VIII, other than an insurer referred to in paragraph *k* of section 998 that is not so exempt from tax on all of its taxable income for the year because of section 999.0.1;

(b) a corporation that would be exempt from tax for the year under section 985, but for section 192; or

(c) a corporation that carries on a personal services business in the year;

“qualified corporation” for a taxation year means a corporation, other than an excluded corporation, in respect of which all or part of the year is included in the period of validity specified in the qualification certificate it holds for the purposes of this division and that, in the year, carries on a business in Québec and has an establishment in Québec;

“qualified wages” incurred by a corporation in a taxation year in respect of an eligible employee means the lesser of

(a) the amount obtained by multiplying \$100,000 by the proportion that the number of days in the taxation year during which the employee is recognized as an eligible employee of the corporation is of 365; and

(b) the amount by which the amount of the wages incurred by the corporation in its eligibility period for the taxation year in respect of the employee, while the employee is recognized as an eligible employee of the corporation, to the extent that that amount is paid, exceeds the aggregate of

i. the aggregate of all amounts each of which is an amount of government assistance or non-government assistance attributable to such wages that the corporation has received, is entitled to receive or may reasonably expect to receive, on or before the corporation's filing-due date for the taxation year, and

ii. the aggregate of all amounts each of which is the amount of a benefit or advantage in respect of such wages, other than a benefit or advantage that may reasonably be attributed to the duties performed by the employee in the course of the operations of the business carried on by the corporation in the taxation year that a person or a partnership has obtained, is entitled to obtain or may reasonably expect to obtain, on or before the corporation's filing-due date for that taxation year, whether in the form of a reimbursement, compensation or guarantee, in the form of proceeds of disposition of a property which exceed the fair market value of the property, or in any other form or manner;

"wages" means the income computed under Chapters I and II of Title II of Book III.

1029.8.36.166.66. A qualified corporation that holds, for a taxation year, a certificate issued by the Minister of Finance for the purposes of this division and that encloses with the fiscal return it is required to file for the year under section 1000 a copy of the certificate as well as the documents described in the third paragraph is deemed, subject to the second paragraph, to have paid to the Minister on the corporation's balance-due day for that year, on account of its tax payable for that year under this Part, an amount equal to 30% of the aggregate of all amounts each of which is the qualified wages incurred by the corporation in the year and after 20 March 2012 in respect of an eligible employee.

For the purpose of computing the payments that a corporation referred to in the first paragraph is required to make under subparagraph *a* of the first paragraph of section 1027, or any of sections 1159.7, 1175 and 1175.19 if they refer to that subparagraph *a*, the corporation is deemed to have paid to the Minister, on account of the aggregate of its tax payable for the year under this Part and of its tax payable for the year under Parts IV.1, VI and VI.1, on the date on or before which each payment is required to be made, an amount equal to the lesser of

(a) the amount by which the amount determined under the first paragraph for the year exceeds the aggregate of all amounts each of which is the portion of that amount that may reasonably be considered to be deemed to have been paid to the Minister under this paragraph in the year but before that date; and

(b) the amount by which the amount of that payment, determined without reference to this chapter, exceeds the aggregate of all amounts each of which is an amount that is deemed, under this chapter but otherwise than under the first paragraph, to have been paid to the Minister on that date, for the purpose of computing that payment.

The documents to which the first paragraph refers are the following:

- (a) the prescribed form containing prescribed information; and
- (b) a copy of the following documents:

- i. the qualification certificate issued to the corporation by the Minister of Finance for the purposes of this division, and

- ii. any certificate issued to the corporation by the Minister of Finance for the year for the purposes of this division, in relation to an eligible employee.

“1029.8.36.166.67. If a corporation pays in a taxation year (in this section referred to as the “repayment year”), pursuant to a legal obligation, an amount that may reasonably be considered to be a repayment of government assistance or non-government assistance that was taken into account for the purpose of computing qualified wages incurred in a particular taxation year by the corporation in respect of an eligible employee and in respect of which the corporation is deemed to have paid an amount to the Minister under section 1029.8.36.166.66 for the particular taxation year, the corporation is deemed, if it encloses the prescribed form with the fiscal return it is required to file for the repayment year under section 1000, to have paid to the Minister on its balance due-day for the repayment year, on account of its tax payable for that year under this Part, an amount equal to the amount by which the amount that it would be deemed to have paid to the Minister for the particular year in respect of the qualified wages under section 1029.8.36.166.66 if any amount of assistance so repaid at or before the end of the repayment year had reduced, for the particular year, the amount determined under subparagraph i of paragraph b of the definition of “qualified wages” in section 1029.8.36.166.65, exceeds the aggregate of

- (a) the amount that the corporation is deemed to have paid to the Minister under section 1029.8.36.166.66 for the particular year in respect of the qualified wages; and

- (b) any amount that the corporation is deemed to have paid to the Minister for a taxation year preceding the repayment year under this section in respect of an amount of repayment of that assistance.

“1029.8.36.166.68. For the purposes of section 1029.8.36.166.67, an amount of assistance is deemed to be repaid by a corporation in a taxation year, pursuant to a legal obligation, if that amount

(a) reduced, because of subparagraph i of paragraph b of the definition of “qualified wages” in section 1029.8.36.166.65, the amount of the wages referred to in that paragraph b, for the purpose of computing qualified wages in respect of which the corporation is deemed to have paid an amount to the Minister under section 1029.8.36.166.66;

(b) was not received by the corporation; and

(c) ceased in the taxation year to be an amount that the corporation may reasonably expect to receive.

“DIVISION II.6.14.5

“CREDIT RELATING TO NEW FINANCIAL SERVICES CORPORATIONS

“§1. — *Interpretation*

“**1029.8.36.166.69.** In this division,

“eligibility period” of a corporation for a taxation year means all of the taxation year for which a certificate has been issued to the corporation for the purposes of this division or, if applicable, the part of that year specified in the certificate;

“eligible activities” of a corporation for a taxation year means the activities that the corporation carries on in the year and that are specified in the qualification certificate issued to it for the purposes of this division;

“excluded corporation” for a taxation year means

(a) a corporation that is exempt from tax for the year under Book VIII, other than an insurer referred to in paragraph k of section 998 that is not so exempt from tax on all of its taxable income for the year because of section 999.0.1;

(b) a corporation that would be exempt from tax for the year under section 985, but for section 192; or

(c) a corporation that carries on a personal services business in the year;

“qualified corporation” for a taxation year means a corporation, other than an excluded corporation, in respect of which all or part of the year is included in the period of validity specified in the qualification certificate it holds for the purposes of this division and that, in the year, carries on a business in Québec and has an establishment in Québec;

“qualified expenditure” of a corporation for a taxation year means the aggregate of all amounts each of which is an expenditure incurred by the corporation in the year, but after 20 March 2012, that is directly attributable to its eligible activities for the year carried on in an establishment of the corporation situated in Québec and is any of the following expenditures, provided it is wholly or partly attributable to its eligibility period for the year and is reasonable in the circumstances:

- (a) the fees relating to the constitution of the initial regulatory file submitted to a recognized regulatory or self-regulatory organization of a financial market;
- (b) the fees relating to the constitution of the initial file for participation in a stock exchange;
- (c) the duties, dues and charges paid to a recognized regulatory or self-regulatory organization of a financial market;
- (d) the duties and costs as a participant in a stock exchange;
- (e) the connection and usage fees of an electronic trading solution for participation in a stock exchange; or
- (f) the subscription fees for a research or financial analysis tool or service.

“§2. — *Credit*

“1029.8.36.166.70. A qualified corporation that holds, for a taxation year, a valid certificate issued by the Minister of Finance for the purposes of this division and that encloses with the fiscal return it is required to file for the year under section 1000 a copy of the certificate as well as the documents described in the third paragraph is deemed, subject to the second paragraph, to have paid to the Minister on the corporation’s balance-due day for that year, on account of its tax payable for that year under this Part, an amount equal to 40% of the lesser of

- (a) the corporation’s qualified expenditure for the year, to the extent that it is paid; and
- (b) the corporation’s qualified expenditure limit for the year.

For the purpose of computing the payments that a corporation is required to make under subparagraph *a* of the first paragraph of section 1027, or any of sections 1159.7, 1175 and 1175.19 if they refer to that subparagraph *a*, the corporation is deemed to have paid to the Minister, on account of the aggregate of its tax payable for the year under this Part and of its tax payable for the year under Parts IV.1, VI and VI.1, on the date on or before which each payment is required to be made, an amount equal to the lesser of

- (a) the amount by which the amount determined under the first paragraph for the year exceeds the aggregate of all amounts each of which is the portion of that amount that may reasonably be considered to be deemed to have been paid to the Minister under this paragraph in the year but before that date; and
- (b) the amount by which the amount of that payment, determined without reference to this chapter, exceeds the aggregate of all amounts each of which is an amount that is deemed, under this chapter but otherwise than under the first paragraph, to have been paid to the Minister on that date, for the purpose of computing that payment.

The documents to which the first paragraph refers are the following:

- (a) the prescribed form containing prescribed information; and
- (b) a copy of the following documents:

- i. the qualification certificate issued to the corporation by the Minister of Finance for the purposes of this division, and
- ii. the agreement referred to in section 1029.8.36.166.72, if applicable.

“1029.8.36.166.71. In this division, the qualified expenditure limit of a corporation for a taxation year is equal to

(a) if the corporation is not a member of an associated group in the year, \$375,000; or

(b) if the corporation is a member of an associated group in the year, an amount attributed for the year to the corporation pursuant to the agreement described in section 1029.8.36.166.72 and enclosed with the fiscal return the corporation is required to file for the year under section 1000 or, if no amount is attributed to the corporation under the agreement or in the absence of such an agreement, zero.

For the purposes of this section and sections 1029.8.36.166.72 to 1029.8.36.166.74, an associated group in a taxation year means all the corporations that are associated with each other in the year and are qualified corporations for the year.

“1029.8.36.166.72. The agreement to which subparagraph *b* of the first paragraph of section 1029.8.36.166.71 refers is the agreement under which all the qualified corporations that are members of the associated group in the year attribute for the year, in the prescribed form, to one or more of their number, for the purposes of this division, one or more amounts the total of which does not exceed \$375,000.

If the aggregate of the amounts attributed, in respect of a taxation year, pursuant to an agreement described in the first paragraph and entered into by the qualified corporations that are members of an associated group in the year exceeds \$375,000, the amount determined under subparagraph *b* of the first paragraph of section 1029.8.36.166.71 in respect of each of those corporations for the taxation year is deemed, for the purposes of this division, to be equal to the proportion of \$375,000 that that determined amount is of the aggregate of the amounts attributed for the year under the agreement.

“1029.8.36.166.73. If a qualified corporation that is a member of an associated group referred to in subparagraph *b* of the first paragraph of section 1029.8.36.166.71 fails to file with the Minister an agreement described in that subparagraph within 30 days after notice in writing by the Minister has

been sent to any of the corporations that are members of that group that such an agreement is required for the purposes of any assessment of tax under this Part or for the determination of another amount, the Minister shall, for the purposes of this division, attribute an amount to one or more of those corporations for the taxation year, which amount or the aggregate of which amounts must be equal to \$375,000, and in such a case, despite that subparagraph *b*, the qualified expenditure limit for the year of each of the corporations is equal to the amount so attributed to it.

“1029.8.36.166.74. Despite sections 1029.8.36.166.71 to 1029.8.36.166.73, the following rules apply:

(*a*) if a corporation that is a member of an associated group (in this paragraph referred to as the “first corporation”) has more than one taxation year ending in the same calendar year and is associated in two or more of those taxation years with another corporation that is a member of the group that has a taxation year ending in that calendar year, the qualified expenditure limit of the first corporation for each particular taxation year that ends in the calendar year in which it is associated with the other corporation and that ends after the first taxation year ending in that calendar year is, subject to paragraph *b*, an amount equal to the lesser of

i. its qualified expenditure limit for the first taxation year ending in the calendar year, determined without reference to this section, and

ii. its qualified expenditure limit for the particular taxation year ending in the calendar year, determined without reference to this section;

(*b*) if a corporation has a taxation year of fewer than 51 weeks, except in cases where paragraph *c* applies, the qualified expenditure limit of the corporation for the year is equal to that proportion of its qualified expenditure limit for the year, determined without reference to this paragraph, that the number of days in the year is of 365; and

(*c*) if the eligibility period of a corporation for a taxation year corresponds to a part of the taxation year, the qualified expenditure limit of the corporation for the year is equal to that proportion of its qualified expenditure limit for the year, determined without reference to this paragraph, that the number of days in that period is of the number of days in the taxation year.

“1029.8.36.166.75. Where it may reasonably be considered that one of the main reasons for the separate existence of two or more corporations in a taxation year is to cause a qualified corporation to be deemed to have paid an amount to the Minister under this division for that year or to increase an amount that a qualified corporation is deemed to have paid to the Minister under this division for that year, those corporations are deemed, for the purposes of this division, to be associated with each other in the year.

“§3. — *Government assistance, non-government assistance and other particulars*

“**1029.8.36.166.76.** For the purpose of computing the amount that is deemed to have been paid to the Minister for a taxation year by a corporation under section 1029.8.36.166.70, the amount of the qualified expenditure of the corporation referred to in subparagraph *a* of the first paragraph of that section is to be reduced, if applicable, by the amount of any government assistance or non-government assistance, attributable to that expenditure, that the corporation has received, is entitled to receive or may reasonably expect to receive on or before the corporation’s filing-due date for that taxation year.

“**1029.8.36.166.77.** If, in respect of a qualified expenditure of a qualified corporation, a person or a partnership has obtained, is entitled to obtain or may reasonably expect to obtain a benefit or advantage, other than a benefit or advantage that may reasonably be attributed to the qualified expenditure, whether in the form of a repayment, compensation or guarantee, in the form of proceeds of disposition of a property which exceed the fair market value of the property, or in any other form or manner, the amount of the qualified expenditure of the qualified corporation for a taxation year is, for the purpose of computing the amount that is deemed to have been paid to the Minister for that year by the qualified corporation under section 1029.8.36.166.70, to be reduced by the amount of the benefit or advantage that the person or partnership has obtained, is entitled to obtain or may reasonably expect to obtain on or before the qualified corporation’s filing-due date for the taxation year.

“**1029.8.36.166.78.** If a corporation pays, in a taxation year (in this section referred to as the “repayment year”), pursuant to a legal obligation, an amount that may reasonably be considered to be a repayment of government assistance or non-government assistance that was taken into consideration for the purpose of computing the qualified expenditure of the corporation for a particular taxation year in respect of which it is deemed to have paid an amount to the Minister under section 1029.8.36.166.70 for the particular year, the corporation is deemed, if it encloses the prescribed form with the fiscal return it is required to file for the repayment year under section 1000, to have paid to the Minister on its balance-due day for the repayment year, on account of its tax payable for that year under this Part, an amount equal to the amount by which the amount that it would be deemed to have paid to the Minister for the particular year, in respect of the qualified expenditure, under section 1029.8.36.166.70 if any amount of such assistance so repaid at or before the end of the repayment year had reduced, for the particular year, the amount of any government assistance or non-government assistance referred to in section 1029.8.36.166.76, exceeds the aggregate of

(a) the amount that it is deemed to have paid to the Minister under section 1029.8.36.166.70 for the particular year in respect of the qualified expenditure; and

(b) any amount that it is deemed to have paid to the Minister for a taxation year preceding the repayment year under this section in respect of an amount of repayment of that assistance.

“**1029.8.36.166.79.** For the purposes of section 1029.8.36.166.78, an amount of assistance is deemed to be repaid by a corporation at a particular time, pursuant to a legal obligation, if that amount

(a) reduced, because of section 1029.8.36.166.76, a qualified expenditure for the purpose of computing the amount that the corporation is deemed to have paid to the Minister for a taxation year under section 1029.8.36.166.70;

(b) was not received by the corporation; and

(c) ceased at the particular time to be an amount that the corporation could reasonably expect to receive.”

(2) Subsection 1 has effect from 21 March 2012.

124. (1) The heading of Division II.11.1 of Chapter III.1 of Title III of Book IX of Part I of the Act is replaced by the following heading:

“CREDIT FOR HOME SUPPORT FOR SENIORS”.

(2) Subsection 1 applies from 1 January 2013.

125. (1) Section 1029.8.61.1 of the Act is amended

(1) by replacing the definition of “residence for the elderly” in the first paragraph by the following definition and by adjusting the alphabetical order of the definitions accordingly:

““private seniors’ residence” for a particular month means a congregate residential facility, or a part of such a facility, in respect of which the operator holds, at the beginning of the particular month, a temporary certificate of compliance or a certificate of compliance issued under subdivision 2.1 of Division II of Chapter I of Title I of Part III of the Act respecting health services and social services (chapter S-4.2) by the health and social services agency for the region in which the facility is situated;”;

(2) by replacing “paid in the year” and “in a taxation year” in subparagraph *a.1* of the second paragraph by “paid in a taxation year” and “in the year”, respectively;

(3) by replacing the portion of subparagraph *e* of the second paragraph before subparagraph 2 of subparagraph ii by the following:

“(e) an amount paid in respect of a dwelling unit of an eligible individual situated in a private seniors’ residence for a particular month in a taxation year

in addition to the eligible rent for that dwelling unit for the particular month is an eligible expense made by the eligible individual in the year, to the extent that the amount is paid

i. to the operator of the private seniors' residence or to a person related to the operator, as consideration for the provision of an eligible service described in subparagraph *a* or *e* of the first paragraph of section 1029.8.61.3, or

ii. to a person or partnership, other than the operator of the private seniors' residence or a person related to the operator, as consideration for the provision of any of the following eligible services:

(1) a service described in any of subparagraphs *a*, *b*, *c.2* and *e* of the first paragraph of section 1029.8.61.3,".

(2) Subsection 1 applies from the taxation year 2013.

126. (1) The Act is amended by inserting the following sections before section 1029.8.61.2:

"1029.8.61.1.2. For the purposes of this division, the amount of an eligible expense made by an eligible individual in a taxation year in respect of a dwelling unit situated in a facility maintained by a private institution not under agreement that operates a residential and long-term care centre governed by the Act respecting health services and social services (chapter S-4.2) must be determined as if the dwelling unit were situated in a private seniors' residence.

"1029.8.61.1.3. For the purposes of this division, the following rules apply:

(*a*) a congregate residential facility, or a part of such a facility, in respect of which the operator does not hold, at the beginning of a particular month that begins after 31 December 2012 and before 1 July 2013, either of the certificates referred to in the definition of "private seniors' residence" in the first paragraph of section 1029.8.61.1 and that was not entered in the register of private seniors' residences referred to in section 346.0.1 of the Act respecting health services and social services (chapter S-4.2) on 1 December 2012, is considered to be a private seniors' residence for the particular month if it was a residence for the elderly on 31 December 2012, within the meaning of section 1029.8.61.1 as it read on that date, unless the operator has been notified, before 30 June 2013, in accordance with section 346.0.12 of the Act respecting health services and social services, of the maximum period for terminating the activities of the residence, in which case the rule in paragraph *b* applies; and

(*b*) a congregate residential facility, or a part of such a facility, that, on 31 December 2012, is a residence for the elderly, within the meaning of section 1029.8.61.1 as it read on that date, whose activities cease as a consequence of the application of section 42 or 43 of the Act to amend various

legislative provisions concerning health and social services in order, in particular, to tighten up the certification process for private seniors' residences (2011, chapter 27), is considered to be a private seniors' residence for any month subsequent to the month of December 2012 that precedes the month that follows the month in which the activities of the residence cease."

(2) Subsection 1 applies from the taxation year 2013.

127. (1) Section 1029.8.61.2.1 of the Act is replaced by the following section:

"1029.8.61.2.1. The portion of an amount paid for a particular month in a taxation year as rent for a dwelling unit of an eligible individual situated in a private seniors' residence that is an eligible expense made by the eligible individual in the year is equal to

(a) if, for the particular month, the eligible individual lives alone in the dwelling unit or only with a person to whom the eligible individual provides lodging, co-leases the dwelling unit with at least one person who is not the eligible individual's spouse, or lives in the dwelling unit with the eligible individual's spouse who, at the end of the particular month, is 69 years of age or under, the amount determined under section 1029.8.61.2.2; or

(b) if, for the particular month, the eligible individual shares the dwelling unit only with the eligible individual's spouse who, at the end of the particular month, is 70 years of age or over, the amount determined under section 1029.8.61.2.4."

(2) Subsection 1 applies from the taxation year 2013.

128. (1) Section 1029.8.61.2.2 of the Act is amended by replacing subparagraphs *a* to *f* of the second paragraph by the following subparagraphs:

"(a) A is an amount equal to the greater of 15% of the eligible rent for the dwelling unit for the particular month and \$150, but without exceeding \$375;

"(b) B is, if the eligible individual receives, for the particular month, a laundry service for the care of bedding or clothing at least once a week, as specified in the schedule to the lease of the dwelling unit, an amount equal to the greater of 5% of the eligible rent for the dwelling unit for that month and \$50, but without exceeding \$125;

"(c) C is, if the eligible individual receives, for the particular month, a housekeeping service at least once every two weeks, as specified in the schedule to the lease of the dwelling unit, an amount equal to the greater of 5% of the eligible rent for the dwelling unit for that month and \$50, but without exceeding \$125;

“(d) D is, if the eligible individual receives, for the particular month, a daily food service concerning the preparation or delivery of at least one of three meals (breakfast, lunch or supper), as specified in the schedule to the lease of the dwelling unit, an amount equal to

i. the greater of 10% of the eligible rent for the dwelling unit for that month and \$100, but without exceeding \$200, if the food service is provided in respect of one meal a day,

ii. the greater of 15% of the eligible rent for the dwelling unit for that month and \$150, but without exceeding \$300, if the food service is provided in respect of two meals a day, and

iii. the greater of 20% of the eligible rent for the dwelling unit for that month and \$200, but without exceeding \$400, if the food service is provided in respect of three meals a day;

“(e) E is, if the eligible individual receives, for the particular month, a service providing for the presence of a person, who is a member of the Ordre des infirmières et infirmiers du Québec or of the Ordre des infirmières et infirmiers auxiliaires du Québec, for a period of at least three hours a day, as specified in the schedule to the lease of the dwelling unit, an amount equal to the greater of 10% of the eligible rent for the dwelling unit for that month and \$100, but without exceeding \$250; and

“(f) F is, if the eligible individual receives, for the particular month, a service providing for the presence of a personal care attendant for a period of at least seven hours a day, as specified in the schedule to the lease of the dwelling unit, the aggregate of the following amounts:

i. the greater of 10% of the eligible rent for the dwelling unit for that month and \$100, but without exceeding \$350, and

ii. if the eligible individual is a dependent person at the end of the month, the greater of 10% of the eligible rent for the dwelling unit for that month and \$100.”

(2) Subsection 1 applies from the taxation year 2013.

129. (1) Section 1029.8.61.2.3 of the Act is repealed.

(2) Subsection 1 applies from the taxation year 2013.

130. (1) Section 1029.8.61.2.4 of the Act is amended

(1) by replacing “paragraph c” in the portion of the first paragraph before subparagraph a by “paragraph b”;

(2) by replacing “75%” and “65%” in subparagraph *a* of the first paragraph by “80%” and “70%”, respectively;

(3) by replacing “10.5%” and “\$300” in subparagraph *a* of the second paragraph by “12%” and “\$375”, respectively;

(4) by replacing “\$100” in subparagraph *b* of the second paragraph by “\$125”;

(5) by replacing “3.5%” and “\$100” in subparagraph *c* of the second paragraph by “4%” and “\$125”, respectively;

(6) by replacing “27%” in subparagraph iii of subparagraph *d* of the second paragraph by “26%”;

(7) by replacing “7%” and “\$200” in subparagraph *e* of the second paragraph by “8%” and “\$250”, respectively;

(8) by replacing “14%” and “\$400” in subparagraph i of subparagraph *f* of the second paragraph by “15%” and “\$600”, respectively;

(9) by replacing “7%” in subparagraph 1 of subparagraph ii of subparagraph *f* of the second paragraph by “10%”;

(10) by replacing “14%” in subparagraph 2 of subparagraph ii of subparagraph *f* of the second paragraph by “20%”.

(2) Subsection 1 applies from the taxation year 2013.

131. (1) Section 1029.8.61.2.5 of the Act is replaced by the following section:

“1029.8.61.2.5. The portion of an amount paid for a particular month in a taxation year as rent for an eligible individual’s dwelling unit, other than a dwelling unit situated in a private seniors’ residence, that is an eligible expense made by the eligible individual in the year is equal to the amount obtained by multiplying the lesser of the eligible rent for the dwelling unit for that month and \$600 by 5%.

If an eligible individual is co-leasing a dwelling unit with at least one person who is not the eligible individual’s spouse, the amount of \$600 mentioned in the first paragraph is to be replaced by the quotient obtained by dividing that amount by the number of co-lessees of the dwelling unit.”

(2) Subsection 1 applies from the taxation year 2013.

132. (1) Section 1029.8.61.2.7 of the Act is amended by replacing “any of sections 1029.8.61.2.2 to 1029.8.61.2.4” in the first paragraph by “section 1029.8.61.2.2 or 1029.8.61.2.4”.

(2) Subsection 1 applies from the taxation year 2013.

133. (1) Section 1029.8.61.3 of the Act is amended

(1) by replacing “section 1029.8.61.4” in the portion of the first paragraph before subparagraph *a* by “sections 1029.8.61.3.1 and 1029.8.61.4”;

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

“(c.1) a person-centered remote monitoring service;

“(c.2) a service related to the use of a personal GPS locator;”;

(3) by replacing “the second paragraph of section 1029.8.61.3.1 and section 1029.8.61.4” in the portion of the second paragraph before subparagraph *a* by “sections 1029.8.61.3.1 and 1029.8.61.4”.

(2) Subsection 1 applies from the taxation year 2013.

134. (1) Section 1029.8.61.3.1 of the Act is amended by inserting the following paragraph after the first paragraph:

“For the purposes of subparagraphs *c.1* and *c.2* of the first paragraph of section 1029.8.61.3, a person-centered remote monitoring service and a service related to the use of a personal GPS locator do not include the leasing of a device required for the provision of such a service.”

(2) Subsection 1 applies from the taxation year 2013.

135. (1) Section 1029.8.61.5 of the Act is amended

(1) by replacing subparagraphs *a* and *b* of the second paragraph by the following subparagraphs:

“(a) A is the product obtained by multiplying the aggregate of all amounts each of which is an eligible expense made by the eligible individual in the year by

i. 31%, for the taxation year 2013,

ii. 32%, for the taxation year 2014,

iii. 33%, for the taxation year 2015,

iv. 34%, for the taxation year 2016, or

v. 35%, for a taxation year subsequent to the taxation year 2016; and

“(b) B is

i. 3% of the amount by which the eligible individual’s family income for the year exceeds \$54,790, where neither the eligible individual, nor, if section 1029.8.61.5.1 applies in respect of the eligible individual, the eligible individual’s eligible spouse, is a dependent person at the end of the year, and

ii. zero, in any other case.”;

(2) by replacing subparagraphs *a* and *b* of the third paragraph by the following subparagraphs:

“(a) \$25,500, if the eligible individual is a dependent person at the end of the year; or

“(b) \$19,500, if subparagraph *a* does not apply to the eligible individual.”

(2) Subsection 1 applies from the taxation year 2013.

136. Section 1029.8.61.81 of the Act is amended by replacing paragraphs *b* and *c* by the following paragraphs:

“(b) an amount that was taken into account in computing an amount deducted in computing an individual’s tax payable under this Part; and

“(c) an amount that was taken into account in computing an amount that an individual is deemed to have paid to the Minister on account of the individual’s tax payable under this chapter, but otherwise than under this division.”

137. (1) Section 1029.8.61.91 of the Act is amended by replacing the definition of “residence for the elderly” by the following definition:

““private seniors’ residence” has the meaning that would be assigned by section 1029.8.61.1 if the definition of that expression were read without reference to “for a particular month” and “, at the beginning of the particular month.””

(2) Subsection 1 applies from the taxation year 2013.

138. (1) The Act is amended by inserting the following heading before section 1029.8.61.93:

“§2. — *Credit*”.

(2) Subsection 1 has effect from 1 January 2011.

139. (1) Section 1029.8.61.93 of the Act is amended

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

“1029.8.61.93. An individual who is resident in Québec at the end of 31 December of a taxation year and who, during the year, is not dependent upon another individual, is deemed to have paid to the Minister, on the individual’s balance-due day for that taxation year, on account of the individual’s tax payable under this Part for that taxation year, the amount determined under the third paragraph in respect of a person who, throughout the minimum cohabitation period of that person for the year, is an eligible relative of the individual and who, throughout that period, ordinarily lives with the individual in a self-contained domestic establishment (other than a self-contained domestic establishment situated in a private seniors’ residence) of which the individual or the eligible relative, alone or jointly with another person, is the owner, lessee or sublessee throughout that period.”;

(2) by adding the following paragraph after the second paragraph:

“The amount to which the first paragraph refers is

(a) \$591, for the taxation year 2011;

(b) \$700, for the taxation year 2012;

(c) \$775, for the taxation year 2013;

(d) \$850, for the taxation year 2014;

(e) \$925, for the taxation year 2015; and

(f) \$1,000, for any taxation year subsequent to the taxation year 2015.”

(2) Subsection 1 applies from the taxation year 2011. However, when section 1029.8.61.93 of the Act applies before 1 January 2013, it is to be read as if “private seniors’ residence” in the first paragraph was replaced by “residence for the elderly”.

140. (1) Section 1029.8.61.96 of the Act is amended by replacing “residence for the elderly” in subparagraph i of paragraph *a* by “private seniors’ residence”.

(2) Subsection 1 applies from the taxation year 2013.

141. (1) The Act is amended by inserting the following after section 1029.8.61.96:

“DIVISION II.11.8

**“CREDIT FOR A STAY IN A FUNCTIONAL REHABILITATION
TRANSITION UNIT**

“1029.8.61.97. In this division,

“eligible individual” for a taxation year means an individual who, at the end of 31 December of the year, is 70 years of age or over and is resident in Québec or who, if the individual died in the year, had reached that age and was resident in Québec immediately before the death;

“functional rehabilitation transition unit” means a public or private resource offering accommodation and services focusing on re-education and rehabilitation for persons with decreasing independence who have a geriatric profile and present a potential for recovery with a view to returning home following hospitalization.

“1029.8.61.98. An eligible individual for a taxation year is deemed to have paid to the Minister, on the individual’s balance-due day for that year, on account of the individual’s tax payable under this Part for that taxation year, an amount equal to 20% of the total of the amounts each of which is the aggregate of the expenses the individual paid in the year in respect of a stay, begun in the year or the preceding year, in a functional rehabilitation transition unit to the extent of the portion of that aggregate that is attributable to a stay of no more than 60 days.

An eligible individual may be deemed to have paid to the Minister an amount under the first paragraph for a taxation year only if the individual files with the Minister, together with the fiscal return the individual is required to file under section 1000 for the year, or would be required to file if tax were payable under this Part by the individual for the year, a receipt or other voucher for the expenses mentioned in the first paragraph.

“1029.8.61.99. For the purposes of section 1029.8.61.98, the expenses paid in the year in respect of a stay in a functional rehabilitation transition unit do not include

(a) an amount in respect of which a taxpayer is or was entitled to a reimbursement, or another form of assistance, except to the extent that the amount is included in computing the income of any taxpayer and is not deductible in computing that taxpayer’s income or taxable income;

(b) an amount that was taken into account in computing an amount deducted in computing an individual’s tax payable under this Part; and

(c) an amount that was taken into account in computing an amount that an individual is deemed to have paid to the Minister on account of the individual’s tax payable under this chapter, but otherwise than under this division.

“DIVISION II.11.9

“CREDIT FOR THE ACQUISITION OR RENTAL OF PROPERTY INTENDED TO HELP SENIORS LIVE INDEPENDENTLY LONGER

“1029.8.61.100. In this division,

“eligible individual” for a taxation year means an individual who, at the end of 31 December of the year, is 70 years of age or over and is resident in Québec or who, if the individual died in the year, had reached that age and was resident in Québec immediately before the death;

“qualified property” means

- (a) a person-centered remote monitoring device or a personal GPS locator;
- (b) a property designed to assist a person to get into or out of a bathtub or shower or to get on or off a toilet;
- (c) a walk-in bathtub or a walk-in shower;
- (d) a chair mounted on a rail designed exclusively to enable a person to ascend or descend a stairway mechanically; or
- (e) a hospital bed.

“1029.8.61.101. An eligible individual for a taxation year is deemed to have paid to the Minister, on the individual’s balance-due day for that year, on account of the individual’s tax payable under this Part for that taxation year, an amount equal to 20% of the amount by which \$500 is exceeded by the aggregate of all amounts each of which is an amount the individual paid in the year for the acquisition or rental, including installation costs, of a qualified property intended for use in the individual’s principal place of residence.

An eligible individual may be deemed to have paid to the Minister an amount under the first paragraph for a taxation year only if the individual files with the Minister, together with the fiscal return the individual is required to file under section 1000 for the year, or would be required to file if tax were payable under this Part by the individual for the year, a receipt or other voucher for the amounts mentioned in the first paragraph.

“1029.8.61.102. For the purposes of section 1029.8.61.101, an amount paid in the year in respect of the acquisition or rental of a qualified property does not include

- (a) an amount in respect of which a taxpayer is or was entitled to a reimbursement, or another form of assistance, except to the extent that the amount is included in computing the income of any taxpayer and is not deductible in computing that taxpayer’s income or taxable income;
- (b) an amount that was taken into account in computing an amount deducted in computing an individual’s tax payable under this Part; and
- (c) an amount that was taken into account in computing an amount that an individual is deemed to have paid to the Minister on account of the individual’s tax payable under this chapter, but otherwise than under this division.”

(2) Subsection 1 applies from the taxation year 2012.

142. (1) Section 1033.3 of the Act is amended by replacing subparagraph *a* of the first paragraph by the following subparagraph:

“(a) the amount of tax that would be payable for the year by an inter vivos trust that is resident in Québec on the last day of the year and whose taxable income for the year is \$50,000; and”.

(2) Subsection 1 applies in respect of a disposition that occurs after 18 April 2012.

143. Section 1044.3 of the Act is amended by replacing the portion before paragraph *a* by the following:

“**1044.3.** A corporation may apply in writing to the Minister for the allocation of an accumulated overpayment amount for a period that begins after 31 December 1999 on account of an accumulated underpayment amount for the period if, in respect of tax paid or payable by the corporation under this Part or Parts III.0.1 to III.3, III.6 to III.11, III.14 or VI.2 to VII or tax paid or payable by the corporation under Part IV, IV.1, VI or VI.1.”.

144. (1) Section 1049.15 of the Act is amended by replacing subparagraph *b* of the second paragraph by the following subparagraph:

“(b) 25%, where the amount paid by the first purchaser relates to such a share purchased by the first purchaser in the period that begins on 1 June 2009 and ends on 31 May 2015; and”.

(2) Subsection 1 has effect from 21 March 2012.

145. (1) Section 1079.4 of the Act is replaced by the following section:

“**1079.4.** A person may, at any time, sell or issue, or accept consideration in respect of, a tax shelter only if

(a) the Minister has issued before that time an identification number for the tax shelter; and

(b) that time is during the calendar year designated by the Minister as being applicable to the identification number.”

(2) Subsection 1 has effect from 29 March 2012. However, when section 1079.4 of the Act applies in respect of a tax shelter in respect of which an application for an identification number has been filed before 29 March 2012, it is to be read as if paragraph *b* was replaced by the following paragraph:

“(b) that time is before 1 January 2014.”

146. (1) Section 1079.7.4 of the Act is amended by replacing subparagraph *b* of the first paragraph by the following subparagraph:

“(b) 25% of the greater of

i. the aggregate of all amounts each of which is the consideration received or receivable from a person in respect of the tax shelter before the correct information is filed with the Minister or the identification number is issued, as the case may be, and

ii. the aggregate of all amounts each of which is an amount stated or represented to be the value of property that a particular person who acquires or otherwise invests in the tax shelter could donate to a qualified donee, if the tax shelter is a gifting arrangement and consideration has been received or is receivable from the particular person in respect of the tax shelter before the correct information is filed with the Minister or the identification number is issued, as the case may be.”

(2) Subsection 1 applies in respect of an application for a tax shelter identification number made after 4 June 2013, a sale or issuance of a tax shelter made after that date or a consideration in respect of a tax shelter accepted after that date.

147. (1) The Act is amended by inserting the following section after section 1079.7.4:

“**1079.7.4.1.** Every person who is required under section 1079.7 to file an information return and who fails to comply with a demand under section 39 of the Tax Administration Act (chapter A-6.002) to file the return, or to report in the return information required under paragraphs *a* and *b* of section 1079.7, incurs a penalty equal to 25% of the greater of

(a) the aggregate of all amounts each of which is the consideration received or receivable by the person in respect of the tax shelter from a particular person in respect of whom information required under paragraphs *a* and *b* of section 1079.7 had not been reported at or before the time that the demand was issued or the return was filed, as the case may be; and

(b) if the tax shelter is a gifting arrangement, the aggregate of all amounts each of which is an amount stated or represented to be the value of property that the particular person referred to in paragraph *a* could donate to a qualified donee.”

(2) Subsection 1 applies in respect of a demand made after 4 June 2013 or in respect of an information return filed after that date.

148. (1) Section 1079.7.5 of the Act is amended by replacing the portion before paragraph *a* by the following:

“**1079.7.5.** Where a partnership incurs a penalty under section 1079.7.4 or 1079.7.4.1, the following provisions apply, with the necessary modifications, with respect to the penalty as if the partnership were a corporation:”.

(2) Subsection 1 applies in respect of a demand to file a return, under section 39 of the Tax Administration Act (chapter A-6.002), made by the Minister of Revenue after 4 June 2013 or in respect of an information return filed after that date.

149. (1) The heading of Part I.3 of the Act is replaced by the following heading:

“TAX IN RESPECT OF ADVANCE PAYMENTS OF THE CREDIT FOR HOME SUPPORT FOR SENIORS”.

(2) Subsection 1 applies from 1 January 2013.

150. (1) Section 1089 of the Act, amended by section 295 of chapter 3 of the statutes of 2010, is again amended, in the first paragraph,

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

“(a) the amount by which the aggregate of the income from the duties of offices or employments performed by the individual in Québec and the income from the duties of offices or employments performed by the individual outside Canada if the individual was resident in Québec at the time the individual performed the duties exceeds the aggregate of the amounts that, if the individual is an individual referred to in section 737.16.1, a foreign researcher within the meaning of section 737.19, a foreign researcher on a postdoctoral internship within the meaning of section 737.22.0.0.1, a foreign expert within the meaning of section 737.22.0.0.5, a foreign specialist within the meaning of section 737.22.0.1 or 737.22.0.4.1, a foreign professor within the meaning of section 737.22.0.5 or a foreign farm worker within the meaning of section 737.22.0.12, would be deductible in computing the individual’s taxable income for the year under any of sections 737.16.1, 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 and 737.22.0.13 if the taxable income were determined under Part I;”;

(2) by replacing subparagraph *g* by the following subparagraph:

“(g) the amount by which the income determined under paragraphs *b* and *c* of section 1092 in respect of the individual exceeds the aggregate of the amounts that, if the individual is an individual referred to in section 737.16.1, a foreign researcher within the meaning of section 737.19, a foreign researcher on a postdoctoral internship within the meaning of section 737.22.0.0.1, a foreign expert within the meaning of section 737.22.0.0.5, a foreign specialist within the meaning of section 737.22.0.1 or 737.22.0.4.1 or a foreign professor within the meaning of section 737.22.0.5, would be deductible in computing the individual’s taxable income for the year under any of sections 737.16.1, 737.21,

737.22.0.0.3, 737.22.0.0.7, 737.22.0.3, 737.22.0.4.7 and 737.22.0.7 if the individual's taxable income were determined under Part I;”.

(2) Subsection 1 applies from the taxation year 2012.

151. (1) Section 1090 of the Act, amended by section 296 of chapter 3 of the statutes of 2010, is again amended, in the first paragraph,

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

“(a) the amount by which the aggregate of the income from the duties of offices or employments performed by the individual in Canada and the income from the duties of offices or employments performed by the individual outside Canada if the individual was resident in Canada at the time the individual performed the duties exceeds the aggregate of the amounts that, if the individual is an individual referred to in section 737.16.1, a foreign researcher within the meaning of section 737.19, a foreign researcher on a postdoctoral internship within the meaning of section 737.22.0.0.1, a foreign expert within the meaning of section 737.22.0.0.5, a foreign specialist within the meaning of section 737.22.0.1 or 737.22.0.4.1, a foreign professor within the meaning of section 737.22.0.5 or a foreign farm worker within the meaning of section 737.22.0.12, would be deductible in computing the individual's taxable income for the year under any of sections 737.16.1, 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 and 737.22.0.13 if the taxable income were determined under Part I;”;

(2) by replacing subparagraph *g* by the following subparagraph:

“(g) the amount by which the income that would be determined under paragraphs *b* and *c* of section 1092 in respect of the individual if the word “Québec”, in sections 1092 and 1093, were replaced, wherever it appears, by the word “Canada”, exceeds the aggregate of the amounts that, if the individual is an individual referred to in section 737.16.1, a foreign researcher within the meaning of section 737.19, a foreign researcher on a postdoctoral internship within the meaning of section 737.22.0.0.1, a foreign expert within the meaning of section 737.22.0.0.5, a foreign specialist within the meaning of section 737.22.0.1 or 737.22.0.4.1 or a foreign professor within the meaning of section 737.22.0.5, would be deductible in computing the individual's taxable income for the year under any of sections 737.16.1, 737.21, 737.22.0.0.3, 737.22.0.0.7, 737.22.0.3, 737.22.0.4.7 and 737.22.0.7 if the individual's taxable income were determined under Part I;”.

(2) Subsection 1 applies from the taxation year 2012.

152. (1) Section 1091 of the Act is amended by inserting “, 737.22.0.4.7” after “737.22.0.3” in paragraph *c*.

(2) Subsection 1 applies from the taxation year 2012.

153. (1) Section 1129.0.0.1 of the Act is amended by replacing “III.2.6” in the portion of the third paragraph before the definition of “filing-due date” by “III.2.7”.

(2) Subsection 1 has effect from 21 March 2012.

154. (1) The Act is amended by inserting the following after section 1129.4.0.16:

“PART III.1.0.4.1

“SPECIAL TAX RELATING TO THE CREDIT FOR THE PRODUCTION OF MULTIMEDIA EVENTS OR ENVIRONMENTS PRESENTED OUTSIDE QUÉBEC

“1129.4.0.16.1. In this Part, “qualified labour expenditure” and “qualified production” have the meaning assigned by section 1029.8.36.0.0.12.1.

“1129.4.0.16.2. Every corporation that, in relation to the production of a property that is a qualified production, is deemed to have paid an amount to the Minister, under section 1029.8.36.0.0.12.2, on account of its tax payable under Part I for any taxation year shall pay, for a particular taxation year, a tax equal to

(a) the amount by which the aggregate of all amounts each of which is a tax that the corporation is required to pay under this Part in respect of the production of the property for a taxation year preceding the particular year is exceeded by the aggregate of all amounts each of which is an amount that the corporation is deemed, under section 1029.8.36.0.0.12.2, to have so paid to the Minister in respect of the production of the property for a year preceding the particular year, where the property ceases, in the particular year, to be considered as a qualified production because the favourable advance ruling given in respect of the property by the Société de développement des entreprises culturelles ceases at that time to be in force and no qualification certificate is issued in respect of the property by the Société, or because the qualification certificate issued in respect of the property by the Société is revoked at that time; and

(b) where subparagraph *a* does not apply in the particular year or in a preceding taxation year, in relation to the production of the property, the amount determined in respect of the corporation under the second paragraph where

i. in computing the amount determined under subparagraph ii of paragraph *a*, or subparagraph i of paragraph *b*, of the definition of “qualified labour expenditure” in the first paragraph of section 1029.8.36.0.0.12.1, government assistance or non-government assistance that the corporation, another person or a partnership has received, is entitled to receive or may reasonably expect to receive, on or before the corporation’s filing-due date for the particular year, must be taken into account for or from the particular year in respect of the

production of the property, and the expenditure or costs to which the assistance is attributable or relates were incurred by the corporation in a taxation year preceding the particular year, or

ii. an amount relating to an expenditure included in a qualified labour expenditure in respect of the property or to production costs directly attributable to the production of the property, other than the amount of assistance to which subparagraph i applies, is, during the particular taxation year, directly or indirectly, refunded or otherwise paid to the corporation or allocated to a payment to be made by the corporation.

The amount to which subparagraph *b* of the first paragraph refers, in relation to a property, is equal, for the corporation, to the amount by which the aggregate of all amounts each of which is an amount that the corporation is deemed to have paid to the Minister under section 1029.8.36.0.0.12.2 in respect of the production of the property for the particular year or a preceding taxation year, exceeds the aggregate of

(a) the aggregate of all amounts each of which is an amount that the corporation would have been deemed to have paid to the Minister under section 1029.8.36.0.0.12.2 in respect of the property for the particular year or for a preceding taxation year if

i. where subparagraph i of subparagraph *b* of the first paragraph applies, the assistance referred to in that subparagraph i had been received by the corporation, the other person or the partnership in the year during which the expenditure or costs to which the assistance is attributable or relates were incurred by the corporation, and

ii. where subparagraph ii of subparagraph *b* of the first paragraph applies, any amount referred to in that subparagraph ii had been refunded, paid or allocated in the year during which the expenditure or costs to which the amount is attributable were incurred; and

(b) the aggregate of all amounts each of which is a tax that the corporation is required to pay under this Part in respect of the property for a taxation year preceding the particular year.

Furthermore, where applicable, the corporation that controls, directly or indirectly in any manner whatever, the corporation referred to in the first paragraph is liable, solidarily with that corporation, for payment of the tax under the first paragraph.

“1129.4.0.16.3. For the purposes of Part I, except Division II.6.0.0.4.1 of Chapter III.1 of Title III of Book IX, tax paid to the Minister by a corporation at any time, under section 1129.4.0.16.2, in relation to an expenditure that is included in a qualified labour expenditure of the corporation, is deemed to be an amount of assistance repaid by the corporation at that time in respect of a property that is a qualified production, pursuant to a legal obligation.

“1129.4.0.16.4. Unless otherwise provided in this Part, section 21.25, the first paragraph of section 549, section 564 where it refers to the first paragraph of section 549, sections 1000 to 1024, subparagraph *b* of the first paragraph of section 1027 and sections 1037 to 1079.16 apply to this Part, with the necessary modifications.”

(2) Subsection 1 has effect from 21 March 2012.

155. (1) Section 1129.12.12 of the Act is amended by striking out the definitions of “determination time of investments”, “specified percentage” and “transition time” in the first paragraph.

(2) Subsection 1 applies from the calendar year 2012.

156. (1) Section 1129.12.13 of the Act is replaced by the following section:

“1129.12.13. If, in a particular calendar year, a qualified cooperative that is a shareholding workers cooperative, within the meaning of the first paragraph of section 2 of the Cooperative Investment Plan Act (chapter R-8.1.1), and that holds a qualification certificate has issued qualifying securities, redeemed securities issued under that Act or under the cooperative investment plan enacted by Order in Council 1596-85 (1985, G.O. 2, 5580, in French only), acquired an investment under the plan, or disposed of such an investment, the qualified cooperative shall pay tax for that year equal to the regulation amount determined under section 1129.12.14.

The first paragraph ceases to apply from the calendar year in which the qualified cooperative decides to wind-up in accordance with the Cooperatives Act (chapter C-67.2) or the Canada Cooperatives Act (Statutes of Canada, 1998, chapter 1).”

(2) Subsection 1 applies from the calendar year 2012.

157. (1) Section 1129.12.14 of the Act is amended

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

“1129.12.14. The regulation amount to which the first paragraph of section 1129.12.13 refers in respect of a qualified cooperative for a particular calendar year is equal to the amount determined by the formula

$30\% (A - B) + C - D.$ ”;

(2) by replacing subparagraphs *a* to *e* of the second paragraph by the following subparagraphs:

“(a) A is the amount by which the aggregate of the amounts paid in respect of the securities that are issued by the qualified cooperative under the Cooperative Investment Plan Act (chapter R-8.1.1) and under the cooperative

investment plan enacted by Order in Council 1596-85 (1985, G.O. 2, 5580, in French only) and that are outstanding at the end of the particular calendar year, exceeds an amount equal to 165% of the acquisition cost, determined without taking into account the borrowing costs and the other costs related to their acquisition, of the aggregate of the investments under the plan that the qualified cooperative holds at the end of the particular calendar year;

“(b) B is the amount by which the aggregate of the amounts paid in respect of the securities that are issued by the qualified cooperative under the cooperative investment plan and that are outstanding immediately before the issue to the qualified cooperative of its first qualification certificate, exceeds the acquisition cost, determined without taking into account the borrowing costs and the other costs related to their acquisition, of the aggregate of the investments under the plan that the qualified cooperative held at that time;

“(c) C is the aggregate of all amounts each of which is an amount that the qualified cooperative is deemed to have paid to the Minister under Division II.6.5.5 of Chapter III.1 of Title III of Book IX of Part I, on account of its tax payable under that Part for a taxation year preceding its taxation year in which the particular calendar year ends;

“(d) D is the aggregate of all amounts each of which is a tax that the qualified cooperative is required to pay under this Part for a calendar year preceding the particular calendar year; and

“(e) where the result of the subtraction of the amounts that A and B represent is less than zero, the result of that subtraction is deemed to be equal to zero.”;

(3) by striking out subparagraph *f* of the second paragraph.

(2) Subsection 1 applies from the calendar year 2012.

158. (1) Section 1129.12.24 of the Act is amended by replacing the portion of the first paragraph before the formula by the following:

“**1129.12.24.** Every qualified cooperative that carries out, after 23 June 2009 and before 1 January 2010, a block redemption of all of the outstanding qualifying securities of a class or, if applicable, of a series in a class of its capital stock it issued under the cooperative investment plan is required to pay for the calendar year 2009 a tax equal to 50% of the aggregate of all amounts each of which is the amount determined by the following formula in respect of each of those qualifying securities, unless the block redemption is described in the third paragraph:”.

(2) Subsection 1 applies in respect of a redemption made after 23 June 2009.

159. (1) Section 1129.12.28 of the Act is replaced by the following section:

“1129.12.28. Sections 1129.12.26 and 1129.12.27 do not apply in respect of the redemption of a qualifying security of a qualified cooperative issued under the cooperative investment plan, if the redemption meets the requirements of section 4 of the plan or is made as part of a block redemption of all the outstanding qualifying securities of a class or, if applicable, of a series in a class of the capital stock of the cooperative.”

(2) Subsection 1 applies in respect of a redemption made after 23 June 2009.

160. (1) Section 1129.12.33 of the Act is amended by replacing the portion of the first paragraph before the formula by the following:

“1129.12.33. Every qualified cooperative or qualified federation of cooperatives that carries out, in a calendar year and after 23 June 2009, a block redemption or repayment of all of the outstanding qualifying securities of a class or, if applicable, of a series in a class of its capital stock it issued under the Cooperative Investment Plan Act (chapter R-8.1.1) is required to pay for that year a tax equal to 30% of the aggregate of all amounts each of which is the amount determined by the following formula in respect of each of those qualifying securities, unless the block redemption or repayment is made as part of the winding-up of the qualified cooperative or qualified federation of cooperatives, as the case may be, or is an exchange operation described in the third paragraph:”.

(2) Subsection 1 applies in respect of a redemption or repayment made after 23 June 2009. However, when section 1129.12.33 of the Act applies in respect of a redemption or repayment made before 21 March 2012, the portion of the first paragraph of that section before the formula is to be read as follows:

“1129.12.33. Every qualified cooperative or qualified federation of cooperatives that carries out, in a calendar year and after 23 June 2009, a block redemption or repayment of all of the outstanding qualifying securities of a class or, if applicable, of a series in a class of its capital stock it issued under the Cooperative Investment Plan Act (chapter R-8.1.1) is required to pay for that year a tax equal to 30% of the aggregate of all amounts each of which is the amount determined by the following formula in respect of each of those qualifying securities, unless the block redemption or repayment is an exchange operation described in the third paragraph:”.

161. (1) Section 1129.12.35 of the Act is amended by replacing the portion of the first paragraph before the formula by the following:

“1129.12.35. If a qualifying security is the subject of a redemption or repayment by a qualified cooperative or qualified federation of cooperatives after 23 June 2009, otherwise than under the circumstances to which section 1129.12.36 applies, the individual referred to in section 965.39.4, the person to whom, if applicable, the security devolved as a consequence of the individual’s death, or a trust holding the security and that is governed by a registered retirement savings plan or by a registered retirement income fund

the annuitant of which is the individual, is required to pay, for the taxation year in which the redemption or repayment is made, a tax equal to the amount determined by the following formula, unless the redemption or repayment is made as part of a block redemption or repayment to which section 1129.12.33 applies or is an exchange operation described in the third paragraph of that section:”.

(2) Subsection 1 applies in respect of a redemption or repayment made after 23 June 2009. However, when section 1129.12.35 of the Act applies in respect of a redemption or repayment made before 21 March 2012, the portion of the first paragraph of that section before the formula is to be read as follows:

“1129.12.35. If a qualifying security is the subject of a redemption or repayment by a qualified cooperative or qualified federation of cooperatives after 23 June 2009, otherwise than under the circumstances to which section 1129.12.36 applies, the individual referred to in section 965.39.4, the person to whom, if applicable, the security devolved as a consequence of the individual’s death, or a trust holding the security and that is governed by a registered retirement savings plan or by a registered retirement income fund the annuitant of which is the individual, is required to pay, for the taxation year in which the redemption or repayment is made, a tax equal to the amount determined by the following formula, unless the redemption or repayment is made as part of the block redemption or repayment of all of the outstanding qualifying securities of a class or, if applicable, of a series in a class of the capital stock of the qualified cooperative or qualified federation of cooperatives, as the case may be:”.

162. (1) Section 1129.12.36 of the Act is amended by replacing the portion of the first paragraph before the formula by the following:

“1129.12.36. If a qualifying security held by a partnership is the subject of a redemption or repayment by a qualified cooperative or qualified federation of cooperatives after 23 June 2009, an individual who is a member of the partnership at the end of the partnership’s fiscal period in which the redemption or repayment is made, is required to pay, for the taxation year in which the fiscal period ends, a tax equal to the amount determined by the following formula, unless the redemption or repayment is made as part of a block redemption or repayment to which section 1129.12.33 applies or is an exchange operation described in the third paragraph of that section:”.

(2) Subsection 1 applies in respect of a redemption or repayment made after 23 June 2009. However, when section 1129.12.36 of the Act applies in respect of a redemption or repayment made before 21 March 2012, the portion of the first paragraph of that section before the formula is to be read as follows:

“1129.12.36. If a qualifying security held by a partnership is the subject of a redemption or repayment by a qualified cooperative or qualified federation of cooperatives after 23 June 2009, an individual who is a member of the partnership at the end of the partnership’s fiscal period in which the redemption

or repayment is made, is required to pay, for the taxation year in which the fiscal period ends, a tax equal to the amount determined by the following formula, unless the redemption or repayment is made as part of the block redemption or repayment of all of the outstanding qualifying securities of a class or, if applicable, of a series in a class of the capital stock of the qualified cooperative or qualified federation of cooperatives, as the case may be:”.

163. (1) The Act is amended by inserting the following after section 1129.12.39:

“PART III.2.7

**“SPECIAL TAX RELATING TO CERTAIN SHARE ISSUE EXPENSES
UNDER THE STOCK SAVINGS PLAN II**

“1129.12.40. In this Part, “eligible issue expenses” and “qualified issuing corporation” have the meaning assigned by section 1029.8.36.59.35.

“1129.12.41. Every qualified issuing corporation that is deemed to have paid an amount to the Minister, under section 1029.8.36.59.37, on account of its tax payable under Part I for a particular taxation year, in relation to eligible issue expenses incurred by the qualified issuing corporation for the particular year, shall pay the tax computed under the second paragraph for a subsequent taxation year (in this section referred to as the “repayment year”) in which an amount relating to the eligible issue expenses is, directly or indirectly, refunded or otherwise paid to the qualified issuing corporation or allocated to a payment to be made by the qualified issuing corporation.

The tax to which the first paragraph refers is equal to the amount by which the aggregate of all amounts each of which is an amount that the qualified issuing corporation is deemed to have paid to the Minister under section 1029.8.36.59.37, in relation to the eligible issue expenses, exceeds the total of

(a) the aggregate of all amounts each of which is an amount that the corporation would be deemed to have paid to the Minister under section 1029.8.36.59.37, in relation to the eligible issue expenses, if every amount that is, at or before the end of the repayment year, so refunded, paid or allocated, in relation to the eligible issue expenses were refunded, paid or allocated in the particular year; and

(b) the aggregate of all amounts each of which is a tax that the corporation is required to pay to the Minister under this section for a taxation year preceding the repayment year, in relation to the eligible issue expenses.

“1129.12.42. For the purposes of Part I, except Division II.6.5.6 of Chapter III.1 of Title III of Book IX, tax paid at any time by a corporation to the Minister under section 1129.12.41 in relation to eligible issue expenses 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.

“**1129.12.43.** Unless otherwise provided in this Part, the first paragraph of section 549, section 564 where it refers to the first paragraph of section 549, sections 1000 to 1024, subparagraph *b* of the first paragraph of section 1027 and sections 1037 to 1079.16 apply to this Part, with the necessary modifications.”

(2) Subsection 1 has effect from 21 March 2012.

164. (1) Section 1129.27.0.2.1 of the Act is amended

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

“**1129.27.0.2.1.** The Fund shall pay, for a particular taxation year referred to in the second paragraph, a tax equal to 25% of the amount by which the aggregate of all amounts each of which is an amount paid in that particular year for the purchase of a share as first purchaser exceeds the amount determined for that particular year under the second paragraph.”;

(2) by replacing the portion of subparagraph *b* of the second paragraph before subparagraph *i* by the following:

“(b) where the particular taxation year ends on 31 May 2011, the aggregate of”;

(3) by replacing subparagraph *ii* of subparagraph *b* of the second paragraph by the following subparagraph:

“ii. the amount by which \$150,000,000 exceeds the aggregate of all amounts each of which is an amount paid in the taxation year that ends on 31 May 2010 for the purchase of a share as first purchaser;”;

(4) by adding the following subparagraphs after subparagraph *b* of the second paragraph:

“(c) where the particular taxation year ends on 31 May 2012, the aggregate of

i. \$150,000,000, and

ii. the amount by which the amount determined under this paragraph for the taxation year that ends on 31 May 2011 exceeds the aggregate of all amounts each of which is an amount paid in that taxation year for the purchase of a share as first purchaser;

“(d) where the particular taxation year ends on 31 May 2013, \$175,000,000;

“(e) where the particular taxation year ends on 31 May 2014, the aggregate of

i. \$200,000,000, and

ii. the amount by which \$175,000,000 exceeds the aggregate of all amounts each of which is an amount paid in the taxation year that ends on 31 May 2013 for the purchase of a share as first purchaser; or

“(f) where the particular taxation year ends on 31 May 2015, to the aggregate of

i. \$225,000,000, and

ii. the amount by which the amount determined under this paragraph for the taxation year that ends on 31 May 2014 exceeds the aggregate of all amounts each of which is an amount paid in the taxation year for the purchase of a share as first purchaser.”

(2) Subsection 1 has effect from 21 March 2012.

165. (1) The Act is amended by inserting the following after section 1129.45.3.39:

“PART III.10.1.10

“SPECIAL TAX RELATING TO THE CREDIT TO FOSTER THE MODERNIZATION OF THE TOURIST ACCOMMODATION OFFERING

“1129.45.3.40. In this Part, “qualified expenditure” and “qualified tourist accommodation establishment” have the meaning assigned by section 1029.8.36.0.107.

“1129.45.3.41. Every corporation that is deemed to have paid an amount to the Minister, under section 1029.8.36.0.109, on account of its tax payable under Part I for a particular taxation year, in relation to a qualified expenditure of the corporation for the particular taxation year or to a qualified expenditure of a partnership of which the corporation is a member for a particular fiscal period of the partnership that ends in the particular taxation year, in respect of a qualified tourist accommodation establishment, shall pay the tax computed under the second paragraph for a subsequent taxation year (in this section referred to as the “repayment year”) in which

(a) an amount relating to an amount included in computing the corporation’s qualified expenditure is, directly or indirectly, refunded or otherwise paid to the corporation or allocated to a payment to be made by the corporation; or

(b) a fiscal period of the partnership ends (in this section referred to as the “fiscal period of repayment”) in which an amount relating to an amount included in computing the partnership’s qualified expenditure is, directly or indirectly, refunded or otherwise paid to the partnership or corporation or allocated to a payment to be made by the partnership or corporation.

The tax to which the first paragraph refers is equal to the amount by which the aggregate of all amounts each of which is an amount that the corporation is deemed to have paid to the Minister, under Division II.6.0.10 of Chapter III.1 of Title III of Book IX of Part I, in relation to a qualified expenditure referred to in the first paragraph for a taxation year preceding the repayment year or, if the tax becomes payable in whole or in part because of the application of subparagraph *b* of the first paragraph, would be so deemed to have paid to the Minister if the agreed proportion in respect of the corporation for the partnership’s fiscal period that ends in that preceding taxation year were the same as that for the fiscal period of repayment, exceeds the total of

(a) the aggregate of all amounts each of which is an amount that the corporation would be deemed to have paid to the Minister in relation to a qualified expenditure referred to in the first paragraph under Division II.6.0.10 of Chapter III.1 of Title III of Book IX of Part I for a taxation year preceding the repayment year if

i. every amount that is, at or before the end of the repayment year, so refunded, paid or allocated, in respect of an amount included in computing a qualified expenditure of the corporation, or at or before the end of the fiscal period of repayment, in respect of an amount included in computing a qualified expenditure of the partnership, were refunded, paid or allocated in the particular year or the particular fiscal period, as the case may be, and

ii. the agreed proportion, in respect of the corporation for the partnership’s fiscal period that ends in that preceding taxation year, were the same as that for the fiscal period of repayment; and

(b) the aggregate of all amounts each of which is

i. a tax that the corporation must pay to the Minister under this section for a taxation year preceding the repayment year in relation to an amount relating to an amount included in computing the corporation’s qualified expenditure that is, directly or indirectly, refunded or otherwise paid to the corporation or allocated to a payment to be made by the corporation, or

ii. a tax that the corporation would be required to pay to the Minister under this section, for a taxation year preceding the repayment year in relation to an amount relating to an amount included in computing the partnership’s qualified expenditure that is, directly or indirectly, refunded or otherwise paid to the partnership or corporation if the agreed proportion in respect of the corporation for the partnership’s fiscal period that ends in that preceding taxation year were the same as that for the fiscal period of repayment.

“1129.45.3.42. For the purposes of Part I, except Division II.6.0.10 of Chapter III.1 of Title III of Book IX, tax paid at any time by a corporation to the Minister under this Part, in relation to a qualified expenditure of the corporation or of a partnership, in respect of a qualified tourist accommodation establishment, is deemed to be an amount of assistance repaid at that time by the corporation or partnership in respect of that expenditure, pursuant to a legal obligation.

“1129.45.3.43. Unless otherwise provided in this Part, the first paragraph of section 549, section 564 where it refers to the first paragraph of section 549, sections 1000 to 1024, subparagraph *b* of the first paragraph of section 1027 and sections 1037 to 1079.16 apply to this Part, with the necessary modifications.

“PART III.10.1.11

**“SPECIAL TAX RELATING TO THE CREDIT FOR THE MARKET
DIVERSIFICATION OF MANUFACTURING BUSINESSES**

“1129.45.3.44. In this Part, “eligible certification costs” has the meaning assigned by section 1029.8.36.0.119.

“1129.45.3.45. Every corporation that is deemed to have paid an amount to the Minister, under section 1029.8.36.0.120, on account of its tax payable under Part I for a particular taxation year, in relation to eligible certification costs of the corporation for the particular year, shall pay the tax computed under the second paragraph for a subsequent taxation year (in this section referred to as the “repayment year”) in which an amount relating to those eligible certification costs is, directly or indirectly, refunded or otherwise paid to the corporation or allocated to a payment to be made by the corporation.

The tax to which the first paragraph refers is equal to the amount by which the aggregate of all amounts each of which is an amount that the corporation is deemed to have paid to the Minister under section 1029.8.36.0.120 or 1029.8.36.0.123, in relation to those eligible certification costs, exceeds the total of

(a) the aggregate of all amounts each of which is an amount that the corporation would be deemed to have paid to the Minister under section 1029.8.36.0.120 or 1029.8.36.0.123, in relation to those eligible certification costs, if every amount that is, at or before the end of the repayment year, so refunded, paid or allocated, in relation to those eligible certification costs, were refunded, paid or allocated in the particular year; and

(b) the aggregate of all amounts each of which is a tax that the corporation is required to pay to the Minister under this section for a taxation year preceding the repayment year, in relation to those eligible certification costs.

“1129.45.3.46. For the purposes of Part I, except Division II.6.0.11 of Chapter III.1 of Title III of Book IX, tax paid at any time by a corporation to the Minister under section 1129.45.3.45, in relation to eligible certification costs, is deemed to be an amount of assistance repaid at that time by the corporation in respect of those costs, pursuant to a legal obligation.

“1129.45.3.47. Unless otherwise provided in this Part, the first paragraph of section 549, section 564 where it refers to the first paragraph of section 549, sections 1000 to 1024, subparagraph *b* of the first paragraph of section 1027 and sections 1037 to 1079.16 apply to this Part, with the necessary modifications.”

(2) Subsection 1 has effect from 21 March 2012.

166. (1) The Act is amended by inserting the following after section 1129.45.41.22:

“PART III.10.9.4

“SPECIAL TAX RELATING TO THE CREDIT FOR THE HIRING OF EMPLOYEES BY NEW FINANCIAL SERVICES CORPORATIONS

“1129.45.41.23. In this Part, “eligible employee” and “qualified wages” have the meaning assigned by section 1029.8.36.166.65.

“1129.45.41.24. Every corporation that is deemed to have paid an amount to the Minister, under section 1029.8.36.166.66, on account of its tax payable for a particular taxation year under Part I, in relation to qualified wages incurred in the particular taxation year in respect of an eligible employee, shall pay the tax computed under the second paragraph for a subsequent taxation year (in this section referred to as the “repayment year”) in which an amount relating to wages included in computing the qualified wages is, directly or indirectly, refunded or otherwise paid to the corporation or allocated to a payment to be made by the corporation.

The tax to which the first paragraph refers is equal to the amount by which the aggregate of all amounts each of which is an amount that the corporation is deemed to have paid to the Minister under section 1029.8.36.166.66 or 1029.8.36.166.67, in relation to the qualified wages, exceeds the total of

(a) the aggregate of all amounts each of which is an amount that the corporation would be deemed to have paid to the Minister under section 1029.8.36.166.66 or 1029.8.36.166.67, in relation to the qualified wages, if every amount that is, at or before the end of the repayment year, so refunded, paid or allocated, in relation to wages included in computing the qualified wages, were refunded, paid or allocated in the particular year; and

(b) the aggregate of all amounts each of which is a tax that the corporation is required to pay to the Minister under this section for a taxation year preceding the repayment year, in relation to the qualified wages.

“1129.45.41.25. For the purposes of Part I, except Division II.6.14.4 of Chapter III.1 of Title III of Book IX, tax paid at any time by a corporation to the Minister under section 1129.45.41.24, 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 to do so.

“1129.45.41.26. Unless otherwise provided in this Part, the first paragraph of section 549, section 564 where it refers to the first paragraph of section 549, sections 1000 to 1024, subparagraph *b* of the first paragraph of section 1027 and sections 1037 to 1079.16 apply to this Part, with the necessary modifications.

“PART III.10.9.5

“SPECIAL TAX RELATING TO THE CREDIT FOR NEW FINANCIAL SERVICES CORPORATIONS

“1129.45.41.27. In this Part, “qualified expenditure” has the meaning assigned by section 1029.8.36.166.69.

“1129.45.41.28. Every corporation that is deemed to have paid an amount to the Minister, under section 1029.8.36.166.70, on account of its tax payable under Part I for a particular taxation year, in relation to a qualified expenditure incurred in the particular year, shall pay the tax referred to in the second paragraph for a subsequent taxation year (in this section referred to as the “repayment year”) in which an amount relating to an expenditure included in computing the qualified expenditure is, directly or indirectly, refunded or otherwise paid to the corporation or allocated to a payment to be made by the corporation.

The tax to which the first paragraph refers is equal to the amount by which the aggregate of all amounts each of which is an amount that the corporation is deemed to have paid to the Minister under section 1029.8.36.166.70 or 1029.8.36.166.78, in relation to the qualified expenditure, exceeds the total of

(a) the aggregate of all amounts each of which is an amount that the corporation would be deemed to have paid to the Minister under section 1029.8.36.166.70 or 1029.8.36.166.78, in relation to the qualified expenditure, if every amount that is, at or before the end of the repayment year, so refunded, paid or allocated, in relation to an expenditure included in computing the qualified expenditure, were refunded, paid or allocated in the particular year; and

(b) the aggregate of all amounts each of which is a tax that the corporation is required to pay to the Minister under this section for a taxation year preceding the repayment year, in relation to the qualified expenditure.

“1129.45.41.29. For the purposes of Part I, except Division II.6.14.5 of Chapter III.1 of Title III of Book IX, tax paid to the Minister by a corporation at any time, under this Part, in relation to a qualified expenditure of the corporation is deemed to be an amount of assistance repaid by the corporation at that time in respect of that expenditure, pursuant to a legal obligation to do so.

“1129.45.41.30. Unless otherwise provided in this Part, the first paragraph of section 549, section 564 where it refers to the first paragraph of section 549, sections 1000 to 1024, subparagraph *b* of the first paragraph of section 1027 and sections 1037 to 1079.16 apply to this Part, with the necessary modifications.”

(2) Subsection 1 has effect from 21 March 2012.

167. (1) Section 1129.45.46 of the Act is amended by replacing the definition of “qualified patronage dividend” by the following definition:

““qualified patronage dividend” of a cooperative or a federation of cooperatives means a patronage dividend allocated by the cooperative or federation of cooperatives in the form of a preferred share received after 21 February 2002 and before 1 January 2023 by a member of the cooperative or federation of cooperatives.”

(2) Subsection 1 applies in respect of a patronage dividend allocated in respect of a taxation year that ends after 22 December 2009.

168. (1) Section 1129.45.47 of the Act is replaced by the following section:

“1129.45.47. Where, in a taxation year, the Minister of Economic Development, Innovation and Export Trade revokes a qualification certificate issued to a cooperative or a federation of cooperatives, the cooperative or federation of cooperatives shall pay for the year a tax equal to 10% of the amount that is the aggregate of all qualified patronage dividends it allocated in respect of a taxation year covered by the notice of revocation of the qualification certificate.”

(2) Subsection 1 applies in respect of a patronage dividend allocated in respect of a taxation year that ends after 22 December 2009.

169. (1) Section 1129.51 of the Act is amended

(1) by inserting the following definitions in alphabetical order:

““Canada” has the meaning assigned by section 1;

““property” has the meaning assigned by section 1;

““qualifying contract”, in respect of a trust, means a contract entered into with the State, Her Majesty in right of Canada or Her Majesty in right of a province, other than Québec, on or before the later of 1 January 1996 and the day that is one year after the day on which the trust was created;”;

(2) by inserting the following definitions in alphabetical order:

““excluded trust”, at a particular time, means a trust that

(a) has as its object at that time the reclamation of a well;

(b) is not maintained at that time to secure the reclamation obligations of one or more persons or partnerships that are beneficiaries under the trust;

(c) borrows money at that time;

(d) if the trust is not a trust to which paragraph *e* applies, acquires at that time any property that is not described in any of paragraphs *a*, *b* and *f* of the definition of “qualified investment” in section 204 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement);

(e) if the trust is created after 31 December 2011 (or if the trust was created before 1 January 2012, it made a valid election under paragraph *e* of the definition of “excluded trust” in subsection 1 of section 211.6 of the Income Tax Act),

i. acquires at that time any property that is not described in any of paragraphs *a*, *b*, *c*, *c.1*, *d* and *f* of the definition of “qualified investment” in section 204 of the Income Tax Act, or

ii. holds at that time a prohibited investment;

(f) is not a qualifying environmental trust for the purposes of the Income Tax Act because of a valid election made by it to that effect under paragraph *f* of the definition of “excluded trust” in subsection 1 of section 211.6 of that Act; or

(g) was, at any time before the particular time but during its existence, not an environmental trust (within the meaning of section 21.40 as it applied at that time);

““qualifying site”, in respect of a trust, means a site in Canada that is or has been used primarily for, or for any combination of,

(a) the operation of a mine;

(b) the extraction of clay, peat, sand, shale or aggregates (including dimension stone and gravel);

(c) the deposit of waste; or

(d) if the trust was created after 31 December 2011, the operation of a pipeline;

““trust” has the meaning assigned by Part I.”;

(3) by replacing the definition of “environmental trust” by the following definition:

““environmental trust” means a trust

(a) each trustee of which is

i. the State, Her Majesty in right of Canada or Her Majesty in right of a province, other than Québec, or

ii. a corporation resident in Canada that is licensed or otherwise authorized under the laws of Canada or a province to offer its services as trustee in Canada;

(b) that is maintained for the sole purpose of funding the reclamation of a qualifying site;

(c) that is, or may become, required to be maintained under

i. a qualifying contract, or

ii. a qualifying law or order; and

(d) that is not an excluded trust;”;

(4) by adding the following definitions in alphabetical order:

““prohibited investment”, of a trust at any time, means a property that

(a) at the time it was acquired by the trust, was described in any of paragraphs *c*, *c.1* and *d* of the definition of “qualified investment” in section 204 of the Income Tax Act; and

(b) was issued by

i. a person or partnership that has contributed property to, or that is a beneficiary under, the trust,

ii. a person that is related to, or a partnership that is affiliated with, a person or partnership that has contributed property to, or that is a beneficiary under, the trust, or

iii. a particular person or partnership if

(1) another person or partnership holds a significant interest (within the meaning of subsection 4 of section 207.01 of the Income Tax Act with the necessary modifications) in the particular person or partnership, and

(2) the holder of that significant interest has contributed property to, or is a beneficiary under, the trust;

““province” has the meaning assigned by section 1;

““qualifying law or order”, in respect of a trust, means

(a) a law of Canada or a province that was enacted on or before the later of 1 January 1996 and the day that is one year after the day on which the trust was created; and

(b) if the trust was created after 31 December 2011, an order made

i. by a tribunal constituted under a law described in paragraph *a*, and

ii. on or before the day that is one year after the day on which the trust was created;”;

(5) by adding the following paragraphs:

“For the purposes of this Part, a person is related to, or a partnership is affiliated with, a person or partnership when the person is related to, or the partnership is affiliated with, a person or partnership for the purposes of Part I.

Chapter V.2 of Title II of Book I of Part I applies in relation to an election made under paragraph *e* or *f* of the definition of “excluded trust” in subsection 1 of section 211.6 of the Income Tax Act.”

(2) Subsection 1 applies from the taxation year 2012.

170. (1) The Act is amended by inserting the following section after section 1129.51:

“1129.51.1. For the purposes of this Part, an environmental trust is deemed to be resident in the province in which the site in respect of which the trust is maintained is situated and in no other province.”

(2) Subsection 1 applies from the taxation year 2012.

171. (1) Section 1129.52 of the Act is amended by inserting “(other than a trust that is at that time described in paragraph *p* or *q* of section 998)” after “Québec” in the first paragraph.

(2) Subsection 1 applies from the taxation year 1997.

172. (1) Section 1129.54 of the Act is amended by striking out “11.4,”.

(2) Subsection 1 applies from the taxation year 2012.

173. (1) The Act is amended by inserting the following after section 1129.76:

“PART III.18

“TAX ON PROPERTY INCOME OF SPECIFIED TRUSTS FROM THE RENTAL OF SPECIFIED IMMOVABLES

“1129.77. In this Part,

“specified immovable” means an immovable property situated in Québec that is used principally for the purpose of earning or producing gross revenue that is rent;

“specified trust” for a taxation year means an inter vivos trust that was not resident in Canada at any time in the year and that is not exempt from tax payable under Part I because of Book VIII of that Part;

“taxation year” means a calendar year or, if applicable, the period determined in accordance with paragraph *a.1* of section 785.1 or subparagraph *a.0.1* of the first paragraph of section 785.2.

“1129.78. A specified trust for a taxation year that, at any time in the year, owns a specified immovable or is a member of a partnership that owns a specified immovable shall pay a tax under this Part for the year that is equal to the product obtained by multiplying 5.3% by the property income of the specified trust from the rental of specified immovables for the year.

For the purposes of the first paragraph, each member of a partnership, at any time, is deemed to be a member of another partnership of which the first partnership is a member at that time.

“1129.79. For the purposes of section 1129.78, the property income of a specified trust from the rental of specified immovables for a taxation year means the amount by which the amount that is the trust’s income for the year from the rental of a specified immovable computed under Titles III and XI of Book III of Part I, except to the extent that the income is otherwise included under subparagraph *b* of the first paragraph of section 1089 in computing the trust’s income earned in Québec for the year, exceeds the amount that is the trust’s loss for the year from the rental of a specified immovable computed under those Titles III and XI, except to the extent that the loss is otherwise taken into consideration under subparagraph *i* of the first paragraph of section 1089 in computing the trust’s income earned in Québec for the year or could be so taken into consideration if the trust had sufficient income for that purpose.

“1129.80. For the purposes of section 1129.79, in computing the property income of a specified trust from the rental of specified immovables owned by the trust for a taxation year, a trust that becomes resident in Canada at a particular time is deemed to dispose, at the time (in this section referred to as the “time of disposition”) immediately preceding the end of the trust’s taxation year that ends immediately before the particular time, of each specified immovable then owned by the trust for proceeds of disposition equal to its fair market value at the time of disposition.

“1129.81. Unless otherwise provided in this Part, Book I of Part I, sections 647, 1000 to 1014, 1026 to 1026.1 and 1037 to 1079.16 apply to this Part, with the necessary modifications.”

(2) Subsection 1 applies to a taxation year that ends after 19 March 2012. However, when section 1129.78 of the Act applies to a taxation year of a specified trust that includes 20 March 2012, the first paragraph of that section is to be read as if the percentage of 5.3% was replaced by the proportion of 5.3% that the number of days in that taxation year that follow 19 March 2012 is of the number of days in that taxation year.

174. (1) Section 1159.1 of the Act is amended by replacing paragraph *a* of the definition of “base wages” by the following paragraph:

“(a) any amount, other than an amount described in section 1159.1.0.1, that is paid, allocated, granted or awarded by the person and that is included under Chapters I and II of Title II of Book III of Part I, except the second paragraph of section 39.6 and section 58.0.1, as it read before being repealed, in computing the individual’s income from an office or employment or that would be included in computing that income if the individual were subject to tax under Part I; and”.

(2) Subsection 1 applies from 1 January 2013.

175. (1) The Act is amended by inserting the following section after section 1159.1:

“1159.1.0.1. The amount to which paragraph *a* of the definition of “base wages” in section 1159.1 refers is an amount equal to the value of the benefit that is received or enjoyed by the individual referred to in that paragraph *a* because of, or in the course of, the individual’s office or employment, and that is derived from the amount paid by the person referred to in that paragraph *a* to obtain, for the benefit of the individual and after 31 December 2012, a share, within the meaning of section 1, referred to in paragraph *a* or *b* of section 776.1.1.”

(2) Subsection 1 applies from 1 January 2013.

176. (1) Section 1175.1 of the Act is amended by replacing the definition of “total reserve liabilities” by the following definition:

““total reserve liabilities” of an insurer at the end of a taxation year means the amount by which the aggregate amount of the insurer’s liabilities and reserves at the end of the year in respect of all its insurance policies, other than liabilities and reserves in respect of a segregated fund, within the meaning of subparagraph *b* of the first paragraph of section 835, as determined for the purposes of the Superintendent of Financial Institutions, exceeds the aggregate of all amounts each of which is a reinsurance recoverable within the meaning of section 818R53 of the Regulation respecting the Taxation Act (chapter I-3, r. 1) reported as a reinsurance asset by the insurer as at the end of the year relating to those liabilities or reserves.”

(2) Subsection 1 applies to a taxation year that begins after 31 December 2010.

177. Parts VII.1 and VII.2 of the Act, comprising sections 1186.1 to 1186.5 and 1186.6 to 1186.10, respectively, are repealed.

ACT RESPECTING THE SECTORAL PARAMETERS OF CERTAIN FISCAL MEASURES

178. (1) Section 1.1 of Schedule A to the Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1) is amended by adding the following paragraph after paragraph 12:

“(13) the tax credit for the market diversification of manufacturing businesses provided for in sections 1029.8.36.0.119 to 1029.8.36.0.125 of the Taxation Act.”

(2) Subsection 1 has effect from 21 March 2012.

179. (1) Section 5.3 of Schedule A to the Act is amended, in the first paragraph,

(1) by striking out subparagraph 1;

(2) by adding the following subparagraph after subparagraph 3:

“(4) whether or not the title is a vocational training title.”

(2) Subsection 1 applies in respect of an application for an initial qualification certificate that is filed after 20 March 2012 in relation to a taxation year that ends after that date.

180. (1) Section 5.7 of Schedule A to the Act is repealed.

(2) Subsection 1 applies in respect of an application for an initial qualification certificate that is filed after 20 March 2012 in relation to a taxation year that ends after that date.

181. (1) Section 5.11 of Schedule A to the Act is amended by replacing the first paragraph by the following paragraph:

“5.11. To be recognized as eligible production work in relation to a title, work must be engaged in for the purpose of completing a stage in the production of the title and in the period commencing at the beginning of the design stage and ending 36 months after the completion date of the final version. Such work includes activities relating to the writing of the title’s script, the development of its interactive structure, the acquisition and production of its constituent elements, its computer development, the system architecture and the analysis of performance-related quantitative data for the purpose of optimizing its performance. In the case of a title that is recognized as an eligible related title, such work also includes eligible computer-aided special effects and animation activities.”

(2) Subsection 1 applies in respect of an application for a certificate that is filed after 20 March 2012 in relation to a taxation year that ends after that date.

182. (1) Section 6.3 of Schedule A to the Act is amended by replacing the first paragraph by the following paragraph:

“6.3. The specialized corporation certificate issued to a corporation for a taxation year certifies that at least 75% of the activities it carries on in Québec consist in producing, for itself or for another person or a partnership, eligible titles and, if applicable, in engaging in scientific research and experimental development relating to those titles. It specifies, as the case may be,

(1) that at least 75% of the eligible titles produced by the corporation in the year are to be commercialized, are available in a French version and are not vocational training titles, or that at least 75% of its gross revenue for the year is derived from such eligible titles;

(2) that at least 75% of the eligible titles produced by the corporation in the year are to be commercialized and are not vocational training titles, or that at least 75% of its gross revenue for the year is derived from such eligible titles; or

(3) that less than 75% of the eligible titles produced by the corporation in the year are to be commercialized and are not vocational training titles, and that less than 75% of its gross revenue for the year is derived from such eligible titles.”

(2) Subsection 1 applies in respect of an application for a certificate that is filed after 20 March 2012 in relation to a taxation year that ends after that date.

183. (1) Section 6.7 of Schedule A to the Act is repealed.

(2) Subsection 1 applies in respect of an application for a certificate that is filed after 20 March 2012 in relation to a taxation year that ends after that date.

184. (1) Section 6.11 of Schedule A to the Act is amended by replacing the first paragraph by the following paragraph:

“6.11. To be recognized as eligible production work in relation to an eligible title, work must be engaged in for the purpose of completing a stage in the production of the title and in the period commencing at the beginning of the design stage and ending 36 months after the completion date of the final version. Such work includes activities relating to the writing of the title’s script, the development of its interactive structure, the acquisition and production of its constituent elements, its computer development, the system architecture and the analysis of performance-related quantitative data for the purpose of optimizing its performance. If the eligible title is a title that is recognized as an eligible related title, such work also includes eligible computer-aided special effects and animation activities.”

(2) Subsection 1 applies in respect of an application for a certificate that is filed after 20 March 2012 in relation to a taxation year that ends after that date.

185. (1) Section 6.12 of Schedule A to the Act is amended

(1) by striking out paragraph 1;

(2) by adding the following paragraph after paragraph 3:

“(4) whether or not the title is a vocational training title.”

(2) Subsection 1 applies in respect of an application for a certificate that is filed after 20 March 2012 in relation to a taxation year that ends after that date.

186. (1) Schedule A to the Act is amended by adding the following after section 13.14:

“CHAPTER XIV

“SECTORAL PARAMETERS OF TAX CREDIT FOR MARKET DIVERSIFICATION OF MANUFACTURING BUSINESSES

“DIVISION I

“INTERPRETATION AND GENERAL

“14.1. In this chapter, “tax credit for the market diversification of manufacturing businesses” means the fiscal measure provided for in Division II.6.0.11 of Chapter III.1 of Title III of Book IX of Part I of the Taxation Act, under which a corporation is deemed to have paid an amount to the Minister of Revenue on account of its tax payable under that Part for a taxation year.

“14.2. To benefit from the tax credit for the market diversification of manufacturing businesses, a corporation must obtain a certificate (in this chapter referred to as a “corporation certificate”). The certificate must be obtained for each taxation year for which the corporation intends to claim the tax credit.

“DIVISION II

“CORPORATION CERTIFICATE

“14.3. A corporation certificate issued to a corporation for a particular taxation year certifies that at least 75% of the corporation’s gross revenue for the preceding taxation year, or for the taxation year that precedes that preceding year, is derived from eligible activities.

“14.4. The following activities are eligible activities:

(1) structural wood product manufacturing activities covered by code 321215 of the North American Industry Classification System (NAICS) – Canada, as amended from time to time and published by Statistics Canada, which code is in this section referred to as the “NAICS code”;

(2) activities carried on by particle board and fibreboard mills covered by NAICS code 321216;

(3) wood window and door manufacturing activities covered by NAICS code 321911;

(4) other millwork activities covered by NAICS code 321919;

(5) plastic pipe and pipe fitting manufacturing activities covered by NAICS code 326122;

(6) plastic window and door manufacturing activities covered by NAICS code 326196;

(7) rubber and plastic hose and belting manufacturing activities covered by NAICS code 326220;

(8) activities consisting in iron and steel pipes and tubes manufacturing from purchased steel covered by NAICS code 331210;

(9) prefabricated metal building and component manufacturing activities covered by NAICS code 332311;

(10) other plate work and fabricated structural product manufacturing activities covered by NAICS code 332319;

(11) metal window and door manufacturing activities covered by NAICS code 332321;

(12) power boiler and heat exchanger manufacturing activities covered by NAICS code 332410;

(13) metal tank manufacturing activities covered by NAICS code 332420;

(14) metal valve manufacturing activities covered by NAICS code 332910;

(15) ventilation, heating, air-conditioning and commercial refrigeration equipment manufacturing activities covered by NAICS code 3334;

(16) material handling equipment manufacturing activities covered by NAICS code 333920;

(17) communication and energy wire and cable manufacturing activities covered by NAICS code 335920; and

(18) wiring device manufacturing activities covered by NAICS code 335930.”

(2) Subsection 1 has effect from 21 March 2012.

187. (1) Section 2.2 of Schedule C to the Act is replaced by the following section:

“**2.2.** A cooperative or a federation of cooperatives must obtain a certificate from the Minister so that the patronage dividends it allocates in respect of a taxation year in the form of preferred shares may give rise to the deferral of the taxation of a qualified patronage dividend.”

(2) Subsection 1 applies in respect of a certificate issued after 20 March 2012.

188. (1) Section 2.3 of Schedule C to the Act is replaced by the following section:

“**2.3.** The period of validity of a certificate may begin in a taxation year preceding the taxation year in which the application for the certificate was filed, provided the application was filed with the Minister at or before the end of the twelfth month following the date on which that preceding taxation year ended.”

(2) Subsection 1 applies in respect of an application filed after 20 March 2012.

189. (1) Section 2.4 of Schedule C to the Act is amended by replacing paragraph 1 by the following paragraph:

“(1) a statement, signed by two directors or officers of the cooperative or federation of cooperatives having filed the application, certifying either that the cooperative meets the criteria set out in subparagraphs 1 and 2 of the first paragraph of section 2.6 and, if applicable, in the third paragraph of that section,

or that the federation of cooperatives meets the criteria set out in subparagraphs 1 and 2 of the first paragraph of section 2.7, as the case may be; and”.

(2) Subsection 1 has effect from 1 January 2011.

190. (1) Section 2.5 of Schedule C to the Act is replaced by the following section:

“**2.5.** A certificate issued to a cooperative or a federation of cooperatives under this chapter confirms that the cooperative or federation of cooperatives is recognized as a qualified cooperative for the purposes of the deferral of the taxation of a qualified patronage dividend. The Minister specifies in the certificate the taxation year as of which the certificate is valid.”

(2) Subsection 1 applies in respect of a certificate issued after 20 March 2012.

191. (1) Section 2.6 of Schedule C to the Act is amended

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

“**2.6.** A cooperative governed by the Cooperatives Act (chapter C-67.2) may be recognized as a qualified cooperative if

(1) it meets the conditions of subparagraphs 1 and 2 of the first paragraph of section 3 of the Cooperative Investment Plan Act;

(2) the majority of its members are either domiciled in Québec if they are natural persons, or have an establishment in Québec, in other cases; and

(3) the Minister is of the opinion that the cooperative is in compliance with the Cooperatives Act.”;

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

“In addition, if the cooperative referred to in the first paragraph is a shareholding workers cooperative, the corporation in which it holds shares and that employs its members must also meet the condition of subparagraph 1 of the second paragraph of section 3 of the Cooperative Investment Plan Act.”;

(3) by striking out the fourth paragraph.

(2) Subsection 1 applies in respect of a certificate issued after 20 March 2012.

192. (1) Sections 2.7 and 2.8 of Schedule C to the Act are replaced by the following sections:

“**2.7.** A federation of cooperatives governed by the Cooperatives Act may be recognized as a qualified cooperative if

(1) it meets the conditions of paragraphs 1 and 2 of section 4 of the Cooperative Investment Plan Act;

(2) the majority of its members are either domiciled in Québec if they are natural persons, or have an establishment in Québec, in other cases; and

(3) the Minister is of the opinion that the federation is in compliance with the Cooperatives Act.

For the purposes of subparagraph 2 of the first paragraph, “member” does not include an auxiliary member within the meaning assigned by the Cooperatives Act.

“2.8. A cooperative or federation of cooperatives governed by the Canada Cooperatives Act (Statutes of Canada, 1998, chapter 1) may also be recognized as a qualified cooperative if it meets the conditions of section 2.6 or 2.7, as applicable, and complies with the same requirements as those imposed on a cooperative or a federation of cooperatives under the Cooperatives Act.”

(2) Subsection 1, when it replaces section 2.7 of Schedule C to the Act, has effect from 1 January 2011. However, when the first paragraph of section 2.7 of Schedule C to the Act applies in respect of a certificate issued before 21 March 2012, it is to be read as follows:

“2.7. A federation of cooperatives governed by the Cooperatives Act may be recognized as a qualified cooperative for a taxation year if

(1) it meets the conditions of paragraphs 1 and 2 of section 4 of the Cooperative Investment Plan Act for the taxation year;

(2) at the end of the taxation year, the majority of its members are either domiciled in Québec if they are natural persons, or have an establishment in Québec, in other cases; and

(3) the Minister is of the opinion that the federation is in compliance with the Cooperatives Act for the taxation year.”

(3) Subsection 1, when it replaces section 2.8 of Schedule C to the Act, applies in respect of a certificate issued after 20 March 2012.

193. (1) Section 2.9 of Schedule C to the Act is replaced by the following section:

“2.9. The Minister is justified in revoking a certificate issued to a cooperative or a federation of cooperatives if

(1) the cooperative or federation of cooperatives has been required to produce a cooperative compliance program under section 185.5 of the Cooperatives Act or has failed to produce such a program or to implement it within the time prescribed;

(2) the cooperative or federation of cooperatives has omitted to send any document required for the purposes of this Act; or

(3) the cooperative or federation of cooperatives did not send a copy of its annual report within the time prescribed, as required by the Cooperatives Act.”

(2) Subsection 1 applies in respect of a certificate issued after 20 March 2012.

194. (1) Schedule C to the Act is amended by inserting the following sections after section 2.9:

“2.9.1. The certificate of a cooperative or a federation of cooperatives issued under this chapter is deemed to be revoked on the date of its dissolution or, if the cooperative or federation of cooperatives is dissolved under the Act respecting the legal publicity of enterprises (chapter P-44.1), the Cooperatives Act or the Canada Cooperatives Act or has decided to wind-up in accordance with the Cooperatives Act or the Canada Cooperatives Act, on the date on which its liquidation was decided.

“2.9.2. The certificate of a cooperative or a federation of cooperatives issued under this chapter is deemed to be revoked on the effective date of an amalgamation to which the cooperative or federation of cooperatives is party

(1) that is carried out in accordance with the rules set out in Division II or Division V of Chapter XXI of Title I of the Cooperatives Act;

(2) that is carried out in accordance with the rules set out in Division III of that Chapter XXI, where the cooperative or federation of cooperatives is the absorbed cooperative or federation;

(3) that is carried out in accordance with the rules set out in sections 295 to 297 of the Canada Cooperatives Act;

(4) that is carried out in accordance with the rules set out in subsection 1 of section 298 of that Act, where the cooperative or federation of cooperatives is a wholly-owned subsidiary cooperative; or

(5) that is carried out in accordance with the rules set out in subsection 2 of that section 298, where the cooperative or federation of cooperatives is a subsidiary whose shares have been cancelled.”

(2) Subsection 1 applies in respect of a certificate issued after 20 March 2012.

195. (1) Section 5.3 of Schedule C to the Act is amended by replacing subparagraph *a* of subparagraph 5 of the first paragraph by the following subparagraph:

“(a) a certificate signed by the auditor of the books of the cooperative or federation of cooperatives certifying that its capitalization rate is less than 60%, except in the case of

i. a shareholding workers cooperative, or

ii. a work cooperative, or a solidarity cooperative that would be a work cooperative but for its supporting members, the majority of whose employees are seasonal workers, or”.

(2) Subsection 1 applies in respect of a cooperative that files an application for a qualification certificate after 20 March 2012 or filed such an application before 21 March 2012 if the Minister of Economic Development, Innovation and Export Trade had not made a decision in respect of the application on or before 20 March 2012.

196. (1) Schedule C to the Act is amended by inserting the following section after section 5.6:

“**5.6.1.** The Minister is justified in revoking a qualification certificate issued to a shareholding workers cooperative if, at any time, it does not invest all of the amount collected from its members as of that time in any of, or a combination of, the following:

(1) a share or a debt obligation of the legal person that employs its members;

(2) a deposit with a chartered bank or a financial institution authorized to receive deposits; or

(3) a property described in any of paragraphs 2, 3, 4, 5 and 10 of article 1339 of the Civil Code.

For the purposes of the first paragraph, the amount collected at any time by a shareholding workers cooperative from its members means all of the amounts paid in respect of the securities that are issued by the cooperative under the Cooperative Investment Plan Act and under the cooperative investment plan enacted by Order in Council 1596-85 (1985, G.O. 2, 5580, in French only) and that are outstanding at that time.”

(2) Subsection 1 applies in respect of a fiscal period that begins after 20 March 2012.

197. (1) Section 1.1 of Schedule E to the Act is amended by adding the following paragraphs after paragraph 4:

“(5) the tax credits relating to new financial services corporations provided for in sections 1029.8.36.166.65 to 1029.8.36.166.79 of the Taxation Act; and

“(6) the deduction relating to foreign specialists working for financial services corporations provided for in sections 737.22.0.4.1 to 737.22.0.4.8 of the Taxation Act.”

(2) Subsection 1 has effect from 21 March 2012.

198. (1) Schedule E to the Act is amended by adding the following after section 5.6:

“CHAPTER VI

“SECTORAL PARAMETERS OF TAX CREDITS FOR NEW FINANCIAL SERVICES CORPORATIONS

“DIVISION I

“INTERPRETATION AND GENERAL

“6.1. In this chapter, unless the context indicates otherwise,

“adviser” means an adviser within the meaning of section 3 of the Derivatives Act (chapter I-14.01) or section 5 of the Securities Act (chapter V-1.1), authorized to act in that capacity under those Acts;

“dealer” means a dealer within the meaning of section 3 of the Derivatives Act or section 5 of the Securities Act, authorized to act in that capacity under those Acts;

“security” means a derivative within the meaning of section 3 of the Derivatives Act or any of the forms of investment listed in section 1 of the Securities Act, except a share in an investment club;

“tax credit for new financial services corporations” means

(1) the tax credit for the hiring of employees by new financial services corporations; or

(2) the tax credit relating to new financial services corporations;

“tax credit for the hiring of employees by new financial services corporations” means the fiscal measure provided for in Division II.6.14.4 of Chapter III.1 of Title III of Book IX of Part I of the Taxation Act, under which a corporation is deemed to have paid an amount to the Minister of Revenue on account of its tax payable under that Part for a taxation year;

“tax credit relating to new financial services corporations” means the fiscal measure provided for in Division II.6.14.5 of Chapter III.1 of Title III of Book IX of Part I of the Taxation Act, under which a corporation is deemed to have paid an amount to the Minister of Revenue on account of its tax payable under that Part for a taxation year.

“6.2. To benefit from a tax credit for new financial services corporations, a corporation must obtain the following documents from the Minister:

(1) a qualification certificate in respect of the activities carried on, or to be carried on, by the corporation (in this chapter referred to as a “corporation qualification certificate”); and

(2) a certificate in respect of the activities carried on by the corporation (in this chapter referred to as a “corporation certificate”).

In addition, where the tax credit is the tax credit for the hiring of employees by new financial services corporations, the corporation must also obtain from the Minister a certificate in respect of each individual for whom the corporation claims the tax credit (in this chapter referred to as an “employee certificate”).

The corporation qualification certificate may be obtained only once. It is valid for five years unless the corporation that obtains it is associated, in the taxation year in which it files an application for the certificate, with one or more other corporations, in which case it is valid until the last day of the five-year period that begins on the earliest of the dates of coming into force of the corporation qualification certificates that are issued to the corporations so associated.

An application for a corporation qualification certificate must be filed with the Minister before the end of the corporation’s second taxation year, but on or before 31 December 2017. However, a corporation whose first taxation year begins after 20 March 2010 and whose second taxation year ends before 1 July 2013 may file such an application on or before 30 June 2013.

A corporation certificate must be obtained for each taxation year for which the corporation intends to avail itself of a tax credit for new financial services corporations. Similarly, the employee certificate must be obtained for each taxation year for which the corporation intends to benefit from the tax credit for the hiring of employees by new financial services corporations.

If, at a particular time, the Minister revokes a corporation qualification certificate issued to the corporation, any corporation certificate or employee certificate issued to the corporation for a taxation year subsequent to a given taxation year that includes the date on which the revocation becomes effective is deemed to be revoked by the Minister at that time. In such a case, the effective date of the deemed revocation is the date of coming into force of the certificate that is deemed to be revoked. Such a certificate issued to the corporation for the given taxation year is also deemed to be revoked by the Minister at the particular time, except that the effective date of its deemed revocation is the date specified in the notice of revocation of the corporation qualification certificate.

“DIVISION II**“DOCUMENTS RELATING TO A CORPORATION**

“6.3. A corporation qualification certificate issued to a corporation certifies that the activities that are specified in the certificate and that are carried on, or to be carried on, by the corporation are recognized as eligible activities.

The date of coming into force of the corporation qualification certificate may not precede the date the application for the certificate was made.

“6.4. The Minister may issue a corporation qualification certificate only if the net shareholders' equity of the corporation for its taxation year preceding that in which the corporation files its application for the certificate is less than \$15,000,000.

However, the net shareholders' equity of a corporation that is associated with one or more other corporations in the taxation year of the application corresponds to the aggregate of all of the corporation's net shareholders' equities and of those of each of the other corporations with which the corporation is associated, minus the total of equity investments those corporations have in one another.

For the purposes of this section, a corporation's net shareholders' equity means the net shareholders' equity shown in the corporation's financial statements submitted to the shareholders 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 so prepared.

“6.5. The following activities are eligible activities:

(1) an analysis, research, management, advisory and securities trading service or securities distribution, carried out by a securities dealer who is

- (a) an investment dealer,
- (b) a derivatives dealer,
- (c) a mutual fund dealer,
- (d) an exempt market dealer, or
- (e) a restricted dealer; and

(2) a securities advisory or securities portfolio management service provided by a securities adviser who is

- (a) a portfolio manager,

- (b) a restricted portfolio manager,
- (c) a derivatives portfolio manager, or
- (d) an investment fund manager.

“6.6. A corporation certificate issued to a corporation certifies that the activities it carried out throughout the taxation year for which the application for the certificate is filed, or for the part of that year that is specified in the certificate, are activities mentioned in the corporation qualification certificate it obtained.

“6.7. The Minister may issue a corporation certificate to a corporation if, for all or part of the taxation year for which the application for the certificate is filed,

(1) the corporation qualification certificate issued to the corporation was valid; and

(2) it is established to the Minister’s satisfaction that the activities the corporation carried out consisted in a provision of services to clients with whom the corporation was dealing at arm’s length.

“DIVISION III

“DOCUMENT RELATING TO AN EMPLOYEE

“6.8. An employee certificate issued to a corporation certifies that the individual referred to in the certificate is recognized as an eligible employee of the corporation for the taxation year for which the application for the certificate is made or for the part of that year that is specified in the certificate.

“6.9. An individual may be recognized as an eligible employee of a corporation, if

(1) the individual works full-time for the corporation, that is, at least 26 hours per week, for an expected minimum period of 40 weeks; and

(2) at least 75% of the individual’s working time is spent performing, in an establishment of the corporation situated in Québec, duties directly attributable to the transactional process that is specific to the carrying out of activities specified in the corporation qualification certificate that was issued to the corporation.

For the purposes of subparagraph 2 of the first paragraph, the duties of an individual that relate to corporate management, finance activities other than those specified in the corporation qualification certificate, accounting, taxation, legal affairs, marketing, communications, reception work, secretarial work, messenger services, electronic data processing or human and physical resources

management may not be considered to be part of duties directly attributable to the transactional process that is specific to the carrying out of activities specified in the corporation qualification certificate.

“6.10. If an individual is temporarily absent from work for reasons the Minister considers reasonable, the Minister may, for the purpose of determining whether the individual meets the conditions for recognition as an eligible employee of a corporation, consider that the individual continued to perform his or her duties throughout the period of absence exactly as he or she was performing them immediately before the beginning of that period.

“CHAPTER VII

“SECTORAL PARAMETERS OF DEDUCTION RELATING TO FOREIGN SPECIALISTS WORKING IN FINANCIAL SERVICES SECTOR

“DIVISION I

“INTERPRETATION AND GENERAL

“7.1. In this chapter, unless the context indicates otherwise,

“corporation certificate” has the meaning assigned by subparagraph 2 of the first paragraph of section 6.2;

“corporation qualification certificate” has the meaning assigned by subparagraph 1 of the first paragraph of section 6.2;

“eligible employer” for a taxation year means a corporation in respect of which the following conditions are met:

(1) a corporation qualification certificate has been issued to the corporation; and

(2) either a corporation certificate is issued to the corporation for the year, or the corporation would meet the conditions for obtaining such a certificate for the year but for the expiry of the period of validity specified in the corporation qualification certificate;

“foreign specialist tax holiday” means the fiscal measure provided for in Title VII.3.1.1 of Book IV of Part I of the Taxation Act, under which an individual may deduct an amount in computing the individual’s taxable income for a taxation year.

For the purposes of the definition of “eligible employer” in the first paragraph, the following presumptions must be taken into consideration:

(1) if the corporation qualification certificate that was issued to a corporation is revoked retroactively,

(a) it is deemed to be valid until the date of issue of the notice of revocation, and

(b) the corporation is deemed to hold for the particular taxation year in which it was revoked and for the preceding taxation year valid corporation certificates that cover that preceding year and the part of the particular year that ends on that date of issue, respectively; and

(2) if a corporation certificate is revoked, it is deemed to be valid for the whole taxation year for which it had been issued.

The presumption provided for in subparagraph *b* of subparagraph 1 of the second paragraph applies to either of the taxation years referred to in that subparagraph only if the sole reason for which the eligible employer was not issued a corporation certificate for the year is that the corporation qualification certificate that was issued to the employer has been revoked.

“7.2. In order for an individual who works for an eligible employer to benefit from the foreign specialist tax holiday, the eligible employer must obtain the following documents from the Minister:

(1) a qualification certificate in respect of the individual (in this chapter referred to as a “specialist qualification certificate”); and

(2) a certificate in respect of the individual (in this chapter referred to as a “specialist certificate”).

A specialist certificate must be obtained for each taxation year for which the individual may claim the tax holiday.

The eligible employer must file an application for the specialist certificate before 1 March of the calendar year that follows the individual’s taxation year concerned.

However, an application for a specialist qualification certificate or a specialist certificate is admissible only if the employment contract binding the individual to the employer was entered into before the expiry of the period of validity specified in the corporation qualification certificate that was issued to the employer.

For the purposes of this chapter, a contract resulting from the renewal of an employment contract referred to in the fourth paragraph and in this section referred to as the “original contract” is deemed not to be an employment contract separate from the original contract.

“DIVISION II**“DOCUMENTS RELATING TO SPECIALISTS**

“7.3. A specialist qualification certificate issued to an eligible employer certifies that the individual referred to in the certificate is recognized by the Minister as a specialist in respect of the eligible employer.

“7.4. In order for the Minister to recognize an individual as a specialist in respect of an eligible employer, the Minister must be of the opinion that the individual is a professional with a high level of expertise in the field of finance and that, from the date on which the individual takes up employment with the employer, it may reasonably be expected that the individual spends at least 75% of working time performing duties that are directly attributable to the transactional process that is specific to the carrying out of the activities specified in the corporation qualification certificate issued to the employer.

For the purposes of the first paragraph, an individual’s duties that relate to corporate management, finance activities other than those specified in the corporation qualification certificate, accounting, taxation, legal affairs, marketing, communications, reception work, secretarial work, messenger services, electronic data processing or human or physical resources management are not to be considered as part of duties directly attributable to the transactional process that is specific to the carrying out of activities specified in the corporation qualification certificate.

“7.5. A specialist certificate issued to an eligible employer certifies that the individual referred to in the certificate is recognized by the Minister as a specialist in respect of the eligible employer for the taxation year for which the application for the certificate is made or for the part of the year specified in it.

“7.6. The Minister recognizes an individual as a specialist in respect of an eligible employer for all or a part of the taxation year for which an application for a specialist certificate was filed with the Minister if

(1) the specialist qualification certificate issued to the employer in respect of the individual is valid in respect of the year or part of year; and

(2) throughout the year or part of year, at least 75% of the individual’s working time was devoted to the performance of duties that are directly attributable to the transactional process that is specific to the carrying out of the activities specified in the corporation qualification certificate issued to the employer.

The second paragraph of section 7.4 applies to subparagraph 2 of the first paragraph, with the necessary modifications.

“7.7. If an individual is temporarily absent from work for reasons the Minister considers reasonable, the Minister may, for the purpose of determining

whether the individual meets the conditions for recognition as a specialist in respect of an eligible employer, consider that the individual continued to perform his or her duties throughout the period of absence exactly as he or she was performing them immediately before the beginning of that period.

“7.8. An eligible employer to which a specialist certificate is issued for a taxation year must promptly send a copy of the certificate to the individual concerned.”

(2) Subsection 1 has effect from 21 March 2012.

199. (1) Section 1.1 of Schedule H to the Act is amended by adding the following paragraph after paragraph 7:

“(8) the tax credit for the production of multimedia events or environments presented outside Québec provided for in sections 1029.8.36.0.0.12.1 and 1029.8.36.0.0.12.2 of the Taxation Act.”

(2) Subsection 1 has effect from 21 March 2012.

200. (1) Section 2.4 of Schedule H to the Act is replaced by the following section:

“2.4. A certificate issued to an individual under this chapter certifies that the individual works as a producer, an executive producer, an associate producer, a director, an assistant director, an artistic director, a director of photography, a musical director, a chief film editor, a set decorator, a financial controller, an accountant, a bookkeeper or a visual effects producer, supervisor or coordinator, in the course of the eligible production referred to in the certificate.”

(2) Subsection 1 applies from the taxation year 2012.

201. (1) Section 3.1 of Schedule H to the Act is amended by replacing the definition of “labour expenditure” in the first paragraph by the following definition:

““labour expenditure” of a corporation for a taxation year in respect of a film means an expenditure that would be the corporation’s labour expenditure for the year in respect of the film for the purposes of the tax credit for Québec film productions if no reference were made to subparagraph *e* of the second paragraph of section 1029.8.34 of the Taxation Act;”.

(2) Subsection 1 has effect from 1 January 2011.

202. (1) Section 3.17 of Schedule H to the Act is amended

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

“(1) feature-length, medium-length and short fiction films, including co-produced feature-length films;”;

(2) by replacing the portion of the second paragraph before subparagraph 1 by the following:

“For the purposes of subparagraph 3 of the first paragraph, a production intended for a young audience means a French-language one-off or serial production intended for a young audience which”.

(2) Subsection 1 applies in respect of a film or television production for which an application for a favourable advance ruling or, in the absence of such an application, an application for a qualification certificate is filed with the Société de développement des entreprises culturelles after 20 March 2012.

203. (1) Section 5.1 of Schedule H to the Act is amended by replacing the definition of “labour expenditure” in the first paragraph by the following definition:

““labour expenditure” of a corporation for a taxation year in respect of a film means an expenditure that would be the corporation’s labour expenditure for the year in respect of the film for the purposes of the film production services tax credit if no reference were made to subparagraph *d* of the second paragraph of section 1029.8.36.0.0.4 of the Taxation Act;”.

(2) Subsection 1 has effect from 1 January 2011.

204. (1) Section 6.1 of Schedule H to the Act is amended by replacing the definition of “labour expenditure” in the first paragraph by the following definition:

““labour expenditure” of a corporation for a taxation year in respect of a recording means an expenditure that would be the corporation’s labour expenditure for the year in respect of the recording for the purposes of the tax credit for the production of sound recordings if no reference were made to subparagraph *c* of the second paragraph of section 1029.8.36.0.0.7 of the Taxation Act;”.

(2) Subsection 1 has effect from 1 January 2011.

205. (1) Section 6.5 of Schedule H to the Act is amended

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

“(1) unless it is a recording of a comedy show, at least 60% of the sound recording, determined with reference to its length in minutes, must consist in musical content;”;

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

“For the purposes of subparagraph 4 of the first paragraph, a sound recording is considered to be released in the retail market if it is offered on the Internet for downloading.”

(2) Subsection 1 applies in respect of a sound recording for which an application for a favourable advance ruling or, in the absence of such an application, an application for a qualification certificate is filed with the Société de développement des entreprises culturelles after 17 March 2011.

206. Section 6.8 of Schedule H to the Act is amended by replacing the second paragraph by the following paragraph:

“For the purposes of subparagraph 3 of the first paragraph, a clip is considered to be commercialized if it is offered on the Internet for downloading.”

207. (1) Section 7.1 of Schedule H to the Act is amended by replacing the definition of “labour expenditure” in the first paragraph by the following definition:

““labour expenditure” of a corporation for a taxation year in respect of a performance means an expenditure that would be the corporation’s labour expenditure for the year in respect of the performance for the purposes of the tax credit for the production of performances if no reference were made to subparagraph *d* of the second paragraph of section 1029.8.36.0.0.10 of the Taxation Act;”.

(2) Subsection 1 has effect from 1 January 2011.

208. (1) Section 7.4 of Schedule H to the Act is amended by inserting the following paragraph after the first paragraph:

“If applicable, the favourable advance ruling or the qualification certificate also specifies that the performance is a musical comedy in respect of which any of the periods referred to in section 7.2 had not ended on 20 March 2012.”

(2) Subsection 1 has effect from 20 March 2012.

209. (1) Section 8.1 of Schedule H to the Act is amended, in the first paragraph,

(1) by replacing the definition of “labour expenditure attributable to printing and reprinting costs” by the following definition:

““labour expenditure attributable to printing costs” of a corporation for a taxation year in respect of a work or a group of works means an expenditure that would be the corporation’s labour expenditure attributable to printing and

reprinting costs for the year, in respect of the work or group of works, for the purposes of the tax credit for book publishing if no reference were made to

(1) paragraph *a.1* of the definition of that expression in the first paragraph of section 1029.8.36.0.0.13 of the Taxation Act;

(2) the portion of the remuneration or of the consideration that the corporation has incurred for services rendered to it in Québec for reprinting work concerning that work or group of works; and

(3) subparagraph *c* of the third paragraph of section 1029.8.36.0.0.13 of that Act;”;

(2) by replacing the definition of “labour expenditure attributable to preparation costs” by the following definition:

““labour expenditure attributable to preparation costs and digital version publishing costs” of a corporation for a taxation year in respect of a work or a group of works means an expenditure that would be the corporation’s labour expenditure attributable to preparation costs and digital version publishing costs for the year in respect of the work or group of works for the purposes of the tax credit for book publishing if no reference were made to subparagraph *c* of the fifth paragraph of section 1029.8.36.0.0.13 of the Taxation Act;”;

(3) by replacing the definition of “publishing costs” by the following definition:

““publishing costs” of a corporation in respect of a work or a group of works means the costs incurred by the corporation that are printing costs or preparation costs directly attributable to the printing or the preparation of the work or group of works for the purposes of the tax credit for book publishing;”;

(4) by adding the following definition in alphabetical order:

““digital version publishing costs” of a corporation in respect of a work or a group of works means the costs incurred by the corporation that are directly attributable to the publication of a digital version of the work or of a work that is part of the group of works for the purposes of the tax credit for book publishing;”.

(2) Paragraphs 1 and 3 of subsection 1 have effect from 1 January 2011.

(3) Paragraphs 2 and 4 of subsection 1 have effect from 18 March 2011.

(4) In addition, when section 8.1 of Schedule H to the Act applies before 18 March 2011, the definition of “labour expenditure attributable to preparation costs” in the first paragraph is to be read as if “a labour expenditure attributable to preparation costs of the corporation” was replaced by “the corporation’s labour expenditure attributable to preparation costs for the year”.

210. (1) Section 8.4 of Schedule H to the Act is amended

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

“If applicable, the favourable advance ruling or the qualification certificate also certifies that the digital version of the work or a work that is part of the group of works is recognized as an eligible digital version of that work.”;

(2) by replacing the definition of “labour expenditure” in the third paragraph by the following definition:

““labour expenditure” in respect of a work or a group of works for a taxation year means the amount that would be obtained if, for each of the items included in the corporation’s labour expenditure attributable to printing costs in respect of the work or group of works for the taxation year and for each of the items included in the corporation’s labour expenditure attributable to preparation costs and digital version publishing costs in respect of the work or group of works for the taxation year, the amounts that the corporation has incurred were replaced by all the amounts incurred in respect of the work or group of works and all those amounts were added together;”;

(3) by replacing the definition of “publishing costs” in the third paragraph by the following definition:

““publishing costs” in respect of a work or a group of works for a taxation year means the aggregate of the costs incurred in respect of the work or group of works before the end of the year that are printing costs or preparation costs directly attributable to the printing or the preparation of the work or group of works for the purposes of the tax credit for book publishing, that are digital version publishing costs directly attributable to the publication of a digital version of the work or of a work that is part of the group of works for the purposes of that tax credit or that would be such printing costs, such preparation costs or such digital version publishing costs had they been incurred by the corporation.”

(2) Subsection 1 has effect from 18 March 2011. In addition, when section 8.4 of Schedule H to the Act applies before 18 March 2011, the third paragraph is to be read

(1) as if “labour expenditure attributable to printing and reprinting costs” in the definition of “labour expenditure” was replaced by “labour expenditure attributable to printing costs”; and

(2) as if “and reprinting” was struck out wherever it appears in the definition of “publishing costs”.

211. (1) The Act is amended by inserting the following section after section 8.6 of Schedule H:

“8.6.1. In order for the digital version of a work produced by a corporation to be recognized as an eligible digital version of the work,

(1) the work must be recognized as an eligible work or be part of a group of works that is recognized as an eligible group of works;

(2) the corporation must hold the publishing rights to the digital version of the work and provide proof of that fact to the Société de développement des entreprises culturelles;

(3) the application for recognition of the digital version of the work must be filed with the Société de développement des entreprises culturelles at the same time as the application for a favourable advance ruling or, in the absence of such an application, the application for a qualification certificate in respect of the work or the group of works of which the work is part; and

(4) at least 75% of the amount that is the aggregate of the corporation’s digital version publishing costs in respect of the work or the group of works of which the work is part must have been paid to individuals who were resident in Québec at the end of the particular calendar year preceding the calendar year in which the digital version publishing work began or to corporations that had an establishment in Québec in that particular calendar year.

If there is a succession of particular corporations during the publication of a work or a group of works, the requirement of subparagraph 4 of the first paragraph is deemed to be met provided it appears that it would be met if all the individuals and corporations that provided services to the particular corporations in respect of the publication of the digital version of the work or of any work that is part of the group of works were taken into account. However, each particular corporation must show to the satisfaction of the Société de développement des entreprises culturelles that it is a qualified corporation for the purposes of the tax credit for book publishing.”

(2) Subsection 1 has effect from 18 March 2011.

212. (1) The Act is amended by adding the following after section 8.8 of Schedule H:

“CHAPTER IX

“SECTORAL PARAMETERS OF TAX CREDIT FOR PRODUCTION OF MULTIMEDIA EVENTS OR ENVIRONMENTS PRESENTED OUTSIDE QUÉBEC

“DIVISION I

“INTERPRETATION AND GENERAL

“9.1. In this chapter, unless the context indicates otherwise,

“labour expenditure” of a corporation for a taxation year in respect of a multimedia event or environment means an expenditure that would be the corporation’s labour expenditure for the year in respect of the multimedia event or environment for the purposes of the tax credit for the production of multimedia events or environments presented outside Québec if no reference were made to subparagraph *d* of the second paragraph of section 1029.8.36.0.0.12.1 of the Taxation Act;

“production costs” of a corporation at a particular time in respect of a multimedia event or environment means the aggregate of the costs incurred by the corporation in respect of the multimedia event or environment on or before that time that are production costs referred to in the portion of subparagraph *i* of paragraph *b* of the definition of “qualified labour expenditure” in the first paragraph of section 1029.8.36.0.0.12.1 of the Taxation Act before subparagraph 1;

“tax credit for the production of multimedia events or environments presented outside Québec” means the fiscal measure provided for in Division II.6.0.0.4.1 of Chapter III.1 of Title III of Book IX of Part I of the Taxation Act, under which a corporation is deemed to have paid an amount to the Minister of Revenue on account of its tax payable under that Part for a taxation year.

Any reference made, in a provision of this chapter, to an amount incurred or paid, including a labour expenditure, costs, a remuneration, a talent fee or an advance, is to be replaced, if the provision applies in respect of a favorable advance ruling, by a reference to such an amount determined according to a budget.

In this chapter, a reference to a favourable advance ruling is a reference to the document certifying the favourable advance ruling given.

“9.2. A corporation must obtain a favourable advance ruling or a qualification certificate from the Société de développement des entreprises culturelles in respect of each multimedia event or environment for which it intends to claim the tax credit for the production of multimedia events or environments presented outside Québec.

“DIVISION II

“FAVOURABLE ADVANCE RULING AND QUALIFICATION CERTIFICATE

“9.3. A qualification certificate must be obtained for a multimedia event or environment following its first presentation before an audience outside Québec. If applicable, the qualification certificate confirms the favourable advance ruling given in respect of the multimedia event or environment.

An application by a corporation for the issue of a qualification certificate in respect of a multimedia event or environment must be filed,

(1) if the multimedia event or environment has been given a favourable advance ruling, within 18 months after the end of the corporation's taxation year that includes the date of its first presentation before an audience outside Québec; and

(2) in any other case, within three years after the end of that taxation year.

The Société de développement des entreprises culturelles must revoke a favourable advance ruling given to a corporation in respect of a multimedia event or environment if the corporation fails to file an application for a qualification certificate in its respect within the time specified in the second paragraph or if such an application is denied. The effective date of the revocation is the date of coming into force of the favourable advance ruling.

“9.4. A favourable advance ruling or a qualification certificate given or issued to a corporation under this chapter certifies that the multimedia event or environment referred to in it is recognized as a qualified production of the corporation.

If the multimedia event or environment is a co-production, the favourable advance ruling or qualification certificate specifies the corporation's share, expressed as a percentage, of the labour expenditure and production costs in its respect for each taxation year for which they were incurred. The corporation's share must reflect, in respect of the multimedia event or environment, the corporation's production costs at the end of the year and the corporation's labour expenditure for the year, and take into account the scope of the responsibilities assumed by the corporation in the co-production.

For the purposes of this section,

“labour expenditure” in respect of a multimedia event or environment, for a taxation year, means the amount that would be obtained if, for each of the items included in the corporation's labour expenditure, in respect of the multimedia event or environment, for the taxation year, the amounts that the corporation has incurred were replaced by all the amounts incurred in its respect and all those amounts were added together;

“production costs” in respect of a multimedia event or environment, for a taxation year, means the aggregate of the costs incurred in respect of the multimedia event or environment, before the end of the year, that are production costs described in the portion of subparagraph *i* of paragraph *b* of the definition of “qualified labour expenditure” in the first paragraph of section 1029.8.36.0.0.12.1 of the Taxation Act that precedes subparagraph 1, or that would be such production costs had they been incurred by the corporation.

“9.5. In order for a multimedia event or environment to be recognized as a qualified production of a corporation,

(1) the multimedia event or environment must offer an educational or cultural experience and be presented for entertainment purposes not advertising purposes;

(2) in the case of a multimedia event, it must be reasonable to expect that, over a period of three years beginning on its first presentation before an audience, it be presented principally in places of amusement situated outside Québec;

(3) in the case of a multimedia environment, it must be produced under a contract that concerns the design and production of such an environment to be presented outside Québec and that the corporation entered into with a person who does not have an establishment in Québec and with whom the corporation deals at arm's length;

(4) the multimedia event or environment must obtain, in respect of its creative personnel, a minimum of five points out of nine, calculated by awarding the number of points specified in the second paragraph for a particular function of that personnel only if the individual who wholly performs the function was resident in Québec at the end of the particular calendar year that precedes the calendar year in which production work relating to the multimedia event or environment began;

(5) the production of the multimedia event or environment must be under the control of the corporation, which must demonstrate, to the satisfaction of the Société de développement des entreprises culturelles, that it is a qualified corporation for the purposes of the tax credit for the production of multimedia events or environments presented outside Québec; and

(6) at least 75% of the amount that is the corporation's production costs in respect of the multimedia event or environment, other than the remuneration paid to an individual who performs a function referred to in any of subparagraphs 1 to 9 of the second paragraph, must have been paid to individuals who were resident in Québec at the end of the particular calendar year that precedes the year in which production work relating to the multimedia event or environment began or to corporations that had an establishment in Québec in that particular calendar year.

For the purposes of the first paragraph, the following number of points may be allotted to a multimedia event or environment in respect of an individual:

(1) for the lighting designer, one point;

(2) for the designer, one point;

(3) for the environment designer, one point;

(4) for the graphic designer, one point;

(5) for the content and project manager for audiovisual and sound, one point;

- (6) for the programmer, one point;
- (7) for the writer, one point;
- (8) for the scriptwriter, one point; and
- (9) for the scenographer, one point.

For the purposes of this section, the following rules apply:

- (1) where an individual performs more than one of the functions referred to in subparagraphs 1 to 9 of the second paragraph, the point awarded for each function the individual performs must, subject to subparagraph 4 of the first paragraph, be taken into account; and
- (2) where a function referred to in any of subparagraphs 1 to 9 of the second paragraph is performed by two or more individuals, the point awarded for that function must be taken into account, despite subparagraph 4 of the first paragraph, if the condition of that subparagraph 4 would be met in respect of at least half of the individuals were that subparagraph read without reference to “wholly”.

For the purposes of subparagraph 5 of the first paragraph, a corporation is considered to have control of the production of a multimedia event if, alone or with other corporations, the corporation is responsible or shares responsibility for the artistic, technical and financial aspects of the multimedia event or environment, including its production, marketing and promotion. The same applies with respect to the control of the production of a multimedia environment, except that the responsibilities assumed or shared by the corporation do not include the marketing and promotion of the multimedia environment.

For the purposes of the first paragraph, a place of amusement means premises or a place, including a museum, where an event or an exhibition will be presented.

If there is a succession of particular corporations during the production of a multimedia event or environment, the condition of subparagraph 6 of the first paragraph is deemed to be met provided it appears that the condition would be met if all the individuals and corporations that provided services to the particular corporations in respect of the production were taken into account. However, each of the corporations must show, to the satisfaction of the Société de développement des entreprises culturelles, that it is a qualified corporation for the purposes of the tax credit for the production of multimedia events or environments presented outside Québec.

“9.6. The Société de développement des entreprises culturelles is justified in revoking the favourable advance ruling given or the qualification certificate issued to a corporation in respect of a particular multimedia event, if it is evident, at the end of the period provided for in subparagraph 2 of the first

paragraph of section 9.5, that the corporation has failed to meet the condition of that subparagraph. The effective date of the revocation is the date of coming into force of the revoked document. The revocation of a qualification certificate for that reason entails the revocation of any related favourable advance ruling.”

(2) Subsection 1 has effect from 21 March 2012.

ACT RESPECTING THE RÉGIE DE L'ASSURANCE MALADIE DU QUÉBEC

213. Section 34.1.5 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5) is amended by replacing paragraph *a* by the following paragraph:

“(a) in the case of an individual who has been resident in Canada only during part of the year, only the amounts referred to in section 34.1.4 that are included or deducted in computing the individual's income determined under Part I of the Taxation Act (chapter I-3) for any period of the year during which the individual was resident in Canada, computed as if that period were a whole taxation year, shall be taken into account;”.

COOPERATIVE INVESTMENT PLAN ACT

214. (1) Section 3 of the Cooperative Investment Plan Act (chapter R-8.1.1) is amended by replacing subparagraph 5 of the first paragraph by the following subparagraph:

“(5) its capitalization rate is less than 60%, except where the cooperative is

(a) a shareholding workers cooperative,

(b) a work cooperative or a solidarity cooperative that would be a work cooperative but for its supporting members, the majority of whose employees are seasonal workers, or

(c) a cooperative that has obtained an exemption in accordance with Chapter IV;”.

(2) Subsection 1

(1) has effect from 1 January 2013, in respect of a cooperative that holds a qualification certificate for the purposes of the Act as of 20 March 2012; and

(2) applies in respect of a cooperative that files an application for a qualification certificate after 20 March 2012 or filed such an application before 21 March 2012 if the Minister of Economic Development, Innovation and Export Trade had not made a decision in respect of the application on or before 20 March 2012.

215. (1) Section 6 of the Act is amended

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

“(3) if interest is to be paid on the security, it bears interest at a maximum rate determined by resolution of the board of directors of the qualified cooperative or qualified federation of cooperatives, which interest must be non-cumulative and payable annually when decided by the board of directors if the financial situation of the qualified cooperative or qualified federation of cooperatives so allows and, if it is issued after 20 March 2012, the terms and conditions of its issue, determined by resolution of the board of directors, provide that the interest is payable only in cash;”;

(2) by adding the following paragraphs after paragraph 4:

“(5) if it is issued as payment of interest on a preferred share held by a qualified investor, the board of directors of the qualified cooperative or qualified federation of cooperatives decided, before 21 March 2012, to so pay the interest; and

“(6) in the case of a preferred share issued by a shareholding workers cooperative after 20 March 2012 pursuant to an agreement entered into after that day, it is acquired for a consideration that consists solely of money.”

(2) Subsection 1 has effect from 21 March 2012.

ACT RESPECTING THE QUÉBEC SALES TAX**216.** (1) Section 1 of the Act respecting the Québec sales tax (chapter T-0.1) is amended

(1) by replacing “pour le bénéfice” in paragraph 3 of the definition of “fédération de sociétés mutuelles d’assurance” in the French text by “au bénéfice”;

(2) by replacing the definition of “selected listed financial institution” by the following definition:

““selected listed financial institution” throughout a reporting period in a fiscal year that ends in a particular taxation year means a financial institution that is described in any of paragraphs 1 to 10 of the definition of “listed financial institution” during the particular taxation year and the preceding taxation year if

(1) the financial institution is a corporation that, in accordance with the rules set out in any of sections 402 to 405 of the Income Tax Regulations made under the Income Tax Act, has or would, if it had taxable income for the particular taxation year and the preceding taxation year, have taxable income earned in the particular year and the preceding taxation year in Québec and

taxable income earned in the particular year and the preceding year in another province;

(2) the financial institution is an individual, the estate of a deceased individual or a trust that, in accordance with the rules set out in section 2603 of the Income Tax Regulations made under the Income Tax Act, has or would, if it had income for the particular taxation year and the preceding taxation year, have income earned in the particular year and the preceding taxation year in Québec and income earned in the particular year and the preceding year in another province;

(3) the financial institution is a specified partnership during the particular taxation year and the preceding taxation year; or

(4) the financial institution is a prescribed financial institution;”;

(3) by replacing subparagraphs *a* to *c* of paragraph 1 of the definition of “specified partnership” by the following subparagraphs:

“(a) where the member is a corporation, has or would, if the member had taxable income for the year, have, in accordance with the rules set out in any of sections 402 to 405 of the Income Tax Regulations made under the Income Tax Act, taxable income earned in the taxation year in Québec from a business, within the meaning of section 1 of the Taxation Act, carried on by the partnership,

“(b) where the member is an individual, the estate of a deceased individual or a trust, has or would, if the member had income for the year, have, in accordance with the rules set out in section 2603 of the Income Tax Regulations made under the Income Tax Act, income earned in the taxation year in Québec from a business, within the meaning of section 1 of the Taxation Act, carried on by the partnership, or

“(c) where the member is another partnership, would have, in accordance with the rules set out in section 402 of the Income Tax Regulations made under the Income Tax Act, taxable income earned in the taxation year in Québec from a business, within the meaning of section 1 of the Taxation Act, carried on by the partnership if the other partnership were a corporation that is a taxpayer for the purposes of the Taxation Act; and”;

(4) by replacing subparagraphs *a* to *c* of paragraph 2 of the definition of “specified partnership” by the following subparagraphs:

“(a) where the member is a corporation, has or would, if the member had taxable income for the year, have, in accordance with the rules set out in any of sections 402 to 405 of the Income Tax Regulations made under the Income Tax Act, taxable income earned in the taxation year in a province other than Québec from a business, within the meaning of section 1 of the Taxation Act, carried on by the partnership,

“(b) where the member is an individual, the estate of a deceased individual or a trust, has or would, if the member had income for the year, have, in accordance with the rules set out in section 2603 of the Income Tax Regulations made under the Income Tax Act, income earned in the taxation year in a province other than Québec from a business, within the meaning of section 1 of the Taxation Act, carried on by the partnership, or

“(c) where the member is another partnership, would have, in accordance with the rules set out in section 402 of the Income Tax Regulations made under the Income Tax Act, taxable income earned in the taxation year in a province other than Québec from a business, within the meaning of section 1 of the Taxation Act, carried on by the partnership if the other partnership were a corporation that is a taxpayer for the purposes of the Taxation Act;”.

(2) Paragraphs 2 to 4 of subsection 1 have effect from 1 January 2013.

217. (1) Section 11.2 of the Act is amended

(1) by replacing “16” in paragraph 2 and subparagraph *b* of paragraph 3 by “16.0.1”;

(2) by replacing subparagraph *d* of paragraph 3 by the following paragraph:

“(4) in any other case, a place that would be an establishment, within the meaning of the first paragraph of section 12 or any of sections 13 to 16.0.1 of the Taxation Act, of the person if the person were a corporation and its activities were a business for the purposes of that Act.”

(2) Subsection 1 applies from the taxation year 2009.

218. Section 239.0.1 of the Act is amended by replacing paragraphs 1 and 2 by the following paragraphs:

“(1) where the registrant is a financial institution referred to in subparagraph *b* of paragraph 2 of the definition of “financial institution” in section 1, to use the property in those commercial activities to the extent that the registrant does not use the property in the registrant’s activities that relate to credit cards or charge cards issued by the registrant or to the making of any advance, the lending of money or the granting of any credit; and

“(2) in any other case, to use the property in those commercial activities.”

219. Section 289.4 of the Act is amended by replacing paragraph 2 by the following paragraph:

“(2) in the fiscal year, two or more pension entities, the person and one of those pension entities may jointly elect, in a document in the form and containing the information determined by the Minister, for that pension entity

to be the specified pension entity of the pension plan in respect of the person for the fiscal year.”

220. Section 289.8 of the Act is replaced by the following section:

“**289.8.** If any of sections 289.5 to 289.7 applies in respect of a person that is a participating employer of a pension plan, the person shall, in the form and manner determined by the Minister, provide the information determined by the Minister to the pension entity of the pension plan that is deemed to have paid tax under that section.”

221. Section 301.5 of the Act is amended by replacing “, at the place where the particular supply was made, a taxable supply” by “a taxable supply in Québec”.

222. Section 301.7 of the Act is amended by replacing “exclusivement” and “directement” wherever they appear in the French text by “exclusive” and “directe”, respectively.

223. (1) Section 301.8 of the Act is amended

(1) by replacing “and Division” in the portion of subparagraph *a* of subparagraph 2 of the first paragraph before the formula by “or Division”;

(2) by replacing subparagraph 1 of the second paragraph in the French text by the following subparagraph:

“1° la lettre A représente le taux de la taxe prévu au premier alinéa de l’article 16;”.

(2) Subsection 1 applies in respect of a person who, after 31 December 2012, begins to carry on a particular construction in full or partial satisfaction of the person’s obligations under a performance bond.

224. (1) Section 301.9 of the Act is amended, in the first paragraph,

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

“**301.9.** If a person acquires or brings into Québec a property or a service for consumption, use or supply exclusively and directly in the course of construction work that includes the carrying on of a particular construction that is undertaken in full or partial satisfaction of the person’s obligations as a surety under a performance bond and in the course of carrying on other construction activities, the following rules apply for the purposes of this division, of determining the input tax refund of the person and of determining the total amount of all input tax refunds in respect of direct inputs that the person is entitled to claim:”;

(2) by replacing subparagraph 2 in the French text by the following subparagraph:

“2° l'intrant donné est réputé avoir été acquis ou apporté au Québec, selon le cas, exclusivement et directement pour utilisation dans le cadre de la réalisation de la construction donnée;”.

(2) Subsection 1 applies in respect of a person who, after 31 December 2012, begins to carry on a particular construction in full or partial satisfaction of the person's obligations under a performance bond.

225. (1) Section 331.0.1 of the Act is amended by inserting the following paragraph after paragraph 4:

“(4.1) that is not a party to an effective election under section 297.0.2.1;”.

(2) Subsection 1 applies from 1 January 2013.

226. (1) Section 407.6 of the Act is amended by striking out “where the percentage corresponding to C in the formula in the first paragraph of section 433.16 that is determined for the particular taxation year in respect of the financial institution is greater than zero”.

(2) Subsection 1 has effect from 1 January 2013.

227. (1) Section 437.1 of the Act is amended, in the first paragraph, by replacing the portion of subparagraph 3 of the second paragraph of section 433.16 of the Act before subparagraph *a* enacted by that first paragraph by the following:

“(3) C is the lesser of the percentage corresponding to the value C would have in the formula in subsection 2 of section 225.2 of the Excise Tax Act, determined for the taxation year, for the financial institution as regards Québec, and the percentage corresponding to the value that same C would have, for the financial institution as regards Québec, for the preceding taxation year, if each of those values were determined in accordance with the regulation made under that Act for the purposes of subsection 2.1 of section 228 of that Act taking the following assumptions into account:”.

(2) Subsection 1 applies in respect of a reporting period that ends after 31 December 2012.

228. (1) Section 437.3 of the Act is amended by replacing the portion before paragraph 1 by the following:

“**437.3.** A person who is a selected listed financial institution that is required to file a final return under section 470.1 for a reporting period shall”.

(2) Subsection 1 applies in respect of a reporting period that ends after 31 December 2012.

229. (1) Sections 441 and 442 of the Act are replaced by the following sections:

“441. Where at any time a person files a particular return as required under this Title in which the person reports an amount of tax (in this section referred to as the “remittance amount”) that is required to be remitted under the second paragraph of section 437 or section 437.3 or paid under section 17, 18, 18.0.1, 437.2 or 438 by the person, and the person claims a refund or rebate to which the person is entitled at that time under this Title, in the particular return or in another return, or in an application, filed as required under this Title with the particular return, the person is deemed to have remitted at that time on account of the person’s remittance amount, and the Minister is deemed to have paid at that time as a refund or rebate, an amount equal to the lesser of the remittance amount and the amount of the refund or rebate.

“442. A person may, in prescribed circumstances and subject to prescribed conditions and rules, reduce or offset the tax that is required to be remitted under the second paragraph of section 437 or section 437.3 or paid under section 17, 18, 18.0.1, 437.2 or 438 by that person at any time by the amount of any refund or rebate to which another person may at that time be entitled under this Title.”

(2) Subsection 1 applies in respect of a reporting period that ends after 31 December 2012.

230. Section 450.0.8 of the Act is replaced by the following section:

“450.0.8. A tax adjustment note referred to in section 450.0.2 or 450.0.5 must be in the form and contain the information determined by the Minister and be issued in a manner satisfactory to the Minister.”

231. Section 450.0.9 of the Act is replaced by the following section:

“450.0.9. Where a tax adjustment note is issued under section 450.0.2 or 450.0.5 to a pension entity of a pension plan and, as a consequence of that issuance, subparagraph 4 of the first paragraph of section 450.0.4 or 450.0.7 applies to a participating employer of the pension plan, the pension entity shall, in a document in the form and containing the information determined by the Minister and in a manner satisfactory to the Minister, notify without delay the participating employer of that issuance.”

232. (1) Section 470.1 of the Act is amended by replacing the portion before paragraph 1 by the following:

“470.1. Despite paragraph 2 of section 468 and section 470, if a selected listed financial institution’s reporting period ending in a fiscal year is a fiscal month or a fiscal quarter, the financial institution shall file with the Minister”.

(2) Subsection 1 applies in respect of a reporting period that ends after 31 December 2012. However, when it applies in relation to a reporting period that includes 1 January 2013, section 470.1 of the Act is to be read as follows:

“470.1. Despite paragraph 2 of section 468 and section 470, if a selected listed financial institution has a reporting period that ends on a particular day in a fiscal year and, for the purposes of Part IX of the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15), its reporting period ending on that particular day is a fiscal month or fiscal quarter, the financial institution shall file with the Minister”.

233. (1) Section 472 of the Act is amended, in paragraph 1,

(1) by replacing the portion before subparagraph *a* in the French text by the following:

“1° dans le cas où la personne est un inscrit, payer la taxe au ministre ou à la personne prescrite au plus tard le jour donné où elle est tenue de produire sa déclaration en vertu de l’un des articles 468 et 469 pour la période de déclaration au cours de laquelle la taxe est devenue payable, et :”;

(2) by striking out “or the prescribed person” in subparagraph *b*.

(2) Subsection 1 applies in respect of a reporting period that ends after 31 December 2012.

234. (1) Section 528 of the Act is amended by replacing paragraph 1 by the following paragraph:

“(1) where the person is registered under Title I, the day on which the person is required to file a return for the reporting period determined under subdivision 1 of Division IV of Chapter VIII of Title I in which the premium was paid, in accordance with the provisions of subdivision 2 of Division IV of Chapter VIII of Title I, except where the person is a selected listed financial institution throughout that reporting period; and”.

(2) Subsection 1 applies in respect of a reporting period that ends after 31 December 2012.

235. (1) Section 541.24 of the Act is amended by adding the following subparagraph after subparagraph 3 of the first paragraph:

“(4) where the establishment is situated in a class 4 prescribed tourist region, a specific tax equal to \$3 per overnight stay for each unit.”

(2) Subsection 1 applies in respect of the supply of an accommodation unit that is invoiced after 30 June 2012 for occupancy after that date, unless

(1) the accommodation unit is supplied by an intermediary to whom the accommodation unit was supplied before 1 July 2012; or

(2) the operator of a sleeping-accommodation establishment invoices the supply of the accommodation unit to a travel intermediary that is a travel agent within the meaning of section 2 of the Travel Agents Act (chapter A-10), a foreign tour operator or a convention organizer that supplies the accommodation unit to a convention attendee, where consideration for the supply has been set under an agreement entered into before 1 July 2012 between the operator of the sleeping-accommodation establishment and the travel intermediary, and occupation of the accommodation unit takes place after 30 June 2012 and before 1 April 2013.

236. (1) Section 541.25 of the Act is amended by replacing subparagraph 1 of the third paragraph by the following subparagraph:

“(1) if the supply is made to a client, the tax provided for in subparagraph 1 of the first paragraph of section 541.24, subparagraph *b* of subparagraph 2 or 3 of that paragraph or subparagraph 4 of that paragraph, as the case may be; or”.

(2) Subsection 1 applies in respect of the supply of an accommodation unit that is invoiced after 30 June 2012 for occupancy after that date, unless

(1) the accommodation unit is supplied by an intermediary to whom the accommodation unit was supplied before 1 July 2012; or

(2) the operator of a sleeping-accommodation establishment invoices the supply of the accommodation unit to a travel intermediary that is a travel agent within the meaning of section 2 of the Travel Agents Act (chapter A-10), a foreign tour operator or a convention organizer that supplies the accommodation unit to a convention attendee, where consideration for the supply has been set under an agreement entered into before 1 July 2012 between the operator of the sleeping-accommodation establishment and the travel intermediary, and occupation of the accommodation unit takes place after 30 June 2012 and before 1 April 2013.

237. The Act is amended by striking out “also” in the following provisions:

— subparagraph 3 of the second paragraph of section 402.18;

— subparagraphs 1 and 2 of the second paragraph of section 433.16;

— the portion of the first paragraph of section 450.0.4 before subparagraph 1;

— the portion of the first paragraph of section 450.0.7 before subparagraph 1.

238. This Act comes into force on 5 June 2013.

2013, chapter 11

AN ACT TO AMEND THE ACT RESPECTING HÉMA-QUÉBEC AND THE HAEMOVIGILANCE COMMITTEE

Bill 29

Introduced by Mr. Réjean Hébert, Minister of Health and Social Services

Introduced 27 March 2013

Passed in principle 23 April 2013

Passed 28 May 2013

Assented to 5 June 2013

Coming into force : 5 June 2013, except

(1) section 8, which comes into force on the date to be set by the Government; and

(2) section 15, which comes into force on the date of coming into force of the first regulation made under this Act

Legislation amended :

Act respecting Héma-Québec and the haemovigilance committee (chapter H-1.1)

Regulation amended :

Regulation respecting the conditions for compensation to victims of a Héma-Québec product (chapter H-1.1, r. 1)

Explanatory notes

This Act contains various amendments to the Act respecting Héma-Québec and the haemovigilance committee.

Héma-Québec's mission is broadened to include duties and functions in connection with human milk, stem cells and any human tissues, as well as any other human biological product determined by the Government. The Government is empowered to entrust Héma-Québec with any other mandate related to those duties and functions.

The governing board of Héma-Québec also undergoes certain modifications, particularly with respect to its composition and the length of its members' terms, and Héma-Québec is empowered to make an agreement with the Minister of Health and Social Services on the use of any surpluses generated by its activities. Furthermore, the health and social services institutions are to pay the price of the products and services provided by Héma-Québec, unless the Minister decides otherwise.

(Cont'd on next page)

Explanatory notes (Cont'd)

Héma-Québec may not construct, acquire, dispose of, convert or renovate an immovable without the Minister's authorization, except in the cases specified by the Government. The Government may determine the cases in which Héma-Québec must obtain the Minister's authorization to rent an immovable. Moreover, the Minister is granted powers as regards inspections and investigations.

The proposed amendments also allow Héma-Québec, in certain circumstances, to remove tissues after the donor's death is attested by a single physician who does not participate either in the removal or in the transplantation.

The Minister is empowered to broaden the mandate of the haemovigilance committee to take into account Héma-Québec's new duties and functions; consequently, the committee's composition and name are modified.

In addition, the compensation plan for victims of a Héma-Québec product is amended to take into account Héma-Québec's new duties and functions.

Lastly, various consequential and transitional amendments are introduced.



Chapter 11

AN ACT TO AMEND THE ACT RESPECTING HÉMA-QUÉBEC AND THE HAEMOVIGILANCE COMMITTEE

[Assented to 5 June 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 3 of the Act respecting Héma-Québec and the haemovigilance committee (chapter H-1.1) is amended

(1) by replacing “at the request of a body managing joint supplies to institutions that has been designated by the Minister of Health and Social Services” in subparagraph 8 of the second paragraph by “at the request of the Minister of Health and Social Services or a body managing joint supplies to institutions that has been designated by the Minister”;

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

“Héma-Québec is also assigned, with the necessary modifications, such duties and functions in connection with human milk, stem cells and any human tissue, as well as any other human biological product determined by the Government.

Héma-Québec shall carry out any other mandate related to the duties or functions described in the preceding paragraphs that is entrusted to it by the Government.

In pursuing its mission, Héma-Québec must manage its human, material, information, technological and financial resources effectively and efficiently.”

2. Section 5 of the Act is amended by replacing “on blood or plasma donors with a view to reducing the risk of product contamination” by “on donors with a view to maintaining supply safety, in particular as regards the risk of product contamination”.

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

“**7.** The affairs of Héma-Québec are administered by a governing board composed of 13 members.

Eleven of these members are identified with the following categories:

(1) the associations representing product recipients;

- (2) the Association québécoise d'établissements de santé et de services sociaux;
- (3) the product donors and volunteer donor clinic organizers;
- (4) the Collège des médecins du Québec;
- (5) the scientific research sector;
- (6) the business sector; and
- (7) the public health sector.

There must be at least one but not more than 3 members per category. All 11 members are appointed by the Government after consultation with the persons or sectors in that category.

The board must also include a person who is a member of the Ordre des comptables professionnels agréés du Québec, appointed by the Government after consultation with that professional order.

The president and chief executive officer, who may be designated by the title "président-directeur général" or "président et chef de la direction" in French, is also a member of the board, appointed to that position by the other members of the board."

4. Section 9 of the Act is replaced by the following section:

"9. The president and chief executive officer is appointed for a term of not more than five years and the other members of the governing board are appointed for a term of not more than four years. At the expiry of their terms, they remain in office until they are replaced or reappointed.

The members of the governing board, other than the president and chief executive officer, may be reappointed only twice, for a consecutive or non-consecutive term."

5. Section 10 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: "The offices of chair and president and chief executive officer may not be held concurrently.";

(2) by replacing "director general" in the second paragraph by "president and chief executive officer".

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

“**13.** The Minister may designate a member of the biovigilance committee to attend the meetings of the governing board. That member is entitled to speak at the meetings.”

7. Section 25 of the Act is amended by adding the following paragraph at the end:

“Any surpluses are paid into the Consolidated Revenue Fund, unless a prior agreement between Héma-Québec and the Minister is entered into on the use of the surplus.”

8. Section 30 of the Act is replaced by the following section:

“**30.** Héma-Québec may not construct, acquire, dispose of, convert or renovate an immovable without the Minister’s authorization, except in the cases, on the conditions and to the extent determined by the Government.

Héma-Québec may, however, rent an immovable without the Minister’s authorization, except in the cases, on the conditions and to the extent determined by the Government.

The Minister’s authorization is also necessary for any purchase or rental of equipment for an amount exceeding the thresholds determined by the Government, unless the equipment is required to ensure the safety of Héma-Québec products. In the latter case, Héma-Québec must, within 90 days after the purchase or rental, provide the Minister with proof that the purchase or rental was justified.”

9. The Act is amended by inserting the following sections before section 32:

“**31.1.** The Minister or a person authorized in writing by the Minister may conduct an inspection and, at any reasonable time, enter any premises under the responsibility of Héma-Québec to verify compliance with this Act or the regulations.

The inspector may

(1) examine and make a copy of any document relating to Héma-Québec activities; and

(2) demand any information relating to the application of this Act or a regulation and the production of any document connected with it.

A person having custody, possession or control of such documents must, on request, make them available to the inspector.

The inspector must, on request, produce a certificate of authorization signed by the Minister.

No proceedings may be brought against the inspector for acts in good faith in the performance of inspection duties.

“31.2. The Minister may investigate or direct a person the Minister designates to investigate any matter relating to the application of this Act or the regulations.

For the purposes of such an investigation, the person who conducts an investigation has the powers and immunity conferred on commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

“31.3. No person may hinder a person in the performance of inspection or investigation duties, mislead or attempt to mislead that person by misrepresentation or deceptive statements, refuse to produce documents required by that person or omit or refuse, without good cause, to answer any question that may lawfully be asked.

“31.4. Once the inspection or investigation is completed, the Minister may require Héma-Québec to submit an action plan to remedy the situation, if applicable.”

10. The heading of Division VI of the Act is amended by adding “AND SERVICES” at the end.

11. The Act is amended by inserting the following section before section 38:

“37.1. The price of the products and services provided by Héma-Québec to health and social services institutions is to be paid in full by the institutions. However, if the Minister considers it expedient, the Minister may pay all or part of the cost directly, in the manner agreed by the Minister and Héma-Québec.”

12. Section 45 of the Act is amended

(1) by replacing “haemovigilance” wherever it appears by “biovigilance”;

(2) by replacing “bone marrow or any other human tissue” in the third paragraph by “human milk, stem cells, human tissues or organs and any other human biological product”.

13. Section 46 of the Act is amended

(1) by replacing “haemovigilance” in the introductory clause of the first paragraph by “biovigilance”;

(2) by replacing “two persons” in subparagraph 2 of the first paragraph by “one person”;

(3) by replacing “four” in subparagraph 5 of the first paragraph by “three”;

(4) by adding the following subparagraph after subparagraph 6 of the first paragraph:

“(7) one expert in the field of perinatal care.”;

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

“The Minister may also appoint up to three other members to the committee if the Minister considers that their expertise would advance the work of the committee.”

14. Section 54.1 of the Act is amended

(1) by replacing the definition of “Héma-Québec product” by the following definition:

““Héma-Québec product” means any product distributed by Héma-Québec, except

(1) when such a product is used for research or clinical trials, unless the Minister decides otherwise; or

(2) when such a product is made from a human biological product determined by the Government and the Government has decided to exclude it from the compensation plan for victims;”;

(2) by striking out “through a transfusion or graft” in the definition of “victim”.

15. The Act is amended by inserting the following section before section 55:

“54.13. Despite article 45 of the Civil Code, if cardiac and breathing functions have ceased simultaneously and irreversibly and are not maintained artificially, in compliance with the conditions determined by government regulation, tissues may be removed by Héma-Québec after the death of the donor is attested by a physician who does not participate either in the removal or in the transplantation.”

16. The Act is amended by replacing “haemovigilance committee” by “biovigilance committee” in the title of the Act, in the heading of Chapter II and in sections 37 and 44 and by replacing “Comité d’hémovigilance” in section 44 by “Comité de biovigilance”.

17. The Act is amended by replacing “director general” wherever it appears in sections 14 to 17 by “president and chief executive officer”.

18. Sections 57 to 74 of the Act are repealed.

REGULATION RESPECTING THE CONDITIONS FOR
COMPENSATION TO VICTIMS OF A HÉMA-QUÉBEC PRODUCT

19. The Regulation respecting the conditions for compensation to victims of a Héma-Québec product (chapter H-1.1, r. 1) is amended by inserting the following section after section 1:

“**1.1.** For the purposes of section 54.1 of the Act, the following reactions, associated with the normal constituents of human milk, in relation to the standards in force when a Héma-Québec product is administered, are adverse effects not constituting a bodily injury:

- lactose intolerance;
- necrotizing enterocolitis; and
- allergic reaction.”

TRANSITIONAL AND FINAL PROVISIONS

20. The members of the governing board of Héma-Québec in office on 4 June 2013 continue in office on the same terms, for the unexpired portion of their term, until they are replaced or reappointed.

The director general of Héma-Québec continues in office as president and chief executive officer on the same terms, for the unexpired portion of the term.

21. The members of the haemovigilance committee in office on 4 June 2013 continue in office as members of the biovigilance committee on the same terms, for the unexpired portion of their term, until they are replaced or reappointed.

22. This Act comes into force on 5 June 2013, except

(1) section 8, which comes into force on the date to be set by the Government; and

(2) section 15, which comes into force on the date of coming into force of the first regulation made under this Act.

2013, chapter 12 AN ACT TO AMEND THE PROFESSIONAL CODE WITH RESPECT TO DISCIPLINARY JUSTICE

Bill 17

Introduced by Mr. Bertrand St-Arnaud, Minister of Justice and Minister responsible for the administration of legislation respecting the professions

Introduced 13 February 2013

Passed in principle 19 March 2013

Passed 6 June 2013

Assented to 12 June 2013

Coming into force : on the date or dates to be set by the Government, except section 2, section 3 to the extent that it concerns section 115.2 of the Professional Code, insofar as that section refers to the selection procedure for chairs, and sections 115.3 and 115.5 of the Code, section 5 to the extent that it concerns sections 117.2 and 117.3 of the Code, and sections 22, 26, 27, 28 and 33 to 35, which come into force on 12 June 2013

Legislation amended :

Professional Code (chapter C-26)

Explanatory notes

This Act amends the disciplinary justice system applicable to members of the professional orders. To that end, the Bureau des présidents des conseils de discipline is constituted within the Office des professions du Québec. The Bureau consists of not more than 20 disciplinary council chairs of professional orders, including a senior chair and a deputy senior chair appointed on a full-time basis by the Government for a term of not more than five years.

A selection procedure for disciplinary council chairs is to be established by the Government. The Government must also adopt a code of ethics applicable to the chairs and other members of the disciplinary councils.

Several complaints may be heard by the same disciplinary council.

The rules governing the replacement of the disciplinary council chair seized of a complaint are made clearer and more complete.

(Cont'd on next page)

Explanatory notes (Cont'd)

In addition, every year, the senior chair is required to present to the Minister of Justice a plan setting out, among other things, management objectives to ensure the quality and the expeditious nature of complaint processing and the decision-making process.

Moreover, a professional's participation in an act involving collusion, corruption, malfeasance, breach of trust or influence peddling is defined as an act derogatory to the dignity of the profession.

Lastly, related and transitional provisions are introduced.



Chapter 12

AN ACT TO AMEND THE PROFESSIONAL CODE WITH RESPECT TO DISCIPLINARY JUSTICE

[Assented to 12 June 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 16.1 of the Professional Code (chapter C-26) is amended by replacing “report mentioned in section 16.19” in the first paragraph by “reports mentioned in sections 16.19 and 115.9”.

2. The Code is amended by inserting the following section after section 59.1:

“**59.1.1.** The following acts engaged in by a professional also constitute acts derogatory to the dignity of the profession:

(1) committing an act involving collusion, corruption, malfeasance, breach of trust or influence peddling;

(2) attempting to commit such an act or counselling another person to do so; and

(3) conspiring to commit such an act.”

3. The Code is amended by replacing the heading of subdivision 1 of Division VII of Chapter IV by the following:

“§1.—*Bureau des présidents des conseils de discipline*”

“**115.1.** A bureau of disciplinary council chairs, known as the Bureau des présidents des conseils de discipline, is constituted within the Office.

The Bureau is to consist of not more than 20 disciplinary council chairs, including a senior chair and a deputy senior chair.

“**115.2.** The chairs are appointed by the Government for a fixed term of not more than five years from among the persons declared qualified in accordance with the selection procedure the Government determines by regulation. The chairs exercise their functions on a full-time basis.

The selection procedure does not apply to a chair whose term is renewed.

“**115.3.** Only an advocate who has at least 10 years of practice and possesses relevant legal experience may be the chair of a disciplinary council.

“**115.4.** A senior chair and a deputy senior chair are designated by the Government from among the chairs.

“**115.5.** The selection procedure for chairs

- (1) sets out the procedure for running for office;
- (2) provides for the establishment of a selection committee to assess the qualifications of candidates and provide an advisory opinion on them; and
- (3) identifies the selection criteria that the committee is to take into account.

The members of a selection committee are not remunerated, except in the cases, on the conditions and to the extent determined by the Government. However, they are entitled to the reimbursement of any expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

“**115.6.** The Government shall determine the remuneration, employee benefits and other conditions of employment of the chairs, the senior chair and the deputy senior chair.

“**115.7.** The senior chair is responsible for the administration and overall management of the Bureau. The functions of the senior chair include

- (1) fostering the participation of the disciplinary council chairs in the formulation of guiding principles with a view to maintaining a high level of quality and coherence in decisions;
- (2) taking measures to promote the expeditious nature of complaint processing and the decision-making process;
- (3) consulting the professional orders to assess their particular needs;
- (4) coordinating and assigning the work of the chairs, who, in that respect, must comply with the senior chair’s orders and directives;
- (5) seeing that the chairs observe standards of ethical conduct;
- (6) promoting the professional development of the chairs as regards the exercise of their functions, and
- (7) periodically evaluating the knowledge and the skills of the chairs in the exercise of their functions, and their contribution to achieving the objectives set out in this division.

“**115.8.** Every year the senior chair shall present to the Minister a plan setting out management objectives to ensure the quality and expeditious nature of complaint processing and the decision-making process and stating the results achieved in the preceding year.

In addition to the information requested by the Minister, the plan must include the following information, which the senior chair compiles for each disciplinary council on a monthly basis:

(1) the number of days on which hearings were held and the average number of hours devoted to them;

(2) the number of postponements granted;

(3) the nature of the complaints for which a management conference was held, and the number of such complaints;

(4) the nature of the complaints and requests heard, their number and the places and dates of the hearings;

(5) the nature of the complaints and requests taken under advisement, their number and the time devoted to advisement;

(6) the nature and the number of decisions rendered;

(7) the nature and the number of decisions appealed; and

(8) the time devoted to the proceedings, from the date of receipt of the complaint or request until the beginning of the hearing or the rendering of the decision on the conviction and, if applicable, the penalty.

“**115.9.** The senior chair may make recommendations to the Minister to improve complaint processing and the decision-making process.

“**115.10.** The deputy senior chair shall exercise the functions of the senior chair if the latter is absent or unable to act.

“§1.1. — *Disciplinary councils*”.

4. Section 116 of the Code is amended by inserting “, the senior chair, the deputy senior chair” after “syndic” in the fourth paragraph.

5. Section 117 of the Code is replaced by the following sections:

“**117.** The members of a disciplinary council other than the chair are appointed by the board of directors of the order from among the order’s members. The board of directors shall fix the duration of their term, which must be at least three years.

“**117.1.** The Government shall set the travel and lodging expenses of the disciplinary council members appointed by the board of directors of the order. The expenses are borne by the order.

“**117.2.** The Government, after consulting with the Bureau and the Québec Interprofessional Council, shall establish, by regulation, a code of ethics applicable to members of the disciplinary councils.

“**117.3.** The code of ethics sets out the rules of conduct of disciplinary council members and their duties towards the public, the parties, the parties’ witnesses and the persons representing the parties. It defines, in particular, conduct that is derogatory to the honour, dignity or integrity of a member of a disciplinary council. In addition, the code of ethics may determine the activities or situations that are incompatible with the office held by the members of a disciplinary council, the obligations of those members concerning the disclosure of interests, and the functions the members may exercise free of charge.

The code of ethics may include special rules governing disciplinary council members other than the chair.”

6. Sections 118 and 118.1 of the Code are repealed.

7. Section 118.2 of the Code is amended by replacing “désignés” in the French text by “nommés”.

8. Section 118.3 of the Code is replaced by the following sections:

“**118.3.** Where, being unable to act, a member is unable to continue with a hearing, whether it be the conviction hearing or the penalty hearing, the two remaining members, provided one is the chair, may validly proceed with the hearing and render a decision on the conviction and the penalty.

“**118.4.** Where a member is replaced in accordance with section 118.2, the two remaining members, provided one is the chair, may proceed with the hearing and validly render a decision on the conviction and the penalty.

A chair who has been replaced may continue to hear a complaint, no matter what stage of the hearing has been reached, with the authorization of and for the length of time determined by the senior chair.

Where the decision is not rendered within the time determined by the senior chair, the latter may, on the senior chair’s initiative or at the request of one of the parties, extend the time limit or withdraw the matter from the chair. The request must be filed with the secretary of the disciplinary council concerned. It must be served in accordance with the Code of Civil Procedure (chapter C-25) on the senior chair and the council members who are seized of the complaint, and on the parties. Before extending the time limit or withdrawing the matter from the chair, the senior chair must take the circumstances and the interest of the parties into account.

“118.5. Where the chair is dismissed, where a matter is withdrawn from the chair, where the chair is unable to act, or where the chair’s term of office has expired and the chair decides not to proceed with a hearing, the senior chair must designate a new chair as soon as possible to hear the complaint, no matter what stage of the hearing has been reached.

Where a new chair is designated before the decision on the conviction is rendered, the disciplinary council may, with the consent of the parties, continue the proceeding and rely on the evidence already filed.

Where the chair is designated after the decision on the conviction is rendered, the disciplinary council continues the proceeding at the stage of the penalty hearing. The penalty hearing is governed by the same rules for evidence already filed as those set out in the second paragraph.

Where the decision on the conviction or the penalty was handed down at the hearing but not recorded in writing before a new disciplinary council chair was designated in accordance with the first paragraph, the senior chair, together with at least one other disciplinary council member, may sign the minutes of the proceeding. The decision is presumed to be in compliance with section 154 in such a case.

“118.6. Interlocutory decisions rendered before continuance of suit remain valid.”

9. Section 119 of the Code is repealed.

10. Section 120 of the Code is amended by replacing the second paragraph by the following paragraph:

“Where the secretary is absent or unable to act, the board of directors appoints a replacement for as long as the secretary is absent or unable to act.”

11. The Code is amended by inserting the following heading before section 121:

“§1.2.— *Syndics*”.

12. The Code is amended by inserting the following heading after section 123.2:

“§1.3.— *Review committees*”.

13. Section 125 of the Code is repealed.

14. Section 126 of the Code is amended by adding “, who must send a copy to the senior chair as soon as possible” at the end of the first paragraph.

15. Section 130 of the Code is amended by inserting “or 59.1.1” after “section 59.1” in paragraph 1.

16. Section 131 of the Code is amended by striking out “or the substitute chair” at the end.

17. The Code is amended by inserting the following section after section 132:

“**132.1.** Complaints whose subject matter could suitably be combined, whether or not the same parties are involved, may be joined by order of the senior chair or the deputy senior chair, on the conditions they fix. The senior chair or the deputy senior chair may not, however, join complaints for which the disciplinary councils of different professional orders are responsible.

An order made under the first paragraph may be revoked by the chair designated to hear the complaints if the chair believes that the interests of justice will be better served as a result. The chair’s decision cannot be appealed.”

18. Section 133 of the Code is amended by replacing “The request for provisional striking off the roll or immediate provisional restriction of the right to engage in professional activities” in the first paragraph by “The secretary of the disciplinary council must send a copy of the request for provisional striking off the roll or immediate provisional restriction of the right to engage in professional activities to the senior chair as soon as possible. The request”.

19. Section 138 of the Code is replaced by the following section:

“**138.** A disciplinary council shall sit in divisions, each division consisting of three members, including the chair designated by the senior chair. The secretary of the disciplinary council shall, as soon as possible, choose from among the council members appointed by the board of directors the other two members who are to sit with the chair.

In assigning work to the chairs, the senior chair may take into account their specific knowledge and experience, the number of complaints referred to them and the special needs of certain professional orders.”

20. Section 139 of the Code is amended by replacing the first paragraph by the following paragraph:

“**139.** The senior chair, in collaboration with the chair and the secretary of the disciplinary council, must make sure that the hearing begins within a reasonable time. Barring particular circumstances, the hearing must begin within 120 days after service of the complaint.”

21. Sections 143.1 to 143.4 and 154 of the Code are amended by striking out all occurrences of “or substitute chair”.

22. Section 149.1 of the Code is replaced by the following section:

“**149.1.** A syndic may, by way of a complaint, seize the disciplinary council

(1) of any decision of a Canadian court finding a professional guilty of a criminal offence,

(2) of any decision made in Québec finding a professional guilty of an offence under section 188 or of an offence under a provision of a Québec or a federal Act, or

(3) of any decision made outside Québec finding a professional guilty of an offence which, if committed in Québec, could have resulted in penal proceedings under section 188 or penal proceedings under a provision of a Québec or a federal Act.

The decision referred to in the first paragraph must, in the opinion of the syndic, be related to the practice of the profession.

A certified copy of the judicial decision is proof before the disciplinary council that the offence was committed and that any facts reported in the decision are true. The disciplinary council then imposes on the professional, where expedient, one or more of the sanctions prescribed by section 156.”

23. Section 151 of the Code is amended

(1) by striking out “or substitute chair” in the third paragraph;

(2) by replacing “referred to in section 138” in the fourth paragraph by “appointed by the board of directors of the order”;

(3) by replacing “revised by the chair of the disciplinary council” in the fifth paragraph by “revised by the senior chair or the deputy senior chair”;

(4) by replacing the last sentence of the fifth paragraph by the following sentence: “The decision concerning the revision of the list is not subject to appeal.”

24. Section 159 of the Code is amended by replacing “without delay” in the first paragraph by “as soon as possible”.

25. Section 161 of the Code is amended by inserting “The secretary must send a copy of the petition to the senior chair as soon as possible.” after “restriction or suspension.” in the first paragraph.

26. Section 164 of the Code is amended

(1) by striking out subparagraph 2 of the first paragraph;

(2) by striking out the third paragraph;

(3) by striking out “or the motion for leave to appeal, as the case may be” in the fourth paragraph;

(4) by striking out “or the decision of the tribunal granting leave to appeal” in the fifth paragraph.

27. Section 184.3 of the Code is replaced by the following section:

“184.3. The Office may, by regulation and after consultation with the Bureau and the Québec Interprofessional Council, adopt rules of evidence and practice for the conduct of proceedings relating to complaints lodged with the disciplinary councils.”

28. Section 188.2.1 of the Code is amended

(1) by replacing “the code of ethics is contravened” by “during which the contravention continues”;

(2) by inserting “section 59.1, 59.1.1 or 59.2 or” after “contravene”.

29. Section 193 of the Code is amended by inserting “the senior chair, the deputy senior chair,” at the beginning of paragraph 4.

30. Section 197 of the Code is amended by inserting “Division VII of Chapter IV and” after “with the application of” in the second paragraph.

TRANSITIONAL AND FINAL PROVISIONS

31. The term of the disciplinary council chairs of professional orders, the substitute chairs and the replacement chair in office on the date preceding the date of coming into force of this section ends on the date of coming into force of this section.

A chair may, however, continue in office on the same conditions to conclude cases the chair has begun to hear but has not yet decided.

The decision on conviction and, if applicable, on the penalty must be rendered before the date that is six months after the date of coming into force of this section. Failure to observe that time limit causes the matter to be withdrawn from the chair unless the senior chair decides to extend the time limit.

If a matter is withdrawn from a chair or if a chair decides not to continue to exercise the functions of office, the senior chair must designate a new chair as soon as possible to hear the complaint, whatever stage the hearing has reached.

The rules set out in the second, third and fourth paragraphs of section 118.5 of the Professional Code (chapter C-26), as enacted by section 8, apply to the continuance of the hearing in such a case.

32. A person who, on the date preceding the date of coming into force of this section, was continuing to hear a complaint under section 118.3 of the Professional Code or the third paragraph of section 119 of that Code may, on the same conditions, with the authorization of the senior chair and for the period the senior chair determines, continue to hear the complaint and render a decision. Failure to observe the prescribed time limit causes the matter to be withdrawn from the chair unless the senior chair decides to extend the time limit.

The fourth and fifth paragraphs of section 31 apply, with the necessary modifications, in such a case.

33. Where a disciplinary council chair had begun to hear a complaint before 12 June 2013 and, before or after that date and before the coming into force of section 8, the matter is withdrawn from that chair under the third paragraph of section 118.3 of the Professional Code and the new chair is designated before the decision on the conviction has been rendered, the disciplinary council may, without a new division being formed and with the consent of the parties, continue the proceeding and rely on the evidence already filed.

Where the chair is designated after the decision on the conviction is rendered, the disciplinary council continues the proceeding at the stage of the penalty hearing. The penalty hearing is governed by the same rules for evidence already filed as those set out in the first paragraph.

Where the decision on the conviction was handed down at the hearing but not recorded in writing before the matter was withdrawn from the chair, the replacement chair, together with at least one other disciplinary council member, may sign the minutes of the proceeding if it contains the reasons for the decision. The decision is presumed to be in compliance with section 154 of the Professional Code in such a case.

34. The first code of ethics established by the Government under section 117.2 of the Professional Code, as enacted by section 5, is adopted without consulting the Bureau des présidents des conseils de discipline.

35. The first rules of evidence and practice adopted by the Office des professions du Québec under section 184.3 of the Professional Code, as amended by section 27, are adopted without consulting the Bureau des présidents des conseils de discipline.

36. The provisions of this Act come into force on the date or dates to be set by the Government, except section 2, section 3 to the extent that it concerns section 115.2 of the Professional Code, insofar as that section refers to the

selection procedure for chairs, and sections 115.3 and 115.5 of the Code, section 5 to the extent that it concerns sections 117.2 and 117.3 of the Code, and sections 22, 26, 27, 28 and 33 to 35, which come into force on 12 June 2013.

2013, chapter 13

AN ACT TO AMEND THE ELECTION ACT FOR THE PURPOSE OF ESTABLISHING FIXED-DATE ELECTIONS

Bill 3

Introduced by Mr. Bernard Drainville, Minister responsible for Democratic Institutions
and Active Citizenship

Introduced 7 November 2012

Passed in principle 21 May 2013

Passed 14 June 2013

Assented to 14 June 2013

Coming into force : 14 June 2013

Legislation amended :

Act respecting the National Assembly (chapter A-23.1)

Election Act (chapter E-3.3)

Explanatory notes

This Act amends the Election Act in order to provide that, from now on, general elections be held on a fixed date on the first Monday of October of the fourth calendar year following the year that includes the last day of the previous Legislature.

It will be possible, however, to postpone the date of a general election, in the manner and subject to the conditions prescribed by law, if the election period would otherwise overlap the election period for an upcoming federal or municipal general election.

Moreover, the Chief Electoral Officer is given the power to move the election date back one week in the event of a major disaster or another serious and unforeseeable situation.

This Act also amends the Act respecting the National Assembly to provide that each Legislature will end in sufficient time for a general election to be held on the fixed date.



Chapter 13

AN ACT TO AMEND THE ELECTION ACT FOR THE PURPOSE OF ESTABLISHING FIXED-DATE ELECTIONS

[Assented to 14 June 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ELECTION ACT

1. Section 32 of the Election Act (chapter E-3.3) is amended

(1) by replacing “upon the dissolution of the National Assembly” by “when the Legislature ends in accordance with section 6 of the Act respecting the National Assembly (chapter A-23.1)”;

(2) by replacing “the dissolution occurs” by “it ends”.

2. Section 91 of the Act, amended by section 8 of chapter 26 of the statutes of 2012, is again amended

(1) by replacing “for which an order was issued under section 128 may make” in the second paragraph by “in which an election is held may make, for that election,”;

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

“The contributions referred to in the second paragraph may be made,

(1) for a general election to be held under the second paragraph of section 129, during the entire calendar year in which the election is held;

(2) for a general election to be held under the first paragraph of section 129.2, during the entire calendar year in which the election is held and the entire calendar year preceding that year;

(3) for a general election to be held under the first paragraph of section 131, as of the day following the issue of the order instituting the election and up to the 90th day after polling day; and

(4) for a by-election, as of the date on which the seat becomes vacant up to the 30th day after polling day.”

3. Section 129 of the Act is replaced by the following section:

“**129.** At a general election, the polling day is the same for all electoral divisions.

For the purposes of the second paragraph of section 6 of the Act respecting the National Assembly (chapter A-23.1), the general election following the end of a Legislature shall be held on the first Monday of October of the fourth calendar year following the year that includes the last day of the previous Legislature.

Nothing in this section affects the power of the Lieutenant-Governor to dissolve the National Assembly before the end of a Legislature.”

4. The Act is amended by inserting the following sections after section 129:

“**129.1.** If, 15 days before the end of the Legislature provided for in the second paragraph of section 6 of the Act respecting the National Assembly (chapter A-23.1), the Chief Electoral Officer notes that the election period for the general election provided for in section 129 would overlap the election period for the next federal or municipal general election, the Chief Electoral Officer shall publish the dates of the election periods and the dates of the overlap in the *Gazette officielle du Québec*.

However, if the application of the third paragraph of section 6 of the Act respecting the National Assembly would extend the term of the Legislature beyond five years, the Chief Electoral Officer shall not make the publication provided for in the first paragraph.

“**129.2.** If two election periods overlap and the dates of the overlap are published in the *Gazette officielle du Québec* in accordance with the first paragraph of section 129.1, the general election shall be held, in accordance with the third paragraph of section 6 of the Act respecting the National Assembly (chapter A-23.1), on the first Monday of April of the fifth calendar year following the year that includes the last day of the previous Legislature.

The Chief Electoral Officer shall publish the date of the general election determined under the first paragraph in the *Gazette officielle du Québec*. The Chief Electoral Officer shall also make any advertisement necessary and provide all relevant information in order to inform the public of that date.”

5. Section 130 of the Act is amended by replacing “more than four years after receipt by the Secretary General of the National Assembly of the list of candidates declared elected referred to in section 380” in the second paragraph by “six months or less before the date of the next general election fixed under the second paragraph of section 129, or after that date if the general election is to be held on the date fixed under the first paragraph of section 129.2”.

6. Section 131 of the Act is amended by inserting “Except in the case of a general election whose date is fixed under the second paragraph of section 129 or the first paragraph of section 129.2,” at the beginning of the first paragraph.

7. Section 466 of the Act is amended by replacing “, prorogation or dissolution of the National Assembly” in the second paragraph by “ or prorogation of the National Assembly or the end of the Legislature in accordance with section 6 of the Act respecting the National Assembly (chapter A-23.1)”.

8. Section 490 of the Act is amended by inserting the following paragraph after the first paragraph:

“As well, the Chief Electoral Officer may postpone the election until the following Monday in the event of a major disaster or another serious and unforeseeable situation.”

ACT RESPECTING THE NATIONAL ASSEMBLY

9. Section 6 of the Act respecting the National Assembly (chapter A-23.1) is replaced by the following section:

“6. A Legislature starts upon the receipt by the Secretary General, after a general election, of the list of the candidates declared elected transmitted by the Chief Electoral Officer pursuant to section 380 of the Election Act (chapter E-3.3).

A Legislature ends on 29 August of the fourth calendar year following the year that includes the most recent general election polling day.

However, if the publication provided for in the first paragraph of section 129.1 of the Election Act has been made, the Legislature ends instead on 27 February, or 28 February in the case of a leap year, of the fifth calendar year following the year that includes the most recent general election polling day.

Only the Lieutenant-Governor may dissolve the National Assembly before the expiry of a Legislature.”

FINAL PROVISION

10. This Act comes into force on 14 June 2013.

2013, chapter 14

AN ACT TO AMEND THE EDUCATION ACT CONCERNING CERTAIN EDUCATIONAL SERVICES FOR FOUR-YEAR-OLD STUDENTS FROM UNDERPRIVILEGED BACKGROUNDS

Bill 23

Introduced by Madam Marie Malavoy, Minister of Education, Recreation and Sports

Introduced 14 March 2013

Passed in principle 7 May 2013

Passed 14 June 2013

Assented to 14 June 2013

Coming into force : 14 June 2013

Legislation amended :

Education Act (chapter I-13.3)

Explanatory notes

This Act amends the Education Act to give the Minister of Education, Recreation and Sports the power to permit the organization, by school boards, of preschool educational services intended for four-year-old students from underprivileged backgrounds. To that end, the Minister is to establish the conditions and procedures for the organization of those services, specifying in particular the activities or services intended for the students' parents.

The Act specifies the responsibilities of the Minister, the school board and the school.



Chapter 14

AN ACT TO AMEND THE EDUCATION ACT CONCERNING CERTAIN EDUCATIONAL SERVICES FOR FOUR-YEAR-OLD STUDENTS FROM UNDERPRIVILEGED BACKGROUNDS

[Assented to 14 June 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Education Act (chapter I-13.3) is amended by inserting the following section after section 37.1:

“37.2. At the request of the school board and after consultation with the school’s governing board, the school shall provide preschool educational services to students enrolled in accordance with section 224.1.”

2. The Act is amended by inserting the following section after section 224:

“224.1. In accordance with the conditions and procedures established by the Minister under section 461.1, a school board referred to in that section shall organize preschool educational services, admit students to them, enrol the students in a school and organize activities or services intended for the students’ parents in order to help achieve the educational services objectives.

The school board may however be exempted from the objectives set by the Minister under the fourth paragraph of section 461.1 if it proves, to the satisfaction of the Minister, that it is unable to achieve them.”

3. The Act is amended by inserting the following section after section 461:

“461.1. The Minister may permit the organization, by the school boards, of preschool educational services intended for students from underprivileged backgrounds having reached the age of four in the 12 months preceding the date prescribed by the third paragraph of section 1 for admission to preschool education.

In such a case, the Minister shall, after consultation with the Minister of Families, Seniors and the Status of Women establish conditions and procedures for the organization of such services. The Minister shall define the expression “from underprivileged backgrounds” in those conditions and procedures and specify the activities or services for the students’ parents that a school board must organize to help achieve the educational services objectives.

The conditions and procedures established under the second paragraph may be different from those determined by the basic school regulation and may, in

particular, specify the responsibilities of the various participants from the educational sector. The conditions and procedures may be general or specific or they may be applicable only to one or to certain school boards.

In addition, the Minister may set objectives for and limits to the organization of the educational services by the school boards.

The aim of the consultation referred to in the second paragraph is to ensure complementarity between the preschool educational services organized under this section and the childcare services governed by the Educational Childcare Act (chapter S-4.1.1).”

4. Section 472 of the Act is amended by replacing “section 468” in the second paragraph by “sections 461.1 and 468”.

5. The Minister must, on or before 14 June 2015, report to the Government on the implementation of the provisions of the Education Act enacted or amended by this Act and on the advisability of maintaining or amending them. The report must include an account of the assignment in the classroom of staff, other than the teacher, to services organized in accordance with section 461.1.

The report must be tabled before the National Assembly within 30 days or, if the Assembly is not sitting, within 30 days of resumption. The report is examined by the competent committee of the National Assembly.

6. This Act comes into force on 14 June 2013.

2013, chapter 15

AN ACT TO AMEND THE ACT RESPECTING SCHOOL ELECTIONS AND OTHER LEGISLATIVE PROVISIONS

Bill 24

Introduced by Madam Marie Malavoy, Minister of Education, Recreation and Sports

Introduced 14 March 2013

Passed in principle 24 April 2013

Passed 5 June 2013

Assented to 14 June 2013

Coming into force : 14 June 2013, except sections 4 to 6, which come into force on the date to be set by the Government

- 2013-12-11 : s. 4
 O.C. 1308-2013
 G.O., 2013, Part 2, p. 3747
- 2014-11-02 : ss. 5, 6
 O.C. 1308-2013
 G.O., 2013, Part 2, p. 3747

Legislation amended :

Act respecting school elections (chapter E-2.3)

Education Act (chapter I-13.3)

Act to amend the Education Act and other legislative provisions (2008, chapter 29)

Explanatory notes

This Act amends the Act respecting school elections in order to set a ceiling on election expenses that may be incurred by authorized candidates running for the office of chair of a school board or any other office of commissioner. The amount of contributions that an elector may make to a candidate during the same fiscal year is reduced from \$1,000 to \$300. A candidate may make additional contributions during the fiscal year of an election for the candidate's own benefit, the total of which may not exceed \$700. In addition, the starting point of certain time limits for the holding of by-elections is specified.

The Education Act is amended in order to harmonize the term of a person who is elected to the parents' committee with that person's term of office as commissioner representing the parents' committee, where applicable.

Furthermore, any vacancy on a council of commissioners occurring more than 12 months before the next general election is to be filled by appointment. Any election expenses incurred or contributions made are to be reimbursed should a by-election be cancelled. The manner of the reimbursement is specified.



Chapter 15

AN ACT TO AMEND THE ACT RESPECTING SCHOOL ELECTIONS AND OTHER LEGISLATIVE PROVISIONS

[Assented to 14 June 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING SCHOOL ELECTIONS

1. The Act respecting school elections (chapter E-2.3) is amended by replacing “before the end of the term of the commissioner in whose seat a vacancy has occurred” wherever it appears in sections 199 and 200 by “before the polling day of the next general election and there is a vacancy on the council of commissioners”.

2. Section 206.21 of the Act is amended

(1) by replacing “\$1,000” by “\$300”;

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

“In addition to the contributions mentioned in the first paragraph, an authorized candidate may, during the fiscal year of the election, make contributions for the candidate’s own benefit, the total of which must not exceed \$700.”

3. Section 206.40 of the Act is amended by adding the following paragraph at the end:

“Such an account need not be opened if the sums derive exclusively from contributions by the authorized candidate himself.”

4. Section 206.47 of the Act is amended

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

“**206.47.** The amount of election expenses incurred by an authorized candidate during an election must not exceed the following:

(1) for the election to the office of chair of the board, an amount of \$3,780, increased by \$0.30 per person entered on the list of electors of the school board, to which is added, where applicable, a supplement of

(a) \$0.10 per person entered on the list, if the density of electors per square kilometre is greater than 1, but less than or equal to 10;

(b) \$0.20 per person entered on the list, if the density of electors per square kilometre is greater than 0.45, but less than or equal to 1; or

(c) \$0.35 per person entered on the list, if the density of electors per square kilometre is less than or equal to 0.45;

(2) for any other office of commissioner, an amount of \$1,890 increased by \$0.30 per person entered on the list of electors of the electoral division.

Unorganized territories situated in the territory of a school board are excluded when calculating the density of electors per square kilometre.

Not later than 31 December of the year preceding the year in which the general election is to be held, the Minister publishes the list of school boards whose authorized candidates for the office of the chair are entitled to the supplement provided for by subparagraphs *a* to *c* of subparagraph 1 of the first paragraph. For the purpose of establishing that list, the Chief Electoral Officer transmits the data concerning the number of electors per school board to the Minister for the calculation of the density of electors.

Unless the Minister publishes a new list, the latest list published also applies for all subsequent by-elections held before the next general election.”;

(2) by replacing “The number of persons entered on the list for the purpose of calculating the amounts shall be” in the second paragraph by “Except to establish the list of school boards referred to in the third paragraph, the number of persons entered on the list is”.

EDUCATION ACT

5. Section 47 of the Education Act (chapter I-13.3) is amended by adding the following paragraph at the end:

“The term of a person elected to the parents’ committee who is a commissioner shall not end until that person’s term of office as commissioner has ended. The person’s term of office as commissioner may not however be renewed unless the person was elected under the second paragraph in the year the position of commissioner was to be renewed.”

ACT TO AMEND THE EDUCATION ACT AND OTHER LEGISLATIVE PROVISIONS

6. Paragraph 2 of section 9 and section 14 of the Act to amend the Education Act and other legislative provisions (2008, chapter 29) are amended by replacing “before the end of that person’s term of office” by “before the date set for the next general election”.

FINAL PROVISIONS

7. Despite section 200 of the Act respecting school elections (chapter E-2.3), any vacancy on the council of commissioners more than 12 months before the polling day of the first general school election following 14 June 2013 is to be filled by the council of commissioners in the manner set out in the first paragraph of section 199 of the Act, including the case where a polling day set for a by-election falls after 14 June 2013.

In the latter case, the election expenses incurred by an authorized candidate up until 14 June 2013 are reimbursed in full. The first and fourth paragraphs of section 207 and section 208 of the Act respecting school elections apply to the reimbursement, with the necessary modifications.

A candidate must reimburse electors who made a contribution to a by-election that was cancelled. The candidate must, within the 30 days following reimbursement of the election expenses referred to in the second paragraph, reimburse the electors who contributed to the election fund and transmit to the director general of the school board an additional financial report showing that the contributions have been reimbursed and that all the debts arising from election expenses have been paid.

In that context, the first paragraph of section 206.9 of the Act respecting school elections must be read as though “31 December of the year following the year of the election” had been replaced by “the date the reports referred to in sections 209 and 209.4 of that Act are transmitted or 90 days after the date set for the election, whichever occurs first”.

8. This Act comes into force on 14 June 2013, except sections 4 to 6, which come into force on the date to be set by the Government.

2013, chapter 16
**AN ACT RESPECTING MAINLY THE IMPLEMENTATION
OF CERTAIN PROVISIONS OF THE BUDGET SPEECH
OF 20 NOVEMBER 2012**

Bill 25

Introduced by Mr. Nicolas Marceau, Minister of Finance and the Economy

Introduced 21 February 2013

Passed in principle 26 March 2013

Passed 14 June 2013

Assented to 14 June 2013

Coming into force : 14 June 2013, except for

- (1) sections 186 and 187, which come into force on 1 July 2013;**
- (2) paragraph 3 of section 3, which comes into force on 1 January 2014;**
- (3) sections 130 and 133, which come into force on 1 April 2014;**
- (4) sections 167, 177 to 181 and 184, which come into force on 1 January 2015;**
- (5) sections 208 and 209, which come into force on the date of coming into force of the first regulation made under subparagraph 9.2 of the first paragraph of section 37 of the Act respecting the Société des alcools du Québec (chapter S-13), enacted by section 205 of this Act; and**
- (6) section 53, to the extent that it enacts subparagraph 6 of the first paragraph of section 17.12.12 of the Act respecting the Ministère des Ressources naturelles et de la Faune, section 54, to the extent that it inserts a reference to section 17.12.20 of that Act, section 55, to the extent that it enacts section 17.12.20 of that Act, section 58, to the extent that it applies to the mining activity management component of the Natural Resources Fund, and sections 158 to 166, which come into force on the date or dates to be set by the Government**

Legislation amended :

Financial Administration Act (chapter A-6.001)

Public Administration Act (chapter A-6.01)

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

Act respecting legal aid and the provision of certain other legal services (chapter A-14)

Act respecting the National Assembly (chapter A-23.1)

Act respecting registry offices (chapter B-9)

(Cont'd on next page)

Legislation amended : (Cont'd)

Act respecting the Caisse de dépôt et placement du Québec (chapter C-2)
Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1)
Highway Safety Code (chapter C-24.2)
Act respecting the national capital commission (chapter C-33.1)
Sustainable Development Act (chapter D-8.1.1)
Act respecting elections and referendums in municipalities (chapter E-2.2)
Act respecting school elections (chapter E-2.3)
Election Act (chapter E-3.3)
Balanced Budget Act (chapter E-12.00001)
Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration (chapter E-20.1)
Act to establish a caregiver support fund (chapter F-3.2.1.1)
Act to establish the Northern Plan Fund (chapter F-3.2.1.1.1)
Act to establish the Fund for the promotion of a healthy lifestyle (chapter F-4.0021)
Act to establish an early childhood development fund (chapter F-4.0022)
Act to establish the Sports and Physical Activity Development Fund (chapter F-4.003)
Act respecting the governance of state-owned enterprises (chapter G-1.02)
Hydro-Québec Act (chapter H-5)
Act respecting immigration to Québec (chapter I-0.2)
Act respecting offences relating to alcoholic beverages (chapter I-8.1)
Act respecting Infrastructure Québec (chapter I-8.2)
Act respecting the Institut national d'excellence en santé et en services sociaux (chapter I-13.03)
Education Act (chapter I-13.3)
Act respecting Investissement Québec (chapter I-16.0.1)
Anti-Corruption Act (chapter L-6.1)
Mining Act (chapter M-13.1)
Act respecting the Ministère de la Culture et des Communications (chapter M-17.1)
Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2)
Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1)
Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2)
Act respecting the Ministère des Transports (chapter M-28)
Act respecting the Ministère du Conseil exécutif (chapter M-30)
Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001)
Act respecting the Ministère du Tourisme (chapter M-31.2)
Act to ensure the occupancy and vitality of territories (chapter O-1.3)
Act respecting liquor permits (chapter P-9.1)
Environment Quality Act (chapter Q-2)
Act to reduce the debt and establish the Generations Fund (chapter R-2.2.0.1)
Act to promote the reform of the cadastre in Québec (chapter R-3.1)
Act respecting the Régie de l'énergie (chapter R-6.01)
Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)
Act respecting Services Québec (chapter S-6.3)
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 des alcools du Québec (chapter S-13)
Act respecting the Société des loteries du Québec (chapter S-13.1)
Act respecting public transit authorities (chapter S-30.01)
Act respecting subsidies for the payment in capital and interest of loans of public or municipal bodies (chapter S-37.01)
Lobbying Transparency and Ethics Act (chapter T-11.011)
Auditor General Act (chapter V-5.01)
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 (2010, chapter 20)
Act to abolish the Ministère des Services gouvernementaux and to implement the Government's 2010-2014 action plan to reduce and control expenditures by abolishing or restructuring certain bodies and certain funds (2011, chapter 16)

(Cont'd on next page)

Regulations amended :

Regulation respecting the selection of foreign nationals (chapter I-0.2, r. 4)
Regulation respecting petroleum, natural gas and underground reservoirs (chapter M-13.1, r. 1)

Explanatory notes

This Act amends various legislative provisions to implement certain provisions of the Budget Speech of 20 November 2012.

First, in the area of natural resources and energy,

(1) it amends the Act respecting the Régie de l'énergie to provide for the establishment by the Régie of a performance-based regulation to ensure efficiency gains by Hydro-Québec, to enable the Government to set, for a rate year later than 2013, certain of Hydro-Québec's operating costs until the Régie's first performance-based regulation applies, to provide that Hydro-Québec retain any excess amount arising from the difference between the set amount of the operating costs and the cost actually incurred and to allow the Government to exempt Hydro-Québec from soliciting tenders for certain contracts;

(2) it amends that same Act to replace the provisions regarding the increase of the average cost of heritage pool electricity by provisions providing for the indexation of that cost;

(3) it amends the Balanced Budget Act so that, for the fiscal year 2012–2013, the budget balance is determined without taking into account the result arising from the decision to close the Gently-2 nuclear generating station;

(4) it amends the Mining Act to allow, among other things, the granting of licences to explore for petroleum, natural gas and underground reservoirs and, in certain circumstances, the awarding of leases to produce petroleum and natural gas;

(5) it amends the Regulation respecting petroleum, natural gas and underground reservoirs to provide for changes in certain fees; and

(6) it amends the Act respecting the Ministère des Ressources naturelles et de la Faune to authorize the financing of more of that department's activities out of the Territorial Information Fund and to add two components, reserved for hydrocarbon management and mining activity management respectively, to the Natural Resources Fund.

Second, in the area of control measures applicable to government departments, bodies and special funds,

(1) it authorizes the Conseil du trésor to determine, for each of the fiscal years beginning in 2013-2014 and 2014-2015, the extent to which the expenditures of certain bodies and special funds that are not budget-funded bodies are reduced;

(2) it amends the Public Administration Act to add to the duties of the Chair of the Conseil du trésor that of tabling, when the estimates are tabled, the estimated revenues and expenditures of bodies other than budget-funded bodies;

(Cont'd on next page)

Explanatory notes (Cont'd)

(3) it amends the Highway Safety Code and the Act respecting the Société de l'assurance automobile du Québec to allow the Société to set, without government approval, certain fees relating to access to the road network;

(4) it amends the Auditor General Act to eliminate the distinction between government agencies and government enterprises and, as a result, to subject all such enterprises, except the Caisse de dépôt et placement du Québec, to value-for-money audits at the discretion of the Auditor General; and

(5) it amends the 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 in order to prolong for another year the freeze on the additional remuneration, based on performance, of the senior executives and management personnel of government departments, minister's offices and certain bodies.

Third, concerning certain special funds, it amends

(1) the Act to reduce the debt and establish the Generations Fund and the Act to establish the Sports and Physical Activity Development Fund in order to increase the sums credited to those funds; it also amends the Act respecting the Ministère de la Culture et des Communications and the Act respecting the Ministère du Conseil exécutif in order to increase the amounts credited to the Québec Cultural Heritage Fund and the Assistance Fund for Independent Community Action;

(2) the Act respecting the Ministère de la Santé et des Services sociaux in order to allocate the sums in the Fund to Finance Health and Social Services Institutions to a wider variety of purposes; and

(3) the Act to establish the Northern Plan Fund in order to change that Fund's name to "Northern Development Fund", to replace the expression "area covered by the Northern Plan" by "the area open to northern development" and to include certain coordination activities in the activities financed by the Fund.

Fourth, in the fight against unreported work, it amends the Act respecting labour relations, vocational training and workforce management in the construction industry to specify the areas of expertise of independent contractors and introduces provisions making it easier to bring remedies against persons who refuse to provide information required for an inquiry, other provisions making it easier to prove the relationship between employees and their employers, and certain rules concerning document retention.

Fifth, concerning the climate change action plan, it amends, among others,

(1) the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs and the Act respecting the Ministère des Transports so as to authorize the reservation of certain of the sums collected from the sale of greenhouse gas emission allowances for the financing of passenger transportation measures aimed at reducing, limiting or avoiding greenhouse gas emissions; and

(2) the Act respecting the Régie de l'énergie in order to provide that the method of calculation of the annual duty payable into the Green Fund must not take into account greenhouse gas emissions generated by the combustion of natural gas and fuel, other than gasoline and diesel, sold to a purchaser that is required to cover its CO₂ emissions with greenhouse gas emission allowances.

Sixth, certain other legislative provisions are amended, in particular,

(1) to eliminate certain equalization grants to school boards;

(Cont'd on next page)

Explanatory notes (Cont'd)

- (2) to clarify certain rules for parliamentary authorization relating to multi-year transfers;
- (3) to authorize the Minister of Immigration and Cultural Communities to make a decision relating to the receipt and processing of applications for selection certificates;
- (4) to provide that the Government may delegate certain of its powers under the Act respecting Investissement Québec to the Minister of Finance and the Economy;
- (5) to clarify the liability of partnerships;
- (6) to regulate the possession, use and transportation in Québec of alcoholic beverages acquired elsewhere in Canada;
- (7) to allow restaurant and bar patrons to take home, under certain conditions, a partially consumed container of wine;
- (8) to replace the approval by the Minister of Finance and the Economy of the interest rates and other conditions governing loans by public transit authorities by the Minister's prior authorization; and
- (9) to enable the Agence métropolitaine de transport to acquire all the shares of the capital stock of 9227-9702 Québec Inc., a subsidiary of the Société immobilière du Québec whose activities consist in managing the Gare d'autocars de Montréal.

Lastly, consequential amendments are made to several Acts, and transitional provisions are included.



Chapter 16

AN ACT RESPECTING MAINLY THE IMPLEMENTATION OF CERTAIN PROVISIONS OF THE BUDGET SPEECH OF 20 NOVEMBER 2012

[Assented to 14 June 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

MEASURES CONCERNING NATURAL RESOURCES AND ENERGY

DIVISION I

ELECTRIC POWER TRANSMISSION AND DISTRIBUTION RATES
AND COST OF HERITAGE POOL ELECTRICITY

ACT RESPECTING THE RÉGIE DE L'ÉNERGIE

1. Section 25 of the Act respecting the Régie de l'énergie (chapter R-6.01) is amended by adding the following subparagraph at the end of the first paragraph:

“(4) when establishing the performance-based regulation provided for in section 48.1.”

2. The Act is amended by inserting the following section after section 48:

“**48.1.** The Régie shall establish a performance-based regulation to ensure efficiency gains by the electric power distributor and the electric power carrier.

The regulation must pursue the following objectives:

- (1) ongoing improvement in performance and service quality;
- (2) cost reduction that is beneficial to both consumers and the distributor or carrier; and
- (3) streamlining of the process by which the Régie fixes or modifies the rates the electric power carrier and the electric power distributor charge consumers or a class of consumers.”

3. Section 52.2 of the Act, amended by section 64 of chapter 20 of the statutes of 2010, is again amended

(1) by replacing “by the Government in a regulation under subparagraph 2.1 of the first paragraph of section 112” in the first paragraph by “by the Government under the first paragraph of section 74.1.1 or subparagraph 2.1 of the first paragraph of section 112”;

(2) by striking out “regulation of” in subparagraph 1 of the second paragraph;

(3) by replacing subparagraphs 1 to 3 of the third paragraph by the following subparagraphs:

“(1) for each year from the year 2014, the average cost of heritage pool electricity must be the average cost determined for the previous year, adjusted on 1 January of each year by a rate corresponding to the annual change in the overall average Québec consumer price index for the 12-month period that ended on 31 March of the year preceding that for which a request had been made under section 52.1. The indexation rate may not be lower than zero;

“(2) the cost determined for Rate L and special contracts is not affected by the indexation provided for in subparagraph 1.”

4. Section 52.2.2 of the Act is repealed.

5. The Act is amended by inserting the following section after section 74.1:

“74.1.1. Despite section 9 of the Act respecting contracting by public bodies (chapter C-65.1), the Government may, to allow supply contracts to be entered into with suppliers connected to a Native community, exempt an electric power distributor from soliciting tenders for

(1) contracts for an energy block the Government determines, without exceeding 150 megawatts; and

(2) contracts related to the supply necessary for the integration of any energy block to which subparagraph 1 or 2.1 of the first paragraph of section 112 applies.

When it grants an exemption, the Government may, in accordance with Québec’s intergovernmental and international trade commitments, determine the terms, the suppliers and the quantity of electric power required under each supply contract, as well as the maximum price, for the purpose of establishing the cost of electric power under section 52.2 or for the purposes of the supply plan provided for in section 72.”

6. Section 74.2 of the Act is amended

(1) by replacing “The” in the second paragraph by “Except in the case of a contract for which an exemption has been granted under the first paragraph of section 74.1.1, the”;

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

“The electric power distributor shall file with the Régie the contracts exempted under the first paragraph of section 74.1.1, within 30 days of the date on which they are signed, for the purpose of establishing the cost of electric power under section 52.2 or for the purposes of the supply plan provided for in section 72.”

SPECIAL TRANSITIONAL PROVISIONS

7. The Government may, for any rate year beginning on or after 1 January 2014 and until a first performance-based regulation applies, determine the amount of Hydro-Québec’s net operating costs as an electric power carrier and the amount of its operating costs as an electric power distributor included in the overall amounts of expenditure necessary for the provision of the service that the Régie must determine under subparagraph 2 of the first paragraph of section 49 and section 52.3 of the Act respecting the Régie de l’énergie (chapter R-6.01).

Despite section 51 of the Act respecting the Régie de l’énergie, as an electric power carrier and electric power distributor, Hydro-Québec retains any excess amount arising from the difference between the amount of the costs determined by the Government and the cost actually incurred.

8. Section 74.1.1 of the Act respecting the Régie de l’énergie, enacted by section 5, is to be read, until the date of coming into force of section 3 of chapter 25 of the statutes of 2012, as if “Despite section 9 of the Act respecting contracting by public bodies (chapter C-65.1), the” in the first paragraph was replaced by “The”.

DIVISION II

CLOSURE OF GENTILLY-2 NUCLEAR GENERATING STATION

BALANCED BUDGET ACT

9. The Balanced Budget Act (chapter E-12.00001) is amended by inserting the following section after section 2.1:

“2.2. For the fiscal year 2012–2013, the budget balance is determined by excluding the result, shown in Hydro-Québec’s annual consolidated financial statements, from activities abandoned following the decision to close the Gentilly-2 nuclear generating station.”

DIVISION III**LEASES AND LICENCES****MINING ACT**

10. Section 164 of the Mining Act (chapter M-13.1) is amended by inserting the following paragraph after paragraph 1:

“(1.1) he pays the fee prescribed by regulation;”.

11. Section 165 of the Act is amended by replacing “issued by the Minister” by “. The conditions to which the licence is subject and the fee payable are prescribed by regulation”.

12. Section 166 of the Act is replaced by the following section:

“**166.** The Minister shall award a licence in respect of the territory at the time and under the conditions determined by the Minister.

No licence may be awarded in respect of a territory that is subject to a lease to produce petroleum and natural gas or a lease to operate an underground reservoir.

No licence may be awarded to a person who held a right relating to petroleum, natural gas or an underground reservoir that was subject to a revocation during the two years prior to the beginning of the awarding process.”

13. Section 166.1 of the Act is repealed.

14. Section 171 of the Act is repealed.

15. Section 194 of the Act is replaced by the following sections:

“**194.** The Minister shall grant a lease to any person who holds a licence to explore for petroleum, natural gas and underground reservoirs and who establishes the presence of an economically workable deposit or an economically operable underground reservoir, as the case may be, meets the requirements and pays the fee prescribed by regulation.

However, only one lease may be granted in respect of a given parcel of land.

“**194.0.1.** The Minister may award a lease in respect of a territory that is not subject to an exploration licence, if the Minister considers that the territory presents an economically workable deposit or an economically operable underground reservoir, as the case may be.

The lease may not be awarded to a person who held a right relating to petroleum, natural gas or an underground reservoir that was subject to a revocation during the two years prior to the beginning of the awarding process.

The lessee must meet the conditions and pay the fee prescribed by regulation.”

- 16.** Section 201 of the Act is repealed.
- 17.** Section 207 of the Act is amended by striking out the fifth paragraph.
- 18.** Section 289 of the Act is repealed.
- 19.** Section 304 of the Act is amended by replacing “sections 166.1 and” in subparagraph 1.2 of the first paragraph by “section”.
- 20.** Section 306 of the Act is amended by inserting “fee payable and the” after “prescribing the” in paragraph 16.
- 21.** The Act is amended by replacing the number before “hectares” and “hectares” wherever they appear in sections 168, 195, 196 and 206 by the quotient of that number divided by 100 and “square kilometres”, respectively.

REGULATION RESPECTING PETROLEUM, NATURAL GAS AND UNDERGROUND RESERVOIRS

- 22.** Section 2 of the Regulation respecting petroleum, natural gas and underground reservoirs (chapter M-13.1, r. 1) is amended by replacing “\$50” in subparagraph 4 of the second paragraph by “\$1,000”.
- 23.** Section 15 of the Regulation is amended by replacing “\$100” in subparagraph 6 of the second paragraph by “\$4,300”.
- 24.** Section 49 of the Regulation is amended by replacing “\$50” in subparagraph 4 of the second paragraph by “\$2,500”.
- 25.** Section 56 of the Regulation is amended by replacing “in the form in Schedule IV” by “using the form in Schedule IV, and must be accompanied by the payment of \$2,000 in costs”.
- 26.** Section 59 of the Regulation is amended by adding the following paragraph at the end:

“The application must be accompanied by the payment of \$2,000 in costs for a temporary closure, or \$2,600 for a permanent closure.”
- 27.** Section 62 of the Regulation is repealed.
- 28.** Section 63 of the Regulation is amended

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

“**63.** The lessee must provide the Minister with the following information and documents:”;

(2) by striking out paragraph 1;

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

“(5) payment of \$3,000 in costs.”

29. Section 64 of the Regulation is amended by replacing “\$0.10 per hectare” by “\$50 per square kilometre”.

30. Section 65 of the Regulation is amended by replacing “\$0.05 per hectare” and “100,000 ha offshore” by “\$5 per square kilometre” and “1,000 square kilometres in a marine environment”, respectively.

31. Section 67 of the Regulation is amended, in the second paragraph, by replacing

(1) “\$0.50 per hectare” in subparagraph 1 by “\$50 per square kilometre”;

(2) “\$1 per hectare” in subparagraph 2 by “\$100 per square kilometre”;

(3) “\$1.50 per hectare” in subparagraph 3 by “\$150 per square kilometre”;

(4) “\$2 per hectare” in subparagraph 4 by “\$200 per square kilometre”;

(5) “\$2.50 per hectare” in subparagraphs 5 and 6 by “\$250 per square kilometre”.

32. Section 70 of the Regulation is amended by replacing “\$0.50 per hectare” by “\$150 per square kilometre”.

33. Section 70.1 of the Regulation is amended by replacing “\$0.25 per hectare” and “100,000 ha offshore” by “\$25 per square kilometre” and “1,000 square kilometres in a marine environment”, respectively.

34. Section 82 of the Regulation is amended by adding the following paragraph at the end:

“(5) payment of \$5,000 in costs.”

35. Section 87 of the Regulation is amended by replacing “\$2.50 per hectare” by “\$350 per square kilometre”.

36. Section 119 of the Regulation is amended by replacing “\$500” by “\$725”.

37. Section 120 of the Regulation is amended by replacing “\$25” by “\$150”.

38. Section 121 of the Regulation is amended by replacing “\$25” by “\$26”.

SPECIAL TRANSITIONAL PROVISIONS

39. Section 64 of the Regulation respecting petroleum, natural gas and underground reservoirs (chapter M-13.1, r. 1), amended by section 29 of this Act, must read, until 13 June 2014 or until any earlier date set under the first paragraph of section 3 of chapter 13 of the statutes of 2011, as if “\$50” was replaced by “\$10”.

40. Section 70 of the Regulation, amended by section 32 of this Act, must read, until 13 June 2014 or until any earlier date set under the first paragraph of section 3 of chapter 13 of the statutes of 2011, as if “\$150” was replaced by “\$50”.

DIVISION IV

TERRITORIAL INFORMATION FUND

ACT RESPECTING THE MINISTÈRE DES RESSOURCES NATURELLES ET DE LA FAUNE

41. Section 17.3 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) is amended by striking out the second paragraph.

42. Section 17.4 of the Act is amended

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

“**17.4.** The Fund shall be used to finance the costs of the activities, goods and services carried out, supplied or provided under paragraphs 8, 8.1, 8.2, 10, 17.3, 17.4, 17.6 and 17.7 of section 12 and section 12.2 and to finance the costs related to preparing programs for the development of lands in the domain of the State and to planning and drawing up land-use guidelines.”;

(2) by striking out the fourth paragraph.

ACT RESPECTING LEGAL AID AND THE PROVISION OF CERTAIN OTHER LEGAL SERVICES

43. Section 87.2 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14) is amended

(1) by striking out the first occurrence of “land component of the”;

(2) by replacing the second occurrence of “land component of the Territorial Information Fund” by “Territorial Information Fund”.

ACT RESPECTING REGISTRY OFFICES

44. Section 1 of Schedule I to the Act respecting registry offices (chapter B-9) is amended by replacing “\$63” by “\$74”.

45. Section 2 of the Schedule is amended by replacing “\$63” by “\$74”.

46. Section 3 of the Schedule is amended by replacing “\$75” by “\$89” and “\$50” by “\$58”.

47. Section 4 of the Schedule is amended by replacing “\$63” by “\$74” and “\$53” by “\$64”.

48. Section 5 of the Schedule is amended by replacing “\$38” by “\$44”.

49. Section 17 of the Schedule is amended by replacing “in accordance with” in the first paragraph by “by operation of law on 1 April of each year by the rate prescribed in”.

ACT TO PROMOTE THE REFORM OF THE CADASTRE IN QUÉBEC

50. Section 8.1 of the Act to promote the reform of the cadastre in Québec (chapter R-3.1) is amended by striking out “the land component of” in the fourth paragraph.

SPECIAL TRANSITIONAL PROVISIONS

51. The expenditures and investments made between 1 April 2013 and 14 June 2013 by the Minister of Natural Resources out of the appropriations allocated by Parliament and that, on the date they were made, were costs that may be debited from the Territorial Information Fund under section 17.4 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2), as amended by section 42, are debited from that Fund.

The sums referred to in section 17.3 of the Act respecting the Ministère des Ressources naturelles et de la Faune, as amended by section 41, that, after 31 March 2013, were credited to the general fund, whereas they would have been credited to the Territorial Information Fund had sections 41 and 42 come into force on or before 1 April 2013, are transferred to the latter Fund.

52. The Government determines which assets and liabilities may be transferred to the Territorial Information Fund.

DIVISION V**NATURAL RESOURCES FUND****ACT RESPECTING THE MINISTÈRE DES RESSOURCES
NATURELLES ET DE LA FAUNE**

53. Section 17.12.12 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) is amended by inserting the following subparagraphs after subparagraph 4 of the first paragraph:

“(5) a hydrocarbon management component, whose purpose is to finance activities necessary for the purposes of Divisions IX to XIII of Chapter III of the Mining Act (chapter M-13.1), of the other provisions of that Act accessory to those divisions, and of the regulations made under them, as well as geoscience knowledge acquisition and dissemination, and research and development in petroleum, natural gas, underground reservoirs and brine; and

“(6) a mining activity management component, whose purpose is to finance activities relating to the application of the Mining Act, except the activities under subparagraph 5, the Mining Tax Act (chapter I-0.4) and the regulations.”

54. Section 17.12.13 of the Act is amended, in the second paragraph,

(1) by replacing “17.12.12 and” by “17.12.12,”;

(2) by inserting “17.12.19 and 17.12.20,” after “sections 17.12.14 to 17.12.17,”.

55. The Act is amended by inserting the following sections before Division II.2:

“17.12.19. The following sums are credited to the hydrocarbon management component of the Fund:

(1) the sums collected under Divisions IX to XIII of Chapter III of the Mining Act (chapter M-13.1) and the Regulation respecting petroleum, natural gas and underground reservoirs (chapter M-13.1, r. 1), except sums paid for a licence to explore for petroleum, natural gas and underground reservoirs, or a lease to produce petroleum and natural gas, and the royalties paid for petroleum, natural gas and brine production;

(2) the fines paid by offenders against the Mining Act or the regulations with respect to natural gas, petroleum, underground reservoirs and brine;

(3) the sums collected in respect of the sale of property or services by the component; and

(4) the income from the investment of the sums making up the hydrocarbon management component.

The surpluses accumulated in the hydrocarbon management component are transferred to the general fund on the dates and to the extent determined by the Government.

“17.12.20. The following sums are credited to the mining activity management component of the Fund:

(1) the sums collected under section 61 of the Mining Act (chapter M-13.1) for the renewal of a claim, up to \$2,500,000 per fiscal year;

(2) the sums collected in respect of the sale of property or services financed by the component; and

(3) the income from the investment of the sums making up the mining activity management component.

The surpluses accumulated in the mining activity management component are transferred to the general fund on the dates and to the extent determined by the Government.”

SPECIAL TRANSITIONAL PROVISIONS

56. The expenditure and investment estimates for the Natural Resources Fund provided in Schedule I are added to the expenditure and investment estimates for the Fund appearing in the Special Funds Budget for the 2013–2014 fiscal year.

The additional expenditure and investment estimates are approved for that fiscal year.

57. The expenditures and investments made between 1 April 2013 and 14 June 2013 by the Minister of Natural Resources out of the appropriations allocated by Parliament and that, on the date they were made, were costs that may be debited from the hydrocarbon management component of the Natural Resources Fund under subparagraph 5 of the first paragraph of section 17.12.12 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2), as amended by section 53, are debited from that component.

The sums referred to in section 17.12.19 of the Act respecting the Ministère des Ressources naturelles et de la Faune, enacted by section 55, that, after 31 March 2013, were credited to the general fund, whereas they would have been credited to the hydrocarbon management component of the Natural Resources Fund had sections 53 and 55 come into force on or before 1 April 2013, are transferred to the latter component.

58. The Government determines which assets and liabilities may be transferred to the Natural Resources Fund and credited respectively to the hydrocarbon management component and the mining activity management component of that Fund.

CHAPTER II**CONTROL OF EXPENDITURES****DIVISION I****EXPENDITURES OF CERTAIN BODIES AND SPECIAL FUNDS**

59. For each of the fiscal years beginning in 2013–2014 and 2014–2015, the Minister of Finance and the Economy, together with the Chair of the Conseil du trésor, shall develop and propose to the Conseil du trésor a method to reduce expenditures, including compensation and operating expenditures, of legal persons, other bodies, special funds within the meaning of section 5.1 of the Financial Administration Act (chapter A-6.001) and any other organization whose results are included in the budget balance defined in section 2 of the Balanced Budget Act (chapter E-12.00001).

On being approved by the Conseil du trésor, the method is binding on a legal person, body, person or body responsible for a special fund, or other organization concerned.

The first paragraph does not apply to the National Assembly, a person appointed or designated by the National Assembly to an office under its jurisdiction or the personnel directed by that person, the Commission de la représentation, the government enterprises listed in Schedule 3 to the Financial Administration Act, the Caisse de dépôt et placement du Québec or the institutions in the health and social services network and the education network. However, it does apply to the compensation and operating expenditures incurred by legal persons established in the public interest conducting trust transactions.

60. An organization referred to in section 59 must report on the application of the method approved under that section in the annual report it is required to prepare.

PUBLIC ADMINISTRATION ACT

61. Section 77 of the Public Administration Act (chapter A-6.01) is amended by inserting the following paragraph after paragraph 3:

“(3.1) table, when the estimates are tabled, the estimated results mentioned below for each body other than a budget-funded body listed in Schedule 2 to the Financial Administration Act (chapter A-6.001):

- (a) its revenues;
- (b) the amounts borrowed by or advanced to it;
- (c) its expenditures;
- (d) its investments; and

(e) its cumulative surplus or deficit;”.

DIVISION II

SOCIÉTÉ DE L'ASSURANCE AUTOMOBILE DU QUÉBEC

HIGHWAY SAFETY CODE

62. Section 625 of the Highway Safety Code (chapter C-24.2) is replaced by the following section:

“**625.** The regulations made under subparagraphs 9 to 10.2, 12, 13 and 16 to 16.2 of the first paragraph of section 624, and the regulations made under subparagraph 11 of the first paragraph of that section where they concern cases of exemption from or reduction of fees determined under those subparagraphs, are subject to government approval.”

ACT RESPECTING THE SOCIÉTÉ DE L'ASSURANCE AUTOMOBILE DU QUÉBEC

63. Section 17.6 of the Act respecting the Société de l'assurance automobile du Québec (chapter S-11.011) is amended,

(1) in the first paragraph,

(a) by inserting “or a regulation on fees made under section 624 of the Highway Safety Code (chapter C-24.2) that is not subject to government approval under section 625 of that Code” after “insurance contributions”;

(b) by replacing the second sentence by the following sentence: “The panel consists of three members, appointed by the Government, who are representative of the actuarial, financial and insurance sectors.”;

(2) by inserting “or fees” after “insurance contributions” in the second paragraph;

(3) in the third paragraph,

(a) by inserting “or fees” after “insurance contributions” in subparagraph 1;

(b) by inserting “, in particular on the panel’s website” after “submit observations” in subparagraph 3.

64. Section 17.7 of the Act is amended

(1) by inserting “, as regards a regulation on insurance contributions,” after “must” in the introductory clause;

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

“The panel of experts must, as regards a regulation on fees,

- (1) ensure that the fees payable for a service are fair and reasonable;
- (2) consider the quality of the services provided to the public;
- (3) consider the financing policy of the Société, which must, among other things,
 - (a) ensure that the total of the fees is sufficient to cover the costs borne by the Société and make up any deficit within a reasonable time; and
 - (b) seek a relative stabilization of fees; and
- (4) consider the economic and social concerns indicated by the Société and the public.”

DIVISION III

VALUE-FOR-MONEY AUDIT OF GOVERNMENT ENTERPRISES

AUDITOR GENERAL ACT

65. Section 2 of the Auditor General Act (chapter V-5.01) is amended by replacing “, government agencies and government enterprises” by “and government agencies”.

66. Section 4 of the Act is amended, in the first paragraph,

(1) by striking out “, and at least half of its operating expenses are borne directly or indirectly by the Consolidated Revenue Fund or by other funds administered by a public body, or by both at the same time” in subparagraph 3;

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

“(4) more than 50% of the voting shares of its capital stock are part of the domain of the State or are owned by a public body or by another government agency.”

67. Section 5 of the Act is repealed.

68. Section 6 of the Act is amended

- (1) by replacing “Notwithstanding sections 4 and 5” by “Despite section 4”;
- (2) by replacing “agencies or government enterprises for” by “agencies for the”.

69. Section 23 of the Act is amended

- (1) by striking out subparagraph 4 of the first paragraph;
- (2) by replacing “or government enterprise, or of a fund managed by a government agency or enterprise,” in the second paragraph by “, of a fund managed by such an agency”;
- (3) by replacing “An enterprise, agency” in the third paragraph by “An agency”.

70. Section 24 of the Act is amended

- (1) by striking out “or a government enterprise” and “or the enterprise” in the first paragraph;
- (2) by replacing “to 27” in the second paragraph by “and 26”.

71. Sections 27 and 28 of the Act are repealed.**72.** Section 29 of the Act is amended by replacing “, government agencies and government enterprises” by “and government agencies”.**73.** Section 30.2 of the Act is amended by striking out “or 5” in the introductory clause of the first paragraph.**74.** Section 31 of the Act is amended by striking out “, government enterprise”.**75.** Section 32 of the Act is amended by striking out

- (1) “government enterprise,” in the introductory clause;
- (2) “government enterprise,” in paragraph 1 and “, de l’entreprise” in paragraph 3 in the French text.

76. Section 34 of the Act is amended by striking out

- (1) “government enterprise,” in the first paragraph;
- (2) “government enterprise,” in the second paragraph.

77. Section 40 of the Act is amended, in the first paragraph,

- (1) by striking out “or of a government enterprise”;
- (2) by replacing “they administer” by “it administers”.

78. Section 42 of the Act is amended by striking out subparagraph 4 of the first paragraph.

79. Section 43 of the Act is amended by striking out “and government enterprises” in paragraph 1.

80. Section 47 of the Act is amended by striking out “government enterprises,” in the first paragraph.

81. Section 48 of the Act is amended by striking out “enterprises,” in the first paragraph.

82. Section 54 of the Act is amended by striking out “government enterprises,”.

83. Section 70 of the Act is amended by replacing “, a government agency or a government enterprise” in the second paragraph by “or a government agency”.

FINANCIAL ADMINISTRATION ACT

84. Section 77 of the Financial Administration Act (chapter A-6.001) is amended by replacing subparagraph *b* of paragraph 2 by the following subparagraph:

“(b) a government agency referred to in any of paragraphs 1 to 3 of section 4 of the Auditor General Act (chapter V-5.01);”.

85. Section 89 of the Act is amended by replacing “or a government enterprise referred to in any of sections 3 to 5” in the second paragraph by “referred to in section 3 or 4”.

ACT RESPECTING THE AGENCE DU REVENU DU QUÉBEC

86. Section 13 of the Act respecting the Agence du revenu du Québec (chapter A-7.003) is amended by replacing “or enterprise within the meaning of sections 4 and 5” in subparagraph 2 of the third paragraph by “within the meaning of section 4”.

87. Section 14 of the Act is amended, in the second paragraph,

(1) by replacing “either of a government department, agency or enterprise, within the meaning of sections 4 and 5” by “of a government department or agency within the meaning of section 4”;

(2) by replacing “, agency or enterprise” by “or agency”.

88. Section 77 of the Act is amended

(1) by replacing “accompagner les” in the second paragraph in the French text by “être joint aux”;

(2) by striking out the third paragraph.

ACT RESPECTING THE NATIONAL ASSEMBLY

89. Section 132 of the Act respecting the National Assembly (chapter A-23.1) is amended by replacing “, government agencies and government enterprises” by “and the government agencies”.

ACT RESPECTING THE CAISSE DE DÉPÔT ET PLACEMENT DU QUÉBEC

90. Section 5.5 of the Act respecting the Caisse de dépôt et placement du Québec (chapter C-2) is amended by replacing “or enterprise within the meaning of sections 4 and 5” in subparagraph 2 of the second paragraph by “within the meaning of section 4”.

91. The Act is amended by inserting the following section after section 48:

“**48.1.** The Auditor General may not conduct a value-for-money audit under section 25 of the Auditor General Act (chapter V-5.01) without the prior concurrence of the board of directors, except in the case of a request from the Government or the Conseil du trésor under section 36 of that Act.”

CODE OF ETHICS AND CONDUCT OF THE MEMBERS OF THE NATIONAL ASSEMBLY

92. Section 5 of the Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1) is amended by striking out “or a government enterprise” in subparagraph *a* of paragraph 1.

93. Section 56 of the Code is amended

(1) by striking out “, enterprises” in the introductory clause;

(2) by replacing “, government agency or government enterprise” in paragraph 1 by “or government agency”.

ACT RESPECTING THE NATIONAL CAPITAL COMMISSION

94. Section 15 of the Act respecting the national capital commission (chapter C-33.1) is amended by replacing the third paragraph by the following paragraph:

“For the purposes of this Act, a government body means a body referred to in subparagraph 1 or 2 of the first paragraph of section 4 of the Auditor General Act (chapter V-5.01) or, where at least half of its operating expenses are borne

directly or indirectly by the Consolidated Revenue Fund or by other funds administered by a public body, or by both at the same time, in subparagraph 3 of the first paragraph of that section 4.”

SUSTAINABLE DEVELOPMENT ACT

95. Section 3 of the Sustainable Development Act (chapter D-8.1.1) is amended by striking out “and government enterprises” in the first paragraph.

96. Section 14 of the Act is amended by replacing “, agencies and enterprises” in the first paragraph by “and agencies”.

97. Section 15 of the Act is amended by replacing “, agency and enterprise” in the first paragraph by “and agency”.

98. Section 17 of the Act is amended by replacing “, agency and enterprise” in the introductory clause by “and agency”.

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

99. Section 641.2 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by replacing “, government agency or government enterprise” in subparagraph 1 of the fifth paragraph by “or government agency”.

ACT RESPECTING SCHOOL ELECTIONS

100. Section 221.1.2 of the Act respecting school elections (chapter E-2.3) is amended by replacing “, government agency or government enterprise” in subparagraph 1 of the fifth paragraph by “or government agency”.

ELECTION ACT

101. Section 564.3 of the Election Act (chapter E-3.3) is amended by replacing “, government agency or government enterprise” in subparagraph 1 of the fifth paragraph by “or government agency”.

ACT TO SECURE HANDICAPPED PERSONS IN THE EXERCISE OF THEIR RIGHTS WITH A VIEW TO ACHIEVING SOCIAL, SCHOOL AND WORKPLACE INTEGRATION

102. Section 1 of the Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration (chapter E-20.1) is amended by striking out “or enterprise” in paragraph *e.1.*

ACT TO ESTABLISH A CAREGIVER SUPPORT FUND

103. Section 11 of the Act to establish a Caregiver Support Fund (chapter F-3.2.1.1) is amended by striking out “or enterprise” in the first paragraph.

ACT TO ESTABLISH THE FUND FOR THE PROMOTION OF A HEALTHY LIFESTYLE

104. Section 8.1 of the Act to establish the Fund for the Promotion of a Healthy Lifestyle (chapter F-4.0021) is amended by striking out “or enterprise” in the first paragraph.

105. Section 12.1 of the Act is amended by striking out “or enterprise” in the first paragraph.

ACT TO ESTABLISH AN EARLY CHILDHOOD DEVELOPMENT FUND

106. Section 11 of the Act to establish an Early Childhood Development Fund (chapter F-4.0022) is amended by striking out “or enterprise” in the first paragraph.

ACT RESPECTING THE GOVERNANCE OF STATE-OWNED ENTERPRISES

107. Section 4 of the Act respecting the governance of state-owned enterprises (chapter G-1.02) is amended by replacing “or enterprise within the meaning of sections 4 and 5” in subparagraph 2 of the third paragraph by “within the meaning of section 4”.

HYDRO-QUÉBEC ACT

108. Section 4.0.6 of the Hydro-Québec Act (chapter H-5) is amended by replacing “or enterprise within the meaning of sections 4 and 5” in subparagraph 2 of the third paragraph by “within the meaning of section 4”.

ACT RESPECTING INFRASTRUCTURE QUÉBEC

109. Section 42 of the Act respecting Infrastructure Québec (chapter I-8.2) is amended

(1) by replacing “accompagner le” in the second paragraph in the French text by “être joint au”;

(2) by striking out the third paragraph.

ACT RESPECTING THE INSTITUT NATIONAL D'EXCELLENCE EN SANTÉ ET EN SERVICES SOCIAUX

110. Section 16 of the Act respecting the Institut national d'excellence en santé et en services sociaux (chapter I-13.03) is amended by replacing “or enterprise within the meaning of sections 4 and 5” in subparagraph 2 of the third paragraph by “within the meaning of section 4”.

ACT RESPECTING INVESTISSEMENT QUÉBEC

111. Section 78 of the Act respecting Investissement Québec (chapter I-16.0.1) is repealed.

ANTI-CORRUPTION ACT

112. Section 3 of the Anti-Corruption Act (chapter L-6.1) is amended by replacing “, government agency or government enterprise” in paragraph 1 by “or government agency”.

ACT RESPECTING THE MINISTÈRE DES AFFAIRES MUNICIPALES, DES RÉGIONS ET DE L'OCCUPATION DU TERRITOIRE

113. Section 21.4.2 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1) is amended by striking out “or enterprise” in the second paragraph.

114. Section 21.4.4 of the Act is amended by striking out “or enterprise” in the second paragraph.

115. Section 21.4.5 of the Act is amended by striking out “or enterprises”.

116. Section 21.4.6 of the Act is amended by striking out “or enterprise” in subparagraph 3 of the first paragraph.

117. Section 21.4.8 of the Act is amended by striking out “or enterprises”.

118. Section 21.4.10 of the Act is amended by striking out “or enterprise” in the first paragraph.

ACT RESPECTING THE MINISTÈRE DU CONSEIL EXÉCUTIF

119. Section 3.0.1 of the Act respecting the Ministère du Conseil exécutif (chapter M-30) is amended by striking out “or government corporation” and “or corporation” wherever they appear in subparagraph 1 of the second paragraph.

120. Section 3.0.2 of the Act is amended

(1) by striking out “or a government corporation” in subparagraph 4 of the first paragraph;

(2) by striking out “or government corporation” in the third paragraph.

121. The heading of subdivision 2 of Division I.1 of the Act is amended by striking out “and government corporations”.

122. Section 3.0.3 of the Act is amended

(1) by striking out “or government corporation” in the first paragraph;

(2) by striking out “or government corporation”, “or a government corporation” and the first occurrence of “or corporation” in the second paragraph;

(3) by striking out “or government corporation” in the fourth paragraph.

ACT TO ENSURE THE OCCUPANCY AND VITALITY OF TERRITORIES

123. Section 4 of the Act to ensure the occupancy and vitality of territories (chapter O-1.3) is amended by striking out “or enterprise” in paragraph 3.

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING AND WORKFORCE MANAGEMENT IN THE CONSTRUCTION INDUSTRY

124. Section 3.2 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) is amended by replacing “or enterprise within the meaning of sections 4 and 5” in subparagraph 2 of the fourth paragraph by “within the meaning of section 4”.

ACT RESPECTING SERVICES QUÉBEC

125. Section 48 of the Act respecting Services Québec (chapter S-6.3) is amended

(1) by replacing “accompagner les” in the second paragraph in the French text by “être joint aux”;

(2) by striking out the third paragraph.

ACT RESPECTING THE SOCIÉTÉ DE FINANCEMENT DES INFRASTRUCTURES LOCALES DU QUÉBEC

126. Section 37 of the Act respecting the Société de financement des infrastructures locales du Québec (chapter S-11.0102) is amended

(1) by striking out the third paragraph;

(2) by replacing “accompagner les états financiers et le” in the fourth paragraph in the French text by “être joint aux états financiers et au”.

LOBBYING TRANSPARENCY AND ETHICS ACT

127. Section 4 of the Lobbying Transparency and Ethics Act (chapter T-11.011) is amended by striking out “or enterprise” wherever it appears in paragraph 3.

ACT TO ABOLISH THE MINISTÈRE DES SERVICES GOUVERNEMENTAUX AND TO IMPLEMENT THE GOVERNMENT’S 2010–2014 ACTION PLAN TO REDUCE AND CONTROL EXPENDITURES BY ABOLISHING OR RESTRUCTURING CERTAIN BODIES AND CERTAIN FUNDS

128. Section 1 of Schedule I to the Act to abolish the Ministère des Services gouvernementaux and to implement the Government’s 2010–2014 action plan to reduce and control expenditures by abolishing or restructuring certain bodies and certain funds (2011, chapter 16) is amended by striking out “or government enterprise” and “of sections 4 and 5” in the third paragraph.

DIVISION IV

CONTROL OF REMUNERATION

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

129. Section 8 of the 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 (2010, chapter 20) is amended by replacing “either of the fiscal years beginning in 2010 and 2011” in the introductory clause of the first paragraph by “the fiscal years beginning in 2010, 2011 and 2012”.

CHAPTER III

MEASURES CONCERNING CERTAIN SPECIAL FUNDS

DIVISION I

GENERATIONS FUND

ACT TO REDUCE THE DEBT AND ESTABLISH THE GENERATIONS FUND

130. Section 4.2 of the Act to reduce the debt and establish the Generations Fund (chapter R-2.2.0.1) is replaced by the following section:

“4.2. Each fiscal year, the Minister shall transfer the following sums to the Fund, out of the sums credited to the general fund:

(1) \$100,000,000, out of the specific tax on alcoholic beverages payable under Chapter II of Title II of the Act respecting the Québec sales tax (chapter T-0.1); and

(2) the total of the costs, fees, duties, rentals, and mining royalties prescribed or provided for by the Mining Tax Act (chapter I-0.4) or the Mining Act (chapter M-13.1), after deducting the amount of the duties credited to the mining heritage and mining activity management components of the Natural Resources Fund under sections 17.12.17 and 17.12.20, respectively, of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2).”

HYDRO-QUÉBEC ACT

131. Section 15.1.1 of the Hydro-Québec Act (chapter H-5), enacted by section 57 of chapter 20 of the statutes of 2010, is amended

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

“15.1.1. The Minister of Finance must pay into the Generations Fund the amount determined under or set out in each of the following subparagraphs, out of the dividends paid by the Company for each of its financial periods referred to in those subparagraphs:

(1) an amount corresponding to the revenues of the Company that the Government attributes to the indexation of the average cost of heritage pool electricity as of the year 2014, for each financial period ending in or after that year; and

(2) an amount of \$215,000,000 for each financial period ending in or after the year 2017 until that ending in 2043.”;

(2) by replacing both occurrences of “that amount” in the second paragraph by “those amounts”;

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

“The information necessary to determine the Company’s revenues attributable to the indexation of the average cost of heritage pool electricity must be submitted with the financial data referred to in section 15.1.”

SPECIAL TRANSITIONAL PROVISIONS

132. The Minister of Finance and the Economy transfers a sum of \$300,000,000 to the Generations Fund out of the surpluses accumulated in the Territorial Information Fund established under section 17.2 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2).

The sum is credited to the Generations Fund as if it were referred to in section 4 of the Act to reduce the debt and establish the Generations Fund (chapter R-2.2.0.1).

133. Section 4.2 of the Act to reduce the debt and establish the Generations Fund, as replaced by section 130 of this Act, is to be read, from 1 April 2014 to 31 March 2015, as if paragraph 2 was replaced by the following paragraph:

“(2) one quarter of the amount by which the total of the costs, fees, duties, rentals, and mining royalties prescribed or provided for by the Mining Tax Act (chapter I-0.4) or the Mining Act (chapter M-13.1), after deducting the amount of the duties credited to the mining heritage and mining activity management components of the Natural Resources Fund under sections 17.12.17 and 17.12.20, respectively, of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2), exceeds \$200,000,000.”

DIVISION II

NORTHERN DEVELOPMENT FUND

ACT TO ESTABLISH THE NORTHERN PLAN FUND

134. The title of the Act to establish the Northern Plan Fund (chapter F-3.2.1.1.1) is replaced by the following title:

“Act to establish the Northern Development Fund”.

135. Section 8 of the Act is amended by replacing “activities of a government department permit the provision of financial assistance for measures and strategic infrastructure or the delivery of services in the area covered by the Northern Plan” in the first paragraph by “purpose of a government department’s activities is to coordinate the interventions of the Government, its bodies or its enterprises with regard to the area open to northern development or when those activities permit the provision of financial assistance for measures and strategic infrastructure or the delivery of services in that area”.

136. The Act is amended by replacing “Northern Plan Fund” wherever it appears in the heading of Chapter I and in section 1 by “Northern Development Fund”, by replacing “area covered by the Northern Plan” wherever it appears in sections 1, 2, 4 and 6 by “area open to northern development” and by replacing “Northern Plan” in the third paragraph of section 1 by “area open to northern development”.

ACT RESPECTING INVESTISSEMENT QUÉBEC

137. Section 26 of the Act respecting Investissement Québec (chapter I-16.0.1) is amended by replacing “Northern Plan Fund” in paragraph 3.1 by “Northern Development Fund”.

ACT RESPECTING THE MINISTÈRE DES RESSOURCES
NATURELLES ET DE LA FAUNE

138. Section 17.12.17 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) is amended by replacing “Northern Plan Fund” in subparagraph 1.1 of the first paragraph by “Northern Development Fund”.

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

139. Section 12.32 of the Act respecting the Ministère des Transports (chapter M-28) is amended by replacing “Northern Plan Fund” in paragraph 2.10 by “Northern Development Fund”.

ACT RESPECTING THE MINISTÈRE DU DÉVELOPPEMENT
DURABLE, DE L'ENVIRONNEMENT ET DES PARCS

140. Section 15.4 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001) is amended by replacing “Northern Plan Fund” in paragraph 3.2 by “Northern Development Fund”.

ACT RESPECTING THE MINISTÈRE DU TOURISME

141. Section 21 of the Act respecting the Ministère du Tourisme (chapter M-31.2) is amended by replacing “Northern Plan Fund” in paragraph 2.1 by “Northern Development Fund”.

SPECIAL TRANSITIONAL PROVISIONS

142. An order made, before 31 March 2014, under section 8 of the Act to establish the Northern Development Fund (chapter F-3.2.1.1.1) as amended by section 135 of this Act, in order to designate a Minister to coordinate the interventions of the Government, its bodies or its enterprises with regard to the area open to northern development, may authorize that Minister to debit from the Fund the expenditures and investments the Minister made, between 1 April 2012 and the date of the order, out of the appropriations allocated for that purpose by Parliament and that correspond to sums that may be debited from the Fund under the order.

143. Unless the context indicates otherwise, a reference in any document to the Northern Plan Fund is a reference to the Northern Development Fund.

Similarly, a reference in any document to the area covered by the Northern Plan is a reference to the area open to northern development.

DIVISION III**SPORTS AND PHYSICAL ACTIVITY DEVELOPMENT FUND AND
QUÉBEC CULTURAL HERITAGE FUND****ACT TO ESTABLISH THE SPORTS AND PHYSICAL ACTIVITY
DEVELOPMENT FUND**

144. Section 5 of the Act to establish the Sports and Physical Activity Development Fund (chapter F-4.003) is amended by replacing “\$52,000,000” by “\$55,000,000”.

145. Section 13 of the Act is repealed.

**ACT RESPECTING THE MINISTÈRE DE LA CULTURE ET DES
COMMUNICATIONS**

146. Section 22.5 of the Act respecting the Ministère de la Culture et des Communications (chapter M-17.1) is amended by replacing “\$10,000,000” by “\$15,500,000”.

DIVISION IV**FUND TO FINANCE HEALTH AND SOCIAL SERVICES
INSTITUTIONS****ACT RESPECTING THE MINISTÈRE DE LA SANTÉ ET DES
SERVICES SOCIAUX**

147. Section 11.2 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2) is amended by replacing the second and third paragraphs by the following paragraphs:

“The Fund is dedicated to financing the following health and social service providers:

(1) the public institutions and private institutions under agreement to which the Act respecting health services and social services (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter S-5) applies, on the basis of the volume of services provided and subject to the achievement of performance objectives set by the Minister;

(2) family medicine groups; and

(3) any other health and social service provider designated by the Minister, after consulting with the Minister of Finance and approved by the Conseil du trésor.

The Fund is also dedicated to

(1) the improvement of home care support services, to training and development for specialized nurse practitioners and to other measures to reinforce primary care services; and

(2) initiatives to improve the performance of the health and social services system.”

148. Section 11.5 of the Act is amended by striking out “to the institutions” and by inserting “or with a standard approved by the Government or the Conseil du trésor” after “Cree Native persons (chapter S-5)”.

SPECIAL TRANSITIONAL PROVISIONS

149. The Minister of Finance and the Economy transfers a sum of \$430,000,000 to the Fund to Finance Health and Social Services Institutions out of the sums credited to the general fund and corresponding to the compensation paid by the Government of Canada for the harmonization of the Québec sales tax with the goods and services tax.

150. The Minister of Finance and the Economy transfers a sum of \$74,000,000 to the Fund to Finance Health and Social Services Institutions for the 2012–2013 fiscal year out of the sums credited to the general fund and corresponding to the income tax payable by individuals under Title I of Book V of Part I of the Taxation Act (chapter I-3).

DIVISION V

LAND TRANSPORTATION NETWORK FUND

HIGHWAY SAFETY CODE

151. Section 648.4 of the Highway Safety Code (chapter C-24.2) is amended by replacing “subparagraph 3” in subparagraph 1 of the first paragraph by “subparagraphs 3 and 5”.

DIVISION VI

ASSISTANCE FUND FOR INDEPENDENT COMMUNITY ACTION

ACT RESPECTING THE SOCIÉTÉ DES LOTERIES DU QUÉBEC

152. Section 22.1 of the Act respecting the Société des loteries du Québec (chapter S-13.1) is replaced by the following section:

“**22.1.** The company shall pay into the Consolidated Revenue Fund, for each of the fiscal years determined by the Government, the amounts determined by the Government.

The Government shall set the date of the payments. The amounts so paid are credited to the Assistance Fund for Independent Community Action established under section 3.30 of the Act respecting the Ministère du Conseil exécutif (chapter M-30).”

ACT RESPECTING THE MINISTÈRE DU CONSEIL EXÉCUTIF

153. Section 3.30 of the Act respecting the Ministère du Conseil exécutif (chapter M-30) is amended by adding “and, subsidiarily, international humanitarian assistance” at the end.

154. Section 3.33 of the Act is amended by adding the following paragraph at the end:

“The sums paid by the Société des loteries du Québec for a fiscal year are exclusively allocated to assistance for independent community action, unless, out of those sums, lesser sums exclusively allocated to that assistance are determined by the Government.”

155. Section 3.36 of the Act is amended

(1) by replacing “manager of” in the first paragraph by “person responsible for”;

(2) by replacing “to the extent determined by the Government, out of the sums referred to in paragraphs 2, 3 and 4 of section 3.33 and in the second paragraph of section 22.1 of the Act respecting the Société des loteries du Québec (chapter S-13.1)” in the second paragraph by “out of the sums not exclusively allocated to assistance for independent community action”.

SPECIAL TRANSITIONAL PROVISIONS

156. Section 22.1 of the Act respecting the Société des loteries du Québec (chapter S-13.1), enacted by section 152 of this Act, is to be read, from 14 June 2013 to 31 March 2015, as if the first paragraph were replaced by the following paragraph:

“**22.1.** The company shall pay into the Consolidated Revenue Fund,

(1) for the fiscal year 2013–2014, \$19,000,000; and

(2) for the fiscal year 2014–2015, \$19,400,000.”

157. Section 3.33 of the Act respecting the Ministère du Conseil exécutif (chapter M-30), as amended by section 154 of this Act, is to be read, from 14 June 2013 to 31 March 2015, as if the second paragraph were replaced by the following paragraph:

“Out of the sums paid by the Société des loteries du Québec for each of the fiscal years mentioned in the following paragraphs, the following sums are exclusively allocated to assistance for independent community action:

(1) for the fiscal year 2013–2014, \$16,000,000; and

(2) for the fiscal year 2014–2015, \$16,300,000.”

CHAPTER IV

FIGHT AGAINST UNREPORTED WORK IN THE CONSTRUCTION INDUSTRY

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING AND WORKFORCE MANAGEMENT IN THE CONSTRUCTION INDUSTRY

158. Section 1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) is amended by replacing subparagraph *k.1* of the first paragraph by the following subparagraph:

“(k.1) “independent contractor”: a person or a partnership holding, where required, a specialized contractor’s licence issued under the Building Act (chapter B-1.1) who, for others and without the assistance of an employee, carries out construction work or, as the case may be, of which only one director, only one shareholder holding at least one voting share or only one partner personally carries out construction work for the benefit of the person or partnership;”.

159. Section 19 of the Act is amended by striking out everything following subparagraph 14 of the first paragraph.

160. The Act is amended by inserting the following sections after section 19:

“**19.0.1.** The following restrictions apply to construction work carried out by an independent contractor except in the case of excavation work or earthwork carried out by an independent contractor using heavy machinery or heavy equipment owned or leased by the independent contractor:

(1) an independent contractor may not carry out construction work other than maintenance, repair or minor renovation work;

(2) a professional employer may not directly or through an intermediary retain the services of an independent contractor to carry out construction work;

(3) a person other than a professional employer may not directly or through an intermediary retain the services of an independent contractor except to carry out maintenance, repair or minor renovation work;

(4) a person other than a professional employer may not directly or through an intermediary cause maintenance, repair and minor renovation work to be carried out simultaneously on the same job site by more than one independent contractor;

(5) an independent contractor must require remuneration at least equal, on an hourly basis, to the remuneration in currency and the compensation or benefits having pecuniary value determined by a collective agreement for an employee doing similar work, except benefits relating to a complementary social benefits plan; and

(6) a person who carries out construction work as an independent contractor must have in his possession a document attesting to his membership in the employers' association.

“19.0.2. The restrictions listed in paragraphs 1 to 5 of section 19.0.1 do not apply to construction work on a job site if the independent contractor meets all the following conditions for that job site:

(1) the independent contractor is a legal person or a partnership;

(2) the independent contractor requires as labour costs for the director, shareholder or partner, as the case may be, who carries out the work remuneration at least equal, on an hourly basis, to the remuneration in currency, the assessments, the contributions, the levy and the compensation or benefits having pecuniary value determined by this Act and the regulations or a collective agreement made under this Act for an employee doing similar work;

(3) the independent contractor enters in its books of account and its registers the same information and makes the same withholdings or deductions at source for the work of that director, shareholder or partner, as those provided for by this Act and the regulations or a collective agreement made under this Act that must be entered or made by an employer for an employee doing similar work, except the union assessment;

(4) the independent contractor transmits to the Commission the monthly report referred to in subparagraph *b* of the first paragraph of section 82 for all the hours spent on the work carried out by that director, shareholder or partner, and includes the amounts corresponding to those payable by an employer for an employee doing similar work, except the union assessment; and

(5) with respect to the work carried out by that director, shareholder or partner, the independent contractor meets the other requirements of this Act and the regulations or of a collective agreement made under this Act that must be met by an employer in respect of an employee doing similar work, unless the context indicates otherwise.

“19.0.3. Under this Act and the regulations, an independent contractor is deemed to be an employer, subject to the second paragraph. In addition,

where the independent contractor is a legal person or a partnership, the director, shareholder or partner who personally carries out construction work for the benefit of the legal person or partnership is only subject, for the purposes of that work, to the requirements, conditions and restrictions applicable to the independent contractor.

For the purposes of the civil remedies brought under this Act, an independent contractor who carries out construction work on a job site in contravention of the restriction provided in paragraph 1 of section 19.0.1 is deemed to be, for that job site, the employee of the person who retained the services of the independent contractor to carry out that work.

The presumption in the second paragraph does not preclude the institution of penal proceedings against an independent contractor who carries out construction work in contravention of the restriction provided in paragraph 1 of section 19.0.1 or against the person who retained the services of the independent contractor to carry out that work.”

161. Section 19.1 of the Act is amended

(1) by inserting “holding, where required, a licence issued under the Building Act (chapter B-1.1)” after “each legal person or partnership” in the first paragraph;

(2) by adding “; however, the presumption does not apply to a director, shareholder or partner of the legal person or partnership who is an independent contractor” at the end of the third paragraph;

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

“The designated representative of an independent contractor is subject to the requirements, conditions and restrictions listed in sections 19.0.1 to 19.0.3 that apply to the independent contractor.”

162. Section 19.2 of the Act is amended by adding the following paragraphs at the end:

“For the purposes of the civil remedies provided for in this Act, any individual who carries out construction work on a job site on behalf of another person without being an employer, employee, independent contractor or designated representative is deemed to be in the employ of the person responsible for all the work on the job site, unless that person establishes that the responsibility for the work done by that individual was entrusted, by contract, to a contractor holding the licence required under the Building Act (chapter B-1.1) or to an employer registered with the Commission; in such a case, the contractor or employer is deemed to be the individual’s employer with respect to the work carried out by the individual, unless the contractor or employer establishes that such responsibility was entrusted by contract to another contractor or employer.

For the purposes of the second paragraph, the owner of the immovable on which the work of the individual referred to in the second paragraph is carried out is deemed to be responsible for all the work on that job site, unless the owner establishes that such responsibility was entrusted by contract to another person.

The presumptions in the second and third paragraphs do not preclude the institution of penal proceedings against an individual who carries out construction work in contravention of the first paragraph or against the person who retained the individual's services."

163. Section 81 of the Act is amended, in the first paragraph,

(1) by replacing "recover from the employer who fails to transmit to it the monthly report prescribed by subparagraph *b* of the first paragraph of section 82, the amounts corresponding to the indemnities, contributions, assessments and levies which should have been transmitted with the report, and an additional amount equal to 20% in the case of a first failure, and to 40% of such amounts in other cases of such amounts" in subparagraph *c.2* by "in the case of an employer who fails to transmit to it the monthly report prescribed by subparagraph *b* of the first paragraph of section 82 or transmits to it a monthly report that is inaccurate, false or incomplete, omitting, in particular, to report all the hours worked by the employees, recover from that employer the amounts corresponding to the indemnities, contributions, assessments and levies that should have been transmitted with an accurate, truthful and complete report, and an additional amount equal to 20% of those amounts, in the case of a first failure or false statement, and to 40% of those amounts in other cases";

(2) by inserting the following subparagraph after subparagraph *c.2*:

"(c.3) where it ascertains that construction work was carried out on an immovable the owner of which refuses or neglects, in contravention of section 81.0.1, to communicate to it the identity of the person responsible for all the construction work, the identity of the employers who carry out the work or cause it to be carried out or the identity of the employees who carry out the work, recover from the owner the amounts corresponding to the indemnities, contributions, assessments and levies otherwise payable by an employer under subparagraph *c.2* and an additional amount equal to 20% of those amounts; the total amount claimed may be determined by an expert evaluation on the basis of the scope of the work carried out on the owner's immovable or by any other means of proof establishing the number of hours required to carry out the work;";

(3) by replacing "*c.2*" in subparagraph *d* by "*c.3*".

164. Section 81.2 of the Act is amended

(1) by replacing "and *c.2*" in the introductory clause by "to *c.3*";

(2) by adding “or to the sector-based employers’ association, as the case may be” at the end of paragraph 2;

(3) by inserting “or c.3” after “c.2” in paragraph 3.

165. Section 82 of the Act is amended

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

“(a.1) impose a retention period on any employer or independent contractor for any document considered useful for the application of this Act and the regulations or a collective agreement;”;

(2) by inserting “, a.1” after “Subparagraphs *a*” in the last paragraph.

166. Section 119.1 of the Act is amended by replacing “to section” in subparagraph 11 of the first paragraph by “to the first paragraph of section”.

CHAPTER V

CLIMATE CHANGE ACTION PLAN MEASURES

ACT RESPECTING THE MINISTÈRE DU DÉVELOPPEMENT DURABLE, DE L'ENVIRONNEMENT ET DES PARCS

167. Section 15.4 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001) is amended by striking out paragraph 3.1.

168. The Act is amended by inserting the following sections after section 15.4:

“**15.4.1.** Two-thirds of the sums credited to the Fund under paragraph 5 of section 15.4 that correspond to the proceeds of the sale by the Minister of emission allowances within the meaning of the second paragraph of section 46.6 of the Environment Quality Act (chapter Q-2) are reserved for the measures applicable to transportation.

The Government, on the recommendation of the Minister of Finance, determines which of the sums thus reserved are allocated to public transit measures and to financial assistance programs that promote the development and use of public transit or the development and use of modes of passenger transport other than passenger vehicles occupied by the driver only.

The sums thus allocated are transferred by the Minister to the Land Transportation Network Fund established under paragraph 1 of section 12.30 of the Act respecting the Ministère des Transports (chapter M-28).

The sums referred to in this section must be used solely for the purposes set out in section 46.16 of the Environment Quality Act.

15.4.2. A minister who is party to an agreement with the Minister of Sustainable Development, Environment and Parks under section 15.4.3 may debit the sums provided for in the agreement from the Fund.

The expenditure and investment estimates on the basis of which each minister may debit sums from the Fund must be clearly specified in the Fund estimates appearing in the special fund budget provided for in section 47 of the Financial Administration Act (chapter A-6.001).

Those estimates must also appear in the estimates of each minister other than the Minister of Sustainable Development, Environment and Parks.

15.4.3. When a department's activities include the implementation of measures targeted by the multi-year climate change action plan, the Minister of Sustainable Development, Environment and Parks may conclude an agreement with the minister responsible for the department concerned allowing the latter to debit the sums required for those activities from the Fund.

The agreement must specify how the sums will be used and the amount that may be debited from the Fund for the fiscal years covered by the agreement.

The minister concerned continues to be responsible for the activities for which sums are debited from the Fund."

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

169. Section 12.30 of the Act respecting the Ministère des Transports (chapter M-28) is amended by inserting the following subparagraph after subparagraph *f* of paragraph 1:

“(g) financial assistance programs designed for the purposes set out in section 46.16 of the Environment Quality Act (chapter Q-2) and that promote the development and use of public transit or the development and use of modes of passenger transport other than passenger vehicles occupied by the driver only;”.

170. Section 12.32 of the Act is amended by inserting the following paragraph after paragraph 2.10:

“(2.11) the sums transferred to the Fund by the Minister of Sustainable Development, Environment and Parks under section 15.4.1 of the Act respecting the Ministère du Développement durable, de l’Environnement et des Parcs (chapter M-30.001);”.

171. Section 12.32.1 of the Act is amended by replacing the last paragraph by the following paragraphs:

“The sums referred to in paragraph 2.11 of section 12.32 are allocated to financing the public transit services referred to in subparagraph iii of subparagraph *c* and subparagraph *e* of paragraph 1 of section 12.30 and the financial assistance programs referred to in subparagraph *g* of that paragraph.

Except for the sums referred to in the third and fourth paragraphs, the sums referred to in paragraphs 1 to 3 of section 12.32 are allocated to financing the activities referred to in subparagraphs *b*, *c*, *d* and *e* of paragraph 1 of section 12.30.”

ENVIRONMENT QUALITY ACT

172. Section 46.8 of the Environment Quality Act (chapter Q-2) is amended by replacing “required to cover their greenhouse gas emissions and the number of emission units allocated to each of them” in the second paragraph by “that have received an allocation and the total number of emission units allocated without charge to all emitters”.

173. Section 46.11 of the Act is replaced by the following section:

“46.11. In accordance with the conditions prescribed by regulation of the Government, the Minister may periodically publish summaries of emission allowance transactions or sales by auction or agreement and provide any other information respecting the cap-and-trade system, including a list of the emitters and other persons or municipalities registered in the system.”

174. Section 46.12 of the Act is amended by striking out “granted by the Minister” in the introductory clause of the first paragraph.

175. Section 46.13 of the Act is amended

(1) by replacing “by regulation” in the first and second paragraphs by “by agreement”;

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

“For any delegation made under this section, a notice stating, among other things, the name of the delegatee and the functions assigned to the delegatee must be published in the *Gazette officielle du Québec* and, if appropriate, in any other newspaper or publication.”

176. Section 46.15 of the Act is amended

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

“(1) determine the information or documents a person or municipality who files an application for registration in the cap-and-trade system, acquires an emission allowance or carries out any other transaction or operation in the system must provide to the Minister;”;

(2) by replacing “register of emission allowances” in paragraph 3 by “cap-and-trade system”.

ACT RESPECTING THE RÉGIE DE L'ÉNERGIE

177. Chapter VI.3 of the Act respecting the Régie de l'énergie (chapter R-6.01), comprising sections 85.33 to 85.39, is repealed.

178. Section 102 of the Act is amended

(1) by replacing “, a person referred to in section 85.33 and an” in the first paragraph by “and every”;

(2) by replacing “Section 85.38 and this section apply” in the third paragraph by “This section applies”.

179. Section 112 of the Act is amended by striking out “, by a person referred to in section 85.33” in subparagraph 1 of the first paragraph.

180. Section 114 of the Act is amended

(1) by striking out subparagraph 9 of the first paragraph;

(2) by striking out the third and fourth paragraphs.

181. Section 117 of the Act is amended by replacing “under section 85.1 or 85.37” in the third paragraph by “under section 85.1”.

SPECIAL TRANSITIONAL PROVISIONS

182. The Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001) is to be read, from 1 October 2013 to 31 December 2014, as if the first paragraph of section 15.4.1, enacted by section 168 of this Act, was replaced by the following paragraph:

“**15.4.1.** Two-thirds of the following sums are reserved for the measures applicable to transportation:

(1) out of the sums credited to the Fund under paragraph 5 of section 15.4, those corresponding to the proceeds of the sale by the Minister of emission allowances within the meaning of the second paragraph of section 46.6 of the Environment Quality Act (chapter Q-2); and

(2) the sums referred to in paragraph 3.1 of section 15.4.”

183. The Act respecting the Régie de l'énergie (chapter R-6.01) is to be read, from 14 June 2013 to 31 December 2014,

(1) as if section 85.35 was struck out; and

(2) as if section 85.36 was amended

(a) by striking out “Taking into account the greenhouse gas reduction targets set under section 46.4 of the Environment Quality Act (chapter Q-2) and the overall financial investment,” in the introductory clause;

(b) in paragraph 1,

i. by striking out “rate and”;

ii. by inserting “brought into, distributed, traded or sold for consumption in Québec” after “fuel”;

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

“The method of calculation of the annual duty payable into the Green Fund must exclude the quantity of carbon dioxide (CO₂) emissions generated by the combustion of the volumes of natural gas and fuel that a distributor states it distributed to, sold to or traded with an emitter and the quantity of carbon dioxide (CO₂) emissions generated by the combustion of the volumes of fuel that a distributor states it brought in for its consumption even though it is also an emitter referred to in subparagraph *a* of subparagraph 2 of the sixth paragraph.

The Régie must revise the notices of payment issued, in order to reduce each of the instalments payable on 31 March, 30 June and 30 September 2013 by one quarter of the amount of the reduction of the annual duty that was redetermined by the Régie taking into account the exclusion of the volumes of natural gas and fuel that a distributor states it distributed to, sold to or traded with an emitter and the exclusion of the volumes of fuel that a distributor states it brought in for its consumption even though it is an emitter referred to in subparagraph *a* of subparagraph 2 of the sixth paragraph during the fiscal year to which the statement that was to be filed on or before 31 March 2012, in accordance with section 85.37, applies.

The following statements must be sent to the Régie,

(1) before 1 September 2013:

(a) the statement referred to in the second paragraph with regard to the reduction of the instalments payable from 31 December 2013 to 30 September 2014; and

(b) the statement referred to in the third paragraph;

(2) in the statement required under section 85.37: the statement referred to in the second paragraph with regard to the reduction of the instalment payable on 31 December 2014.

The distributor must attach to the statement, if applicable, any documents sent to it under paragraph 3 of section 85.36.1.

For the purposes of this section, except the first paragraph,

- (1) the volumes of fuel do not include gasoline or diesel;
- (2) an emitter means

(a) an emitter that is required to cover its greenhouse gas emissions with emission allowances within the meaning of the second paragraph of section 46.6 of the Environment Quality Act (chapter Q-2) and that is registered in accordance with the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1), as well as, if applicable, the perpetrators of those emissions; or

- (b) a distributor that is considered an emitter under section 85.36.1.

The distributor must cease transferring the duty to emitters to which it distributes or sells volumes of natural gas and fuel or with which it trades volumes of fuel. It must also pass on, by any means it considers appropriate, the benefit resulting from the exclusion under the second paragraph and from the revision and reduction under the third paragraph to the emitters to which it previously transferred the duty.”;

- (3) as if the following sections were inserted after section 85.36:

“**85.36.1.** A distributor is considered to be an emitter in respect of the volumes attested to in the document described in paragraph 3, if

- (1) the volumes of natural gas and fuel it distributes to, sells to or trades with an emitter were distributed by, sold by or traded with another distributor to which the notice provided for in section 85.38 was sent;

- (2) the Régie did not send it the notice provided for in section 85.38 in respect of those volumes; and

- (3) it sent the other distributor a document attesting to the volumes that the other distributor distributed to, sold to or traded with it and that it distributed to, sold to or traded with the emitter.

“**85.36.2.** The Régie shall publish in the *Gazette officielle du Québec* a notice of the rate used to calculate the duty to be paid into the Green Fund for the period from 1 October 2012 to 30 September 2013, determined in dollars per ton of carbon dioxide (CO₂) generated by the combustion of the volumes of natural gas and fuel that are brought into, distributed, sold or traded in Québec.

The rate is used to calculate the annual duty payable into the Green Fund until 31 December 2014.”;

(4) as if the following paragraph was added at the end of section 85.39:

“Before that date, the Minister of Sustainable Development, Environment and Parks shall send the Régie the list of emitters that are required to cover their greenhouse gas emissions with emission allowances within the meaning of the second paragraph of section 46.6 of the Environment Quality Act (chapter Q-2) and that are registered in accordance with the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1).”;

(5) as if section 114 was amended

(a) by striking out “rates,” in subparagraph 9 of the first paragraph;

(b) by striking out “rate,” in the third paragraph;

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

“The method of calculation referred to in subparagraph 9 of the first paragraph may provide for the repayment of any overpayments made by a distributor.

The sums to be repaid to a distributor are paid by the Minister of Sustainable Development, Environment and Parks. The surplus so paid may be taken out of the Consolidated Revenue Fund and debited from the Green Fund.

It is incumbent upon the Régie de l'énergie to determine the sums to be repaid to a distributor.

The sums to be repaid bear interest at the rate set under the second paragraph of section 28 of the Tax Administration Act (chapter A-6.002) as long as they stand to the credit of the Green Fund. Interest is capitalized monthly.”;

(6) as if “or under the fourth paragraph of section 85.36” was inserted after “85.37” in the third paragraph of section 117.

184. The provisions of Chapter VI.3 of the Act respecting the Régie de l'énergie, as they read on 31 December 2014, and paragraph 3.1 of section 15.4 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs continue to have effect to the extent required to establish a duty payable before 1 January 2015.

185. The Regulation respecting the delegation of management of certain parts of a cap-and-trade system for greenhouse gas emission allowances (2012, G.O. 2, 3613) is deemed to be the notice required under the third paragraph of section 46.13 of the Environment Quality Act (chapter Q-2), as amended by section 175 of this Act, with regard to the first agreement entered into under that section.

CHAPTER VI
OTHER MEASURES

DIVISION I
SCHOOL BOARD FINANCING

EDUCATION ACT

186. Section 475.2 of the Education Act (chapter I-13.3) is repealed.

187. The Act is amended by inserting the following sections after section 723.1:

“723.2. For the 2013–2014 and 2014–2015 fiscal years, a school board that has sufficient fiscal resources as determined under section 475 or 475.1, that benefited from an amount applied to the reduction of the school tax for the 2012–2013 fiscal year under the second paragraph of section 475.2, and whose taxation rate for that fiscal year was less than the maximum rate set in section 308 receives a subsidy corresponding to one half of the amount applied to the reduction of the school tax in the preceding fiscal year.

“723.3. For the 2013–2014 fiscal year, a school board that has insufficient fiscal resources as determined under section 475 or 475.1 and that benefited, for the 2012–2013 fiscal year, from an amount applied to the reduction of the school tax under the second paragraph of section 475.2 receives, in addition to the equalization grant determined under section 475 or 475.1, a subsidy corresponding to one half of the amount applied to the reduction of the school tax for the 2012–2013 fiscal year.

From the 2014–2015 fiscal year, a school board whose fiscal resources remain insufficient receives, in addition to the equalization grant determined under section 475 or 475.1, a subsidy corresponding to the amount paid under this section for the preceding fiscal year.

“723.4. For the fiscal year during which the fiscal resources of a school board referred to in section 723.3 cease to be insufficient, the school board receives a subsidy equal to that paid to it for the preceding fiscal year under section 723.3.

For the following fiscal year, the school board receives a subsidy equal to one half of the amount paid under the first paragraph.

“723.5. A school board referred to in sections 723.2 to 723.4 must, in accordance with the terms and procedures set out in the budgetary rules, adjust its tax rate so that its revenues from the school tax added to the equalization grant and the subsidy paid under those sections are not higher than the maximum yield of the school tax or, as the case may be, the yield of the school tax approved by referendum in accordance with sections 345 to 353.

The school board may determine different tax rates for the municipalities in its territory for the fiscal years during which the school board receives a subsidy under sections 723.2 to 723.4. The distribution must be fair and meet the conditions set out in the budgetary rules.”

DIVISION II

MULTI-YEAR TRANSFERS

FINANCIAL ADMINISTRATION ACT

188. The Financial Administration Act (chapter A-6.001) is amended by inserting the following section after section 24:

“**24.1.** The only part of a multi-year transfer that may be recorded in the accounts for a given fiscal year is the part that is both payable and authorized by Parliament for that year.

For the purposes of the first paragraph,

(1) a multi-year transfer means an undertaking under which the Government, a minister or a budget-funded body confers an economic benefit on a beneficiary over more than one fiscal year, for no consideration in goods or services; and

(2) for each fiscal year in which part of the transfer must be made, that part of the transfer is authorized by Parliament where, for that year, appropriations cover the financial commitments necessary to confer the economic benefit; moreover, if the sums necessary to discharge the financial commitments are debited from a special fund, the transfer is authorized once the expenditure and investment estimates for the fund for the year have been approved by Parliament.

This section is declaratory.”

ACT RESPECTING SUBSIDIES FOR THE PAYMENT IN CAPITAL AND INTEREST OF LOANS OF PUBLIC OR MUNICIPAL BODIES

189. The title of the Act respecting subsidies for the payment in capital and interest of loans of public or municipal bodies (chapter S-37.01) is amended by adding “and certain other transfers” at the end.

190. Section 1 of the Act is amended by adding the following paragraph at the end:

“This section does not operate to exempt a subsidy referred to in the first paragraph from a vote, by Parliament, authorizing the appropriations covering it. This paragraph is declaratory.”

191. The Act is amended by inserting the following section after section 1:

1.1. The only part of a subsidy referred to in section 1 or of another multi-year transfer that may be recorded in the accounts for a given fiscal year of a public body or municipal body receiving the subsidy is the part that is both payable during the given fiscal year and authorized by Parliament for the Government's fiscal year.

The expressions "multi-year transfer" and "authorized by Parliament" have the meaning assigned to them by section 24.1 of the Financial Administration Act (chapter A-6.001)."

DIVISION III

SELECTION OF FOREIGN NATIONALS

ACT RESPECTING IMMIGRATION TO QUÉBEC

192. Section 3.1 of the Act respecting immigration to Québec (chapter I-0.2) is amended

(1) by striking out the second and fourth paragraphs;

(2) by replacing "Notwithstanding the third or fourth" in the fifth paragraph by "Despite the second".

193. Section 3.3 of the Act is amended, in the first paragraph,

(1) by replacing "fifth" in subparagraph *d* by "third";

(2) by striking out subparagraph *g*.

194. Section 3.5 of the Act is replaced by the following section:

3.5. Despite any other provision of this Act, the Minister may, particularly in view of the guidelines and objectives set out in the annual immigration plan and of Québec's needs and its capacity to welcome and integrate immigrants, make a decision in relation to the receipt and processing of applications for selection certificates for a specified period.

The decision may apply to all countries or a source area and to a class of foreign nationals or part of a class of foreign nationals. It may, in particular, pertain to the maximum number of applications the Minister intends to accept, the suspension of the receipt of applications, the order of priority for the processing of applications and the disposal of applications the Minister has yet to examine.

The decision stands for a maximum period of 14 months and may be modified or renewed.

The Minister shall publish the decision in the *Gazette officielle du Québec* and in any medium considered appropriate.

Decisions take effect on the date of their publication or on any later date specified. The reason for a decision must be included in the decision.

A decision may, if it so specifies, apply to applications for a selection certificate received within three months before its effective date that have yet to be examined by the Minister. In such cases, the Minister shall notify the applicant and, if applicable, return the sums received as fees.

The Regulations Act (chapter R-18.1) does not apply to a decision made under this section.”

195. The Act is amended by inserting the following after section 6:

“DIVISION IV.1

“FEES PAYABLE

“6.1. The fees payable for the processing of an application for a selection certificate filed by a foreign national belonging to the economic class as an investor are \$10,000.

The fees must be paid when the application for a selection certificate is filed.

The fees are adjusted and rounded off in accordance with section 83.3 of the Financial Administration Act (chapter A-6.001) and the regulation made under that Act.

The Minister publishes the results of the adjustment in the *Gazette officielle du Québec* and informs the public of the results by any means considered appropriate.”

REGULATION RESPECTING THE SELECTION OF FOREIGN NATIONALS

196. The Regulation respecting the selection of foreign nationals (chapter I-0.2, r. 4) is amended by replacing section 56 by the following sections:

“56. The fees to be paid for the processing of an application for a selection certificate filed by a foreign national belonging to the economic class are:

- (1) \$1,013 for an entrepreneur or a self-employed person;
- (2) \$750 for a skilled worker.

The fees must be paid when the application for a selection certificate is filed.

“56.1. The fees to be paid for each family member accompanying a foreign national referred to in section 56 are \$160.

The fees must be paid when the application for a selection certificate is filed.

“56.2. Where the purpose of an application for a selection certificate, in relation to the preceding application, is to add a family member of the foreign national referred to in section 56, the foreign national and his family members are exempt from the payment of the required fees if they already hold a valid selection certificate.”

SPECIAL TRANSITIONAL PROVISIONS

197. The fees payable for the processing of an application for a selection certificate filed by a foreign national belonging to the economic class as an investor, prescribed by subparagraph *a* of the first paragraph of section 56 of the Regulation respecting the selection of foreign nationals (chapter I-0.2, r. 4), as it read before 14 June 2013, are deemed to have been set by section 6.1 of the Act respecting immigration to Québec (chapter I-0.2), enacted by section 195 of this Act, as of 3 April 2003.

Sums paid as fees under the regulation are deemed to be fees validly collected under the first paragraph. All such sums belong to the Government.

DIVISION IV

INVESTISSEMENT QUÉBEC

ACT RESPECTING INVESTISSEMENT QUÉBEC

198. The Act respecting Investissement Québec (chapter I-16.0.1) is amended by inserting the following section after section 24:

“24.1. The Government may delegate to the Minister, to the extent determined by the Government, some or all of the powers conferred upon it by this subdivision.”

DIVISION V

LIABILITY OF CORPORATIONS

ENVIRONMENT QUALITY ACT

199. The Environment Quality Act (chapter Q-2) is amended

(1) by replacing “in the case of a legal person” in the introductory clause of the first paragraph of each of sections 115.23, 115.24 and 115.26, and in the introductory clause of section 115.25 by “in any other case”, and by replacing “pour une personne physique” in those same clauses in the French text by “dans le cas d’une personne physique”;

(2) by replacing “the case of a legal person” in the portion at the end of each of sections 115.29, 115.30, 115.31 and 115.32 by “any other case”.

200. Section 115.37 of the Act is amended by adding “and is liable to the penalties provided for in section 115.31” at the end of the second paragraph.

201. Section 118.5.1 of the Act is amended by inserting the following subparagraph after subparagraph 4 of the second paragraph:

“(4.1) if the penalty was imposed on a partnership or association without legal personality, the name and address of the partnership or association;”.

202. Section 118.5.2 of the Act is amended by inserting the following paragraph after paragraph 4:

“(4.1) if the offender is a partnership or association without legal personality, the name and address of the partnership or association;”.

DIVISION VI

POSSESSION AND TRANSPORTATION OF ALCOHOLIC BEVERAGES ACQUIRED IN ANOTHER PROVINCE OR A TERRITORY OF CANADA AND PARTIALLY CONSUMED CONTAINERS OF WINE

ACT RESPECTING LIQUOR PERMITS

203. Section 28 of the Act respecting liquor permits (chapter P-9.1) is amended by adding the following paragraph at the end:

“The restaurant sales permit also authorizes the permit holder to allow a patron to take home a partially consumed container of wine purchased and served with a meal in the establishment, provided it has been securely resealed.”

204. Section 29 of the Act is amended by adding the following paragraph at the end:

“A bar permit also authorizes the permit holder to allow a patron to take home a partially consumed container of wine purchased in the establishment, provided it has been securely resealed.”

ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC

205. Section 37 of the Act respecting the Société des alcools du Québec (chapter S-13) is amended by inserting the following subparagraph after subparagraph 9.1 of the first paragraph:

“(9.2) determining the conditions on which a person may bring alcoholic beverages acquired in another province or a territory of Canada into Québec for personal consumption, and prescribing the quantity;”.

ACT RESPECTING OFFENCES RELATING TO ALCOHOLIC
BEVERAGES

206. Section 91 of the Act respecting offences relating to alcoholic beverages (chapter I-8.1) is amended by adding “or bar permit” at the end of paragraph *j*.

207. Section 92 of the Act is amended by adding “or bar permit” at the end of paragraph *g*.

208. The Act is amended by inserting the following after section 95:

“DIVISION X.1

**“POSSESSION AND TRANSPORTATION OF ALCOHOLIC
BEVERAGES ACQUIRED IN ANOTHER PROVINCE OR A TERRITORY
OF CANADA**

“95.1. The possession and transportation of alcoholic beverages acquired in another province or a territory of Canada are authorized in the quantities and under the terms set by the regulation made under subparagraph 9.2 of the first paragraph of section 37 of the Act respecting the Société des alcools du Québec (chapter S-13).”

209. Section 111 of the Act is amended

- (1) by inserting “or section 95.1” after “of section 91” in paragraph *a*;
- (2) by replacing “95” in paragraph *b* by “95.1”.

DIVISION VII

LOANS OF PUBLIC TRANSIT AUTHORITIES

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

210. Section 123 of the Act respecting public transit authorities (chapter S-30.01) is amended by replacing the second paragraph by the following paragraph:

“The rate of interest and other conditions of the loans must be authorized by the Minister of Finance.”

211. Section 158.2 of the Act is amended by replacing the third paragraph by the following paragraph:

“However, the first paragraph does not apply in respect of any part of a loan ordered for the purposes of an investment, where the transit authority provides for the repayment of that part of the loan out of its revenues derived directly from legal persons, other bodies, special funds within the meaning of section 5.1 of the Financial Administration Act (chapter A-6.001) or any other organization whose results are included in the budget balance defined in section 2 of the Balanced Budget Act (chapter E-12.00001).”

DIVISION VIII

AGENCE MÉTROPOLITAINE DE TRANSPORT

212. The Agence métropolitaine de transport may acquire from the Société immobilière du Québec, and the Société is authorized to transfer to the Agency, all the shares of the capital stock of the legal person 9227-9702 Québec Inc., a wholly-owned subsidiary of the Société immobilière du Québec whose activities consist in managing the Gare d’autocars de Montréal.

213. The legal person 9227-9702 Québec Inc. becomes a wholly-owned subsidiary of the Agency following the acquisition provided for in section 212.

Sections 2, 13 and 66 of the Act respecting the Agence métropolitaine de transport (chapter A-7.02) apply, with the necessary modifications, to that subsidiary of the Agency.

The Government may determine that sections 64 and 65 of the Act respecting the Agence métropolitaine de transport apply in whole or in part to the legal person 9227-9702 Québec Inc. in its capacity as a subsidiary of the Agency, except with respect to transactions between that legal person and the Agency.

The Agency must include, in the financial report and the operations report provided for in sections 88 and 91 of that Act respectively, any information concerning the subsidiary that the Minister responsible for the Agency requires. It must also provide that Minister with any information the Minister requires regarding the subsidiary’s operations.

The Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) applies to the legal person 9227-9702 Québec Inc. in its capacity as a subsidiary of the Agency.

214. With the authorization of the Government, the Agency may transfer all or part of the shares of the capital stock of the legal person 9227-9702 Québec Inc. acquired under section 212.

CHAPTER VII**FINAL PROVISIONS**

215. Section 151 has effect from 1 April 2010; section 196, to the extent that it enacts subparagraph 2 of the first paragraph of section 56 of the Regulation respecting the selection of foreign nationals (chapter I-0.2, r. 4), has effect from 1 April 2012; section 129 has effect from 1 January 2013; and section 150 has effect from 1 March 2013.

216. This Act comes into force on 14 June 2013, except for

- (1) sections 186 and 187, which come into force on 1 July 2013;
- (2) paragraph 3 of section 3, which comes into force on 1 January 2014;
- (3) sections 130 and 133, which come into force on 1 April 2014;
- (4) sections 167, 177 to 181 and 184, which come into force on 1 January 2015;
- (5) sections 208 and 209, which come into force on the date of coming into force of the first regulation made under subparagraph 9.2 of the first paragraph of section 37 of the Act respecting the Société des alcools du Québec (chapter S-13), enacted by section 205 of this Act; and
- (6) section 53, to the extent that it enacts subparagraph 6 of the first paragraph of section 17.12.12 of the Act respecting the Ministère des Ressources naturelles et de la Faune, section 54, to the extent that it inserts a reference to section 17.12.20 of that Act, section 55, to the extent that it enacts section 17.12.20 of that Act, section 58, to the extent that it applies to the mining activity management component of the Natural Resources Fund, and sections 158 to 166, which come into force on the date or dates to be set by the Government.

SCHEDULE I
(Section 56)

NATURAL RESOURCES FUND

ADDITIONAL EXPENDITURE AND INVESTMENT ESTIMATES

	2013–2014
Revenues	\$12,321,600
Expenditures	<u>\$12,321,600</u>
Surplus (Deficit) of the Fiscal Year	<u>0</u>
Ending Cumulative Surplus (Deficit)	0
Investments	\$3,390,000
Total loans or advances ¹	<u>\$3,390,000</u>

¹ To (from) the Financing Fund and the general fund.

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2013, chapter 17

AN ACT TO AMEND THE CIVIL CODE AND OTHER LEGISLATIVE PROVISIONS WITH RESPECT TO RESEARCH

Bill 30

Introduced by Mr. Réjean Hébert, Minister of Health and Social Services

Introduced 28 March 2013

Passed in principle 30 May 2013

Passed 14 June 2013

Assented to 14 June 2013

Coming into force : 14 June 2013

Legislation amended :

Civil Code of Québec

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

Explanatory notes

This Act amends certain provisions of the Civil Code of Québec that pertain to research. The term “experiment” is replaced by the term “research that could interfere with the integrity” and a new obligation is introduced whereby any research project in which a person of full age capable of giving consent participates must be approved and monitored by a research ethics committee.

The prohibition against submitting a minor or a person of full age incapable of giving consent to an experiment that involves a serious risk to their health is replaced by the possibility for them to participate in research that could interfere with the integrity of their person provided the risk incurred, taking into account their state of health and personal condition, is not disproportionate to the benefit that may reasonably be anticipated.

Various changes are also made with regard to the consent required to participate in research. Thus, a minor 14 years of age or over may give consent alone to research if, in the opinion of a competent research ethics committee, the research involves only a minimal health risk and the circumstances justify it. In addition, in the case of a person of full age incapable of giving consent who is not represented by a mandatary, tutor or curator, consent may be given by the person qualified to consent to the person’s care if a competent research ethics committee is of the opinion that the research involves only a minimal health risk for the person of full age.

(Cont'd on next page)

Explanatory notes (Cont'd)

Moreover, giving consent to research otherwise than in writing is authorized if, in the opinion of a research ethics committee, it is justified in the circumstances. The committee is empowered to determine the proper manner, for evidential purposes, of obtaining consent in such cases.

The rules governing consent for the use, for research purposes, of a body part removed as part of the care received by a person who has since died are also specified. In such cases, consent may be given by the person who could give or could have given consent to the care the deceased person required.

Lastly, the Act respecting health services and social services is amended by introducing a requirement that the complaint examination procedure of an institution that carries on research activities must enable any person, whether or not a user, who participates in research, as well as the heirs or the legal representatives of such a person, to address a complaint to the local service quality and complaints commissioner concerning the research.



Chapter 17

AN ACT TO AMEND THE CIVIL CODE AND OTHER LEGISLATIVE PROVISIONS WITH RESPECT TO RESEARCH

[Assented to 14 June 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

1. Article 20 of the Civil Code of Québec is amended

(1) by replacing “submit to an experiment” by “participate in research that could interfere with the integrity of his person”;

(2) by adding the following sentence at the end: “The research project must be approved and monitored by a research ethics committee.”

2. Article 21 of the Code is replaced by the following article:

“21. A minor or a person of full age who is incapable of giving consent may participate in research that could interfere with the integrity of his person only if the risk incurred, taking into account his state of health and personal condition, is not disproportionate to the benefit that may reasonably be anticipated.

Moreover, a minor or a person of full age incapable of giving consent may participate in such research only if, where he is the only subject of the research, it has the potential to produce benefit to his health or only if, in the case of research on a group, it has the potential to produce results capable of conferring benefit to other persons in the same age category or having the same disease or handicap.

In all cases, a minor or a person of full age incapable of giving consent may not participate in such research where he understands the nature and consequences of the research and objects to participating in it.

The research project must be approved and monitored by a competent research ethics committee. Such a committee is formed by the Minister of Health and Social Services or designated by that Minister from among existing research ethics committees; the composition and operating conditions of such a committee are determined by the Minister and published in the *Gazette officielle du Québec*.

Consent to research that could interfere with the integrity of a minor may be given by the person having parental authority or the tutor. A minor 14 years of age or over, however, may give consent alone if, in the opinion of the competent research ethics committee, the research involves only minimal risk and the circumstances justify it.

Consent to research that could interfere with the integrity of a person of full age incapable of giving consent may be given by the mandatory, tutor or curator. However, where such a person of full age is not so represented and the research involves only minimal risk, consent may be given by the person qualified to consent to any care required by the state of health of the person of full age. Consent may also be given by such a qualified person where a person of full age suddenly becomes incapable of giving consent and the research, insofar as it must be undertaken promptly after the appearance of the condition giving rise to it, does not permit, for lack of time, the designation of a legal representative for the person of full age. In both cases, it is incumbent upon the competent research ethics committee to determine, when evaluating the research project, whether it meets the prescribed requirements.”

3. Article 22 of the Code is amended by adding “or, if he has died, be so used with the consent of the person who could give or could have given consent to any care required by his state of health” at the end.

4. Article 24 of the Code is amended

(1) by replacing “an experiment” in the first paragraph by “research that could interfere with the integrity of his person”;

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

“However, consent to such research may be given otherwise than in writing if justified in the circumstances in the opinion of a research ethics committee. In such a case, the committee determines the proper manner, for evidential purposes, of obtaining consent.”

5. Article 25 of the Code is amended by replacing “An experiment” in the second paragraph by “A person’s participation in research that could interfere with the integrity of his person”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

6. Section 34 of the Act respecting health services and social services (chapter S-4.2) is amended by replacing the second paragraph by the following paragraphs:

“If an institution carries on research activities, the procedure must also enable any person, whether or not a user, who participates in research to make a complaint concerning the research. This division applies to such a complaint,

and “user”, with the necessary modifications, includes any person who participates in research.

The procedure must also allow the heirs or the legal representatives of a deceased user to make a complaint regarding the services the user received or ought to have received or regarding any research referred to in the second paragraph in which the user participated.”

FINAL PROVISION

- 7.** This Act comes into force on 14 June 2013.

2013, chapter 18
**AN ACT TO AMEND VARIOUS LEGISLATIVE
PROVISIONS MAINLY CONCERNING THE
FINANCIAL SECTOR**

Bill 31

Introduced by Mr. Nicolas Marceau, Minister of Finance and the Economy

Introduced 9 May 2013

Passed in principle 12 June 2013

Passed 14 June 2013

Assented to 14 June 2013

Coming into force: 14 June 2013, except

(1) sections 33 and 34, which come into force on 1 January 2014; and

(2) sections 77, 78 and 92 and paragraph 3 of section 97, which come into force on the date or dates to be set by the Government

– 2014-01-15: ss. 77, 78
 O.C. 1268-2013
 G.O., 2013, Part 2, p. 3629

Legislation amended:

Act respecting insurance (chapter A-32)

Act respecting the Autorité des marchés financiers (chapter A-33.2)

Real Estate Brokerage Act (chapter C-73.2)

Act respecting the distribution of financial products and services (chapter D-9.2)

Money-Services Businesses Act (chapter E-12.000001)

Derivatives Act (chapter I-14.01)

Act respecting the legal publicity of enterprises (chapter P-44.1)

Act respecting trust companies and savings companies (chapter S-29.01)

Business Corporations Act (chapter S-31.1)

Securities Act (chapter V-1.1)

Explanatory notes

This Act amends the Act respecting insurance to allow an insurance company that issues participating policies to make transfers from its participating fund to a surplus account or a retained earnings account in accordance with a participating fund surplus management policy approved by its board of directors.

This Act makes a number of amendments to the Act respecting the Autorité des marchés financiers, including in order to clarify certain rules relating to recognized self-regulatory organizations, such as allowing the Authority to make certain modifications to the recognition given to such an organization without publishing the application for modification.

(Cont'd on next page)

Explanatory notes (Cont'd)

It amends the Real Estate Brokerage Act, among other things to clarify the provisions relating to the concept of brokerage transaction and to the remuneration claimed or received for such transactions. Amendments are also introduced enabling the Organisme d'autoréglementation du courtage immobilier du Québec to act as arbitrator and setting out the procedure applicable to appeals made from the decisions of that Organization.

This Act amends the Act respecting the distribution of financial products and services, mainly to introduce new governance rules applicable to the Chambre de la sécurité financière.

Furthermore, it amends the Money-Services Businesses Act to clarify the collaboration process between the Autorité des marchés financiers, the Sûreté du Québec and other police forces. It makes other amendments that have proved necessary since the implementation of the Act, including one obliging licence holders to display their licence.

This Act also amends the Derivatives Act and the Securities Act in order to introduce provisions regarding the inspection of guarantee funds and the regulation of new market infrastructures, such as settlement systems and central securities depositories. It further amends these Acts to add provisions corresponding to those introduced into the Act respecting the Autorité des marchés financiers regarding recognized self-regulatory organizations.

This Act amends the Business Corporations Act to relax the rules regarding the payments made by a reporting issuer to purchase or redeem its shares.

Lastly, technical amendments and amendments for concordance are made to some of the Acts mentioned above and to the Act respecting the legal publicity of enterprises and the Act respecting trust companies and savings companies.



Chapter 18

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS MAINLY CONCERNING THE FINANCIAL SECTOR

[Assented to 14 June 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING INSURANCE

1. Section 16 of the Act respecting insurance (chapter A-32) is amended by striking out “, 23, 24” in the second paragraph.

2. Section 66.1 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: “The policy must be approved by the board of directors.”;

(2) by replacing “its actuary” in the third paragraph by “the actuary designated in accordance with Division III.1 of Chapter IV of Title IV”.

3. The Act is amended by inserting the following sections after section 66.1:

“66.1.1. No insurance company that issues participating policies may make a transfer from its participating fund to a surplus account or a retained earnings account unless it has established a participating fund surplus management policy approved by the board of directors.

The policy must provide a method for calculating the surplus to be maintained in the participating fund, including for the purpose of guaranteeing the performance of the company’s obligations toward participating policy holders.

The policy must be presented to a general meeting.

“66.1.2. A copy of any policy established under section 66.1 or section 66.1.1 must be sent to the Authority.

“66.1.3. Before each and any transfer from the participating fund to a surplus account or a retained earnings account, the actuary designated in accordance with Division III.1 of Chapter IV of Title IV must produce a report certifying that the transfer is in conformity with the participating fund surplus management policy.

The company must send the actuary’s report to the Authority at least 30 days before the date of the transfer.

“66.1.4. The Authority may forbid the transfer, or allow it subject to certain conditions, if the Authority considers it advisable in the interest of the participating policy holders.

“66.1.5. The Authority may require any relevant information or document for the purposes of this division.

“66.1.6. The Authority may, where it considers it advisable, give written instructions to an insurance company that issues participating policies concerning the management of participating fund surpluses.

Before exercising the power set out in the first paragraph, the Authority must notify the company and give it an opportunity to submit observations.”

4. Section 298.17 of the Act is amended by adding “and the Authority” after “to the board of directors” at the end of the third paragraph.

5. Section 298.18 of the Act is amended by adding “and whether the management of participating fund surpluses is in conformity with the policy established under section 66.1.1” after “section 66.1” at the end of the second paragraph.

6. Section 299 of the Act is amended by inserting the following paragraph after paragraph *d*:

“(d.1) a list of the transfers made out of participating fund surpluses;”.

ACT RESPECTING THE AUTORITÉ DES MARCHÉS FINANCIERS

7. Section 16 of the Act respecting the Autorité des marchés financiers (chapter A-33.2) is amended by striking out “, 23, 24” in the second paragraph.

8. Section 66 of the Act is amended by adding the following paragraph at the end:

“The first paragraph does not apply to an application for the modification of a recognition decision that does not significantly alter the activities exercised by the applicant.”

9. Section 68 of the Act is replaced by the following section:

“68. The Authority shall grant recognition to a legal person, a partnership or an entity if it considers that the legal person, partnership or entity has the administrative structure and the financial resources and other resources necessary to exercise its functions and powers in an objective, fair and efficient manner.

Before granting recognition to a legal person, a partnership or an entity, the Authority must

(1) ascertain that its constituting documents, by-laws and operating rules comply with sections 69 and 70; and

(2) make sure that the provisions applicable to its members or subscribers will ensure its compliance with sections 70.1 and 71.”

10. Section 70 of the Act is amended by striking out the first paragraph.

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

“70.1. A recognized organization must

(1) allow unrestricted membership for any person who meets the admission criteria;

(2) ensure equal access to the services offered; and

(3) be able to exercise its functions and powers while avoiding and regulating conflicts of interest.”

12. Section 71 of the Act is replaced by the following section:

“71. A recognized organization cannot, by any provision or practice, restrict competition between its members or its participants unless the provision or practice has been authorized by the Authority.

The Authority shall only authorize provisions or practices it considers necessary for the protection of the public. The Authority may subject its authorization to the conditions and restrictions it determines.”

13. Section 73 of the Act is amended by replacing “or other entity” in the first paragraph by “, an entity or a recognized organization”.

14. Section 74 of the Act is amended by adding the following paragraph at the end:

“The same rule applies to any draft amendment pertaining to a practice or provision of a document, other than those referred to in the first paragraph, if the practice or provision was authorized by the Authority under section 71.”

15. Section 77 of the Act is amended by replacing “its constituting documents, by-laws or operating rules” and “such texts consistent”, respectively, by “a provision or practice” and “such provision or practice consistent”.

16. The Act is amended by inserting the following section after section 82:

“82.1. Once the time allotted for applying for a review of a decision by a recognized organization calling for a disciplinary sanction has expired, the

decision may be homologated by the Superior Court or the Court of Québec according to their respective jurisdictions.

Once homologated, the decision becomes enforceable as a judgment of that Court.”

17. Section 89 of the Act is amended by replacing “or any other entity” in the second paragraph by “, an entity or a recognized organization”.

REAL ESTATE BROKERAGE ACT

18. Section 3 of the Real Estate Brokerage Act (chapter C-73.2) is amended by striking out “residential” in paragraph 9.

19. Section 4 of the Act is amended, in the fourth paragraph,

(1) by replacing “services rendered” by “the transaction in which the person engaged”;

(2) by adding the following sentence at the end: “Likewise, a broker who engages in a brokerage transaction through the intermediary of a person who is not a licence holder is also precluded from claiming or receiving remuneration for that transaction.”

20. The heading of Division II of Chapter II of the Act is amended by replacing “AND MORTGAGE BROKER AGENCIES” by “OR MORTGAGE AGENCY”.

21. Section 13 of the Act is amended

(1) by striking out “broker” wherever it appears;

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

“Anyone who, without holding an agency licence, engages in a brokerage transaction through the intermediary of a natural person is not entitled to claim or receive remuneration for that transaction. Likewise, an agency that engages in a brokerage transaction through the intermediary of a natural person who is not a licence holder is also precluded from claiming or receiving remuneration for that transaction.”

22. Section 27 of the Act is amended

(1) by inserting “or an agency” after “to remunerate a broker” in the first paragraph;

(2) in the second paragraph,

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

“(2) the sale, lease or exchange involves a person who was interested in the immovable while the contract was in force or, in the case of a contract with a view to purchasing or leasing an immovable, the client purchased or leased an immovable in which the client became interested through the broker while the contract was in force;”;

(b) by inserting “or another agency” after “another broker” in subparagraph 3.

23. Section 34 of the Act is amended

(1) by replacing “acts” in the first paragraph by “may act”;

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

“The Organization may also arbitrate when reconciliation or mediation fails, if the parties so request.

The Organization may establish an arbitration committee and delegate its functions and powers under the second paragraph to the committee.

The committee’s operating and decision-making rules are to be determined by regulation of the Organization.”

24. Section 37 of the Act is amended by replacing “an offence or act” in paragraph 3 by “an offence or an indictable offence” and by striking out “or act” at the end of that paragraph.

25. Section 38 of the Act is amended by replacing “an offence or act” in paragraph 3 by “an offence or an indictable offence” and by striking out “or act” after “such an offence”.

26. The Act is amended by inserting the following section after section 38:

“38.1. The Organization may require from the applicant or the licence holder any information or document it considers necessary for the purposes of sections 37 and 38. If the applicant or licence holder fails to provide such information or document, the Organization may refuse to examine the application or may suspend the licence, as applicable, until the required document or information has been provided.”

27. Section 43 of the Act is amended by replacing the first paragraph by the following paragraph:

“43. Any appeal from a decision made under section 37, 38 or 38.1 is brought before the Court of Québec, in accordance with subdivision 1 of Division VIII of Chapter IV of the Professional Code (chapter C-26), with the necessary modifications. Any reference to the secretary of the board of directors or of the executive committee in the Professional Code must be understood as a reference to the Organization within the meaning of this Act.”

28. Section 44 of the Act is repealed.

29. Section 46 of the Act is amended by inserting “or an executive officer of an agency” and “or executive officers”, respectively, after “become a broker” and “by prospective brokers” in paragraph 1.

30. Section 49 of the Act is amended by striking out “broker”.

31. The Act is amended by inserting the following section after section 49:

“**49.1.** The Organization may, by regulation, require that persons it identifies take an oath of discretion, and determine the form of the oath. However, the oath is not to be construed as prohibiting the sharing of information or documents within the Organization for the protection of the public.”

32. Section 54 of the Act is amended by replacing the second paragraph by the following paragraph:

“The internal by-laws are approved by the Minister, with or without amendments, after a 30-day consultation period with the licence holders.”

33. Section 57 of the Act is amended by replacing “11” by “13”.

34. Section 58 of the Act is amended by adding “, which must include rules aimed at insuring equitable geographical representation and equitable representation of the different categories of broker’s licences” at the end of the second paragraph.

35. Section 70 of the Act is amended by replacing “second” in the third paragraph by “first”.

36. The Act is amended by inserting the following section after section 83:

“**83.1.** The Organization appoints one or more ad hoc syndics on the suggestion of the review committee.

Within the given mandate, an ad hoc syndic has the rights, powers and obligations of a syndic, but does not have authority over an assistant syndic.

The Organization must take steps to preserve the independence of an ad hoc syndic at all times.”

37. Section 84 of the Act is amended by striking out “, following notification by the assistance service” in the first paragraph.

38. Section 88 of the Act is amended

(1) by striking out “of a Canadian court”;

(2) by replacing “a criminal or indictable offence” by “an offence or indictable offence”.

39. Section 89 of the Act is replaced by the following section:

“**39.** Sections 78 to 80 apply to a syndic, assistant syndic and ad hoc syndic when conducting an investigation.

The syndic, assistant syndics and ad hoc syndics have the powers and immunity of commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.”

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

“**92.** In its ruling, the review committee must

(1) find that there is no cause to file a complaint with the discipline committee;

(2) suggest that the syndic complete the investigation and subsequently make a new ruling as to whether or not to file a complaint; or

(3) find that there is cause to file a complaint with the discipline committee and suggest that an ad hoc syndic be appointed who, after investigation, if one is necessary, will decide whether or not to file a complaint.

The review committee may also suggest that the syndic refer the case to the inspection committee.

If the review committee suggests that the syndic complete the investigation or finds that there is cause to file a complaint with the discipline committee, the Organization must reimburse any fees charged to the person who requested the investigation.

The review committee must send its ruling to the person who requested the investigation and to the syndic without delay.”

41. Section 98.1 of the Act is amended, in the second paragraph,

(1) by replacing “found guilty” by “concerned”;

(2) by inserting “or, if the decision imposes a provisional measure, the date and nature of the facts underlying the charge” after “nature of the offence.”.

42. Section 101 of the Act is amended by replacing “fifth paragraph of section 98” and “that section” in the third paragraph by, respectively, “first paragraph of section 98.1” and “section 98”.

- 43.** Section 112 of the Act is amended by inserting the following sentence after the first sentence: “Prescription begins to run against the Organization from the day the indemnities are paid.”
- 44.** Section 113 of the Act is amended by striking out “, but at least once every five years”.
- 45.** Section 125 of the Act is amended
- (1) by striking out the last sentence in the second paragraph;
 - (2) by inserting the following sentence at the beginning of the third paragraph: “In determining the amount of a fine, the court considers such factors as the injury suffered as a result of and the benefits derived from the offence.”
- 46.** Section 127 of the Act is amended by replacing “the syndic” in the first paragraph by “the Organization”.
- 47.** Section 133 of the Act is amended by replacing “or any assistant syndics” by “, the assistant syndics, an ad hoc syndic”.
- 48.** Section 134 of the Act is amended
- (1) in the first paragraph,
 - (a) by replacing “or mediation” by “, mediation or arbitration”;
 - (b) by replacing “or made a false statement” by “, made a false statement or produced a false document”;
 - (2) by adding the following sentence at the end of the second paragraph: “The same applies to conciliators, mediators or arbitrators, as well as to the persons who assist them during the settlement of a dispute, in respect of anything learned by them within that process.”;
 - (3) by replacing “conciliation or mediation” in the third paragraph by “conciliation, mediation or arbitration”.
- 49.** Section 147 of the Act is amended by striking out “broker” in the second paragraph.
- 50.** Section 148 of the Act is amended by replacing “real estate” by “mortgage”.

ACT RESPECTING THE DISTRIBUTION OF FINANCIAL PRODUCTS
AND SERVICES

51. Section 196 of the Act respecting the distribution of financial products and services (chapter D-9.2) is amended by adding “, or prescribe the formulations of a standard policy” at the end of the second paragraph.

52. Section 217 of the Act is amended by replacing “115.1” in the second paragraph by “115.2”.

53. Sections 288 and 289 of the Act are replaced by the following sections:

“288. The affairs of each Chamber are administered by a board of directors consisting of 13 members.

Five members of the board must qualify as independent members, whereas the other eight members, in the case of the *Chambre de la sécurité financière*, must be members of that Chamber and, in the case of the *Chambre de l’assurance de dommages*, must be from the industry.

“289. The members of the board of the *Chambre de la sécurité financière* who must be members of that Chamber are elected by the representatives in insurance of persons, group insurance representatives, mutual fund dealer representatives, scholarship plan dealer representatives and financial planners.

The members of the board of the *Chambre de l’assurance de dommages* who must be from the industry are elected by the damage insurance agents, damage insurance brokers and claims adjusters.

A Chamber’s internal management by-law must set out the procedure governing the election of the members of its board.”

54. Section 290 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “board members who” in the second paragraph by “board members of a Chamber who”;

(3) by replacing “de la *Chambre de l’assurance de dommages*” in the third paragraph of the French text by “d’une chambre”.

55. Section 290.1 of the Act is amended by replacing “of the *Chambre de l’assurance de dommages*” in the first paragraph by “of a Chamber”.

56. Section 290.3 of the Act is amended

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

“In the case of the *Chambre de la sécurité financière*, the elected board members must include the following persons:

- (1) two representatives in insurance of persons;
- (2) two mutual fund dealer representatives;
- (3) one group insurance representative;
- (4) one scholarship plan dealer representative; and
- (5) one financial planner.”;

(2) by replacing “second paragraph” wherever it appears in the third, fourth and sixth paragraphs by “third paragraph”;

(3) by replacing “of the second paragraph” in the fifth paragraph by “of the third paragraph”.

57. Section 291 of the Act is amended by adding the following paragraph at the end:

“However, the elected member of the board of the *Chambre de la sécurité financière* who is not mentioned in the list set out in the second paragraph of section 290.3 is elected by the general meeting of the Chamber’s members.”

58. Section 294 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “In all other cases, the election” in the second paragraph by “The election”.

59. Section 296 of the Act is repealed.

60. Section 297 of the Act is replaced by the following section:

“297. The members of the board of a Chamber shall designate a president from among their number, according to the procedure set out in the internal management by-law.

Likewise, the members of the board shall designate from among their number two vice-presidents in the case of the *Chambre de la sécurité financière*, and a single vice-president in the case of the *Chambre de l’assurance de dommages*.”

61. Section 309 of the Act is amended by striking out “, in accordance with the staffing plan and the standards established by regulation of the Chamber. The regulation shall also determine the standards and scales of remuneration,

employment benefits and other employment conditions of the personnel members” in the second paragraph.

62. Section 312 of the Act is amended by replacing “in section 290” in the fifth paragraph by “in the second paragraph of that section”.

63. Section 327 of the Act is amended by striking out “, according to the staffing plan and standards determined by regulation of the Chamber,” in the second paragraph.

64. Section 331 of the Act is amended by striking out “according to the staffing plan and standards determined by regulation of the Chamber” in the first paragraph.

65. Section 333 of the Act is amended by striking out the second paragraph.

66. Section 568.1 of the Act is repealed.

MONEY-SERVICES BUSINESSES ACT

67. Section 5 of the Money-Services Businesses Act (chapter E-12.000001) is amended

(1) by replacing “the director, officer or partner of the money-services business who is” in the first paragraph by “a person”;

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

“(0.1) be a director, officer or partner of the money-services business;”;

(3) by striking out the third paragraph;

(4) by replacing “such a” in the fourth paragraph by “the”;

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

“The respondent for a money-services business that is not constituted under the laws of Québec and does not have its head office or an establishment in Québec need not be a director, officer or partner of the business but must be able to properly exercise a respondent’s functions with the Authority.”

68. Section 7 of the Act is amended by replacing “the Sûreté du Québec needs in order to issue a security clearance report” by “obtained so that the notified police forces may make such checks as they consider necessary for the purposes set out in sections 8 and 9”.

69. Section 8 of the Act is amended by replacing the third paragraph by the following paragraph:

“The security clearance report must state the grounds on which, if such is the case, a recommendation is made to refuse to issue a licence under paragraph 1 of section 11 that relate to the applicant’s moral character, or under paragraph 4 or 5 of that section or under section 13 or section 16 to the extent that those provisions do not refer to paragraph 6 of section 11 or to paragraph 1 of section 12.”

70. Section 9 of the Act is replaced by the following section:

“9. Within 30 days after receiving the notice sent by the Authority, a police force may send a notice to the Authority stating the grounds on which it recommends the refusal of a licence under sections 11 to 17. The Authority sends this notice to the Sûreté du Québec.”

71. Section 10 of the Act is repealed.

72. Section 11 of the Act is amended

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

“(4) has, in the last 10 years, been convicted of an offence under Part II.1, IV, IX, X, XII or XII.2 or any of sections 467.11 to 467.13 of the Criminal Code (R.S.C. 1985, chapter C-46), or an offence under the Controlled Drugs and Substances Act (S.C., 1996, chapter 19), other than an offence under subsection 1 of section 4 of that Act, or an attempt or conspiracy to commit such an offence, or counselling the commission of such an offence, unless a pardon has been obtained;”;

(2) by striking out “or pleaded guilty to” in paragraph 5;

(3) by striking out “or pleaded guilty before a foreign court to” in paragraph 6.

73. Section 12 of the Act is amended

(1) by replacing “or pleaded guilty to an offence under this Act or an offence under any of the Acts listed in Schedule 1 to” in paragraph 1 by “an offence under this Act or an offence under any of the Acts referred to in section 7 of”;

(2) by replacing “has had its right to operate” in paragraph 2 by “has been refused the right to operate or has had its right to operate revoked;”;

(3) by striking out “or pleaded guilty to” in paragraph 3.

74. Section 14 of the Act is amended by replacing “whose right to operate has, in the last three years, been” in paragraph 6 by “which, in the last three years, has been refused the right to operate or whose right to operate has, in the last three years, been”.

75. Section 16 of the Act is replaced by the following section:

“16. The Authority may refuse to issue a licence to a money-services business if any of the following persons or mandataries is in a situation described in paragraph 4 or 6 of section 11 or in paragraph 1 of section 12:

(1) employees of the business who work in Québec and whose functions are related to the offer of money services;

(2) mandataries of the business;

(3) officers of a mandatory described in subparagraph 2 who are responsible for money services offered on behalf of the business.

The Authority refuses to issue a licence if a person or a mandatory described in the first paragraph is in any of the situations described in paragraph 1 of section 11.”

76. Section 17 of the Act is amended

(1) by adding “, or if a person or entity described in the first paragraph of section 16 is in any of the situations described in paragraph 1 of section 11” at the end of the first paragraph;

(2) by inserting “established by section 92 of the Act respecting the Autorité des marchés financiers (chapter A-33.2)” after “request the Bureau de décision et de révision” in the second paragraph.

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

“21.1. A money-services business whose licence was revoked must return the licence, and any copy of it, to the Authority within 15 days of the decision.

If a licence to operate automatic teller machines is revoked, the money-services business must remove and destroy the copy of the licence that is displayed on each of the machines it operates.

The Authority may, in cases where the licence is suspended, require that the licence and any copies be returned, or withdrawn from display.”

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

“22.1. Licence holders must display their licence or a copy of the licence so that it is clearly legible, in a conspicuous place in each establishment in which they offer money services, even through a mandatory and, in the case of licence holders licensed to operate automated teller machines, on each of the automated teller machines they operate.”

79. Section 27 of the Act is replaced by the following section:

27. When informed of a fact likely to affect the validity of a money-services business's licence or to render any of sections 11 to 17 applicable, the Authority notifies the Sûreté du Québec and the police force of the local municipality in which the business offers money services.

The Sûreté du Québec must then carry out further checks so as to provide the Authority with new security clearance reports stating the grounds on which a licence should be suspended or revoked, if that is the case.

The police force of the local municipality in which the business offers money services may also send a notice to the Authority stating the grounds for which it recommends that a licence be suspended or revoked. The Authority sends this notice to the Sûreté du Québec."

30. Section 37 of the Act is amended by replacing "entente visée" in the French text by "entente ou accord visé".

31. Section 49 of the Act is amended by replacing "an establishment governed by this Act to verify whether the money-services business" by "an establishment of a money-services business or of one of its mandataries to verify whether the business".

32. Section 53 of the Act is amended by replacing "Canadian financial institution" by "bank or financial institution".

33. Section 58 of the Act is amended

(1) by adding "in which money services are offered" at the end of paragraph 3;

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

"(4) contact information for the establishments of the mandataries through which the money-services business offers its services."

34. The Act is amended by striking out "or pleaded guilty to" in sections 14, 15 and 68.

DERIVATIVES ACT

35. Section 3 of the Derivatives Act (chapter I-14.01) is amended by inserting "a settlement system, a matching service utility," after "a clearing house," in the definition of "regulated entity".

36. Section 12 of the Act is amended

(1) by replacing "an information processor, a trade repository" in the first paragraph by "a settlement system, an information processor, a trade repository, a matching service utility";

(2) by striking out “as such” in the second paragraph.

87. Section 16 of the Act is amended by replacing “or a recognized clearing house” by “, a recognized clearing house or a recognized settlement system”.

88. Section 17 of the Act is amended by inserting “, settlement system” after “clearing house” wherever it appears.

89. Section 18 of the Act is amended by replacing “or trade repositories” by “, trade repositories or matching service utilities”.

90. Section 20 of the Act is amended

(1) by replacing “The constituting documents, internal by-laws and operating rules of a recognized regulated entity must” in the first paragraph by “A recognized regulated entity must”;

(2) by replacing “They must also” in the second paragraph by “In addition, the constituting documents, internal by-laws and operating rules of such an entity must”.

91. Section 51 of the Act is amended by replacing “its constituting documents, internal by-laws or operating rules” by “a document or a practice” and by replacing “make them consistent” by “make it compliant”.

92. The Act is amended by inserting the following sections after section 87:

“**87.1.** The Authority may, in the manner prescribed by regulation, determine the derivatives which must be cleared by a clearing house.

“**87.2.** The Authority keeps a public register concerning the derivatives which must, under section 87.1, be cleared by a clearing house.

The register must contain the information prescribed by regulation.”

93. Section 90 of the Act is amended, in the first paragraph,

(1) by inserting the following subparagraphs after subparagraph 5.1:

“(5.2) a recognized settlement system or one of its subscribers;

“(5.3) a recognized matching service utility or one of its subscribers;”;

(2) by adding the following subparagraph after subparagraph 9:

“(10) a person to whom a decision made under section 86 applies.”

94. Section 93 of the Act is amended by replacing the second sentence by the following sentences: “For the purposes of those sections, a qualified person

and a market participant within the meaning of this Act are respectively considered to be an issuer and a market participant within the meaning of that Act. Likewise, a recognized regulated entity within the meaning of this Act is considered to be a self-regulatory organization within the meaning of that Act or a person referred to in sections 169 and 171 of that Act.”

95. The Act is amended by inserting the following section after section 93:

“93.1. Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), documents or information obtained pursuant to this Act from a trade repository or communicated to the Authority pursuant to this Act in the absence of such a repository is accessible only with the authorization of the Authority.”

96. Section 115 of the Act is amended by adding the following paragraph at the end:

“The Authority may also inspect the affairs of a guarantee fund to which dealers, advisors or representatives are required to contribute in order to ascertain compliance with their obligations under this Act.”

97. Section 175 of the Act, amended by section 61 of chapter 26 of the statutes of 2011, is again amended, in the first paragraph,

(1) by replacing “an exchange, a clearing house or an alternative trading system” in subparagraph 9 by “such a regulated entity”;

(2) by replacing “protection fund” in subparagraph 14 by “guarantee fund”;

(3) by inserting the following subparagraphs after subparagraph 23:

“(23.1) establish the manner in which the Authority may determine the derivatives which must be cleared by a clearing house;

“(23.2) prescribe the information that must appear in the register provided for in section 87.2;”.

ACT RESPECTING THE LEGAL PUBLICITY OF ENTERPRISES

98. Section 131 of the Act respecting the legal publicity of enterprises (chapter P-44.1) is amended by striking out “, 23, 24” in the second paragraph.

ACT RESPECTING TRUST COMPANIES AND SAVINGS COMPANIES

99. Section 395 of the Act respecting trust companies and savings companies (chapter S-29.01) is amended by striking out “, 23, 24” in the second paragraph.

BUSINESS CORPORATIONS ACT

100. Section 96 of the Business Corporations Act (chapter S-31.1) is replaced by the following section:

“96. A corporation may not make any payment to purchase or redeem shares

(1) if the corporation is not a reporting issuer and the payment would make it unable, in the event of liquidation, to repay shares ranking higher than or equally with the shares so purchased or redeemed, taking into account any waiver of repayment by the higher-or equal-ranking shareholders; or

(2) if the corporation is a reporting issuer and there are reasonable grounds for believing that it is or would, after the payment, be unable to pay, when due, the entire redemption price of its redeemable shares.”

101. Section 414 of the Act is amended by replacing “not insolvent” in the first paragraph by “able to pay its liabilities as they become due”.

SECURITIES ACT

102. Section 41 of the Securities Act (chapter V-1.1) is amended by striking out paragraph 3.

103. Section 68 of the Act is amended by replacing “exchanged for those of another issuer or those held by security-holders of another issuer” in subparagraph 4 of the second paragraph by “distributed”.

104. Section 151.1.1 of the Act is amended

(1) by adding “or check how any functions and powers delegated by the Authority are being exercised” at the end of the first paragraph;

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

“In addition, the Authority may inspect the affairs of a contingency fund in which brokers are required to participate under section 168.1 in order to verify compliance with their obligations under this Act or a regulation made under this Act.”;

(3) by striking out “such” in the last paragraph.

105. Section 169 of the Act is amended by inserting “, central securities depository, settlement system” after “clearing house”.

106. Section 169.1 of the Act is amended by adding the following paragraph at the end:

“The second paragraph does not apply to an application for the modification of a recognition decision that does not significantly alter the activities carried on by the applicant.”

107. Section 170 of the Act is amended by replacing “or clearing house” in the fourth paragraph by “, a clearing house, a central securities depository or a settlement system”.

108. Section 171.1 of the Act is amended

(1) in the first paragraph,

(a) by inserting “70 to 71,” after “Sections”;

(b) by replacing “recognized exchanges and clearing houses” by “an exchange, a recognized clearing house, a central securities depository and a recognized settlement system”;

(2) by inserting “78 to” after “Sections” in the second paragraph.

109. Section 171.1.1 of the Act is replaced by the following section:

“171.2. The Authority may, by regulation, establish the rules applicable to persons referred to in section 169 or 171, including rules concerning review or approval of their operating rules or restrictions relating to ownership of or control over such persons.”

110. Section 237 of the Act is amended, in the first paragraph,

(1) by inserting “recognized” before “regulation services provider” in subparagraph 2.3.1;

(2) by replacing “an authorized” in subparagraph 2.4 by “a recognized”;

(3) by replacing “an authorized” in subparagraph 2.5 by “a recognized”;

(4) by inserting the following subparagraphs after subparagraph 7:

“(8) a recognized settlement system or one of its subscribers;

“(9) a recognized central securities depository or one of its subscribers;

“(10) a person to whom a decision under section 263 applies.”

111. Section 297.1 of the Act is amended, in the second paragraph,

(1) by inserting “, a person referred to in section 169, 171 or 186.1” after “a self-regulatory organization”;

(2) by inserting “or to a central bank” after “securities regulation or monitoring field”.

112. Section 307.2 of the Act is amended

(1) by striking out “323.12,” in paragraph 1;

(2) by striking out “137,” in paragraph 4.

113. Section 307.6 of the Act is amended by replacing “VI of this Title” in the first paragraph by “III of Title IV of the Act respecting the Autorité des marchés financiers (chapter A-33.2)”.

114. Section 307.8 of the Act is amended by replacing “VI of this Title” in the first paragraph by “III of Title IV of the Act respecting the Autorité des marchés financiers (chapter A-33.2)”.

115. Section 322 of the Act is amended by adding the following paragraph at the end:

“However, a decision under which a penalty is to be imposed cannot be submitted for review until the penalty has been imposed.”

116. Section 323.8.1 of the Act is amended by replacing “insider” by “person concerned” in the first paragraph.

117. Section 331.1 of the Act is amended

(1) by replacing paragraph 9.1 by the following paragraph:

“(9.1) determine the rules applicable to persons referred to in section 169 or 171, including rules concerning review or approval of their operating rules or restrictions relating to ownership of or control over such persons;”;

(2) by inserting the following paragraph after paragraph 32:

“(32.0.1) make rules concerning securities offers and trades or other securities transactions, including for the purpose of promoting market efficiency and transparency or preventing fraud and manipulation;”.

TRANSITIONAL AND FINAL PROVISIONS

118. A clearing house which, on 14 June 2013, is recognized as such by the Autorité des marchés financiers in accordance with the Derivatives Act (chapter I-14.01) or the Securities Act (chapter V-1.1) and which, at that time, operates as a settlement system or a matching service utility may continue to do so without having to obtain a recognition as such or an exemption from that obligation.

The first paragraph also applies to a clearing house which, on 14 June 2013, is exempted from the recognition obligation under section 86 of the Derivatives Act or section 263 of the Securities Act.

119. A member of the board of the *Chambre de la sécurité financière* in office on 13 June 2013 remains in office until replaced.

All members of the board who are not appointed by the Minister must be elected by 14 December 2014. The board must also, before that date, recommend to the Minister of Finance and the Economy candidates who qualify as independent members.

Any vacancy on the board between 14 June 2013 and the date the board members are replaced, including a vacancy in a seat reserved for a member appointed by the Minister, is filled by the board.

120. This Act comes into force on 14 June 2013, except

- (1) sections 33 and 34, which come into force on 1 January 2014; and
- (2) sections 77, 78 and 92 and paragraph 3 of section 97, which come into force on the date or dates to be set by the Government.

2013, chapter 19

AN ACT ESTABLISHING THE EYYOU ISTCHEE JAMES BAY REGIONAL GOVERNMENT AND INTRODUCING CERTAIN LEGISLATIVE AMENDMENTS CONCERNING THE CREE NATION GOVERNMENT

Bill 42

Introduced by Mr. Gaétan Lelièvre, Minister for Regions

Introduced 14 May 2013

Passed in principle 29 May 2013

Passed 13 June 2013

Assented to 14 June 2013

**Coming into force : 1 January 2014, except for section 101, which comes into force
on 14 June 2013**

Legislation amended :

Act respecting the Cree Regional Authority (chapter A-6.1)

Act respecting land use planning and development (chapter A-19.1)

Act respecting the conservation and development of wildlife (chapter C-61.1)

James Bay Region Development and Municipal Organization Act (chapter D-8.2)

Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire
(chapter M-22.1)

Act respecting the Ministère du Développement économique, de l'Innovation et de l'Exportation
(chapter M-30.01)

Act respecting municipal territorial organization (chapter O-9)

Police Act (chapter P-13.1)

Environment Quality Act (chapter Q-2)

Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3)

Act respecting the lands in the domain of the State (chapter T-8.1)

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

Legislation repealed :

Act respecting the James Bay Regional Zone Council (chapter C-59.1)

Explanatory notes

This Act establishes the Eeyou Istchee James Bay Regional Government in the stead of Municipalité de Baie-James, as of 1 January 2014.

(Cont'd on next page)

Explanatory notes (Cont'd)

It provides that the Eeyou Istchee James Bay Regional Government is a municipal body governed by the Cities and Towns Act, subject to the special provisions it sets out, and that the Regional Government has jurisdiction over the territory of Municipalité de Baie-James as it existed on 31 December 2013, except for the Category II lands.

Rules governing the Regional Government's council, in particular, rules concerning the council's composition, the manner in which its members are designated and the distribution of votes among them are set out, as well as special rules regarding the manner in which council meetings are held and how decisions are made on certain subjects that are clearly identified.

The Regional Government maintains essentially the powers currently exercised by Municipalité de Baie-James and may, in addition, affirm its jurisdiction regarding fields of jurisdiction belonging to a regional county municipality. The Regional Government may also, when requested to do so by the Cree community or the municipality concerned, affirm its jurisdiction regarding any municipal, local or regional jurisdiction on the territory of the Cree communities or the territory of Ville de Chibougamau, Ville de Chapais, Ville de Label-sur-Quévillon or Ville de Matagami, which are designated as the enclosed municipalities.

The Regional Government is deemed to act as a regional conference of elected officers for its territory and, where the functions exercised by a regional land and natural resource commission are concerned, it also acts in that capacity for the territory of the four enclosed municipalities.

In cases where the Regional Government affirms its jurisdiction regarding land use, specific government policy directions must be established by the Gouvernement du Québec in consultation with the Regional Government.

The Act respecting the Cree Regional Authority is amended so that the Regional Authority will be known, from now on, as the Cree Nation Government.

Certain powers with respect to Category II lands are assigned to the Cree Nation Government. In particular, it is provided that the Cree Nation Government may affirm its jurisdiction over all or part of Category II lands, with respect to any field of jurisdiction attributed by an Act to a local municipality or a regional county municipality.

If the Cree Nation Government affirms its jurisdiction with respect to the strategic vision statement and the land use planning and development plan mentioned in the Act respecting land use planning and development, these documents must be consistent with the policy directions, principles and objectives the Cree Nation Government determines, in consultation with the Cree communities and with the approval of the Gouvernement du Québec. The documents must be approved by the Minister of Municipal Affairs, Regions and Land Occupancy.

The Cree Nation Government is deemed to act as a regional conference of elected officers for the Cree and with respect to Category I and Category II lands. In that capacity, it establishes the Eeyou Planning Commission in lieu of the regional land and natural resource commission provided for in the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire. The Commission's function is to prepare a regional land and resource use plan for Category II lands, which replaces the regional plan for integrated land and resource development provided for in that Act. A specific process by which this plan is submitted to the approval of the Minister of Natural Resources is set out.

(Cont'd on next page)

Explanatory notes (Cont'd)

The Cree Nation Government is invited to take part in the development of the public land use plan for Category II lands and a specific procedure is established for that purpose.

With regard to local development, the regional conference of elected officers for James Bay, henceforth known as the James Bay Regional Administration, and the Cree Nation Government may enter into agreements with the minister responsible for agreements concerning local development centres, the regional conference of elected officers may provide for the financing of its local development centre through contributions made by the Regional Government and the four enclosed municipalities, and the Cree Nation Government may exercise jurisdiction over local development, instead of entrusting it to a centre. In doing so, the Cree Nation Government must take into account the policy directions, strategies and objectives it determines in consultation with the Cree communities.

The James Bay Region Development and Municipal Organization Act is amended to, among other things, encourage the Regional Government and the Cree Nation Government to participate in the activities of the Société de développement de la Baie James.

Lastly, various consequential, transitional and final provisions are introduced.



Chapter 19

AN ACT ESTABLISHING THE EEYOU ISTCHEE JAMES BAY REGIONAL GOVERNMENT AND INTRODUCING CERTAIN LEGISLATIVE AMENDMENTS CONCERNING THE CREE NATION GOVERNMENT

[Assented to 14 June 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PRELIMINARY PROVISIONS

I. In this Act, unless the context indicates otherwise,

(1) “Agreement” means the Agreement referred to in the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67);

(2) “Cree Communities” means any collectivity of Crees to whom Category I lands have been transferred under the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1), as well as the Crees of Oujé-Bougoumou;

(3) “Crees” means the persons eligible under Chapter 3 of the Agreement;

(4) “Crees of Oujé-Bougoumou” means the collectivity composed of persons identified as affiliated to the community known as Oujé-Bougoumou, and including persons enrolled or entitled to be enrolled as Cree beneficiaries under the Agreement, and acting through the Oujé-Bougoumou Eenuch Association until such time as the Oujé-Bougoumou Band is constituted as a corporation under the Cree-Naskapi (of Quebec) Act (Statutes of Canada, 1984, chapter 18) and, thereafter, the Oujé-Bougoumou Band;

(5) “enclosed municipalities” designates Ville de Chapais, Ville de Chibougamau, Ville de Lebel-sur-Quévillon and Ville de Matagami;

(6) “Category I lands”, “Category II lands” and “Category III lands” mean lands, within the meaning of Title III of the Act respecting the land regime in the James Bay and New Québec territories, located south of the 55th parallel north, and the Category I lands transferred to the Cree community of Whapmagoostui.

2. The Minister of Municipal Affairs, Regions and Land Occupancy is responsible for the administration of this Act, in which “Minister” designates that minister, unless the context indicates otherwise.

CHAPTER II

ESTABLISHMENT OF THE EYYOU ISTCHEE JAMES BAY REGIONAL GOVERNMENT

3. A legal person is established in the public interest under the name “Gouvernement régional d’Eeyou Istchee Baie-James” for the territory described in section 5.

The Regional Government may also be designated under the name “Eenou Chishaauchimaa” in Cree, and the name “Eeyou Istchee James Bay Regional Government” in English.

4. The Regional Government is a municipal body governed by the Cities and Towns Act (chapter C-19), subject to the special provisions of this Act. As such, it has the powers of a municipality governed by that Act and is subject to the Acts applicable to such a municipality; the Regional Government also has any other powers otherwise conferred on it by law.

However, the Gouvernement du Québec may declare any provision of an Act inapplicable, in whole or in part, to the Regional Government or to all or part of its territory. The order comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date set in the order.

CHAPTER III

TERRITORY OF THE REGIONAL GOVERNMENT

5. The Regional Government’s territory is comprised of the territory of Municipalité de Baie-James as it existed on 31 December 2013, with the exception of the Category II lands.

CHAPTER IV

ORGANIZATION OF THE REGIONAL GOVERNMENT

DIVISION I

COUNCIL

§1. — *Composition*

6. The following persons are members of the Regional Government’s council:

- (1) the chair of the Cree Nation Government;

(2) 10 persons designated by the council of the Cree Nation Government from among its members;

(3) 11 persons designated by the Minister from among the members of the councils of the enclosed municipalities and the persons, other than the Crees, residing within the Regional Government's territory.

7. The chair of the Cree Nation Government and a member of the group referred to in paragraph 3 of section 6 act, in alternation, as chair and vice-chair of the council for two-year terms.

To that end, the members of the group referred to in paragraph 3 of section 6 designate the member mentioned in the first paragraph, from among their number, by secret ballot held at a meeting of the council. For the purposes of that designation, and despite section 8, each of the members has one vote.

For the purposes of any Act, the chair and vice-chair are considered to be, respectively, the mayor and acting mayor.

§2.—*Distribution of votes*

8. The council members belonging to the group referred to in paragraphs 1 and 2 of section 6 each have two votes.

Each of the council members belonging to the group referred to in paragraph 3 of section 6 has the number of votes determined by the Minister, for a total of 22 votes among them. To that end, the Minister takes into account, in particular, the relative demographic weight of the population represented by each of the members of the group.

§3.—*Decisions*

9. Any matter which, pursuant to an Act, requires approval by a two-thirds majority of the council members of a municipality, requires a two-thirds majority of the votes of

(1) all of the members of the group referred to in paragraphs 1 and 2 of section 6, including the votes cast by representatives of at least three communities included in that group; and

(2) all of the members of the group referred to in paragraph 3 of section 6, including the votes cast by representatives of at least three communities included in that group.

10. The double majority provided for in section 9 also applies to any decision concerning

(1) the change of location of the Regional Government's head office;

- (2) the establishment or abolition of a locality;
- (3) the constitution or abolition of a local council;
- (4) the Regional Government's position regarding any constitution, amalgamation or annexation of a municipality on the territory of the Regional Government;
- (5) agreements referred to in section 35, including any modifications to them that affect the level of services provided under such agreements;
- (6) the adoption of the budget or the use of budgetary surpluses;
- (7) any affirmation of jurisdiction made under section 20 or 24;
- (8) the adoption, amendment or revision of a strategic vision statement or land use planning and development plan in accordance with an affirmation of jurisdiction made under section 20 or 24;
- (9) the adoption, amendment or revision, in its capacity as a regional conference of elected officers under section 21.5 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1), of the five-year development plan required under section 21.7 of that Act and the approval of the regional plan for integrated land and resource development required under section 21.17.2 of that Act; and
- (10) an opinion given under section 24 of the Act respecting the lands in the domain of the State (chapter T-8.1) with regard to a proposed land use plan.

The Gouvernement du Québec may, at the request of the Regional Government, amend the first paragraph to add or strike out elements for which a decision requires a double majority vote as set out in section 9. The amending order comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date set in the order.

The double majority provided for in section 9 applies to the adoption of a resolution by which the Regional Government formulates a request under the second paragraph.

§4. — *Meetings*

11. The council holds regular meetings at least once a month, except if otherwise provided in the schedule of its meetings.

12. A member of the council may take part in deliberations and vote at a meeting of the council from a separate location, by telephone or other means of communication, provided that the means of communication used enables all persons participating in the meeting to hear one another.

A member of the council may exercise this right only if the chair, or the person replacing the chair, and the clerk are present at the location in which the meeting is being held and, in the case of a regular meeting, if there is a quorum at that location.

The minutes of the meeting must mention the names of the members who participate in such a manner and the means of communication used; these members are deemed to be present at the meeting.

13. Any person may, by telephone or any other means of communication and to the extent that the means of communication allows, attend a council meeting from any public place from which a member of the council is attending the meeting, and may address written or oral questions to members of the council during the question period.

14. The quorum for a meeting is twelve members, including at least six members of the group described in paragraphs 1 and 2 of section 6 and six members of the group described in paragraph 3 of section 6.

15. For the purpose of determining where the council will hold its meetings, the Regional Government's territory is deemed to comprise the territory of the Cree communities and the territory of the enclosed municipalities.

If the council fails to determine the location of its meetings, the meetings are held at the location determined by the Minister for the first meeting, under section 92.

16. A notice of convocation to a special meeting of the council must be served on every member of the council not later than 48 hours before the time set for the beginning of the meeting.

17. The minimum number of members required to call a special meeting of the council is ten, including at least five members of the group described in paragraphs 1 and 2 of section 6 and five members of the group described in paragraph 3 of section 6.

DIVISION II

EXECUTIVE COMMITTEE

18. The Regional Government has an executive committee.

The members of the executive committee are appointed for a two-year term.

DIVISION III**EMPLOYEES**

19. The Regional Government must appoint a director general and an assistant director general, and, to the extent possible, ensure a balance in the representation of Crees and non-Crees in filling these positions.

CHAPTER V**SPECIAL JURISDICTIONS OF THE REGIONAL GOVERNMENT****DIVISION I****AFFIRMATION OF INTRATERRITORIAL JURISDICTION**

20. The Regional Government may affirm its jurisdiction, on all or part of its territory, with respect to any field of jurisdiction assigned by an Act to a regional county municipality.

21. The resolution by which the Regional Government affirms its jurisdiction identifies the field of jurisdiction concerned and, if the affirmation of jurisdiction affects only a part of its territory, describes the part of the territory to which the affirmation applies.

An authenticated copy of the affirmation is sent to the Minister and to any other minister responsible for the administration of the Act that confers the jurisdiction concerned.

22. The affirmation of jurisdiction takes effect on the date on which the Minister publishes a notice to that effect in the *Gazette officielle du Québec* or on any later date set in the notice.

23. The exercise by the Regional Government of a jurisdiction referred to in section 20 may be the object of an agreement between the Regional Government and the Gouvernement du Québec providing for any adaptations required to take into account the specific character of the Regional Government and the territory concerned. Such an agreement may derogate from any legislative provision.

The agreement mentions the date of its coming into force.

The Minister publishes the agreement in the *Gazette officielle du Québec*, together with a notice specifying the date of its coming into force.

DIVISION II**AFFIRMATION OF EXTRATERRITORIAL JURISDICTION**

24. The Regional Government may affirm its jurisdiction over all or part of any Category I land or over all or part of the territory of any of the enclosed municipalities with respect to any field of jurisdiction belonging to a regional county municipality or a local municipality.

For an affirmation of jurisdiction to be applicable to Category I land or to the territory of an enclosed municipality, it must be made at the request of the Cree community or enclosed municipality concerned, by a unanimous resolution of all of the members of its council.

25. The resolution by which the Regional Government affirms its jurisdiction must identify any Cree communities or enclosed municipalities to which the affirmation of jurisdiction applies. Where applicable, it mentions that the affirmation of jurisdiction applies to only a part of the Cree community's or the enclosed municipality's territory and contains a description of the territory concerned.

An authenticated copy of the resolution is sent to the Minister and, if applicable, to any other minister responsible for the administration of the Act that confers the jurisdiction concerned.

Sections 22 and 23 apply, with the necessary modifications.

DIVISION III**LOCALITIES**

26. The Regional Government may constitute any part of its territory as a locality and determines the name of any locality so constituted.

27. A locality is administered by a local council consisting of the number of members determined by the Regional Government, which, however, must not exceed five.

28. The members of a local council are elected every four years, on the first Sunday of November, in accordance with the Act respecting elections and referendums in municipalities (chapter E-2.2).

Every natural person who would be qualified to vote at a referendum if the date of reference, within the meaning of the Act respecting elections and referendums in municipalities, were that of the poll, is eligible for the office of member of the local council and entitled to vote at the election of its members.

29. The local council exercises, with respect to the territory constituted as a locality, the powers delegated to it by the Regional Government, to the extent and on the conditions determined by regulation.

30. In a case of irresistible force that might endanger the life or health of the population or seriously damage the equipment of the locality, the chair of the local council may order such expenditure as the chair considers necessary and award any contract necessary to remedy the situation. In such a case, the chair must make a report with reasons to the council having jurisdiction with respect to the matter, at that council's next meeting.

DIVISION IV

MISCELLANEOUS PROVISIONS

31. The Regional Government has the powers required to fulfill the obligations stipulated in an agreement to which it is party with the Gouvernement du Québec or one of its ministers or bodies, with a mandatary of the State or, if the agreement is excluded from the application of the Act respecting the Ministère du Conseil exécutif (chapter M-30) or for the conclusion of which prior authorization was obtained under that Act, with the Government of Canada or one of its ministers, bodies or mandataries.

32. Where the Regional Government affirms its jurisdiction with respect to the land use planning and development plan provided for in the Act respecting land use planning and development (chapter A-19.1), the minister responsible for the administration of that Act establishes, in collaboration with the Regional Government, government policy directions specific to the Regional Government's territory. These policy directions must take into account the specific character of the territory concerned, the participation, where applicable, of any person to whom part of the management of the territory has been conferred by law, and the specific issues related to the development of its resources in keeping with the principle of sustainable development.

CHAPTER VI

FINANCE AND TAXATION

33. The Regional Government may pay sums into a fund created to achieve a fiscal and financial balance between the Regional Government, the enclosed municipalities and the localities. A by-law of the council sets out the method of financing the fund and the manner in which it is to be managed.

If the fund is abolished, the sums are returned to the Regional Government's general fund.

34. In addition to imposing a general property tax at different rates based on the categories to which the units of assessment belong under section 244.30 of the Act respecting municipal taxation (chapter F-2.1), the Regional Government may impose the tax at different rates based on the parts of the territory it determines.

35. The Regional Government may enter into a fiscal equity agreement with an enclosed municipality or the council of a locality for the provision of municipal services by the enclosed municipality or the locality to a service area as defined in the second paragraph.

“Service area” means an inhabited part of the Regional Government’s territory that, on 1 January 2014, receives certain municipal services from Ville de Chapais, Ville de Lebel-sur-Quévillon, Ville de Matagami or the locality of Radisson under an agreement of the same nature as that mentioned in the first paragraph.

CHAPTER VII

MISCELLANEOUS PROVISIONS

36. The Regional Government must, where applicable, take the necessary measures to have any text intended to be understood by a Cree translated into either Cree or English.

Nothing in the first paragraph must be interpreted as authorizing an infringement of the right to work in French in the Regional Government, in keeping with the provisions of the Charter of the French language (chapter C-11).

37. Before 1 January 2023, and every 10 years after that, the Gouvernement du Québec and the Cree Nation Government must reassess the composition of the Regional Government’s council and the distribution of votes among its members and may, where applicable, determine by agreement a new formula in that respect.

The formula mentioned in the first paragraph is intended to ensure that the representation on the council of the populations concerned is consistent with democratic principles and reflects the demographic realities of the Regional Government’s territory. To that end, the members of those populations who are absent from the territory for reasons related to health, education or work within a Cree Entity, as defined in paragraph *p* of section 1 of the Agreement on Governance in the Eeyou Istchee James Bay Territory entered into between the Gouvernement du Québec and the Eeyou Istchee Cree on 24 July 2012, are also taken into consideration.

As soon as possible after an agreement is entered into under the first paragraph, the Gouvernement du Québec submits to the National Assembly the legislative amendments necessary to give it effect. Until such an agreement has been entered into and the amendments required to give it effect come into force, sections 6 and 8 continue to apply.

38. The Regional Government may carry on any agricultural activity mentioned in section 1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) on any part of its territory that it determines.

It may establish with a cooperative governed by the Cooperatives Act (chapter C-67.2) a mixed enterprise company whose jurisdiction is that mentioned in the first paragraph.

The Act respecting mixed enterprise companies in the municipal sector (chapter S-25.01) applies to a mixed enterprise company established under the second paragraph, except for the second paragraph of section 14, section 15 and the second paragraph of section 22 of that Act.

39. For the purpose of applying sections 303 to 306 and 357 to 362 of the Act respecting elections and referendums in municipalities and the other provisions of that Act related to those sections to the Regional Government council members who are also members of the council of one of the enclosed municipalities, the Regional Government is considered to be a municipal body within the meaning of section 307 of that Act.

Any other member of the council who has a direct or indirect interest in an enterprise causing the member's personal interest to conflict with that of the Regional Government must, on pain of forfeiture of office, disclose the interest in writing to the council and abstain from participating in any discussion or decision involving the enterprise in which the member has an interest or in any part of a meeting of the council during which the interest is discussed.

40. The Regional Government is considered to be a supramunicipal body for the purpose of applying the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3) and sections 21 to 23, 30.1 and 31 of the Act respecting the remuneration of elected municipal officers (chapter T-11.001) to the members of the Regional Government's council who are also members of the council of one of the enclosed municipalities.

It may also, with respect to the other members of the council, adhere to the pension plan established by the Act respecting the Pension Plan of Elected Municipal Officers.

The Regional Government may exercise, with respect to all of the members of its council, the powers conferred on a regional county municipality by section 30.0.3 of the Act respecting the remuneration of elected municipal officers.

41. The Regional Government adopts an employment, hiring, vocational training and professional development policy; this policy provides, among other things, for measures aimed specifically at Cree workers with a view to facilitating their access to the job opportunities within the Regional Government, as well as to vocational training and professional development activities.

CHAPTER VIII**AMENDING PROVISIONS****ACT RESPECTING THE CREE REGIONAL AUTHORITY**

42. The title of the Act respecting the Cree Regional Authority (chapter A-6.1) is replaced by the following title:

“ACT RESPECTING THE CREE NATION GOVERNMENT”.

43. Section 1 of the Act is amended

(1) by striking out paragraph *e*;

(2) by replacing paragraph *j* by the following paragraph:

“(j) “Category I lands” and “Category II lands” mean the lands, within the meaning of Title III of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1), located south of the 55th parallel north, and the Category I lands transferred to the Cree community of Whapmagoostui;”.

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

“**2.** A legal person is established in the public interest under the name “Gouvernement de la nation crie”.

This legal person may also be designated under the name “Eeyou Tapayatachesoo” in Cree, and the name “Cree Nation Government” in English.”

45. The heading of Division III of the Act is amended by adding “, POWERS AND JURISDICTIONS”.

46. Section 6 of the Act is amended

(1) by replacing “James Bay Regional Zone Council” in subparagraph *c* of the first paragraph by “Eeyou Istchee James Bay Regional Government”;

(2) by inserting “, in particular, those conferred on it by law with respect to municipal, local and regional management, natural resource management and land management” after “the Agreement” in the second paragraph.

47. The Act is amended by inserting the following sections after section 6:

“**6.1.** The Cree Nation Government may affirm its jurisdiction, on all or part of the Category II lands, with respect to any field of jurisdiction assigned by an Act to a local municipality or a regional county municipality.

For the purposes of the exercise of any jurisdiction so affirmed, the Cree Nation Government acts as a local municipality governed by the Cities and Towns Act or as a regional county municipality, as the case may be, and is governed by the Acts applicable to such a municipality, subject to this Act.

“6.2. The resolution by which the Cree Nation Government affirms its jurisdiction identifies the field of jurisdiction concerned and describes the part of the territory to which the affirmation applies.

An authenticated copy of the affirmation is sent to the Minister of Municipal Affairs, Regions and Land Occupancy and to any other minister responsible for the administration of the Act that confers the jurisdiction concerned.

The affirmation of jurisdiction takes effect on the date on which the Minister of Municipal Affairs, Regions and Land Occupancy publishes a notice to that effect in the *Gazette officielle du Québec* or on any later date agreed upon with the Cree Nation Government and mentioned in the notice.

“6.3. The exercise by the Cree Nation Government of a jurisdiction referred to in section 6.1 may be the object of an agreement with the Gouvernement du Québec providing for any adaptations required to take into account the specific character of the Cree Nation Government and the territory concerned. Such an agreement may derogate from any legislative provision.

The agreement mentions the date of its coming into force.

The Minister publishes the agreement in the *Gazette officielle du Québec*, together with a notice specifying the date of its coming into force.

“6.4. If the Cree Nation Government affirms its jurisdiction with respect to the strategic vision statement or the land use planning and development plan provided for in the Act respecting land use planning and development (chapter A-19.1), the process described in sections 79.2 to 79.14 applies, with the necessary modifications, to the drafting, amendment and revision of the statement or the plan, in the stead of the processes provided for in that Act.

However, the provision, in section 79.3, requiring the consultation of the regional land and natural resource commission established by the Eeyou Istchee James Bay Regional Government does not apply and any reference in those provisions to the Minister of Natural Resources is a reference to the Minister of Municipal Affairs, Regions and Land Occupancy.

The strategic vision statement and the land use planning and development plan of the Cree Nation Government must be consistent with the policy directions, principles and objectives that that Government determines in consultation with the Cree communities and with the approval of the Gouvernement du Québec.

“6.5. The Cree Nation Government has the powers required to fulfill the obligations stipulated in an agreement to which it was party with the Gouvernement du Québec or any of its ministers or bodies, with a mandatary of the State or, in the case of an agreement exempt from the application of the Act respecting the Ministère du Conseil exécutif (chapter M-30) or an agreement entered into with the prior authorization required under that Act, with the Government of Canada or any of its ministers, bodies or mandataries.”

48. The Act is amended by inserting the following after section 79:

“DIVISION VIII.1

“EYYOU PLANNING COMMISSION

“79.1. The Cree Nation Government, deemed to act as a regional conference of elected officers under subparagraph 3 of the third paragraph of section 21.5 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (chapter M-22.1), establishes the Eeyou Planning Commission and designates its members from among the members of the Cree communities.

The Commission acts, for the Cree Nation Government, as the regional land and natural resource commission provided for in section 21.17.1 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire.

“79.2. The Eeyou Planning Commission prepares a draft regional land and resource use plan for Category II lands, in accordance with this division.

For the Cree Nation Government, the regional land and resource use plan constitutes the regional plan for integrated land and resource development provided for in section 21.17.2 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (chapter M-22.1).

“79.3. In preparing the draft plan or an amended draft plan, the Commission consults the Cree Nation Government and the Cree communities as well as any other person it deems necessary.

It also consults the regional land and natural resource commission established by the Eeyou Istchee James Bay Regional Government in order to harmonize the draft plan, to the extent possible, with that commission’s regional plan for integrated land and resource development.

“79.4. The Commission holds at least one public consultation meeting on the draft plan.

The Commission must take the necessary measures to make public all the information on the matter submitted to consultation and any information allowing an interested person to participate in the public consultation.

“79.5. Once the public consultation has been held, the Commission, if necessary, amends the draft plan in order to take account of the public consultation and takes the necessary measures to make it public.

“79.6. The Commission submits the draft plan to the council of the Cree Nation Government.

After examining the draft plan, the council accepts it or asks the Commission, with reasons and in writing, to amend it.

The Commission, if applicable, amends the draft plan at the request of the Cree Nation Government and submits it to the council again for acceptance.

“79.7. Once the draft plan has been accepted by the council of the Cree Nation Government, the council makes the plan public and sends it to the Minister of Natural Resources, together with the relevant documents concerning the process and the results of the consultations. The Minister may then approve the draft plan.

“79.8. If the Minister fails to approve the draft plan submitted, a representative of the Cree Nation Government and a representative of the Minister of Natural Resources, designated by the deputy minister from among the members of the department’s management staff, meet and review the draft plan together in order to arrive at a mutually satisfactory solution.

If a mutually satisfactory solution is arrived at, the Minister may approve the revised draft plan.

“79.9. If the representatives fail to agree on the contents of the draft plan by the 90th day following the day the draft plan is sent to the Minister under section 79.7, the draft plan is sent to the Standing Liaison Committee established under Chapter 11 of the Agreement concerning a New Relationship between le Gouvernement du Québec and the Crees of Québec signed on 7 February 2002, approved by Order in Council 289-2002 dated 20 March 2002 and published in the *Gazette officielle du Québec* on 22 May 2002, in order to obtain a mutually satisfactory solution.

“79.10. The Standing Liaison Committee makes its recommendations, whether unanimous or not, to the Cree Nation Government and the Minister of Natural Resources by the 90th day following the day the draft plan is sent to it under section 79.9.

“79.11. After having informed the Minister of Natural Resources, the Cree Nation Government may have the draft plan amended in order to give effect to the recommendations of the Standing Liaison Committee.

The Cree Nation Government sends the amended draft plan to the Minister of Natural Resources for approval.

“79.12. As soon as possible after receiving the recommendations of the Standing Liaison Committee in accordance with section 79.10, or, if applicable, after receiving the amended draft plan prepared in accordance with section 79.11, the Minister approves the draft plan or returns it to the Cree Nation Government so that it may be reviewed by the Eeyou Planning Commission.

If the draft plan is returned for review, the Minister’s request must include the reasons, in writing, relating to health or public safety, the conservation or protection of the environment, or what are considered, by the Minister, to be unreasonable restrictions to public access to or to the development of land and resources.

“79.13. If necessary, the Commission reviews the draft plan in light of the reasons expressed by the Minister under section 79.12, and submits a new draft plan to the council of the Cree Nation Government, which sends it to the Minister for approval.

“79.14. The Minister of Natural Resources approves the draft plan or refuses to approve it, in which case the Minister must meet with the Cree Nation Government to explain and discuss the Minister’s position before making a final decision.

“79.15. The Cree Nation Government and the Minister of Natural Resources may enter into an agreement of the same nature as the agreement described in the third paragraph of section 21.17.2 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (chapter M-22.1) in order to ensure the plan’s implementation and adapt the actions of the Gouvernement du Québec to the characteristics of the lands as defined by the plan.

The Cree Nation Government makes public the regional land and resource use plan approved by the Minister, as well as any other agreement referred to in the first paragraph.

“DIVISION VIII.2

“LAND USE FOR CATEGORY II LANDS

“79.16. Despite any provision to the contrary under Division III of Chapter II of the Act respecting the lands in the domain of the State (chapter T-8.1), the following provisions apply to Category II lands included in a land use plan.

“79.17. The Cree Nation Government is invited to take part in the development of any proposed land use plan which pertains to Category II lands.

“79.18. As soon as a proposed land use plan is drawn up, the Minister of Natural Resources sends the proposed plan to the Cree Nation Government for its opinion.

“79.19. The proposed plan may be submitted to the Gouvernement du Québec for approval after the expiry of 90 days from the date the proposed plan is sent to the Cree Nation Government. However, if the latter submits observations or proposed amendments to the Minister of Natural Resources within that time period, the proposed plan may not be submitted to the Gouvernement du Québec for approval until the expiry of the process provided for in sections 79.20 to 79.26 or until the Cree Nation Government gives notice in writing of its approval of the proposed plan.

“79.20. The observations or proposed amendments submitted to the Minister of Natural Resources by the Cree Nation Government with respect to the proposed plan may, among others, take into account

(1) the policy directions, principles and objectives determined by the Cree Nation Government in consultation with the Cree communities, and approved by the Gouvernement du Québec;

(2) the special vocation of Category II lands for the Crees under the Agreement; and

(3) the status of Category II lands as lands in the domain of the State, in accordance with the Agreement, concerning, in particular, public access to lands in the domain of the State and free circulation, having due regard to Cree harvesting rights and the use and occupancy of Category II lands.

“79.21. The representative of the Cree Nation Government and the representative of the Minister of Natural Resources, designated by the deputy minister from among the members of the department’s management staff, meet in order to review the observations or proposed amendments submitted by the Cree Nation Government and endeavor to arrive at a mutually satisfactory solution.

“79.22. If, after 90 days from the date the Cree Nation Government submits its observations or proposed amendments, the representatives are unable to arrive at a mutually satisfactory solution, the matter is referred, in order to reach such a solution, to the Standing Liaison Committee established under Chapter 11 of the Agreement concerning a New Relationship between le Gouvernement du Québec and the Crees of Québec signed on 7 February 2002, approved by Order in Council 289-2002 dated 20 March 2002 and published in the *Gazette officielle du Québec* on 22 May 2002.

“79.23. The Standing Liaison Committee makes its recommendations, whether unanimous or not, to the Cree Nation Government and the Minister of Natural Resources by the 90th day following the day the matter was referred to it under section 79.22.

“79.24. Upon receipt of the Standing Liaison Committee’s recommendations, the Minister of Natural Resources must, as soon as possible,

(1) apply all of the recommendations and submit the plan to the Gouvernement du Québec for approval; or

(2) failing that, send the Cree Nation Government and the Standing Liaison Committee the Minister's conclusions on the recommendations, together with written reasons, that may take into account, among other things, health or public safety, the conservation or protection of the environment, or what are considered, by the Minister, to be unreasonable restrictions to public access to or the development of land and resources.

“79.25. Within 30 days after the conclusions of the Minister of Natural Resources are sent under paragraph 2 of section 79.24, the Cree Nation Government re-examines its observations and proposed amendments regarding the plan in light of the reasons expressed in writing by the Minister of Natural Resources and may send the Minister its final observations.

“79.26. If the Minister of Natural Resources does not give effect to the final observations of the Cree Nation Government, the Minister must, within 30 days of the expiry of the 30-day period mentioned in section 79.25 and before making a final decision, meet with the Cree Nation Government to explain and discuss the Minister's position. At the expiry of the 30-day period, the Minister may submit the plan to the Gouvernement du Québec for approval.”

49. The Act is amended by replacing “Cree Regional Authority” wherever it appears in sections 1, 3 to 9, 11, 12, 15, 16, 20 to 23, 32, 36, 38, 39, 45, 47, 49 to 53, 55 to 57, 59, 61, 62, 64, 68, 69, 71 to 73, 76 to 80, 83, 86 to 91, 93 to 95, 97, 107, 108, 110 and 111, as well as in the title of Division II and in the schedule, by “Cree Nation Government”.

50. Sections 98 to 105, 106 and 109 of the Act are repealed.

51. Section 112 of the Act is replaced by the following section:

“112. The Government designates any minister it determines to be responsible for the application of this Act.”

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

52. Section 266 of the Act respecting land use planning and development (chapter A-19.1) is amended by replacing “nor in the lands excluded from the territory of Municipalité de Baie-James by paragraph 2 of section 40 of the James Bay Region Development and Municipal Organization Act (chapter D-8.2)” by “nor in the Category I lands situated south of the 55th parallel north, described in Chapter I of Title III of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1)”.

ACT RESPECTING THE JAMES BAY REGIONAL ZONE COUNCIL

53. The Act respecting the James Bay Regional Zone Council (chapter C-59.1) is repealed.

ACT RESPECTING THE CONSERVATION AND DEVELOPMENT OF WILDLIFE

54. Section 15.1 of the Act respecting the conservation and development of wildlife (chapter C-61.1) is amended by replacing paragraph 2 by the following paragraph:

“(2) the territory of the Eeyou Istchee James Bay Regional Government not forming part of the territory of a locality constituted under section 26 of the Act establishing the Eeyou Istchee James Bay Regional Government and introducing certain legislative amendments concerning the Cree Nation Government (2013, chapter 19);”.

JAMES BAY REGION DEVELOPMENT AND MUNICIPAL ORGANIZATION ACT

55. The title of the James Bay Region Development and Municipal Organization Act (chapter D-8.2) is amended by striking out “and Municipal Organization”.

56. Section 4 of the Act is amended by inserting “falling within Hydro-Québec’s mandate” after “hydro-electric resources” in the first paragraph.

57. Section 4.2 of the Act is amended by adding the following paragraph after the first paragraph:

“The Cree Nation Government may, with respect to Category II lands in the Territory, propose mandates to the Government that could be entrusted to the Société in any field related to the latter’s objects, and the Eeyou Istchee James Bay Regional Government may do the same with respect to Category III lands in the Territory. If such a mandate is given, the costs may be borne, in whole or in part, by the Cree Nation Government or the Regional Government, as the case may be.”

58. The Act is amended by inserting the following section after section 4.3:

4.3.1. The Cree Nation Government may, with respect to Category II lands in the Territory, propose draft directives to the Minister concerning the Société’s objectives and general policy, and the Eeyou Istchee James Bay Regional Government may do the same with respect to Category III lands in the Territory.”

59. Section 8 of the Act is replaced by the following section:

“8. The affairs of the Société shall be administered by a board of directors composed of seven members, including the chief executive officer, appointed by the Government, taking into account the recommendations of the Cree Nation Government with respect to the appointment of three of the members and the chief executive officer.”

60. Section 29 of the Act is amended by adding the following paragraph after the first paragraph:

“However, the Société must, before any expropriation, consult the Cree Nation Government if the immovable concerned is located on Category II lands in the Territory, or the Eeyou Istchee James Bay Regional Government if the immovable concerned is located on Category III lands in the Territory.”

61. Part II of the Act is repealed.

ACT RESPECTING THE MINISTÈRE DES AFFAIRES MUNICIPALES, DES RÉGIONS ET DE L’OCCUPATION DU TERRITOIRE

62. Section 21.5 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (chapter M-22.1) is amended by replacing the third paragraph by the following paragraphs:

“For the Nord-du-Québec administrative region, the powers of a regional conference of elected officers are shared among:

(1) the James Bay Regional Administration, regional conference of elected officers established to act, subject to subparagraph 2, on behalf of the persons, other than the Crees, who reside on the territory of the Eeyou Istchee James Bay Regional Government and the territory of Ville de Chapais, Ville de Chibougamau, Ville de Lebel-sur-Quévillon and Ville de Matagami;

(2) the Eeyou Istchee James Bay Regional Government, which is deemed to act as a regional conference of elected officers for its territory and, for the purposes of sections 21.17.1 to 21.17.3, for the territory of Ville de Chapais, Ville de Chibougamau, Ville de Lebel-sur-Quévillon and Ville de Matagami;

(3) the Cree Nation Government, which is deemed to act as a regional conference of elected officers for the Crees and with respect to Category I lands and Category II lands; and

(4) the Kativik Regional Government, which is deemed to act as a regional conference of elected officers for its community.

For the purposes of this division, “Category I lands” and “Category II lands” are those defined in section 1 of the Act establishing the Eeyou Istchee James Bay Regional Government and introducing certain legislative amendments concerning the Cree Nation Government (2013, chapter 19).”

63. The Act is amended by inserting the following section after section 21.7:

“21.7.1. In addition to the considerations mentioned in the second and third paragraphs of section 21.7, the Eeyou Istchee James Bay Regional Government, deemed to act as a regional conference of elected officers under subparagraph 2 of the third paragraph of section 21.5, takes into account the policy directions, principles and objectives that it determines in consultation with the Cree communities, Ville de Chapais, Ville de Chibougamau, Ville de Lebel-sur-Quévillon and Ville de Matagami and with the approval of the Gouvernement du Québec.

In addition to the considerations mentioned in the second and third paragraphs of section 21.7, the Cree Nation Government, deemed to act as a regional conference of elected officers under subparagraph 3 of the third paragraph of section 21.5, takes into account

(1) the policy directions, principles and objectives it determines in consultation with the Cree communities and with the approval of the Gouvernement du Québec;

(2) the special vocation, under the Agreement, of the Category II lands for the Cree; and

(3) the status of the Category II lands as lands in the domain of the State, in accordance with the Agreement, concerning, in particular, public access to lands in the domain of the State and free circulation, having due regard to Cree harvesting rights and the use and occupancy of Category II lands.”

64. Section 21.8 of the Act is amended

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

“The board of directors of the James Bay Regional Administration is composed of the following persons:

(1) the mayors of Ville de Chapais, Ville de Chibougamau, Ville de Lebel-sur-Quévillon and Ville de Matagami and four persons that the council of each of those cities designates from among its members;

(2) the chairs of the local councils of each of the localities of Radisson, Valcanton and Villebois.”;

(2) by adding the following sentence at the end of the eighth paragraph: “This paragraph does not apply to the James Bay Regional Administration.”

65. The Act is amended by inserting the following section after section 21.8:

“21.8.1. Any decision of the James Bay Regional Administration concerning any agreement, contract or other instrument from which is derived

the existence of the fund constituted from the sums paid by Hydro-Québec and formerly described as the “Fonds de développement régional” in the annual financial report of Municipalité de Baie-James and any decision concerning the management of this fund requires the affirmative vote of at least one of the members mentioned in subparagraph 2 of the seventh paragraph of section 21.8.”

66. Section 21.12.1 of the Act is amended by replacing “the Cree Regional Authority” in the third paragraph by “the Cree Nation Government”.

67. Section 21.13 of the Act is amended by adding the following paragraph after the second paragraph:

“However, the Cree Nation Government, deemed to act as a regional conference of elected officers under subparagraph 3 of the third paragraph of section 21.5, and the Minister may agree on specific rules concerning the frequency, date and manner of filing the annual activity report and financial statements, as well as concerning the information that may be required by the Minister under the second paragraph, in order to take into account the specific character and the institutional capacity of the Cree Nation Government.”

68. Section 21.17 of the Act is amended by replacing “and the Cree Regional Authority acting as a regional conference of elected officers and the regional conference of elected officers established for the territory of the Municipalité de Baie-James and the territories of the cities of Chapais, Chibougamau, Lebel-sur-Quévillon and Matagami” by “, the Cree Nation Government and the Eeyou Istchee James Bay Regional Government, all deemed to be acting as regional conferences of elected officers, and the James Bay Regional Administration”.

69. Section 21.17.1 of the Act is amended by adding the following paragraph after the third paragraph:

“The first and second paragraphs apply, subject to Division VIII.1 of the Act respecting the Cree Nation Government (chapter A-6.1).”

70. Section 21.17.2 of the Act is amended by adding the following sentence at the end of the second paragraph: “In preparing the draft regional plan for integrated land and resource development, the regional land and natural resource commission of the Eeyou Istchee James Bay Regional Government

(1) takes into account the policy directions, principles and objectives determined by the Regional Government in consultation with the Cree communities, Ville de Chapais, Ville de Chibougamau, Ville de Lebel-sur-Quévillon and Ville de Matagami and with the approval of the Gouvernement du Québec; and

(2) consults the Eeyou Planning Commission established under section 79.1 of the Act respecting the Cree Nation Government (chapter A-6.1) in order to harmonize the plan, to the extent possible, with the Cree Nation Government’s regional land and resource use plan.”

71. Section 21.30 of the Act is amended

(1) by inserting “, the James Bay Regional Administration or the Cree Nation Government, deemed to act as a regional conference of elected officers under subparagraph 3 of the third paragraph of section 21.5,” after “with a municipality”;

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

““Municipality” in sections 21.31 to 21.33 also refers to the regional conference of elected officers mentioned in the first paragraph and the Cree Nation Government.”

ACT RESPECTING THE MINISTÈRE DU DÉVELOPPEMENT
ÉCONOMIQUE, DE L’INNOVATION ET DE L’EXPORTATION

72. Section 96 of the Act respecting the Ministère du Développement économique, de l’Innovation et de l’Exportation (chapter M-30.01) is amended

(1) by striking out “; the same is true of the Cree Regional Authority established under the Act respecting the Cree Regional Authority (chapter A-6.1)”;

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

“The same is true for

(1) the James Bay Regional Administration, which is also considered to be a regional county municipality for the purpose of adopting a by-law under section 12 of the Municipal Powers Act (chapter C-47.1), prescribing the amount that the Eeyou Istchee James Bay Regional Government, Ville de Chapais, Ville de Chibougamau, Ville de Lebel-sur-Quévillon and Ville de Matagami are required to pay in support of the local development centre; and

(2) the Cree Nation Government constituted by the Act respecting the Cree Nation Government (chapter A-6.1), with respect to Category I lands, Category II lands and the persons residing on those lands, as defined in that Act, except that the Cree Nation Government may itself exercise the powers described in section 90, taking into account the policy directions, strategies and objectives it determines in consultation with the Cree communities defined in the Act.

The local development centre of the regional conference of elected officers mentioned in subparagraph 1 of the second paragraph and the Cree Nation Government may cooperate in order to support contractors in carrying out projects on Category III lands, within the meaning of the Act establishing the Eeyou Istchee James Bay Regional Government and introducing certain legislative amendments concerning the Cree Nation Government (2013, chapter 19), subject to the approval of these projects by the Eeyou Istchee James Bay Regional Government.”

ACT RESPECTING MUNICIPAL TERRITORIAL ORGANIZATION

73. Section 37 of the Act respecting municipal territorial organization (chapter O-9) is amended by adding the following paragraph at the end:

“Likewise, the Government shall not constitute an unorganized territory into a local municipality if part of the territory is situated on Category II lands as defined in the Act respecting the Cree Nation Government (chapter A-6.1) without having obtained the Cree Nation Government’s prior written consent.”

POLICE ACT

74. Section 102.7 of the Police Act (chapter P-13.1) is amended by replacing “of Municipalité de Baie-James” in the second paragraph by “of the Eeyou Istchee James Bay Regional Government”.

ENVIRONMENT QUALITY ACT

75. Section 131 of the Environment Quality Act (chapter Q-2) is amended by striking out paragraph 5.

76. Section 140 of the Act is amended by striking out “, the Regional Zone Council” in the first paragraph.

77. Section 145 of the Act is amended by striking out “, to the Regional Zone Council”.

78. Section 152 of the Act is amended by striking out “, the Regional Zone Council” in the introductory part.

ACT RESPECTING THE PENSION PLAN OF ELECTED MUNICIPAL OFFICERS

79. The heading of Chapter VI.0.3 of the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3) is amended by replacing “OF MUNICIPALITÉ DE BAIE-JAMES” by “OF THE EYYOU ISTCHEE JAMES BAY REGIONAL GOVERNMENT”.

80. Section 63.0.11 of the Act is amended

(1) by replacing “referred to in the first paragraph of section 36 of the James Bay Region Development and Municipal Organization Act (chapter D-8.2) who participates” in the first paragraph by “who is a member of the council of the Eeyou Istchee James Bay Regional Government participating”;

(2) by inserting “or of the Regional Government” after “council of Municipalité de Baie-James” in the first paragraph;

(3) by replacing “the municipality” in the first paragraph by “Municipalité de Baie-James or by the Regional Government”;

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

“However, the period redeemed by a person designated as a member of the council of an enclosed municipality under paragraph 3 of section 6 of the Act establishing the Eeyou Istchee James Bay Regional Government and introducing certain legislative amendments concerning the Cree Nation Government (2013, chapter 19) may not be before the date the person began to participate in the pension plan as a member of the council of the enclosed municipality.”

81. Section 63.0.12 of the Act is amended

(1) by replacing “to Municipalité de Baie-James” in the first paragraph by “to the Regional Government”;

(2) by replacing “of the municipality” in the second paragraph by “of the Regional Government”.

82. Section 63.0.13 of the Act is amended by replacing “The municipality” in the third paragraph by “The Regional Government”.

ACT RESPECTING THE LANDS IN THE DOMAIN OF THE STATE

83. Section 24 of the Act respecting the lands in the domain of the State (chapter T-8.1) is amended

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

“(1) for the territory of the Eeyou Istchee James Bay Regional Government: the Eeyou Istchee James Bay Regional Government, the Cree Nation Government, Ville de Chibougamau, Ville de Chapais, Ville de Lebel-sur-Quévillon and Ville de Matagami;”;

(2) by replacing “Cree Regional Authority” in subparagraphs 2 and 3 of the first paragraph by “Cree Nation Government”;

(3) by replacing “to the Regional Authority, Regional Government or” in the second paragraph by “to the Eeyou Istchee James Bay Regional Government, the Cree Nation Government, the Kativik Regional Government or the”;

(4) by replacing “until the Regional Authority, Regional Government or” in the second paragraph by “until the Eeyou Istchee James Bay Regional Government, the Cree Nation Government, the Kativik Regional Government or the”.

84. Section 25 of the Act is amended

(1) by replacing “to the Regional Authority, Regional Government or” in the second paragraph by “to the Eeyou Istchee James Bay Regional Government, the Cree Nation Government, the Kativik Regional Government or the”;

(2) by replacing “once the Regional Authority, Regional Government or” in the second paragraph by “once the Eeyou Istchee James Bay Regional Government, the Cree Nation Government, the Kativik Regional Government or the”.

CREE VILLAGES AND THE NASKAPI VILLAGE ACT

85. Section 1 of the Cree Villages and the Naskapi Village Act (chapter V-5.1) is amended by replacing paragraph 15 by the following paragraph:

“(15) “Eeyou Istchee James Bay Regional Government” means the Eeyou Istchee James Bay Regional Government established by the Act establishing the Eeyou Istchee James Bay Regional Government and introducing certain legislative amendments concerning the Cree Nation Government (2013, chapter 19);”.

86. Section 11 of the Act is amended by replacing “of Municipalité de Baie-James” by “of the Eeyou Istchee James Bay Regional Government”.**87.** Section 18 of the Act is amended by replacing “the James Bay Regional Zone Council established by the Act respecting the James Bay Regional Zone Council (chapter C-59.1)” in the first paragraph by “the Cree Nation Government”.

CHAPTER IX

MISCELLANEOUS AND TRANSITIONAL PROVISIONS

88. Subject to sections 89 and 90, the Regional Government succeeds to the rights, obligations and charges of Municipalité de Baie-James and becomes, without continuance of suit, a party to all proceedings, in its place.

The by-laws, resolutions, minutes, assessment roll, collection roll and other acts of Municipalité de Baie-James that are consistent with the provisions of this Act remain in force, on the Regional Government’s territory, until their objects are attained or until they are replaced or repealed in accordance with this Act. They are deemed to be acts of the Regional Government.

A fiscal equity agreement, of the kind provided for in section 35, which is in force on 1 January 2014, is, at the end of its term, renewed for three years. This renewal also applies at the end of the first renewal period and at the end of each subsequent renewal period unless notice to the contrary is given by

one of the parties to the agreement to the other party to the agreement no later than the first day of the twelfth month before the current term expires.

89. The following assets are transferred to the James Bay Regional Administration:

(1) the fund consisting of the sums paid by Hydro-Québec to Municipalité de Baie-James, described as the “Fonds de développement régional” in the municipality’s annual financial report;

(2) the fund described as the “Fonds CLD” in that municipality’s annual financial report; and

(3) any unexpended sums allocated under the Agreement entered into pursuant to Québec’s National Policy on Rurality.

The James Bay Regional Administration succeeds Municipalité de Baie-James with regard to the rights, obligations and charges resulting from an agreement, a contract or any other act establishing the existence of the funds referred to in the first paragraph.

90. The James Bay Regional Administration succeeds Municipalité de Baie-James with regard to the rights, obligations and charges resulting from an agreement entered into under section 21.30 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (chapter M-22.1) or under section 89 or 96 of the Act respecting the Ministère du Développement économique, de l’Innovation et de l’Exportation (chapter M-30.01), as well as from the specific agreement concerning the James Bay Joint Action Mining Committee for the Nord-du-Québec region entered into on 28 March 2013 between the Minister of Natural Resources, the Minister of Employment and Social Solidarity, the Minister of Municipal Affairs, Regions and Land Occupancy, the regional conference of elected officers of James Bay, Municipalité de Baie-James and the James Bay Joint Action Mining Committee.

The James Bay Regional Administration also succeeds to the rights, obligations and charges of the regional conference of elected officers constituted for the territory of Municipalité de Baie-James and for the territories of Ville de Chapais, Ville de Chibougamau, Ville de Lebel-sur-Quévillon and Ville de Matagami under the third paragraph of section 21.5 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire as it read before the amendment enacted by section 62 of this Act.

91. In any Act, regulation, order, contract or other document, a reference to Municipalité de Baie-James is a reference to the Eeyou Istchee James Bay Regional Government and a reference to the Cree Regional Authority is a reference to the Cree Nation Government, unless the context indicates otherwise.

The first paragraph applies, subject to the second paragraph of section 89 and to section 90.

92. During the first five years following the coming into force of this Act, the Regional Government ensures the maintenance in the localities of the municipal services provided by Municipalité de Baie-James as they existed on 24 July 2012; it also ensures that the localities receive administrative and financial support at least equivalent to that provided by Municipalité de Baie-James at that date.

For the purposes of the first paragraph, the level of services or support required is established in reference, if necessary, to the budgetary estimates of Municipalité de Baie-James for the 2012 fiscal year.

93. The employees of Municipalité de Baie-James become, without reduction in salary, employees of the Regional Government and retain their seniority and employee benefits; they cannot be laid off or dismissed solely by reason of the constitution of the Regional Government. No decision of the council affecting their place of work may come into effect, solely by reason of the constitution of the Regional Government, before the day occurring five years after the date of the coming into force of this Act, subject to the employer's natural right to transfer employees to satisfy operational needs.

The first paragraph also applies to those among the employees of the regional conference of elected officers constituted for the territory of Municipalité de Baie-James and the territory of Ville de Chapais, Ville de Chibougamau, Ville de Label-sur-Quévillon and Ville de Matagami by the third paragraph of section 21.5 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire, as it read before the amendment enacted by section 62 of this Act, who work for the regional land and natural resource commission or the local integrated land and resource management panel within the scope of sections 21.17.1 to 21.17.3 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire.

94. No decision of the council concerning the location of the Regional Government's head office or its main offices may come into effect before the day occurring five years after the date of the coming into force of this Act.

The first paragraph does not prevent the Regional Government from establishing other offices on its own territory or that of a Cree community or an enclosed municipality, or from taking any measure aimed at promoting access to employment opportunities for Cree workers, including telework, sub-contracts and service contracts.

95. The Minister determines the location in which the first meeting of the Regional Government's council is to be held.

96. In addition to the persons who are members of the Regional Government's council under section 6, a person designated by the deputy minister of the

Ministère des Affaires municipales, des Régions et de l'Occupation du territoire from among the department's management staff is also a member, but is not entitled to vote.

From 1 January 2019, the Regional Government and the Gouvernement du Québec shall jointly reassess that member's presence within the Regional Government's council. If it is deemed irrelevant, that person ceases to be a member of the council from the date of the joint signing, by the Minister of Municipal Affairs, Regions and Land Occupancy and the Minister responsible for Division III.2 of the Act respecting the Ministère du Conseil exécutif (chapter M-30), of an agreement to that effect with the Regional Government.

97. For the purposes of the alternation provided for in section 7, a random draw determines the groups mentioned in that section from which the first chair and vice-chair of the council will be chosen.

98. Until 1 January 2023,

(1) two members of the Regional Government's executive committee are chosen by and from among the members of the group referred to in paragraphs 1 and 2 of section 6; and

(2) two members of the Regional Government's executive committee are chosen by and from among the members of the group referred to in paragraph 3 of section 6.

The term of a member of the executive committee that is under way on the date set in the first paragraph ends on that date.

99. The budget of each of the first five fiscal years of the Regional Government must be approved by the Minister before it is adopted.

The time extension provided for in the third paragraph of subsection 3 of section 474 of the Cities and Towns Act (chapter C-19) may specifically apply to the Regional Government to take into account the time inherent in the application of the first paragraph.

For the purposes of the fifth paragraph of subsection 3 of section 474 of the Cities and Towns Act as it applies to the Regional Government's budget for the fiscal year 2014, "budget of the preceding fiscal year" designates the budget of Municipalité de Baie-James for the fiscal year 2013.

100. Despite any provision to the contrary, the next regular election to the council of the localities of Valcanton, Villebois and Radisson is to be held on 5 November 2017.

101. The Gouvernement du Québec may, by regulation and with the consent of the Regional Government or the Cree Nation Government, enact any provision providing for the manner in which a legislative provision of the

Regional Government or the Cree Nation Government or any consequential or transitional provision ensuring the administration of the Act is to be applied.

A regulation referred to in the first paragraph is not subject to the publication requirement or the date of coming into force set out in sections 8 and 17 of the Regulations Act (chapter R-18.1) and may apply, after publication and if the regulation so provides, from a date not prior to 1 January 2014.

CHAPTER X

COMING INTO FORCE

102. This Act comes into force on 1 January 2014, except for section 101, which comes into force on 14 June 2013.

2013, chapter 20
**AN ACT RESPECTING THE RESUMPTION OF WORK
IN THE CONSTRUCTION INDUSTRY**

Bill 54

Introduced by Madam Agnès Maltais, Minister of Labour

Introduced 30 June 2013

Passed in principle 30 June 2013

Passed 1 July 2013

Assented to 1 July 2013

Coming into force : 1 July 2013

Legislation amended : None

Explanatory notes

This Act provides for the resumption and normal performance of work interrupted by a strike in the construction industry.

The 2010-2013 collective agreements governing the industrial sector and the institutional and commercial sector of the construction industry are extended until 30 June 2014, with a 2% wage rate increase.

Special obligations are imposed both on employees and representative associations and on employers and employers' associations concerning the resumption and continued performance of work.

Civil and penal sanctions are provided in the event that the obligations imposed by this Act are not fulfilled.



Chapter 20

AN ACT RESPECTING THE RESUMPTION OF WORK IN THE CONSTRUCTION INDUSTRY

[Assented to 1 July 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

APPLICATION AND INTERPRETATION

1. This Act applies to the employers, employees, associations and work in the industrial sector and the institutional and commercial sector referred to in the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20).

Unless the context indicates otherwise, the definitions provided in sections 1 and 1.1 of that Act apply to this Act.

DIVISION II

RESUMPTION OF WORK

§1. — *Employees and representative associations*

2. Employees must, as of 6:30 a.m. on Tuesday, 2 July 2013, report for work according to their regular work schedule and other applicable conditions of employment.

3. Employees must, as of 6:30 a.m. on Tuesday, 2 July 2013, perform all the duties attached to their respective functions, according to the applicable conditions of employment, without any stoppage, slowdown, reduction or degradation of their normal activities.

Employees cannot, as part of a concerted action, refuse to provide services to an employer.

4. A representative association, its officers and its representatives are prohibited from calling or continuing a strike or participating in any other form of concerted action if the strike or concerted action involves a contravention of section 2 or 3 by employees the association represents.

5. Representative associations must take the appropriate measures to induce the employees they represent to comply with sections 2 and 3 and not contravene sections 9 and 10.

They must, before 6:30 a.m. on Tuesday, 2 July 2013, communicate the content of this Act publicly to the employees they represent and send an attestation that they have done so to the Minister of Labour.

§2.—*Employers and employers' associations*

6. Employers must, as of 6:30 a.m. on Tuesday, 2 July 2013, take the appropriate measures to ensure the resumption of work interrupted by the strike.

7. The sector-based employers' associations are prohibited from declaring or continuing a lock-out or from participating in any other form of concerted action if the concerted action prevents employees from complying with the prescriptions of section 3.

8. The employers' association and sector-based employers' associations must take the appropriate measures to induce the employers they represent to comply with section 6 and not contravene sections 9 and 10.

They must, before 6:30 a.m. on Tuesday, 2 July 2013, communicate the content of this Act publicly to the employers they represent and send an attestation that they have done so to the Minister of Labour.

§3.—*Prohibitions*

9. No person may, by omission or otherwise, in any manner prevent or impede the resumption of construction work or the carrying out of construction work by employees, or directly or indirectly contribute to slowing down, degrading or delaying the carrying out of such work.

10. No person may hinder a person's access to a job site to which the person has a right of access to perform his or her functions.

DIVISION III

CONDITIONS OF EMPLOYMENT

11. The collective agreements expired on 30 April 2013, applicable to the industrial sector and the institutional and commercial sector, are renewed and bind the parties until 30 June 2014, with the necessary modifications.

However, the wage rates applicable to employees are increased by 2% from 2 July 2013 to 30 June 2014.

The increase set out in the second paragraph also applies to the applicable travel expenses.

12. The parties may at any time conclude agreements to amend a collective agreement thus renewed, including the increase set out in the second paragraph of section 11.

DIVISION IV

SANCTIONS

§1.—Civil liability

13. A representative association is liable for any damage caused by the employees it represents during a contravention of section 2 or 3 unless it is established that the damage is not attributable to the contravention or that the contravention is not part of any concerted action.

Any person who suffers damage because of an act in contravention of section 2 or 3 may apply to the competent court to obtain compensation.

14. The employers' association and sector-based employers' associations are liable for any damage caused by the employers they represent during a contravention of section 6 unless it is established that the damage is not attributable to the contravention.

Any person who suffers damage because of an act in contravention of section 6 may apply to the competent court to obtain compensation.

§2.—Penal provisions

15. Any person who contravenes a provision of sections 2 to 10 is guilty of an offence and is liable, for each day or part of a day during which the offence continues, to a fine of

(1) \$100 to \$500 if the person is an employee or a natural person other than a person referred to in paragraph 2 or 3;

(2) \$7,000 to \$35,000 if the person is an officer, an employee or a representative of a representative association or of an association of employees affiliated with a representative association, or an officer or a representative of an employer, of the employers' association or of a sector-based employers' association; and

(3) \$25,000 to \$125,000 if the person is a representative association, an association of employees affiliated with a representative association, an employer, the employers' association or a sector-based employers' association.

16. Anyone who helps or, by abetment, advice, consent, authorization or command, induces a person to commit an offence under this Act is guilty of an offence.

Anyone who is found guilty under this section is liable to the same penalty as that prescribed for the offence committed by the person.

DIVISION V

FINAL PROVISIONS

17. The Commission de la construction du Québec oversees the implementation of the provisions of this Act. For such purpose, it has the powers conferred on it by the Act respecting labour relations, vocational training and workforce management in the construction industry.

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

19. This Act comes into force on 1 July 2013.

2013, chapter 21

AN ACT IN RESPONSE TO THE 6 JULY 2013 RAILWAY DISASTER IN VILLE DE LAC-MÉGANTIC

Bill 57

Introduced by Mr. Sylvain Gaudreault, Minister of Municipal Affairs, Regions
and Land Occupancy

Introduced 17 September 2013

Passed in principle 18 September 2013

Passed 19 September 2013

Assented to 20 September 2013

Coming into force : 20 September 2013

Legislation amended : None

Explanatory notes

This Act contains measures intended to enable Ville de Lac-Mégantic to meet certain needs, ensure safety and reorganize its territory in order to facilitate a return to normal life and the resumption of normal activities following the railway disaster of 6 July 2013, and postpones until 2015 the general election scheduled for 2013 for the town council and the office of warden of Municipalité régionale de comté du Granit.

Ville de Lac-Mégantic may adopt an assistance program applicable to all or part of its territory to support persons and businesses affected by the railway disaster.

A contract made by the town before 31 December 2013 is not subject to the competition rules set out in the Cities and Towns Act if the object of the contract is specified in the Act. The town is granted access, without the authorization of the owner, in order to carry out any work or to take any appropriate action under the circumstances, to any immovable that constitutes a hazard and is situated in a zone to which it has restricted or prohibited access for safety reasons.

(Cont'd on next page)

Explanatory notes (Cont'd)

A streamlined procedure is introduced for the coming into force of a special planning program and urban planning by-laws required to reorganize the territory, and the town is authorized to build any building, in the sector delimited in a special planning program, with a view to alienating it or leasing it for institutional purposes or any purpose provided for in that program.

A loan by-law for specific purposes and adopted by the town before 31 December 2014 only requires the approval of the Minister of Municipal Affairs, Regions and Land Occupancy.

The town may demolish any building that is situated in the containment area delimited in the special planning program and is deemed unfit for habitation or for continuing the activities that were previously carried on on its premises and, until 1 January 2016, the town may become the owner of an immovable it expropriates, from the date of registration of the notice of expropriation, that is situated in a zone delimited in the zoning plan.

The transferee of an immovable that is intended to replace an immovable acquired by the town or, as a result of the disaster, is unfit for habitation or for continuing the activities that were previously carried on on its premises is exempted from paying transfer duties.

The town may, for the purpose of establishing and operating a railway siding, acquire an immovable outside its territory with the authorization of the Minister of Transport. In addition, until 31 December 2014, the town may alienate or lease, for purposes other than industrial, para-industrial or research purposes, an immovable that it has acquired under the Act respecting municipal industrial immovables.

Lastly, to take into account the postponement of the general election, the Act provides rules for filling vacancies that may arise more than 12 months before the 2015 general election. The by-law establishing the division of the territory of Ville de Lac-Mégantic into electoral districts for the purposes of the 2013 election applies for the purposes of the 2015 election and any subsequent by-election held before the 2017 general election, and the Government is given the regulatory power to take, for the purposes of those elections, any other measure necessary to adapt a provision of the Act respecting elections and referendums in municipalities or override any of its provisions.



Chapter 21

AN ACT IN RESPONSE TO THE 6 JULY 2013 RAILWAY DISASTER IN VILLE DE LAC-MÉGANTIC

[Assented to 20 September 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

PURPOSE

1. The purpose of this Act, in the wake of the railway disaster of 6 July 2013, is to provide for measures intended to enable Ville de Lac-Mégantic, as soon as possible, to meet certain needs, ensure safety and reorganize its territory in order to facilitate a return to normal life and the resumption of normal activities in that territory.

The Act is also intended to postpone for two years the general election scheduled for 2013 to elect the town council and fill the office of warden of Municipalité régionale de comté du Granit.

DIVISION II

ASSISTANCE PROGRAM

2. Ville de Lac-Mégantic may, despite the Municipal Aid Prohibition Act (chapter I-15), adopt an assistance program applicable to all or part of its territory.

The town sets the terms and conditions of the program, including the type of assistance to be granted and the criteria for granting it.

3. In addition to the payment of a sum of money, assistance may be in the form of a tax credit, or the leasing or alienation of an immovable on better-than-market terms, including an immovable built or acquired under the special planning program referred to in section 13, or an immovable acquired under the Act respecting municipal industrial immovables (chapter I-0.1) that may, for the purposes of and on the terms set out in the program, be leased or alienated for purposes other than those provided for by that Act.

4. Assistance may not be granted to a person who transfers, to the territory of the town, activities carried on in the territory of another local municipality.

Any assistance received in contravention of the first paragraph must be repaid.

5. The period covered by the program cannot exceed 20 September 2018.

The town may, however, before that date, request the authorization of the Minister of Municipal Affairs, Regions and Land Occupancy to extend that period.

6. Assistance granted under the program is funded exclusively by a financial reserve created by the town for that purpose.

The town may provide that the expenses for administering the program and the reserve are funded by the reserve.

The first paragraph does not apply to assistance granted in the form of the leasing or alienation of an immovable on better-than-market terms.

Subdivision 31.1 of Division XI of the Cities and Towns Act (chapter C-19), except the third paragraph of section 569.2, the first sentence of the first paragraph of section 569.3 and section 569.5, applies to the reserve created under the first paragraph, with the necessary modifications, in particular the modification by which the reserve is created by resolution.

7. The reserve ceases to exist at the end of the period covered by the program.

8. For the purposes of the first two paragraphs of section 569.2 of the Cities and Towns Act, the town may not allocate to the reserve a sum exceeding \$2,000,000, unless the surplus is a sum it received in the form of a gift, legacy or subsidy or unless it obtains the authorization of the Minister of Municipal Affairs, Regions and Land Occupancy.

9. At the time the treasurer files the comparative statements described in section 105.4 of the Cities and Towns Act at a sitting of the council, he or she also reports in writing on the sums and use of the sums allocated to the reserve, and on the assistance granted under the program.

10. The external auditor must verify the conformity of the town's operations with this division, as well as compliance with the terms and conditions of the program. The external auditor presents his or her findings in the report filed under the second paragraph of section 108.2 of the Cities and Towns Act.

DIVISION III**MAKING OF CERTAIN CONTRACTS**

11. The making of a contract by the town is not subject to section 477.4, subparagraph 1 of the second paragraph of section 477.5 or sections 573, 573.1, 573.1.0.1.1, 573.1.0.4 and 573.3.0.2 of the Cities and Towns Act, or the Regulation respecting the awarding of contracts for certain professional services (chapter C-19, r. 2), if the object of the contract is any of the following:

(1) carrying out work relating to the construction, reconstruction, demolition, repair or renovation of a building in the sector delimited in the special planning program referred to in section 13;

(2) acquiring a modular or prefabricated building to be installed in the sector referred to in subparagraph 1, as well as preparing the site where the building is to be installed;

(3) carrying out work relating to the construction, reconstruction, demolition, repair or renovation of municipal infrastructure or facilities in the sector referred to in subparagraph 1;

(4) carrying out work relating to the decontamination or cleaning of an immovable or a building in the sector referred to in subparagraph 1;

(5) carrying out work intended to ensure the safety of all or part of the sector referred to in subparagraph 1; or

(6) supplying professional services related to an object mentioned in any of subparagraphs 1 to 5 or to the designation of new uses of the land in the sector referred to in subparagraph 1.

The work described in subparagraphs 1 to 5 of the first paragraph includes, when required, excavation, drilling and seismic investigation, and the supply of products, materials, equipment and machinery related to carrying out such work.

If the town makes a contract, in accordance with this section, involving an expenditure to which it wishes to allocate a subsidy from the Gouvernement du Québec or any of its ministers or bodies, it must obtain the authorization of the Minister of Public Security.

DIVISION IV**SAFETY**

12. The town has exclusive access, without the owner's authorization, for the purpose of carrying out any maintenance or other work or taking any other appropriate action under the circumstances with respect to any immovable that it identifies as constituting a hazard and that is situated in a zone to which it

has restricted or prohibited access for safety reasons under section 62 of the Municipal Powers Act (chapter C-47.1).

The first paragraph does not prevent any government authority from taking any appropriate action with respect to the same immovable under its own powers or jurisdiction.

DIVISION V

LAND USE PLANNING

13. By-laws 1613 and 1615 establishing the special planning program and amending the planning program, and By-laws 1617 and 1618 amending, respectively, the zoning by-law and the by-law respecting site planning and architectural integration programs, adopted by the town council on 9 September 2013 come into force on the day they are approved by the Minister of Municipal Affairs, Regions and Land Occupancy.

The Minister may, rather than approving a by-law, ask the town, by way of a notice specifying the amendments to be made to the content of either by-law, to replace it with a by-law in proper form for his or her approval; the first paragraph also applies to such a by-law.

The third paragraph of section 137.15 of the Act respecting land use planning and development (chapter A-19.1) applies following the coming into force of a by-law referred to in the first or second paragraph. Once in force, those by-laws are deemed to be in conformity with each other and with the land use and development plan of Municipalité régionale de comté du Granit; no notice of motion is required prior to their adoption.

This section applies despite any inconsistent provision, including the provisions of the Act respecting land use planning and development regarding the adoption, conformity and coming into force of a by-law amending the planning program or a by-law amending an urban planning by-law.

14. The town may, in the sector delimited by the special planning program referred to in section 13, and in addition to what is provided for in the Act respecting land use planning and development, build any building with a view to alienating it or leasing it for institutional purposes or any purpose provided for in that program.

15. The town may demolish any building situated in the area delimited as a containment area in the special planning program referred to in section 13 that, according to an expert's report, is deemed unfit for habitation or for continuing the activities that were previously carried out on its premises due to contamination of the land on which it is situated.

A notice must be served on the owner of the building at least 10 days before the scheduled demolition date.

DIVISION VI**FINANCIAL PROVISION**

16. Despite section 556 of the Cities and Towns Act, a by-law adopted by the town only requires the approval of the Minister of Municipal Affairs, Regions and Land Occupancy if it orders a loan to cover the cost of expenses related to any of the objects set out in section 11 or required to carry out work or acquire any immovable in accordance with the special planning program referred to in section 13.

The Minister may, however, as a condition for the Minister's approval, require that the by-law be submitted for approval to the qualified voters.

The first two paragraphs apply only to by-laws adopted no later than 31 December 2014.

DIVISION VII**ELECTIONS**

17. The 2013 general election in the town and in Municipalité régionale de comté du Granit is postponed until 2015.

The following general election will be held in 2017.

For the purposes of the provisions of the Act respecting municipal territorial organization (chapter O-9) that relate to the election of the warden of Municipalité régionale de comté du Granit, 2015 is considered to be a year in which a general election is to be held in all the local municipalities whose territories are included in that of the regional county municipality.

18. By-law 1564 of the town, establishing the division of the territory of the municipality into electoral districts for the purposes of the 2013 general election, applies for the purposes of the 2015 general election and any subsequent by-election held before the 2017 general election.

19. Any vacancy on the town council or in the office of warden of the regional county municipality that occurs more than 12 months before the day set for the 2015 general election need not be filled by a by-election unless the council decides otherwise within 15 days of the notice of vacancy.

In the case of a vacancy in the office of mayor or warden for which the council has not ordered a by-election, the office must nevertheless be filled in the manner specified in section 336 of the Act respecting elections and referendums in municipalities (chapter E-2.2), with the necessary modifications.

20. The Government may, by regulation and for the purposes of the postponement of the 2013 election and the purposes of any election to be held before the 2017 general election, take any other measure necessary to adapt a

provision of the Act respecting elections and referendums in municipalities or to preclude the application of any of its provisions.

The 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). Despite section 17 of that Act, the regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date set in the regulation and may apply, after publication and if the regulation so provides, from a date not prior to 20 September 2013.

DIVISION VIII

MISCELLANEOUS PROVISIONS

21. Despite sections 6 and 7 of the Act respecting municipal industrial immovables, the town may alienate or lease for purposes other than industrial, para-industrial or research purposes, an immovable that it has acquired, built or converted under that Act.

The first paragraph applies solely to contracts entered into no later than 31 December 2014.

22. The town may, for the purpose of establishing and operating a railway siding in accordance with section 9 of the Municipal Powers Act and with the authorization of the Minister of Transport, acquire an immovable outside its territory.

23. The transferee of an immovable situated in the territory of the town is exempted from paying transfer duties and any special duties applicable under the Act respecting duties on transfers of immovables (chapter D-15.1) if the immovable is intended to be used in replacement of an immovable

(1) of which he or she was the owner or the lessee on 6 July 2013 in the territory of the town and which, as a result of the disaster, has become unfit for habitation or for continuing the activities that were previously carried on on its premises; or

(2) of which he or she was the owner or the lessee in the sector delimited in the town's special planning program referred to in section 13, and of which the town has become the owner.

For the purposes of section 9 of that Act, the application for registration of a transfer must also specify that the transferee is exempted from paying transfer duties under this section.

The first two paragraphs apply only with respect to the transfer of an immovable registered in the registry office no later than 31 December 2015. The Minister of Municipal Affairs, Regions and Land Occupancy may, however, before that date, provide that they also apply to transfers registered no later

than 31 December 2016. The Minister publishes a notice of the Minister's decision in the *Gazette officielle du Québec*.

24. Ownership of an immovable that has been expropriated by the town and is situated in zone M-25, M-303, M-304, P-302 or R-59 delimited in the zoning plan provided for in By-law 1617 referred to in section 13 is transferred from the day the notice of expropriation is registered. In that context, sections 44 and 53 to 53.6 of the Expropriation Act (chapter E-24) do not apply.

To be registered, the notice of expropriation must be accompanied by

- (1) documents establishing that the provisional indemnity has been paid to the expropriated party or filed on his or her behalf with the Superior Court;
- (2) proof that the notice of expropriation has been served on the expropriated party; and
- (3) a copy of this section.

For the purposes of this section, the following modifications are made:

- (1) subparagraph 3 of the first paragraph of section 40 of the Expropriation Act is modified by striking out “, and 30 days to contest the right to expropriate before the Superior Court”;
- (2) subparagraph 4 of the first paragraph of that section is modified by replacing “15 days” by “five days”;
- (3) section 41 of the Act is modified by replacing “within the same period” by “within five days of the date of service of the notice”;
- (4) sections 53.7, 53.8, 53.14 and 53.17 of the Act are modified by replacing “the notice of transfer of title” by “the notice of expropriation”;
- (5) the first and third paragraphs of section 53.11 of the Act are modified by replacing “70%” wherever it appears by “90%” in the case of an agricultural operation, a business or an industrial concern;
- (6) section 53.13 of the Act is replaced by the following section:

“53.13. In the case of a lessee or occupant in good faith of an agricultural operation, a business or an industrial concern, the provisional indemnity is a lump sum equal to six months' rent. Once the notice of expropriation has been registered, the lessee or occupant in good faith may apply to the Tribunal to have the amount of the provisional indemnity changed. The motion must be heard and decided by preference.”;

(7) paragraph 1 of Schedule I to the Act is modified by replacing “15 days” by “five days”;

(8) paragraph 4 of Schedule II to the Act is modified by replacing “six months” by “three months”.

DIVISION IX

FINAL PROVISIONS

25. The first and second paragraphs of section 11 have effect from 6 July 2013.

Section 11 ceases to have effect on 31 December 2013.

Section 24 ceases to have effect on 1 January 2016.

26. This Act comes into force on 20 September 2013.

2013, chapter 22 SOCIAL ECONOMY ACT

Bill 27

Introduced by Mr. Sylvain Gaudreault, Minister of Municipal Affairs, Regions and Land Occupancy

Introduced 19 March 2013

Passed in principle 6 June 2013

Passed 10 October 2013

Assented to 10 October 2013

Coming into force: 10 October 2013

Legislation amended:

Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1)

Explanatory notes

The object of this Act is to recognize the contribution of the social economy to the socioeconomic development of Québec and to determine the role of the Government in that area. It works to promote the social economy and support its development through the creation and adaptation of policy tools, and to foster access to the Administration's measures and programs for social economy enterprises.

The Chantier de l'économie sociale and the Conseil québécois de la coopération et de la mutualité are designated as primary interlocutors of the Government on the subject.

The functions of the Minister of Municipal Affairs, Regions and Land Occupancy as regards the social economy are clarified, and a Panel of Social Economy Partners is created to advise the Minister.

Ministers must take the social economy into consideration in measures and programs, when updating those measures and programs, and in developing new tools for enterprises. They must also, whenever it is relevant, promote the social economy initiatives carried out in Québec and at the international level.

Lastly, measures are proposed to ensure the Administration's accountability with respect to the social economy through planning, follow-up and reporting, including the adoption of an action plan and the tabling of reports on the carrying out of the Act.



Chapter 22

SOCIAL ECONOMY ACT

[Assented to 10 October 2013]

AS social economy enterprises operated by associations, cooperatives and mutual societies have been contributing to the development, occupancy and socioeconomic vitality of Québec and of its territories since the mid-19th century;

AS social economy enterprises are the result of the commitment and entrepreneurial drive of people who grouped together to produce goods and services, thus furthering the aspirations and contributing to the well-being of their members and the community;

AS social economy enterprises have the capacity to mobilize forces in the community to meet its needs, thus becoming an important lever for collective wealth;

AS social economy enterprises are based on collective values that are reflected in various ways in the enterprises' structure and method of operation, and give rise to a sustainable solidarity economy;

AS most social economy enterprises are grouped within two large organizations, that is the Chantier de l'économie sociale and the Conseil québécois de la coopération et de la mutualité, which are supported by regional and sectoral networks;

AS, in addition to social economy enterprises, various organizations act as support in that area, offering expertise, resources and various services;

AS Québec's experience and expertise in matters of social economy are shared in numerous forums and are internationally recognized;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

OBJECT AND APPLICATION

1. The object of this Act is to recognize the specific contribution of the social economy to the socioeconomic development of Québec, in numerous sectors of activity and in all of Québec's territories.

The Act also determines the role of the Government in the social economy.

2. The objectives of the Act are

- (1) to promote the social economy as a lever for socioeconomic development;
- (2) to support the development of the social economy by creating and adapting policy tools with a view to fostering coherence in government action and transparency; and
- (3) to facilitate access, for social economy enterprises, to the Administration's measures and programs.

3. "Social economy" means all the economic activities with a social purpose carried out by enterprises whose activities consist, in particular, in the sale or exchange of goods or services, and which are operated in accordance with the following principles:

- (1) the purpose of the enterprise is to meet the needs of its members or the community;
- (2) the enterprise is not under the decision-making authority of one or more public bodies within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);
- (3) the rules applicable to the enterprise provide for democratic governance by its members;
- (4) the enterprise aspires to economic viability;
- (5) the rules applicable to the enterprise prohibit the distribution of surplus earnings generated by its activities or provide that surplus earnings be distributed among its members in proportion to the transactions each of the members has carried out with the enterprise; and
- (6) the rules applicable to a legal person operating the enterprise provide that in the event of its dissolution, the enterprise's remaining assets must devolve to another legal person sharing similar objectives.

For the purposes of the first paragraph, a social purpose is a purpose that is not centred on monetary profit, but on service to members or to the community and is characterized, in particular, by an enterprise's contribution to the well-being of its members or the community and to the creation of sustainable high-quality jobs.

A social economy enterprise is an enterprise whose activities consist, in particular, in the sale or exchange of goods or services, and which is operated, in accordance with the principles set out in the first paragraph, by a cooperative, a mutual society or an association endowed with legal personality.

4. In this Act, "Administration" means

- (1) the government departments and the secretariat of the Conseil du trésor;
- (2) Investissement Québec and the Société d'habitation du Québec; and
- (3) any other government agency designated by the Government and governed by the Auditor General Act (chapter V-5.01).

5. The Chantier de l'économie sociale and the Conseil québécois de la coopération et de la mutualité are the Government's primary interlocutors where the social economy is concerned.

CHAPTER II

THE ROLE AND FUNCTIONS OF THE MINISTER

6. The Minister of Municipal Affairs, Regions and Land Occupancy has the following functions:

- (1) to develop and propose to the Government, jointly with the Minister of Finance and the Economy and after consultation with the Chantier de l'économie sociale and the Conseil québécois de la coopération et de la mutualité, policies to foster the development of the social economy in Québec;

- (2) to coordinate government action with respect to the social economy;

- (3) to assist the Government in the implementation of programs and measures intended for social economy enterprises;

- (4) to support the Administration in carrying out the functions and actions prescribed for the application of this Act; and

- (5) to work to enhance knowledge of the social economy.

CHAPTER III

THE ROLE OF THE GOVERNMENT

7. In the exercise of their powers and responsibilities, all ministers must, in their actions and with respect to any agency referred to in section 4 for which they are responsible, recognize the social economy as an integral part of the socioeconomic structure of Québec by taking it into consideration in measures and programs, when updating those measures and programs, and in developing new tools for enterprises.

In addition, whenever it is relevant, ministers must promote social economy initiatives carried out in Québec and at the international level.

CHAPTER IV**GOVERNMENT ACTION PLAN**

8. The Government must adopt a social economy action plan no later than 1 April 2014. The action plan must be developed and proposed to the Government by the Minister, in collaboration with the government departments and agencies concerned, after consultation with the Chantier de l'économie sociale and the Conseil québécois de la coopération et de la mutualité. The Minister is also responsible for follow-up on the plan, reporting and evaluation.

The action plan is based on this Act and on the policies adopted by the Government with respect to social economy, and identifies the action the Administration must take to support the development and promotion of the social economy in Québec.

9. The action plan provides for reporting mechanisms as regards the commitments it contains and any other action taken by the Administration with respect to the social economy.

The Minister publishes a report on the implementation of the action plan no later than 18 months before the review provided for in section 10. The report is also tabled in the National Assembly as soon as possible or, if the Assembly is not sitting, within 30 days of resumption.

10. The Government must review the social economy action plan every five years. However, it may defer a review for a period not exceeding two years.

CHAPTER V**PANEL OF SOCIAL ECONOMY PARTNERS**

11. The Panel of Social Economy Partners advises the Minister on any question on the subject of the social economy.

12. The Minister determines the composition of the Panel of Social Economy Partners.

In addition, when the Panel discusses a particular subject likely to be of interest to a group that is active in the social economy, the Minister invites a representative of the group, as well as any other person who, in the Minister's opinion, could enhance the Panel's understanding of the subject, to participate in the discussion.

The composition of the Panel must also tend toward gender parity.

CHAPTER VI

AMENDING PROVISION

13. Subdivision 2.2 of Division II of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1) is repealed.

CHAPTER VII

TRANSITIONAL AND FINAL PROVISIONS

14. The Minister of Municipal Affairs, Regions and Land Occupancy is responsible for the administration of this Act.

15. For the purposes of section 12, the composition of the first Panel of Social Economy Partners must be determined no later than 10 April 2014.

16. No later than 10 October 2020, and every 10 years after that, the Minister must report to the Government on the carrying out 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.

17. This Act comes into force on 10 October 2013.

2013, chapter 23

AN ACT RESPECTING THE GOVERNANCE OF PUBLIC INFRASTRUCTURES, ESTABLISHING THE SOCIÉTÉ QUÉBÉCOISE DES INFRASTRUCTURES AND AMENDING VARIOUS LEGISLATIVE PROVISIONS

Bill 38

Introduced by Mr. Stéphane Bédard, Minister responsible for Government Administration and Chair of the Conseil du trésor

Introduced 1 May 2013

Passed in principle 14 May 2013

Passed 30 October 2013

Assented to 30 October 2013

Coming into force: on the date or dates to be set by the Government

- 2013-11-06: ss. 96, 97, 104-111, 118-126, 137-139, 141
 O.C. 1133-2013
 G.O., 2013, Part 2, p. 3259
- 2013-11-13: ss. 1-10, 14-95, 98-103, 112-117, 127-136, 140, 142-168
 O.C. 1133-2013
 G.O., 2013, Part 2, p. 3259
- 2014-12-01: ss. 11-13
 O.C. 1133-2013
 G.O., 2013, Part 2, p. 3259

Legislation amended:

Financial Administration Act (chapter A-6.001)

Tax Administration Act (chapter A-6.002)

Public Administration Act (chapter A-6.01)

Act respecting registry offices (chapter B-9)

Cities and Towns Act (chapter C-19)

Municipal Code of Québec (chapter C-27.1)

Act respecting contracting by public bodies (chapter C-65.1)

Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001)

Act respecting municipal taxation (chapter F-2.1)

Act respecting the governance of state-owned enterprises (chapter G-1.02)

Anti-Corruption Act (chapter L-6.1)

Act respecting the Ministère des Relations internationales (chapter M-25.1.1)

Act respecting the Ministère du Conseil exécutif (chapter M-30)

Act respecting transport infrastructure partnerships (chapter P-9.001)

(Cont'd on next page)

Legislation amended : (Cont'd)

Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)

Act respecting the Government and Public Employees Retirement Plan (chapter R-10)

Act respecting the Civil Service Superannuation Plan (chapter R-12)

Act respecting the Pension Plan of Management Personnel (chapter R-12.1)

Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)

Act respecting occupational health and safety (chapter S-2.1)

Integrity in Public Contracts Act (2012, chapter 25)

Legislation replaced :

Act respecting Infrastructure Québec (chapter I-8.2)

Act to promote the maintenance and renewal of public infrastructures (chapter M-1.2)

Act respecting the Société immobilière du Québec (chapter S-17.1)

Regulation amended :

Regulation respecting government contracts for the acquisition of immovable property (chapter C-65.1, r. 6)

Explanatory notes

This Act establishes governance rules for public infrastructure investment planning and public infrastructure management. Infrastructure Québec and the Société immobilière du Québec are amalgamated to form a joint-stock company called the “Société québécoise des infrastructures”, whose main mission is to support public bodies in managing their public infrastructure projects, and to put immovables at their disposal and deliver various related services.

More specifically, the Conseil du trésor will prepare a new Québec infrastructure plan, which will present, each year, the public infrastructure investments to be made by government bodies over the following 10-year period. Ministers will be required to draw up and submit an annual management plan for the public infrastructure investments made by each minister’s department and by the public bodies under his or her authority.

Specific planning and monitoring measures, to be implemented by government bodies designated by the Conseil du trésor, are established with respect to public infrastructure investments. In addition, the Conseil du trésor is granted the authority to determine various measures to be implemented by public bodies with respect to project planning, authorization and monitoring.

The definition of “intergovernmental agreement” in the Act respecting contracting by public bodies is broadened to include public procurement liberalization agreements to which Québec declares itself bound under the Act respecting the Ministère des Relations internationales.

Lastly, various transitional and concordance provisions are included.



Chapter 23

AN ACT RESPECTING THE GOVERNANCE OF PUBLIC INFRASTRUCTURES, ESTABLISHING THE SOCIÉTÉ QUÉBÉCOISE DES INFRASTRUCTURES AND AMENDING VARIOUS LEGISLATIVE PROVISIONS

[Assented to 30 October 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PURPOSE AND SCOPE

DIVISION I

PURPOSE

1. This Act establishes governance rules for public infrastructure investment planning and public infrastructure management.

The Act defines the roles and responsibilities of the bodies it governs and establishes the Société québécoise des infrastructures, whose main mission will be to manage the public infrastructure projects of public bodies, and to put immovables at their disposal and deliver various related services.

2. The measures introduced by this Act are intended to

(1) establish a long-term vision for government infrastructure investments;

(2) ensure appropriate planning of public infrastructures by prescribing the rigorous and transparent administration of the amounts allocated to public infrastructures and by promoting best management practices and improved accountability;

(3) contribute to the quality and longevity of public infrastructures, in particular by ensuring that investments are properly apportioned between asset maintenance and infrastructure development;

(4) contribute to the prioritization of public infrastructure investments and, with the assistance of the Société québécoise des infrastructures, ensure the rigorous management of public infrastructure projects; and

(5) ensure optimal management, by the Société québécoise des infrastructures, of rental spaces and immovable assets of public bodies.

DIVISION II**SCOPE**

3. For the purposes of this Act, the following are public bodies:

- (1) government departments;
- (2) bodies whose expenditures are provided for, in whole or in part, in the budgetary estimates tabled in the National Assembly otherwise than under a transferred appropriation;
- (3) bodies whose personnel is appointed in accordance with the Public Service Act (chapter F-3.1.1);
- (4) bodies a majority of whose members or directors are appointed by the Government or by a minister and at least half of whose expenditures are borne directly or indirectly by the Consolidated Revenue Fund;
- (5) school boards, the Comité de gestion de la taxe scolaire de l'île de Montréal, general and vocational colleges, and university 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);
- (6) health and social services agencies and public institutions governed by the Act respecting health services and social services (chapter S-4.2), legal persons and joint procurement groups referred to in section 383 of that Act, the Cree Board of Health and Social Services of James Bay established under the Act respecting health services and social services for Cree Native persons (chapter S-5) and health communication centres within the meaning of the Act respecting pre-hospital emergency services (chapter S-6.2);
- (7) the Agence métropolitaine de transport; and
- (8) any other body designated by the Government.

The following are considered to be public bodies:

- (1) a person appointed or designated by the Government or a minister, together with the personnel directed by the person, in the exercise of the functions assigned to the person by the Act, the Government or a minister;
- (2) a private institution under agreement governed by the Act respecting health services and social services or the Act respecting health services and social services for Cree Native persons; and
- (3) any other person, partnership or association designated as a health and social service provider by the Minister of Health and Social Services or the Government.

4. The Government may, on the recommendation of the Conseil du trésor, exempt a public body referred to in section 3 from the application, in whole or in part, of this Act.

5. The National Assembly is subject to this Act only to the extent determined by an Act.

CHAPTER II

INVESTMENT PLANNING AND INFRASTRUCTURE MANAGEMENT

DIVISION I

PUBLIC INFRASTRUCTURE INVESTMENT PLANNING

§1. — *Québec infrastructure plan*

6. Every year, at the time it considers appropriate, the Conseil du trésor proposes to the Government a 10-year plan for public infrastructure investments by government bodies, hereinafter called the “Québec infrastructure plan”.

The plan is accompanied by a report on how the amounts allocated in the previous fiscal year were used and a forecast of how allocated amounts will be used in the current fiscal year.

For the purposes of this division, the public bodies listed in subparagraphs 1 to 4 and 7 of the first paragraph of section 3 and any body designated by the Government are government bodies.

7. The plan specifies, within the investment limits set by the Government on the recommendation of the Minister of Finance and the Economy in accordance with section 4 of the Act respecting the Ministère des Finances (chapter M-24.01) and after consultation with the Chair of the Conseil du trésor, the amounts allocated, as applicable, for the following types of public infrastructure investments:

(1) studies on prospective infrastructure projects determined by the Government;

(2) asset maintenance related to public infrastructures and other infrastructures determined by the Conseil du trésor;

(3) the addition, improvement, replacement and demolition of public and other infrastructures determined by the Conseil du trésor; and

(4) provision for future infrastructure investments that have not yet been authorized.

The Conseil du trésor can determine the scope of the elements referred to in the first paragraph and the information that must be provided concerning them.

Any government body that intends to allocate or that allocates amounts for one or more types of investments described in the first paragraph must, according to the terms and conditions determined by the Conseil du trésor, submit to the Chair of the Conseil du trésor the information required to draw up the plan every year.

8. For the purposes of this Act, “public infrastructure investment” means

(1) any investment made for the maintenance, improvement, replacement, addition or demolition of an immovable, facility or civil engineering structure that belongs to a public body or that is used to deliver public services of the State; and

(2) any similar investment not excluded by the Conseil du trésor regarding an immovable, facility or civil engineering structure not described in paragraph 1 and to which a government body contributes financially, directly or indirectly.

9. The plan is attached to the budgetary estimates tabled in the National Assembly in accordance with section 45 of the Public Administration Act (chapter A-6.01).

Attached to the plan is a detailed list of the public infrastructure projects contemplated in subparagraphs 1 to 3 of the first paragraph of section 7 whose individual cost included in the Québec infrastructure plan is equal to or exceeds the amount determined by the Conseil du trésor.

The investment estimates of the plan are examined by the competent committee of the National Assembly during examination of the appropriations.

10. For the purpose of planning and monitoring public infrastructure investments, the Conseil du trésor designates the government bodies that must comply with one or more of the following measures:

(1) draw up an investment management framework;

(2) compile and keep up to date a complete inventory of the infrastructures under their responsibility, including an evaluation of their condition, asset maintenance deficit and replacement value; and

(3) file a status report on the infrastructure projects they carry out or to which they contribute financially and that are determined by the Chair of the Conseil du trésor among the projects included in the plan.

The Conseil du trésor may determine terms and conditions for the measures prescribed in the first paragraph, including their required content and form and,

if applicable, the deadlines by which they must be presented to the Chair of the Conseil du trésor and the intervals at which they must be reviewed.

For the purposes of this section, any person, partnership or association that receives a financial contribution from a government body for an investment referred to in the plan must, at the request of the body and with the necessary modifications, comply with the requirements set out in subparagraphs 2 and 3 of the first paragraph, taking into account the terms and conditions determined under the second paragraph.

§2.—*Annual investment management plan*

11. An annual management plan for public infrastructure investments must be drawn up and submitted to the Chair of the Conseil du trésor, no later than the date determined by the Conseil du trésor, by each minister for the investments made by the minister's department and by the public bodies under his or her authority.

12. An annual management plan for public infrastructure investments must contain the following information:

(1) the anticipated impact of public infrastructure investments, in particular on the achievement of each public body's infrastructure objectives and the implementation of its infrastructure policies as well as on government expenditures, the elimination of the asset maintenance deficit, and infrastructure longevity;

(2) a status report on how amounts allocated to public infrastructure investments included in the plan have been used;

(3) a status report on the elements in the annual investment management plans for the last complete fiscal year and the current fiscal year; and

(4) any other element determined by the Conseil du trésor.

The Conseil du trésor may establish terms and conditions for the elements determined under the first paragraph, including their required content and form.

For the purposes of this section, any person, partnership or association that receives a financial contribution from a government body for an investment referred to in the Québec infrastructure plan must, at the request of the minister responsible for the body, submit to the minister any document and information required to draw up the annual investment management plan.

13. No later than one month after the Québec infrastructure plan has been tabled in accordance with section 9, the Chair of the Conseil du trésor tables in the National Assembly the annual investment management plans drawn up in accordance with this subdivision and posts them on the website of the Secrétariat du Conseil du trésor.

DIVISION II**PUBLIC INFRASTRUCTURE PROJECT MANAGEMENT**

14. To ensure rigorous management of public infrastructure projects, a public body must comply with the measures determined by the Conseil du trésor regarding, among other things, needs assessment, required authorizations, documents to be submitted in support of those authorizations, and public infrastructure project closure.

The Conseil du trésor may establish terms and conditions for the measures referred to in the first paragraph, including their required content and form and, if applicable, the intervals at which they must be reviewed.

15. For the purposes of this Act, “public infrastructure project” means any project whose purpose is to maintain, improve, replace, add or demolish an immovable or a civil engineering structure belonging to a public body or used to deliver public services of the State.

“Public infrastructure project” also includes any similar project regarding a facility or regarding an immovable or civil engineering structure not described in the first paragraph, for which a public body contributes financially, directly or indirectly, and to which the Conseil du trésor makes applicable the measures made under section 14.

16. A public infrastructure project considered major cannot be included in the Québec infrastructure plan before being authorized by the Government within the framework of the implementation of the measures established by the Conseil du trésor for public infrastructure project management.

A public infrastructure project is considered major if it meets the criteria determined by the Conseil du trésor or if the Conseil du trésor expressly qualifies it as such.

Decisions made by the Conseil du trésor under the second paragraph are published in the *Gazette officielle du Québec*.

17. The deputy minister or the chief executive officer of a public body must, at the request of the Conseil du trésor, designate a person from among the members of its personnel to be responsible for coordinating the work of a team that the public body must set up to ensure centralized governance of the management of the public infrastructure project portfolio.

Within the scope of its work, the team referred to in the first paragraph advises the deputy minister or the chief executive officer on the following aspects of public infrastructure projects:

- (1) identifying, selecting and prioritizing projects;
- (2) coordinating and monitoring projects; and

- (3) any other aspect determined by the Conseil du trésor.

DIVISION III

RESPONSIBILITIES

§1. — *Directives*

18. The Conseil du trésor may, in exercising the powers conferred on it by this chapter, prepare a directive with respect to investment planning and public infrastructure management within public bodies or a class of public bodies.

Without limiting the generality of the foregoing, the directive may

- (1) specify policies regarding prioritization criteria for a body's public infrastructure projects;

- (2) establish rules to ensure centralized governance of public infrastructure project portfolio management;

- (3) determine, based on a project's costs, the authorizations required and the content of the documents required at the various management stages of the project, or allow the Société québécoise des infrastructures to determine the content of those documents;

- (4) establish rules for compiling and updating the inventory of public infrastructures under a public body's responsibility;

- (5) establish procedural policies for assessing the condition of a public infrastructure, its replacement value and the asset maintenance deficit; and

- (6) harmonize the concepts and establish the parameters and standards applicable to asset maintenance and to the improvement, replacement, addition and demolition of public infrastructures.

A directive prepared under this section must be approved by the Government, which may do so with or without modification. It becomes applicable on the date specified in the directive and, once approved, is binding on the public bodies concerned.

§2. — *Audits*

19. The Chair of the Conseil du trésor may, if the Chair considers it advisable, conduct an audit to determine if a public body's public infrastructure investment planning and public infrastructure management are consistent with the rules prescribed under this Act. The audit may verify, among other things, whether the public body's actions comply with this Act and with the directives issued under it to which the body is subject.

The Chair of the Conseil du trésor may designate a person in writing to conduct the audit.

20. At the request of the Chair of the Conseil du trésor or the person designated to conduct the audit, a public body being audited under this subdivision must send or otherwise make available to the Chair or, as applicable, the designated person all documents and information the Chair or the designated person considers necessary to conduct the audit.

21. The Chair of the Conseil du trésor makes any recommendations the Chair considers appropriate to the Conseil du trésor. The latter may then require the public body to take corrective and appropriate follow-up measures and to comply with any other measure determined by the Conseil du trésor, including oversight or monitoring measures.

CHAPTER III

SOCIÉTÉ QUÉBÉCOISE DES INFRASTRUCTURES

DIVISION I

ESTABLISHMENT

22. Infrastructure Québec and the Société immobilière du Québec are merged as of 13 November 2013.

As of that date, those legal persons are continued as a joint-stock company under the name “Société québécoise des infrastructures”, hereinafter called the “Société”, and their patrimonies are joined to form that of the Société thus established.

23. The Société is a mandatary of the State.

Its property forms part of the domain of the State but the performance of its obligations may be levied against its property.

The Société binds none but itself when it acts in its own name.

24. The head office of the Société is located in the territory of Ville de Québec, at the place determined by the Société. Notice of the location or of any change in location of the head office is published in the *Gazette officielle du Québec*.

DIVISION II

MISSION AND ACTIVITIES

25. The mission of the Société is to support public bodies in managing their public infrastructure projects and to develop, maintain and manage immovable

assets that meet their needs, mainly by putting immovables at their disposal and providing related construction, operation and management services.

§1. — *Support to public bodies*

26. In order to support public bodies in the management of their public infrastructure projects, the Société

(1) develops and provides expert project management services to public bodies;

(2) provides strategic, financial, contractual and other advice and services;

(3) participates in drawing up documents public bodies must file in support of applications for the authorizations determined by the Conseil du trésor;

(4) participates in project monitoring as regards the actions specified in the documents filed and particularly with respect to scheduling, budget controls and project content;

(5) cooperates in the close-out phase of each project to assess whether the actions specified in the documents filed were carried out during the project; and

(6) exercises any other activity determined by the Conseil du trésor.

§2. — *Development, maintenance and management of immovable assets*

27. For the purpose of developing, maintaining and managing the immovable assets of public bodies, the Société may, subject to section 28,

(1) acquire by agreement any immovable, part of an immovable or real right;

(2) build, lease, maintain and hold any immovable;

(3) sell, alienate or give as security any movable or immovable property and any rights in such property; and

(4) equip and furnish immovables and, for that purpose, acquire, lease, maintain and hold any movable property.

28. In respect of health and social service providers, the objects of the Société are to

(1) own movable and immovable property used or to be used by health and social service providers;

(2) provide financial support to health and social service providers for carrying out projects, activities or particular operations falling within the scope of their mission;

(3) at the request of the Minister of Health and Social Services, transfer the ownership of any vacant immovable or other unused asset owned by the Société under subparagraph 1, subject to the conditions agreed between that Minister and the Société; and

(4) carry out any other mandate the Minister of Health and Social Services entrusts to it.

For those purposes, it may, among other things, exercise its powers under paragraphs 1 to 3 of section 27, except the power to maintain an immovable occupied by a public or private institution under agreement within the meaning of the Act respecting health services and social services and the Act respecting health services and social services for Cree Native persons.

Section 260, paragraph 3 of section 263 and sections 263.1 and 264 of the Act respecting health services and social services apply, with the necessary modifications, to the immovable property operations the Société carries out under this section.

For the purposes of this Act, public health and social services institutions, agencies and regional councils governed by the Act respecting health services and social services or the Act respecting health services and social services for Cree Native persons and any other person or entity referred to in subparagraphs 2 and 3 of the second paragraph of section 3 are health and social service providers.

§3. — *Other activities*

29. As part of its mission, the Société also

(1) advises the Government on any matter related to public infrastructure projects;

(2) carries out, on the basis of an agreement concluded with a public body, asset maintenance work consisting in ensuring the security of persons and property, stopping the deterioration of immovables and ensuring their conservation;

(3) delivers the services required by public bodies to acquire or dispose of an immovable described in section 41;

(4) develops property management expertise within the framework of partnerships with the private sector;

(5) operates a documentation centre accessible to all interested persons on matters related to the management of public infrastructure projects; for that purpose, the Société collects and analyzes information on similar experiences in Canada and abroad; and

(6) exercises any other function assigned to it by the Government.

An agreement provided for in subparagraph 2 must be authorized by the minister responsible for the public body concerned if it is intended to carry out all or most of the asset maintenance work of an immovable.

DIVISION III

RESPONSIBILITIES OF THE SOCIÉTÉ

§1.—*Responsibilities regarding certain public bodies*

30. Any public body determined by the Government must deal exclusively with the Société to satisfy its requirements in terms of rental space and the construction, maintenance, operation and management of immovables. However, the Government may, with respect to a body or one of its administrative entities, exclude certain related activities and certain services from that obligation.

31. The Société manages and exercises control over any public infrastructure project considered major under section 16 of a public body other than a health and social service provider. In that capacity, it may carry out any call for tenders or enter into any contract arising from such a project.

However, the first paragraph does not apply in the case of a road infrastructure project or when the Conseil du trésor authorizes a public body to retain responsibility for or control over a project. In such cases, the public body is required to work with the Société to comply with Divisions II and III of Chapter II and the resulting measures. It may also work with the Société to monitor and manage contracts arising from the public infrastructure project and for any other operation related to the project that they agree on.

For the purposes of this section, “road infrastructure project” means a project whose purpose is to maintain, improve, replace, add or demolish any civil engineering structure or any immovable related to highway transportation, including roads, bridges, lookouts, rest areas, service areas or inspection stations, or parking areas in the right of way of a road.

32. A public body, other than a health and social service provider, that is not required to deal with the Société under section 30 for a public infrastructure project it is planning may, if the project is not considered major under section 16, work with the Société to carry out any operation related to the project.

33. If a public body planning a public infrastructure project is a body referred to in subparagraph 5 of the first paragraph of section 3 or a body under the responsibility of the Minister of Transport, a request under the second paragraph of section 31 or under section 32 to work with the Société must originate from the minister responsible for the public body. In all cases, the latter minister must also be involved in carrying out the project.

34. A public body that works with the Société under section 31 or 32 remains responsible for the project and retains control over it, subject to an agreement in that regard with the Société or a decision of the Conseil du trésor that expressly entrusts such responsibility and control to the Société.

35. A municipal body referred to in the first paragraph of section 5 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) that is planning any public infrastructure project may work with the Société to carry out the operations referred to in sections 31 and 32.

In such a case, the municipal body remains responsible for the project and retains control over it, subject to an agreement to that effect with the Société.

§2.—*Responsibilities in respect of health and social service providers*

36. The Société manages and exercises control over any public infrastructure project requiring authorization from the Minister of Health and Social Services or the Conseil du trésor and described in subparagraph 2 of the first paragraph of section 260 of the Act respecting health services and social services or subparagraph 1 of the first paragraph of section 72 of the Act respecting health services and social services for Cree Native persons, when the project concerns a public institution or a private institution under agreement. It exercises the same responsibilities with respect to any public infrastructure project concerning a health and social services agency requiring approval from that Minister.

The Conseil du trésor may, however, on the recommendation of the Minister of Health and Social Services and if circumstances warrant it, authorize the health and social service provider to remain responsible for and retain control over a project. In such a case, the service provider so authorized must work with the Société to comply with the measures determined by the Conseil du trésor under Chapter II.

37. The Société and the Minister of Health and Social Services must enter into a management agreement applicable to the immovable property operations that the Société carries out under this Act in respect of health and social service providers.

38. When the Société exercises its activities in respect of health and social service providers, the Société must comply with the orientations determined by the Minister of Health and Social Services under section 431 of the Act respecting health services and social services and the management agreement provided for in section 37.

39. The rent of an immovable belonging to the Société and of which the lessee is a health and social service provider is based on the actual costs the Société assumes for the immovable. As of the total repayment of the debt service, the rent of an immovable corresponds to the amount required to repay

the actual costs assumed from then on by the Société in respect of the immovable.

The composition of the actual costs referred to in the first paragraph is determined in the management agreement entered into under section 37.

40. If a public health and social services institution governed by the Act respecting health services and social services or the Act respecting health services and social services for Cree Native persons must provide for the financing of major expenditures resulting from a public infrastructure project, the Government may, on the recommendation of the Minister of Health and Social Services, if it considers that the circumstances so warrant and on the terms and conditions it determines, authorize the institution, despite any provision to the contrary,

(1) to transfer ownership of any property it owns to the Société in order to enable the Société to carry out any planned project, and to receive, as consideration, any amount necessary to pay any debt relating to the transferred property;

(2) to lease any property transferred to the Société in return for a rent that ensures repayment of the principal of and interest on any amount transferred to the institution by the Société or paid by the Société to carry out a project; and

(3) to resume, if necessary, ownership of the property on expiry of a lease entered into under subparagraph 2.

No transfer duties provided for in the Act respecting duties on transfers of immovables (chapter D-15.1) are payable in the case of a transfer or resumption of ownership of property under this section.

DIVISION IV

OTHER FUNCTIONS AND POWERS

41. Despite any provision to the contrary, a public body must exclusively use the services of the Société to acquire or dispose of an immovable that is neither a transport infrastructure nor related to such an infrastructure or to a project involving such an infrastructure.

In addition, if the public body is a body referred to in any of subparagraphs 1 to 4 of the first paragraph of section 3, the potential use of the immovable to be acquired or the current use of the immovable to be disposed of must correspond to a use determined by the Government, on the recommendation of the Conseil du trésor after consultation with the Minister of Transport, for which the Société's services are required.

42. The Société may put at the disposal of any person, partnership or body that is not required to deal with the Société under section 30, premises it considers surplus that are not included in the immovables referred to in section 44.

The Société may also, in the cases determined by the Conseil du trésor, enter into agreements with the person, partnership or body respecting the other activities referred to in section 27.

43. A public body referred to in the first paragraph of section 3, other than a public health and social services institution referred to in the first paragraph of section 40, that is planning to carry out a public infrastructure project may, according to the terms and conditions agreed upon with the Société, transfer to the Société the ownership of any property belonging to it in order to enable the Société to carry out the project, and resume ownership on the expiry of the period agreed on at the time of the transfer.

No transfer duties provided for in the Act respecting duties on transfers of immovables are payable in the case of a transfer or resumption of ownership of property under this section.

44. On the recommendation of the Chair of the Conseil du trésor and the Minister of Health and Social Services, the Government may, subject to the terms and conditions it determines, transfer to a health and social service provider an immovable, including any liabilities affecting it, that has become the property of the Société under sections 22 and 144 and that was transferred to the Société immobilière du Québec under Chapter XVII of the Act to abolish the Ministère des Services gouvernementaux and to implement the Government's 2010-2014 Action Plan to Reduce and Control Expenditures by abolishing or restructuring certain bodies and certain funds (2011, chapter 16). Such a transfer has effect from the date the order is published in the *Gazette officielle du Québec*.

Sections 260 and 264 of the Act respecting health services and social services do not apply to transfers under this section.

No transfer duties provided for in the Act respecting duties on transfers of immovables are payable by a provider for a transfer of property under this section.

Within 90 days after an order of transfer is published, the health and social service provider concerned must file with the registrar a statement that announces the transfer, refers to this section and the order, and includes the description of the immovable and the date of publication of the order in the *Gazette officielle du Québec*.

45. The Conseil du trésor may establish control and monitoring mechanisms for managing public infrastructure projects of public bodies, particularly in

order to ensure that the operations referred to in sections 31 and 32 are carried out in a rigorous manner.

The Conseil du trésor may entrust the Société or the public body with the implementation of those mechanisms and require that it report back on that implementation. When the Société is given such a mandate by the Conseil du trésor, it may require any relevant documents and information from the public body.

46. The Conseil du trésor may entrust the Société with any mandate related to the management of a public infrastructure project included in the Québec infrastructure plan, but that is not carried out by a public body.

In carrying out the mandate, the Société may require any relevant documents and information from the entity that carries out the project.

47. The Société advises the Chair of the Conseil du trésor on any question the Chair submits to it.

48. Subject to the applicable legislative provisions, the Société may enter into an agreement with a government other than the Gouvernement du Québec, with a department of such a government, with an international organization or with a body of such a government or organization.

Likewise, the Société may enter into an agreement with a department or a body of the Gouvernement du Québec, as well as any person, partnership or body, and participate in joint projects with them.

49. With the authorization of the Government, the Société may acquire or establish any subsidiary that may be useful in the pursuit of its mission.

A legal person, a partnership or a limited partnership is a subsidiary of the Société if the Société holds more than 50% of the voting rights attached to all the issued and outstanding shares of the legal person or more than 50% of the interests in the partnership, if the Société is a general partner of the limited partnership, or if the Société may elect a majority of the directors of the legal person or partnership.

50. Section 23 and the second paragraph of section 78 apply, with the necessary modifications, to subsidiaries all of whose shares are held, directly or indirectly, by the Société. Such subsidiaries are considered mandataries of the State.

The Act respecting Access to documents held by public bodies and the Protection of personal information applies to all subsidiaries of the Société.

51. The Société may not, without the Government's authorization,

- (1) contract a loan that causes the total of its current outstanding loans to exceed the amount determined by the Government;
- (2) make a financial commitment in excess of the limits or contrary to the conditions determined by the Government;
- (3) enter into a contract for a term and an amount exceeding those determined by the Government;
- (4) acquire, hold or dispose of shares in a legal person or an interest in a partnership in excess of the limits or contrary to the conditions determined by the Government;
- (5) acquire, lease or dispose of other assets in excess of the limits or contrary to the conditions determined by the Government;
- (6) accept a gift or legacy to which a charge or condition is attached; or
- (7) expropriate property of any kind that is necessary to carry out its mandates and achieve its objects.

The Government may determine that one of the subparagraphs of the first paragraph applies to all the Société's subsidiaries or to only one of them.

However, the first paragraph does not apply to the transactions between the Société and its subsidiaries or between the subsidiaries.

52. The Conseil du trésor may issue directives to the Société on the policies and general objectives to be pursued by the Société. It may do likewise for any aspect of any project for the construction or lease of an immovable when it considers it warranted by the nature of the project or the development of the area concerned.

Directives issued under this section are binding on the Société.

Such directives must be tabled in the National Assembly within 15 days of their adoption or, if the Assembly is not sitting, within 15 days of resumption.

53. The Government may, subject to the conditions it determines, transfer the ownership of any property forming part of the domain of the State to the Société.

The Société assumes the obligations and acquires the rights of the Government regarding the property.

No transfer duties provided for in the Act respecting duties on transfers of immovables are payable for a transfer of property under this section.

54. The Government determines the value of the property transferred under section 53, except the sums receivable and the sums payable, which are transferred at their book value on the date of transfer.

The net value of the sums receivable and payable referred to in the first paragraph is covered by an acknowledgement of debt between the Société and the Minister of Finance and the Economy.

The amount of the acknowledgement of debt is payable within 180 days of the date of transfer. The other conditions are determined by the Government.

55. The Société signs, in favour of the Minister of Finance and the Economy, a promissory note in the amount of the value of the property transferred, excluding the value of sums receivable and payable.

The amount of the note decreases the net debt of the Government, as defined in the public accounts prepared under the Financial Administration Act (chapter A-6.001).

The note is payable on demand to the Minister of Finance and the Economy, including by the delivery of shares of the Société or by deduction from any sum the Government may owe the Société, and includes any other conditions determined by the Government.

56. The Société may file with the registrar a statement including the description, in accordance with Chapter I of Title Four of Book Nine of the Civil Code, of any immovable of which the Société has become the owner under section 53.

57. The Société is required to deposit in the deposit office referred to in the Deposit Act (chapter D-5) an amount equal to the sum of money paid annually by the Government to municipalities to stand in lieu of

(1) municipal real estate taxes in respect of an immovable owned by the Société;

(2) business taxes in respect of a business establishment in which the Société carries on its activities in an immovable owned by the Société; and

(3) taxes other than real estate taxes, compensations and tariffs imposed by a municipality on the Société as the owner of an immovable.

The Minister of Finance and the Economy pays those sums to municipalities at the request of the person designated under subparagraph *d* of paragraph 2 of section 262 of the Act respecting municipal taxation (chapter F-2.1) and in the manner specified by the person.

The sums paid by the Minister of Finance and the Economy stand in lieu of the sums paid by the Government under sections 254 and 257 of the Act

respecting municipal taxation for the immovables and business establishments owned by the Société.

58. The Société pays to every school board an amount of money to stand in lieu of school taxes in respect of an immovable owned by the Société, unless the immovable is used or intended to be used by a public body that is a person mentioned in subparagraph *a* of paragraph 14 of section 204 of the Act respecting municipal taxation or if the immovable is intended to be used by another public body referred to in that section provided the immovable was transferred to the Société by that other public body under section 43 of this Act. The amount paid is equal to the aggregate of the school taxes that would be exigible if the immovable were not exempt from school taxes.

59. Sections 142, 159 to 162, 179 and 184, paragraph *b* of subsection 2 of section 185, and sections 188 and 189 to 196 of the Companies Act (chapter C-38) do not apply to the Société.

DIVISION V

ORGANIZATION AND OPERATION

60. The Société is administered by a board of directors composed of a minimum of 9 and a maximum of 11 members, including the chair of the board and the president and chief executive officer of the Société.

Two of the board members are from the public sector, as defined in Schedule I to the Règles concernant la rémunération et les autres conditions de travail des titulaires d'un emploi supérieur à temps plein, enacted by Order in Council 450-2007 (2007, G.O. 2, 2723, French only), two have a profile relevant to health and social services, one is a member of the Ordre des ingénieurs du Québec, one is a member of the Ordre des comptables professionnels agréés du Québec and one is a member of the Ordre des architectes du Québec.

61. The following persons cannot be appointed to the board of directors of the Société:

(1) persons not domiciled in Québec;

(2) persons who have been found guilty of an offence listed in Schedule I to the Act respecting contracting by public bodies (chapter C-65.1) in the 10 years before their appointment; and

(3) persons against whom criminal proceedings are brought for an offence under that Schedule.

62. The Government appoints the members of the board of directors, other than the chair of the board and the president and chief executive officer, based on the expertise and experience profiles approved by the board.

Those profiles must ensure that the board members collectively have suitable expertise and experience in the following fields:

- (1) governance of projects and project portfolios;
- (2) project management;
- (3) property management;
- (4) financial management;
- (5) human resources management, labour relations and organizational development; and
- (6) ethics and governance.

Board members are appointed for a term of up to four years.

63. The Government appoints the chair of the board of directors for a term of up to five years.

64. The president and chief executive officer is appointed by the Government and is assisted by one or more vice-presidents, also appointed by the Government.

They are appointed for a term of up to five years.

The offices of president and chief executive officer and of vice-president are full-time positions.

65. The Government determines the remuneration, employee benefits and other conditions of employment of the president and chief executive officer and the vice-presidents.

66. If the president and chief executive officer is absent or unable to act, the Chair of the Conseil du trésor may designate a vice-president to act in the president and chief executive officer's place.

67. The members of the board of directors, other than the president and chief executive officer and the board members who are employed by a public sector body as defined in Schedule I to the Règles concernant la rémunération et les autres conditions de travail des titulaires d'un emploi supérieur à temps plein, are remunerated on the conditions and to the extent determined by the Government.

The board members are entitled to the reimbursement of expenses incurred in the exercise of their functions on the conditions and to the extent determined by the Government.

The board members are paid out of the revenues of the Société.

68. At the end of their term of office, the board members and the vice-presidents remain in office until they are replaced or reappointed.

69. A board member who, during his or her term of office, loses the qualifications required for appointment ceases to be a member, without further formality.

70. A vacancy among the members of the board of directors and the vice-presidents is filled in accordance with the rules of appointment to those positions.

A member's absence from the number of board meetings determined in the Société's by-laws, in the cases and circumstances specified, constitutes a vacancy.

71. The board of directors designates a vice-chair from among its members who qualify as independent directors to act as chair if the chair of the board is absent or unable to act.

72. The quorum at meetings of the board of directors is the majority of its members, including the president and chief executive officer or the chair of the board.

Decisions of the board are made by a majority vote of the members present. In the case of a tie vote, the chair of the meeting has a casting vote.

73. The board of directors must, among other things, establish a joint committee on client services composed of members of the board and representatives of certain public bodies.

The functions of the committee consist, in particular, in developing policies concerning the services delivered to public bodies, submitting those policies to the board of directors and ensuring the related follow-up.

74. The board of directors must see to it that the board committees exercise their functions properly.

75. The minutes of meetings of the board of directors, approved by the board and certified true by the chair of the board, the president and chief executive officer or any other person so authorized by the by-laws of the Société, are authentic, as are the documents and copies emanating from the Société or forming part of its records if so certified.

76. No document binds the Société or may be attributed to it unless it is signed by the chair of the board of directors, the president and chief executive officer or, to the extent determined in the by-laws of the Société, by another member of the Société's personnel.

77. The Société may make any by-law concerning the exercise of its powers and its internal management.

By-laws made in accordance with this division, except by-laws made under section 78 and internal management by-laws, come into force on the date of their approval by the Government or on any later date it determines.

Such by-laws do not require confirmation by the shareholder.

78. The members of the Société's personnel are appointed in accordance with the staffing plan established by the by-laws of the Société.

Subject to the provisions of a collective agreement, the Société determines, by by-law, the standards and scales of remuneration and the employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.

79. If a member of the Société's personnel is sued by a third person for an act or omission in the exercise of his or her functions, the Société will take up the personnel member's defence unless he or she has committed a gross fault.

80. In no case may a member of the Société's personnel, on pain of forfeiture of office, have a direct or indirect interest in any undertaking that causes his or her personal interest to conflict with their duties of office.

Where such an interest devolves to a personnel member by succession or gift, it must be renounced or disposed of with all possible dispatch.

DIVISION VI

FINANCING

81. The authorized capital of the Société is \$300,000,000. It is divided into 300,000 shares with a par value of \$1,000 each.

Only the Minister of Finance and the Economy may subscribe shares in the Société.

82. After the board of directors of the Société has made its offer, the Minister of Finance and the Economy may, with the authorization of the Government, subscribe shares in the Société.

83. The shares of the Société are allotted to the Minister of Finance and the Economy and form part of the domain of the State.

The Minister pays, out of the Consolidated Revenue Fund, the par value of the shares allotted to the Minister; the certificates are then issued.

84. The dividends paid by the Société are set by the Government.

85. When the Société exercises its activities in respect of health and social service providers, it may deposit with the Minister of Finance and the Economy, to be managed by that Minister, sums intended for the payment of the principal of any loan, in order to constitute a sinking fund for the purpose of repaying the principal at the maturity dates of the loan.

The second paragraph of section 469 of the Act respecting health services and social services applies to the use of the revenues of the sinking fund.

86. The Government may, subject to the terms and conditions it determines,

(1) guarantee payment of the principal and interest on any loan contracted by the Société or one of its subsidiaries and the execution of any of their other obligations; and

(2) authorize the Minister of Finance and the Economy to advance to the Société or one of its subsidiaries any amount considered necessary to pursue its mission.

The sums required for the purposes of subparagraphs 1 and 2 of the first paragraph are taken out of the Consolidated Revenue Fund.

87. The Société determines the tariff of professional and other fees and other forms of remuneration payable for the use of its goods and services.

The tariff and other forms of remuneration must be submitted to the Conseil du trésor for approval.

88. The activities of the Société are financed by the revenues it derives from the professional and other fees and other types of remuneration it charges and the other monies it receives.

DIVISION VII

ACCOUNTS AND REPORTS

89. The fiscal year of the Société ends on 31 March.

90. Not later than 30 September each year, the Société must file its financial statements and an activity report for the preceding fiscal year with the Chair of the Conseil du trésor.

The financial statements and activity report must contain all the information required by the Chair of the Conseil du trésor regarding the Société and, if applicable, its subsidiaries.

91. The Chair of the Conseil du trésor lays the financial statements and activity report of the Société before the National Assembly within 15 days of receiving them or, if the Assembly is not sitting, within 15 days of resumption.

92. The books and accounts of the Société are audited each year by the Auditor General and whenever ordered by the Government.

The Auditor General's report must be submitted with the activity report and financial statements of the Société.

93. Before the beginning of each fiscal year, the Société must prepare an operating budget and a capital budget and submit them to the Conseil du trésor for approval.

The Conseil du trésor determines the form, tenor and timetable of the budgets.

94. The Société must also provide the Chair of the Conseil du trésor with any information the Chair requires concerning the Société or its subsidiaries.

CHAPTER IV

AMENDING PROVISIONS

FINANCIAL ADMINISTRATION ACT

95. Schedule 2 to the Financial Administration Act (chapter A-6.001) is amended

(1) by striking out “Infrastructure Québec” and “Société immobilière du Québec”;

(2) by inserting “Société québécoise des infrastructures” in alphabetical order.

TAX ADMINISTRATION ACT

96. Section 69.1 of the Tax Administration Act (chapter A-6.002) is amended by replacing “the Associate Commissioner” in subparagraph y of the second paragraph by “the Associate Commissioners”.

97. Section 69.4.1 of the Act is amended by replacing “The Associate Commissioner for Audits appointed under section 8 of the Anti-Corruption Act (chapter L-6.1)” by “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.”.

PUBLIC ADMINISTRATION ACT

98. Section 21 of the Public Administration Act (chapter A-6.01) is amended by replacing the second paragraph by the following paragraph:

“The minister responsible for the administration of the Act respecting the governance of public infrastructures, establishing the Société québécoise des

infrastructures and amending various legislative provisions (2013, chapter 23) may also intervene in a management agreement to provide for the delegation of the property management powers conferred on the Société québécoise des infrastructures under the Act.”

99. Section 42 of the Act is amended by inserting “and those of Division I of Chapter II of the Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions (2013, chapter 23)” after “body”.

100. Section 77 of the Act is amended by adding “, or agreements to which Québec has, in accordance with the Act respecting the Ministère des Relations internationales (chapter M-25.1.1), declared itself bound” at the end of paragraph 10.

ACT RESPECTING REGISTRY OFFICES

101. Section 12 of the Act respecting registry offices (chapter B-9) is amended by replacing “a declaration of transfer of ownership under the Act respecting the Société immobilière du Québec (chapter S-17.1);” by “a declaration concerning a transfer of ownership under the Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions (2013, chapter 23);”.

CITIES AND TOWNS ACT

102. Section 29 of the Cities and Towns Act (chapter C-19) is amended by replacing subparagraph 2 of the first paragraph by the following subparagraph:

“(2) of the Société québécoise des infrastructures, so that they may be occupied by a health and social service provider within the meaning of the fourth paragraph of section 28 of the Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions (2013, chapter 23);”.

MUNICIPAL CODE OF QUÉBEC

103. Article 7 of the Municipal Code of Québec (chapter C-27.1) is amended by replacing subparagraph 2 of the first paragraph by the following subparagraph:

“(2) of the Société québécoise des infrastructures, so that they may be occupied by a health and social service provider within the meaning of the fourth paragraph of section 28 of the Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions (2013, chapter 23);”.

ACT RESPECTING CONTRACTING BY PUBLIC BODIES

104. Section 2 of the Act respecting contracting by public bodies (chapter C-65.1) is amended by adding “, or an agreement to which Québec has, in accordance with the Act respecting the Ministère des Relations internationales (chapter M-25.1.1), declared itself bound” at the end of the second paragraph.

105. Section 3 of the Act is amended by replacing “carried out under a public-private partnership within the meaning of the Act respecting Infrastructure Québec (chapter I-8.2)” in subparagraph 1 of the second paragraph by “for which a public body brings in a contractor to participate in designing, building and operating the infrastructure”.

106. Section 21.30 of the Act is amended by replacing “the Associate Commissioner for Audits appointed under section 8 of the Anti-Corruption Act (chapter L-6.1) the information obtained so that the audit the Associate Commissioner considers necessary may be conducted” by “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, the information obtained so that one of them may conduct the audit he or she considers necessary”.

107. Section 21.31 of the Act is amended by replacing “the Associate Commissioner for Audits” in the first paragraph by “an Associate Commissioner referred to in section 21.30”.

108. Section 21.32 of the Act is amended

(1) by replacing “the Associate Commissioner” in the first sentence by “an Associate Commissioner referred to in section 21.30”;

(2) by replacing “Si le commissaire associé” in the second sentence in the French text by “S’il”.

109. Section 21.33 of the Act is amended by replacing “the Associate Commissioner” by “an Associate Commissioner referred to in section 21.30”.

110. Section 21.34 of the Act is amended by replacing “the Associate Commissioner” by “the Associate Commissioners referred to in section 21.30”.

111. Section 21.39 of the Act is amended by replacing “the Associate Commissioner” in the first paragraph by “the Associate Commissioners referred to in section 21.30”.

**ACT RESPECTING THE EXERCISE OF CERTAIN MUNICIPAL
POWERS IN CERTAIN URBAN AGGLOMERATIONS**

112. Section 100 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001) is amended by replacing “in any of the last three paragraphs” in paragraph 3 by “in the second, third or fourth paragraph”.

ACT RESPECTING MUNICIPAL TAXATION

113. Section 208 of the Act respecting municipal taxation (chapter F-2.1) is amended

(1) by replacing “Société immobilière du Québec” in the first paragraph by “Société québécoise des infrastructures”;

(2) by replacing the second sentence of the second paragraph by the following sentence: “That rule also applies in the case of an immovable referred to in subparagraph 1 of the second paragraph of section 255 or in the fifth paragraph of that section.”

114. Section 253.49 of the Act is amended by replacing “any of the last three paragraphs” in subparagraph 5 of the second paragraph and “the first three paragraphs” in the third paragraph by “the second, third or fourth paragraph”.

115. Section 254.1 of the Act is amended by replacing “any of the last three paragraphs” in the second paragraph by “the second, third or fourth paragraph”.

116. Section 255 of the Act is amended

(1) by inserting “and to the fifth paragraph” after “subparagraph 1 of the second paragraph” in the first paragraph;

(2) by replacing “Société immobilière du Québec” in subparagraph 1 of the second paragraph by “Société québécoise des infrastructures”;

(3) by adding the following paragraph after the fourth paragraph:

“In the case of an immovable whose owner is the Société québécoise des infrastructures and of which ownership was transferred to the Société, by a person mentioned in section 204, under section 43 of the Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions (2013, chapter 23) to make possible the carrying out of a project referred to in that section, the amount payable under the first paragraph of section 254 for the immovable, including any building built on the immovable during the project, is, while the project is being carried out, equal to the amount that would have been

determined if that person were still the owner. In such a case, the paragraph of this section that mentions that person continues to apply to the immovable.”

ACT RESPECTING THE GOVERNANCE OF STATE-OWNED ENTERPRISES

117. Schedule I to the Act respecting the governance of state-owned enterprises (chapter G-1.02) is amended

(1) by striking out “Société immobilière du Québec”;

(2) by inserting “Société québécoise des infrastructures” in alphabetical order.

ANTI-CORRUPTION ACT

118. Section 8 of the Anti-Corruption Act (chapter L-6.1) is replaced by the following section:

“8. The Government also appoints Associate Commissioners for Audits. The Associate Commissioners exercise the functions conferred on them under this Act, with the independence provided for in this Act.

Sections 5 and 6 apply, with the necessary modifications, to the Associate Commissioners.

The Associate Commissioners, who may not be peace officers, must take the oath set out in Schedule II before a judge of the Court of Québec.”

119. Section 10 of the Act is amended by replacing the introductory clause by “To the extent authorized by the Commissioner, the Associate Commissioners exercise the following functions:”.

120. Sections 11 and 11.1 of the Act are amended by replacing “the Associate Commissioner” wherever it appears by “an Associate Commissioner”, and section 16.1 of the Act is amended by replacing “Associate Commissioner” by “an Associate Commissioner”.

121. Section 13 of the Act is amended by replacing “Associate Commissioner’s duties and responsibilities” by “duties and responsibilities entrusted to the Associate Commissioners”.

122. Section 13.1 of the Act is amended by replacing both occurrences of “the Associate Commissioner” in the introductory clause of the first paragraph by “an Associate Commissioner”.

123. Section 15 of the Act is amended

(1) by replacing “on the Associate Commissioner’s request” in paragraph 1 by “at the request of an Associate Commissioner”;

(2) by replacing “the Associate Commissioner” in paragraph 3 by “an Associate Commissioner”.

124. Sections 17, 20, 21, 30 and 31 of the Act are amended by replacing “the Associate Commissioner” by “the Associate Commissioners”.

125. Section 19 of the Act is amended by replacing “the Associate Commissioner” by “an Associate Commissioner”.

126. Section 29 of the Act is amended by replacing “the Associate Commissioner” in the second paragraph by “an Associate Commissioner”.

**ACT RESPECTING THE MINISTÈRE DES RELATIONS
INTERNATIONALES**

127. Section 30 of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1) is amended by replacing “sections 18 and 19 of the Act respecting the Société immobilière du Québec (chapter S-17.1)” in the first paragraph by “sections 27 and 30 of the Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions (2013, chapter 23)”.

ACT RESPECTING THE MINISTÈRE DU CONSEIL EXÉCUTIF

128. Section 3.17 of the Act respecting the Ministère du Conseil exécutif (chapter M-30) is amended by replacing “sections 18 and 19 of the Act respecting the Société immobilière du Québec (chapter S-17.1)” in the first paragraph by “sections 27 and 30 of the Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions (2013, chapter 23)”.

ACT RESPECTING TRANSPORT INFRASTRUCTURE PARTNERSHIPS

129. Section 1.1 of the Act respecting transport infrastructure partnerships (chapter P-9.001) is replaced by the following section:

“**1.1.** Section 31 of the Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions (2013, chapter 23) applies, with the necessary modifications, to a transport infrastructure project carried out under a partnership agreement if the project is a public infrastructure project within the meaning of that Act, except in the cases and subject to the conditions determined by the Government.”

**ACT RESPECTING THE PROCESS OF NEGOTIATION OF THE
COLLECTIVE AGREEMENTS IN THE PUBLIC AND PARAPUBLIC
SECTORS**

130. Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) is amended

(1) by striking out “Infrastructure Québec” and “The Société immobilière du Québec”;

(2) by inserting “The Société québécoise des infrastructures” in alphabetical order.

**ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES
RETIREMENT PLAN**

131. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended

(1) by striking out “Infrastructure Québec” in paragraph 1;

(2) by inserting “the Société québécoise des infrastructures” in alphabetical order in paragraph 1.

132. Schedule III to the Act is amended by striking out “the Société immobilière du Québec”.

ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

133. Schedule II to the Act respecting the Civil Service Superannuation Plan (chapter R-12) is amended by striking out “the Société immobilière du Québec” in paragraphs 1 and 3.

134. Schedule IV to the Act is amended by striking out “the Société immobilière du Québec”.

**ACT RESPECTING THE PENSION PLAN OF MANAGEMENT
PERSONNEL**

135. Schedule II to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended

(1) by striking out “Infrastructure Québec” in paragraph 1;

(2) by inserting “the Société québécoise des infrastructures” in alphabetical order in paragraph 1.

136. Schedule V to the Act is amended by striking out “the Société immobilière du Québec”.

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING AND WORKFORCE MANAGEMENT IN THE CONSTRUCTION INDUSTRY

137. Section 15.2 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) is amended by replacing “the Associate Commissioner for Audits appointed” by “the Associate Commissioners for Audits appointed”.

138. Section 15.7 of the Act is amended by replacing “the Associate Commissioner” by “an Associate Commissioner”.

139. Section 123.4.4 of the Act is amended by replacing “the Associate Commissioner for Audits appointed under the Anti-Corruption Act (chapter L-6.1)” by “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,”.

ACT RESPECTING OCCUPATIONAL HEALTH AND SAFETY

140. Section 176.0.1 of the Act respecting occupational health and safety (chapter S-2.1) is amended by replacing “, section 10 of the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1) in the case of services other than those relating to information resources and the Act respecting the Société immobilière du Québec (chapter S-17.1)” by “ and section 10 of the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1) in the case of services other than those relating to information resources”.

INTEGRITY IN PUBLIC CONTRACTS ACT

141. Section 74 of the Integrity in Public Contracts Act (2012, chapter 25) is amended by replacing “to the Associate Commissioner for Audits appointed under the Anti-Corruption Act (chapter L-6.1)” in paragraph 1 by “to 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,”.

REGULATION RESPECTING GOVERNMENT CONTRACTS FOR THE ACQUISITION OF IMMOVABLE PROPERTY

142. Section 4 of the Regulation respecting government contracts for the acquisition of immovable property (chapter C-65.1, r. 6) is replaced by the following section:

“**4.** Any estimate or negotiation for the acquisition, by mutual agreement, of an immovable by the Government or for a transaction at the time of an expropriation made by the Government must be conducted by the Ministère des Transports when

(1) the immovable is a transport infrastructure or related to such an infrastructure or to a project involving such an infrastructure; and

(2) the potential use of the immovable does not correspond to a use for which the services of the Société québécoise des infrastructures are required under section 41 of the Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions (2013, chapter 23).

In all other cases but subject to the third paragraph, the operations referred to in the first paragraph are conducted by the Société québécoise des infrastructures.

However, the first and second paragraphs do not apply to the Ministère des Ressources naturelles et de la Faune for the acquisition of forest land or of cutting rights, to the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation for the acquisition of immovables within the framework of carrying out a plan, program or project approved under section 24 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (chapter M-14), or to the Société d'habitation du Québec."

CHAPTER V

TRANSITIONAL AND FINAL PROVISIONS

DIVISION I

EFFECTS OF AMALGAMATION

§1. — *Property, rights and obligations*

143. The amalgamation of the patrimonies of Infrastructure Québec and the Société immobilière du Québec under section 22 has effect despite the non-fulfilment, at the time of the amalgamation, of an obligation or a condition provided in an Act or contract.

No proceedings may be brought against the Government, the Société québécoise des infrastructures or any of their members, employees or officers solely because the immovables and other assets of Infrastructure Québec and of the Société immobilière du Québec have become those of the Société or because such an obligation or condition has not been fulfilled.

144. The rights and obligations of Infrastructure Québec and those of the Société immobilière du Québec become the rights and obligations of the Société and the latter becomes, without continuance of suit, a party to all proceedings to which either of those legal persons was a party.

145. Publication in the land register is not required for the immovables, rights and obligations that have become those of the Société under sections 22 and 144.

The Société may, however, in relation to an immovable referred to in the first paragraph and if it deems it appropriate, publish a notice that announces the amalgamation, refers to this Act and contains a description of the immovable.

146. The amalgamation involves, by operation of law, the conversion of the shares issued by the Société immobilière du Québec into shares of the Société.

The certificates for the shares thus converted are issued to the Minister of Finance and the Economy immediately.

147. The debt securities of the Société immobilière du Québec become those of the Société.

§2.—*Human resources*

148. Sections 46 to 51 of the Act respecting the Société immobilière du Québec (chapter S-17.1) and section 63 of the Act respecting Infrastructure Québec (chapter I-8.2), as they read on 12 November 2013, and section 209 of the Act to abolish the Ministère des Services gouvernementaux and to implement the Government's 2010-2014 Action Plan to Reduce and Control Expenditures by abolishing or restructuring certain bodies and certain funds (2011, chapter 16) continue to apply until 12 November 2015 to employees transferred to the Société as a result of the amalgamation under section 22 who, on 12 November 2013, could avail themselves of the rights under those sections.

149. The terms of office of the board members of Infrastructure Québec and Société immobilière du Québec end on 12 November 2013 without compensation.

The president and chief executive officer of Infrastructure Québec is returned to the public service in accordance with his or her instrument of appointment.

150. The terms of office of the secretary, the vice-presidents and the assistant vice-president of the Société immobilière du Québec end on 12 November 2013 without any compensation other than the compensation provided for in their contract of employment.

If applicable, the other conditions of their contract of employment that are applicable in the event of termination without cause continue to apply.

151. The terms of office of the vice-presidents of Infrastructure Québec end on 12 November 2013 without any compensation other than the compensation provided for in their contract of employment.

However, a person referred to in the first paragraph who has received or who receives severance pay and who holds an office, an employment or any other remunerated position in the public sector as defined in Schedule I to the Règles concernant la rémunération et les autres conditions de travail des titulaires d'un emploi supérieur à temps plein, enacted by Order in Council 450-2007 (2007, G.O. 2, 2723, French only) during the period corresponding to the period covered by that severance pay must refund the part of the severance pay covering the period for which the person receives a salary, or cease to receive it during that period.

However, if the salary the person receives is lower than the salary the person received previously, the person is required to refund the severance pay only up to the amount of the new salary, or the person may continue to receive the part of the severance pay that exceeds the new salary.

The period covered by the severance pay corresponds to the period that would have been covered by the same amount if the person had received it as a salary when the person held the office of vice-president.

152. The provisions of section 62 regarding the expertise and experience profiles do not apply when the first members of the board of directors of the Société are appointed.

However, when appointing those members, the Government must make sure that, collectively, they meet the expertise and experience requirements set out in the second paragraph of that section.

§3. — *Registers, documents and miscellaneous measures*

153. A declaration by the Société or the Chair of the Conseil du trésor in an application for registration in the register of personal and movable real rights or the land register, stating that the Société or the Chair is, by the effect of the amalgamation under section 22, the holder of the rights that are the subject of the application and that were formerly registered in favour of the Société immobilière du Québec, is sufficient to establish with the registrar that the Société or the Chair is the holder of those rights.

An application for registration in the land register is made in the form of a notice. In addition to the provisions of this section and the requirements of the regulation made under Book Nine of the Civil Code, the notice must indicate the legislative provision under which it is given. Only one copy of the notice is required and it need not be certified.

154. The files, records and other documents of Infrastructure Québec and Société immobilière du Québec become files, records and other documents of the Société.

155. The strategic plan of Infrastructure Québec and that of the Société immobilière du Québec are, with the necessary modifications, applicable to the Société until they are replaced by the Société's first strategic plan.

156. The terms of the management agreement entered into by the Société immobilière du Québec and the Minister of Health and Social Services under section 20.4 of the Act respecting the Société immobilière du Québec apply, with the necessary modifications, to the Société within the framework of the immovable property management operations that the Société carries out under this Act in respect of health and social service providers within the meaning of the fourth paragraph of section 28 of this Act, until such terms are struck out, replaced or amended by an agreement entered into by the Société and the Minister of Health and Social Services under section 37.

157. The directives, policies and other decisions made regarding Infrastructure Québec or the Société immobilière du Québec by the Cabinet, the Conseil du trésor or the Chair of the Conseil du trésor under the powers and prerogatives devolved to them continue to have effect with regard to the Société until their object is attained or until they are repealed, replaced or amended under this Act; those directives, policies and decisions are deemed to have been made by the competent authority under this Act.

158. The by-laws and policies adopted by Infrastructure Québec and the Société immobilière du Québec continue to apply to the extent that they are compatible with this Act until they are repealed, replaced or amended by the Société.

When provisions of the by-laws and administrative policies of Infrastructure Québec and those of the Société immobilière du Québec are incompatible, the Société's board of directors determines which provisions prevail.

159. The list established by the Government under section 19 of the Act respecting the Société immobilière du Québec identifying the public bodies required to deal with the Société immobilière du Québec continues to apply until it is amended or replaced in accordance with section 30 of this Act.

160. The criteria established in Order in Council 148-2010 (2010, G.O. 2, 1171, French only) for determining major projects for the purposes of the Act respecting Infrastructure Québec continue to apply until they are replaced by the Conseil du trésor under the second paragraph of section 16 of this Act.

161. The Politique-cadre sur la gouvernance des grands projets d'infrastructure publique adopted by the Cabinet on 10 March 2010 (Decision CM-2010-024, French only) remains in force until it is replaced by a directive prepared under section 18 of this Act.

162. The public infrastructure projects considered major under Order in Council 148-2010 and the other public infrastructure projects determined by the Conseil du trésor and included in the most recent multi-year capital budget tabled in the National Assembly under section 6 of the Act to promote the maintenance and renewal of public infrastructures (chapter M-1.2) may be included in the Québec infrastructure plan even though they have not been authorized by the Government within the framework of the implementation of

the measures established by the Conseil du trésor for public infrastructure project management.

163. The tariff of professional and other fees and other forms of remuneration applied by Infrastructure Québec and the Société immobilière du Québec, respectively, for their goods and services continues to apply until they are amended or replaced by a tariff made and approved under this Act.

164. In any law or regulation, “Société immobilière du Québec” and “Infrastructure Québec” are replaced, wherever they appear and with the necessary modifications, by “Société québécoise des infrastructures”.

Unless otherwise indicated by the context and with the necessary modifications, in any other document,

(1) a reference to the Act respecting Infrastructure Québec or the Act respecting the Société immobilière du Québec or to any of their provisions is a reference to this Act or the corresponding provision of this Act, if applicable;

(2) a reference to Infrastructure Québec or the Société immobilière du Québec is a reference to the Société québécoise des infrastructures.

DIVISION II

OTHER PROVISIONS

165. The Government may, by a regulation made before 13 November 2014, enact any other transitional 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 13 November 2013.

DIVISION III

FINAL PROVISIONS

166. This Act replaces the Act respecting Infrastructure Québec (chapter I-8.2), the Act to promote the maintenance and renewal of public infrastructures (chapter M-1.2) and the Act respecting the Société immobilière du Québec (chapter S-17.1).

167. This Act may be cited as the Public Infrastructure Act.

168. The minister who is the Chair of the Conseil du trésor is responsible for the administration of this Act.

169. The provisions of this Act come into force on the date or dates to be set by the Government.

2013, chapter 24

AN ACT TO AMEND THE ACT RESPECTING THE ACQUISITION OF FARM LAND BY NON-RESIDENTS

Bill 46

Introduced by Mr. François Gendron, Minister of Agriculture, Fisheries and Food

Introduced 11 June 2013

Passed in principle 8 October 2013

Passed 30 October 2013

Assented to 30 October 2013

Coming into force : 30 October 2013

Legislation amended :

Act respecting the acquisition of farm land by non-residents (chapter A-4.1)

Explanatory notes

This Act amends the Act respecting the acquisition of farm land by non-residents as regards the conditions for being considered a resident in Québec and the requirements imposed on non-residents who intend to acquire farm land and settle in Québec. It will now be required to live in Québec for 36 out of the 48 months that precede or follow, as the case may be, an acquisition of farm land and, if the person is not a Canadian citizen, to acquire Canadian citizenship within those 48 months.

It provides new criteria for examining applications for authorization to acquire farm land filed by persons who do not intend to settle in Québec.

Lastly, it limits the total area of farm land that the Commission de protection du territoire agricole du Québec may authorize to be acquired in a year by persons who do not intend to settle in Québec.



Chapter 24

AN ACT TO AMEND THE ACT RESPECTING THE ACQUISITION OF FARM LAND BY NON-RESIDENTS

[Assented to 30 October 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE ACQUISITION OF FARM LAND BY NON-RESIDENTS

1. Section 2 of the Act respecting the acquisition of farm land by non-residents (chapter A-4.1) is replaced by the following section:

“2. For the purposes of this Act, a natural person is resident in Québec if the person is a Canadian citizen or a permanent resident within the meaning of the Immigration and Refugee Protection Act (Statutes of Canada, 2001, chapter 27) and has lived in Québec for not less than 1,095 days during the 48 months immediately preceding the date of acquisition of farm land.”

2. Section 3 of the Act is amended by replacing “three hundred and sixty-six” and “twenty-four” in the introductory clause by “1,095” and “48”, respectively.

3. Sections 15 and 16 of the Act are replaced by the following sections:

“15. The commission, taking into consideration the biophysical conditions of the soil and of the environment, shall determine whether the farm land that is the subject of an application is suitable for the cultivation of the soil or the raising of livestock.

“15.1. An authorization is to be granted in all cases where the land concerned is not suitable for the cultivation of the soil or the raising of livestock.

“15.2. An authorization to acquire farm land suitable for the cultivation of the soil or the raising of livestock is to be granted to any natural person who intends to settle in Québec on the condition that the person live in Québec for not less than 1,095 days during the 48 months following the date of acquisition and that on the expiry of such time the person be a Canadian citizen or a permanent resident within the meaning of the Immigration and Refugee Protection Act (Statutes of Canada, 2001, chapter 27).

“15.3. Except for areas of land in respect of which an authorization is granted to natural persons who intend to settle in Québec, no more than 1,000 hectares of farm land suitable for the cultivation of the soil or the raising

of livestock may be added in a year to the total of such areas that any other persons have already been authorized to acquire.

An application filed by a legal person or by a natural person who does not intend to settle in Québec that would ultimately bring the total area added in the year beyond the 1,000-hectare limit may nevertheless be examined by the commission.

“16. In examining an application, the commission shall take into consideration

(1) the intended use, in particular the applicant’s intention to cultivate the soil or raise livestock on the farm land that is the subject of the application;

(2) the impact of the acquisition on the price of farm land in the region;

(3) the effects of the acquisition or projected use on the economic development of the region;

(4) the development of agricultural products and the development of underutilized farm land; and

(5) the impact on land occupancy.

“16.1. A natural person referred to in section 15.2 may prove to the commission that the prescribed conditions have been fulfilled and request a certificate attesting that the person is resident in Québec. Such a certificate confirms the acquisition for all legal purposes.”

TRANSITIONAL AND FINAL PROVISIONS

4. Despite the new section 16, enacted by section 3, when examining an application that was pending on 30 October 2013, the Commission de protection du territoire agricole du Québec is to apply the criteria set out in the third paragraph of the former section 15.

5. This Act comes into force on 30 October 2013.

2013, chapter 25

**AN ACT TO AMEND THE PUBLIC SERVICE ACT MAINLY WITH
RESPECT TO STAFFING**

Bill 41

Introduced by Mr. Stéphane Bédard, Minister responsible for Government Administration and Chair of the Conseil du trésor

Introduced 14 May 2013

Passed in principle 26 September 2013

Passed 19 November 2013

Assented to 20 November 2013

Coming into force: 20 November 2013, except for sections 1, 3 to 8 and 10 to 13, section 14 save where it enacts subparagraph 11 of the first paragraph of section 50.1, sections 15 to 17 and 19, paragraphs 1 to 5 of section 22, sections 24 and 25, section 27 where it enacts section 116.5, and sections 32, 34 to 36 and 39, which come into force on the date or dates to be set by the Government

Legislation amended:

Public Service Act (chapter F-3.1.1)

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 (2010, chapter 20)

Explanatory notes

This Act makes various amendments to the Public Service Act.

Changes are made to the staffing process to make it possible for a candidate who participates in a qualification process, following an invitation for applications of a limited or unspecified duration, to be appointed to a position as soon as the person is declared qualified.

This Act replaces the notions of competitions and lists of candidates declared qualified with the concepts of qualification processes and banks of qualified persons.

The Conseil du trésor is empowered to make various rules applicable to the new staffing process, design a specific qualification process for persons who have held a student or intern position, and determine the conditions under which retired employees may be re-appointed for a set term on the basis of their classification before retirement. As well, deputy ministers and chief executive officers are specifically authorized to conduct an additional evaluation before making an appointment.

The power to fix the norms for the classification of public servants is transferred to the Conseil du trésor.

(Cont'd on next page)

Explanatory notes (Cont'd)

The Chair of the Conseil du trésor is conferred the responsibility of appointing Conseil du trésor representatives to the joint parity committees of peace officers, and of calling meetings of those committees.

The Chair of the Conseil du trésor is also assigned new functions with respect to governance of human resources management.

New provisions are introduced regarding the management of the Commission de la fonction publique and its responsibilities.

Finally, this Act introduces amendments to the penal provisions and contains a number of transitional provisions and consequential amendments.



Chapter 25

AN ACT TO AMEND THE PUBLIC SERVICE ACT MAINLY WITH RESPECT TO STAFFING

[Assented to 20 November 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

PUBLIC SERVICE ACT

1. Section 35 of the Public Service Act (chapter F-3.1.1) is amended by replacing the first paragraph by the following paragraph:

“35. A candidate may appeal to the Commission de la fonction publique if he considers that the procedure used, within a promotion-only qualification process, to determine whether he is eligible or to evaluate him was irregular or illegal. An appeal application must be submitted in writing and received by the Commission within 15 working days of the sending of the notice advising the candidate that he does not meet the eligibility criteria for the qualification process, or informing him of the results of his evaluation as part of that process.”

2. Section 36 of the Act is replaced by the following section:

“36. The Commission de la fonction publique may refuse to hear an appeal brought under section 35 relating to a promotion qualification process where it considers that the application is frivolous or in bad faith, or that its intervention would clearly be of no use.”

3. Section 42 of the Act is amended

(1) by replacing “by way of competition” in the first paragraph by “by means of a qualification process”;

(2) by replacing “without a competition” in the second paragraph by “otherwise than through a qualification process”.

4. Section 43 of the Act is amended

(1) by replacing “competition held to fill” in the first paragraph by “qualification process for the purpose of establishing a bank of qualified persons to fill”;

(2) by replacing “competition” wherever it appears in the third paragraph by “qualification process”.

5. Section 44 of the Act is replaced by the following section:

“**44.** The Chair of the Conseil du trésor launches invitations for applications in order to initiate qualification processes.”

6. Section 46 of the Act is repealed.

7. Section 47 of the Act is amended

(1) by replacing “for a competition or candidate inventory” in the first paragraph by “for a qualification process”;

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

“A person is presumed to be eligible for a qualification process on the basis of the information provided with their application. A person’s eligibility must be confirmed before their appointment.”;

(3) by striking out the second and third paragraphs.

8. The Act is amended by inserting the following section after section 47:

“**47.1.** If the Chair of the Conseil du trésor considers that it would be unreasonable to evaluate all the candidates in view of their number, the Chair may reduce the number of candidates in accordance with the norms determined by regulation by the Conseil du trésor.

When inviting applications, the Chair shall state what means are intended to be used to reduce the number of applications.”

9. Section 48 of the Act is amended by adding “or positions to be filled” after “the position”.

10. Section 49.1 of the Act is repealed.

11. The Act is amended by inserting the following section after section 49.1:

“**49.2.** A person presumed to be eligible is declared qualified after successfully passing the evaluation.

Upon being declared qualified, a person is registered in a bank of qualified persons.”

12. Section 50 of the Act is replaced by the following section:

“**50.** The Chair of the Conseil du trésor may, on request or on the Chair’s own initiative, correct an error having occurred during a qualification process and, if appropriate, register the persons concerned in or remove them from a bank of qualified persons.”

13. The Act is amended by inserting the following section after section 50:

“50.0.1. A person who has been employed as a student or intern may be registered in a bank of qualified persons following qualification processes specific to such persons. The Conseil du trésor determines the rules applicable to and the procedures governing access to those processes.”

14. Section 50.1 of the Act is amended

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

“(1) the procedure for a qualification process to establish a bank of qualified persons;”;

(2) by replacing “competition or for a candidate inventory” in subparagraph 2 of the first paragraph by “qualification process”;

(3) by replacing “competition or a candidate inventory” in subparagraph 3 of the first paragraph by “qualification process”;

(4) by replacing “competition” in subparagraph 4 of the first paragraph by “qualification process”;

(5) by replacing “lists of certifications of qualification may be drawn up” in subparagraph 5 of the first paragraph by “a bank of qualified persons may be established, used and terminated”;

(6) by replacing “promotion without a competition” in subparagraph 6 of the first paragraph by “promotion otherwise than through a qualification process”;

(7) by striking out subparagraph 7 of the first paragraph;

(8) by adding the following subparagraphs after subparagraph 7 of the first paragraph:

“(8) cases and circumstances in which and conditions subject to which a person may be removed from a bank of qualified persons;

“(9) all particulars relating to the information to be provided by a candidate during a qualification process or after registration in a bank of qualified persons;

“(10) cases and circumstances in which and conditions subject to which the qualification of a person who was once appointed may be maintained so that the person can be re-appointed even if they were removed from a bank of qualified persons or the bank has been terminated;

“(11) norms for the classification of public servants.”

15. Section 53 of the Act is replaced by the following section:

“53. A deputy minister or a chief executive officer may appoint a person as soon as the person has been declared qualified and is registered in a bank of qualified persons.

Before making a choice, the deputy minister or the chief executive officer may conduct an additional evaluation based on the nature and particularities of the position to be filled.

Despite the first paragraph, the Conseil du trésor may, by regulation, determine cases and circumstances in which the deputy minister or the chief executive officer cannot make an appointment before all candidates have completed the qualification process.

If there is among the qualified persons one to whom an affirmative action program or a program designed to ensure the hiring of handicapped persons applies, the deputy minister or the chief executive officer must take the objectives of the program into consideration when making the appointment. The hiring objectives determined by the Conseil du trésor as regards the various components of Québec society must also be taken into consideration.

The application of this section cannot be the subject of an appeal under section 35.”

16. Section 53.0.1 of the Act is amended by replacing the first and second paragraphs by the following paragraphs:

“53.0.1. Within the same invitation for applications, a public servant may be appointed before the expiry of the time for appeal provided in section 35 and even if an appeal brought under that section is pending before the Commission de la fonction publique.

However, the appointment is conditional for as long as the last time for appeal that applies to candidates within the same invitation for applications has not expired and, as the case may be, for as long as any appeal brought by one of the candidates has not been settled. If warranted, the appointment must be re-evaluated by the deputy minister or the chief executive officer on the basis of the decision made by the Commission; where applicable, the appointment shall cease to have effect and the public servant shall be reinstated in the position held before the appointment.”

17. The Act is amended by inserting the following section after section 53.1:

“53.2. Despite any provision to the contrary, a retired public service employee may, without having to undergo the qualification process, be re-appointed under this Act to a position in the same class as the class he belonged to before retiring or to any other position with less stringent conditions of eligibility for which a deputy minister or a chief executive officer has recognized

him as having the necessary skills. Such a re-appointment is only possible to meet a temporary need and where the person's particular expertise and experience are required. The Conseil du trésor prescribes the terms and conditions of such a re-appointment, which may only be for a fixed term."

18. Section 54 of the Act is amended by replacing "under section 126" in the first paragraph by "under subparagraph 11 of the first paragraph of section 50.1".

19. Section 70 of the Act is amended by replacing "the holding of recruitment or promotion competitions or to the certification of the qualification of candidates" in the second sentence of the first paragraph by "recruitment or promotion qualification processes, qualification, banks of qualified persons or certification of qualification".

20. Section 71 of the Act is amended by inserting "Chair of the" after "shall be appointed by the" in the second paragraph.

21. Section 73 of the Act is amended by inserting "Chair of the" after "whenever requested by the".

22. Section 99 of the Act is amended

(1) by replacing paragraphs 1 and 2 by the following paragraphs:

"(1) establishing and implementing recruitment and promotion qualification processes;

"(2) establishing conditions of eligibility for a qualification process;"

(2) by striking out paragraph 3;

(3) by replacing "competition" in paragraph 4 by "qualification process";

(4) by inserting the following paragraph after paragraph 4:

"(4.1) declaring candidates qualified and establishing banks of qualified persons;"

(5) by replacing paragraph 5 by the following paragraph:

"(5) making sure that candidates are qualified for promotion and declaring them so qualified pursuant to the second paragraph of section 42;"

(6) by striking out paragraph 7;

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

“(7.1) developing a five-year human resources management strategy for the public service, proposing it for approval by the Conseil du trésor, coordinating its implementation and reporting to the latter every two and a half years on the achievement of results;

“(7.2) proposing directions and policies in various areas of human resources management to the Conseil du trésor, including measures to ensure equal employment opportunity;

“(7.3) proposing to the Conseil du trésor changes to the human resources management framework, taking into account organizational and societal changes;”;

(8) by replacing “surveys” in paragraph 9 by “watch activities”;

(9) by replacing paragraph 10 by the following paragraph:

“(10) advising and supporting government departments and bodies in implementing human resources management programs and activities;”;

(10) by replacing “a career planning and development system” in paragraph 11 by “career planning and development support measures”.

23. The Act is amended by inserting the following section after section 108:

“**108.1.** In addition to the powers and duties otherwise conferred on the chair of the Commission, the chair is responsible for the management and administration of the Commission.

The functions of the chair include

(1) fostering the participation of the members in the formulation of general directions for the Commission so as to maintain a high level of quality and coherence in its decisions;

(2) coordinating the activities of and assigning work to the members of the Commission, who, in that respect, must comply with the chair’s orders and directives;

(3) seeing that standards of ethical conduct are observed;

(4) promoting professional development of the members as regards the exercise of their functions; and

(5) determining the cases where an appeal must be heard by more than one member.”

24. Section 115 of the Act is amended by replacing “competition or the establishment of a candidate inventory” in the third paragraph by “qualification process”.

25. The Act is amended by inserting the following sections after section 115:

“**115.1.** The Commission shall also keep a records office whose function is to manage, in accordance with the collective agreements binding the Government and the associations certified under Chapter IV, the grievances filed by unionized public servants that are set down for arbitration.

“**115.2.** Except in respect of the management of the resources assigned to the records office, Divisions II, III and V of Chapter II of the Public Administration Act (chapter A-6.01) and section 124 of this Act do not apply to the activities of the records office.”

26. Section 116 of the Act is amended by striking out subparagraph 1 of the first paragraph.

27. The Act is amended by inserting the following sections after section 116:

“**116.1.** The Commission may, if circumstances permit, offer mediation to the parties.

Mediation sessions are presided over by a member, by a public servant of the Commission, or by any other person designated by the chair of the Commission.

“**116.2.** Except with the consent of the parties, nothing that is said or written in the course of a mediation session may be admitted as evidence.

“**116.3.** A member who has conducted a mediation session may not have a decision-making role in the dispute in question.

“**116.4.** A mediator cannot be compelled to disclose anything revealed to or learned by the mediator in the exercise of mediation functions or to produce a document prepared or obtained in the course of such functions before a court, a body or a person or body of the administrative branch exercising adjudicative functions.

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 a document contained in mediation records.

“**116.5.** The Commission may also, prior to a hearing before an arbitrator to settle a grievance filed by a unionized public servant, preside over mediation sessions between the parties concerned, subject to terms and conditions mutually agreed by the parties.

Mediation sessions are conducted by a member or a public servant of the Commission, or by any other person designated by the chair of the Commission.

Sections 116.2 to 116.4 apply to mediation sessions under this section.”

28. Section 121 of the Act is amended by replacing the first paragraph by the following paragraphs:

“**121.** The Commission may, to expedite business, appoint substitute members for a term of not over one year. With the chair’s permission, a member whose term has expired may continue the examination of a matter and make a decision.

Substitute members do not take part in the Commission’s activities under section 115.”

29. Section 122 of the Act is amended by replacing “commissioner” by “member”.

30. Section 123 of the Act is amended by replacing the second paragraph by the following paragraphs:

“The Commission, on application, may review or revoke any decision it has made

(1) where a new fact is discovered which, had it been known in time, could have warranted a different decision;

(2) where a party, owing to reasons considered sufficient, could not be heard;
or

(3) where a substantive or procedural defect is of a nature likely to invalidate the decision.

In the case described in subparagraph 3 of the second paragraph, the decision may not be reviewed or revoked by the member having made the decision.”

31. Section 126 of the Act is amended by striking out paragraph 4.

32. Section 129 of the Act is amended

(1) by replacing “at a recruitment or promotion competition, a grade advancement examination or the establishment of a candidate inventory” in the first paragraph by “in connection with a recruitment or promotion qualification process”;

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

“A person found guilty of such an offence is removed from all banks of qualified persons established before the date of the judgment and from any qualification process under way on that date. In addition, the person ceases to be eligible for any qualification process for a period of five years and, if a public servant, the person is also liable to disciplinary action.

Proceedings for the offence described in the first paragraph are prescribed one year from the date on which the prosecutor becomes aware of the commission of the offence.”

33. Sections 153 to 170 and 172 of the Act are repealed.

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

34. In any Act other than the Public Service Act (chapter F-3.1.1), “promotion competition” and “competition for promotion” wherever they appear are replaced by “promotion-only qualification process”, and “competition for promotion to” wherever it appears is replaced by “promotion-only qualification process for”, unless the context indicates otherwise.

35. Competitions under way on the date of coming into force of section 3 are continued and the related lists of candidates declared qualified may be established and used in accordance with the Public Service Act and the regulations, directives and norms under that Act, as they read on the day prior to that date. The same applies to any establishment of candidate inventories under way on that date and the use of such inventories.

36. Lists of candidates declared qualified already established on the date of coming into force of section 3 may be used in accordance with the Public Service Act and the regulations, directives and norms under that Act, as they read on the day prior to that date.

37. The Conseil du trésor may, by regulation, determine the terms and conditions under which the qualification of a person for appointment to certain positions may be maintained despite the termination of the list of candidates declared qualified from which the person was appointed to a position.

38. Despite the termination of the list of candidates declared qualified from which a person was appointed to a position, that person may be appointed to the class of positions in which they were placed following a change to the classification of positions. However, such an appointment may only be made if the person was placed in the changed class of positions between 16 April 2012 and the date of coming into force of the provisions prescribed by regulation under section 37.

The appointment may also be made even if the person no longer holds a position in the public service, provided their employment ended during the period defined in the first paragraph.

This section ceases to have effect on the date of coming into force of the provisions prescribed by regulation under section 37.

39. Any person found guilty under section 129 of the Public Service Act after the coming into force of section 3 is removed from the lists of candidates declared qualified referred to in either of sections 35 and 36.

40. Until section 12 comes into force, the second paragraph of section 50 of the Public Service Act is to read as follows:

“The Chair of the Conseil du trésor may, on request or on the Chair’s own initiative, correct an error having occurred during a competition and, if appropriate, register the persons concerned in or remove them from a list of candidates declared qualified.”

41. Until section 32 comes into force, section 129 of the Public Service Act is to read as follows:

“**129.** Every person who commits a fraudulent act, or incites a person to commit a fraudulent act, in connection with a recruitment or promotion competition, a grade advancement examination or the establishment of a candidate inventory is guilty of an offence and liable to a fine of \$700 to \$2,800.

A person who is found guilty of such an offence ceases to be eligible for any competition or examination for a period of five years. In addition, the person is removed from all lists of candidates declared qualified existing on the date of the judgment or from the lists relating to competitions under way on that date and, if a public servant, the person is liable to disciplinary action.

Proceedings for the offence described in the first paragraph are prescribed one year from the date on which the prosecutor becomes aware of the commission of the offence.”

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

42. Section 8 of the 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 (2010, chapter 20), amended by section 129 of the Act respecting mainly the implementation of certain provisions of the Budget Speech of 20 November 2012 (2013, chapter 16), is again amended by replacing “and 2012” in the introductory clause of the first paragraph by “, 2012 and 2013”.

43. This Act comes into force on 20 November 2013, except for sections 1, 3 to 8 and 10 to 13, section 14 save where it enacts subparagraph 11 of the first paragraph of section 50.1, sections 15 to 17 and 19, paragraphs 1 to 5 of section 22, sections 24 and 25, section 27 where it enacts section 116.5, and

sections 32, 34 to 36 and 39, which come into force on the date or dates to be set by the Government.

2013, chapter 26 VOLUNTARY RETIREMENT SAVINGS PLANS ACT

Bill 39

Introduced by Madam Agnès Maltais, Minister of Employment and Social Solidarity

Introduced 8 May 2013

Passed in principle 1 October 2013

Passed 3 December 2013

Assented to 4 December 2013

Coming into force : 1 July 2014, except sections 14, 28, 29, 31, 39 to 41, Chapter X and sections 114, 115 and 143, which may come into force on any earlier date set by the Government

Legislation amended :

Civil Code of Québec

Act respecting the Autorité des marchés financiers (chapter A-33.2)

Code of Civil Procedure (chapter C-25)

Act respecting administrative justice (chapter J-3)

Act respecting labour standards (chapter N-1.1)

Supplemental Pension Plans Act (chapter R-15.1)

Regulation amended :

Regulation under the Act respecting insurance (chapter A-32, r. 1)

Explanatory notes

This Act establishes a type of retirement plan called a “voluntary retirement savings plan” that is accessible, to the extent that fiscal rules allow it, to all individuals, including self-employed workers and workers whose employer has not subscribed to such a plan.

Voluntary retirement savings plans are to be administered by insurers, trust companies or investment fund managers who must hold an authorization granted for that purpose by the Autorité des marchés financiers. The plans must be registered with the Régie des rentes du Québec.

Without any obligation to do so, any individual may contribute to a voluntary retirement savings plan, as may any employer on behalf of the employees. However, employers having five or more eligible employees 18 years of age or over who are credited with one year of uninterrupted service within the meaning of the Act respecting labour standards and do not have a registered retirement savings plan or a tax-free savings account for which payroll deductions could be made or a registered pension plan must automatically enroll those employees in a plan. Such employees, however, have the right to renounce membership in the plan.

(Cont'd on next page)

Explanatory notes (Cont'd)

It is up to plan members to determine their own rate of contribution to the plan and their own investment option among those offered. Members may, under certain conditions, set their rate of contribution to the plan at 0%.

The other terms and conditions that apply to the establishment and administration of these voluntary plans are determined and the functions and powers conferred on the Régie des rentes du Québec, the Autorité des marchés financiers and the Commission des normes du travail are specified.



Chapter 26

VOLUNTARY RETIREMENT SAVINGS PLANS ACT

[Assented to 4 December 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PURPOSE AND APPLICATION

1. This Act establishes a type of retirement plan called a “voluntary retirement savings plan” in order to promote retirement savings, and provides a legal framework for the establishment and administration of such a plan.

Such a plan is called voluntary because membership is optional. Members determine their contribution to the plan and the employer is not required to contribute to the plan.

2. Individuals may become members of a voluntary retirement savings plan to the extent that fiscal rules permit them to contribute to the plan, even individuals who are self-employed workers or whose employer has not subscribed to a voluntary retirement savings plan. Individuals are called members and remain members from the time they hold an account under the terms of a voluntary retirement savings plan.

Employers may contribute to the voluntary retirement savings plan they have subscribed to on behalf of their employees where employees are members of the plan.

CHAPTER II

REGISTRATION OF THE PLAN

3. A voluntary retirement savings plan must be registered with the Régie des rentes du Québec, in the manner prescribed by regulation. The same applies to each of its amendments.

An administrator that files an application for the registration of the plan and its amendments must file the following with the Régie:

(1) the text of the plan and its amendments, or a copy of those documents certified by the administrator;

(2) in the case of the registration of the plan, a certified extract of the administrator's registration in the register of administrators authorized by the Autorité des marchés financiers;

(3) a declaration, signed by the administrator, that the plan and its amendments are in conformity with this Act;

(4) any document or information determined by regulation; and

(5) the fees prescribed by regulation.

An administrator that proposes to apply for the registration of an amendment to the plan must inform the members and the employers by written notice.

4. The text of the plan must include the information determined by regulation.

5. The Régie sends a plan administrator whose application for registration meets the requirements prescribed by this Act an acknowledgement of receipt showing the date of receipt of the application.

If the application for registration is incomplete, the Régie notifies the administrator and specifies the information which remains to be filed.

6. The Régie may, after giving a plan administrator an opportunity to submit observations, refuse to register the plan or an amendment, or part of the plan or amendment, that, in its opinion, is not in conformity with this Act. It informs the administrator of its refusal by means of a written notice specifying the reasons.

7. Upon registering a plan or an amendment, the Régie notifies the plan administrator. The Régie assigns a number to each plan it registers.

8. A plan and its amendments become effective on the date they are registered with the Régie and may not become effective before that date, except in the cases prescribed by regulation.

No member may be accepted in the plan before the plan is registered.

9. The registration of a plan or of an amendment does not constitute proof of its conformity with this Act.

10. The Régie may, after giving a plan administrator an opportunity to submit observations, revoke the registration of any part of the plan or of an amendment that is not in conformity with this Act.

The Régie may also revoke the registration of a plan that has never had any members when the administrator applies to have it revoked.

An administrator applying for revocation under the second paragraph must submit a document signed by a person in authority attesting that the plan has never had any members.

The Régie notifies the plan administrator of any revocation of registration by means of a written notice specifying the reasons for the revocation.

11. The registration of a plan is revoked of right if it has never had any members and the administrator's authorization has been revoked or cancelled.

The Autorité des marchés financiers must notify the Régie without delay that such authorization has been revoked or cancelled.

12. Only one voluntary retirement savings plan per administrator may be registered with the Régie.

13. A provision of a voluntary retirement savings plan that is incompatible with this Act is without effect.

CHAPTER III

ADMINISTRATION OF THE PLAN

DIVISION I

ADMINISTRATOR

§1.— *Obligations*

14. A legal person must hold an authorization granted by the Autorité des marchés financiers to act as administrator of a voluntary retirement savings plan.

Only the following legal persons may act as administrator of a voluntary retirement savings plan:

(1) insurers holding a life insurance class licence issued under the Act respecting insurance (chapter A-32) in conformity with the Regulation under the Act respecting insurance (chapter A-32, r. 1);

(2) trust companies holding a licence issued under the Act respecting trust companies and savings companies (chapter S-29.01); and

(3) investment fund managers registered in accordance with Title V of the Securities Act (chapter V-1.1).

15. The administrator manages the plan and its assets as administrator of the property of another and, as such, must exercise the prudence, diligence and skill that a reasonable person would exercise in similar circumstances. The

administrator must also act with honesty and fairness in the best interest of the members.

16. The administrator is responsible for ensuring that the plan it manages is in conformity with this Act.

17. The contract between an administrator and an employer or an individual, as the case may be, must be in conformity with the plan previously registered with the Régie and contain the information prescribed by regulation.

18. The administrator must provide the employer or the individual, free of charge, with

- (1) a copy of the contract between the parties; and
- (2) on request, the annual statement and the financial report referred to in section 24.

The employer must make any document mentioned in the first paragraph available to participants on request and free of charge.

The administrator must also give the individual a written summary of the plan that describes, in particular, the individual's rights and obligations and the investment options available under the contract as well as the costs related to the plan. The summary must also include the information provided for in subparagraphs 2 to 5 of the second paragraph of section 19.

19. Within 30 days after the contract is signed by an employer or after an employee has enrolled in the plan under section 48, the administrator sends each of those employees

- (1) a written notice confirming his or her membership in the plan;
- (2) a written summary of the plan that describes, in particular, the rights and obligations of the member and the employer, the investment options available under the contract and the costs related to the plan; and
- (3) a form for the designation of beneficiaries in case of the death of the member.

The administrator informs the employer without delay of the date the notices provided for in subparagraph 1 of the first paragraph are sent to the employees.

The summary must contain the following information:

- (1) the possibility for an eligible employee of opting out of the plan by notifying the employer in writing within 60 days after the notice mentioned in subparagraph 1 of the first paragraph is sent;

- (2) the conditions under which the member may set his or her rate of contribution at 0%;
- (3) the default contribution rate and the fact that a member may change his or her contribution;
- (4) the fact that a member may change his or her investment options; and
- (5) any other information determined by regulation.

20. The personal information provided by the employer concerning the employees who opt out of the plan must be destroyed by the administrator within 60 days after the notice sent by the employer under section 49 is received.

21. The administrator may not refuse the application of an employer or an individual to subscribe to the plan except on the grounds determined by regulation.

22. The administrator must provide a plan on the same conditions for all employers who participate in the plan and all individuals who become members of the plan.

23. Subject to the regulations, an administrator may not give, offer or agree to give or offer an employer an inducement to enter into a contract with the administrator in respect of a voluntary retirement savings plan.

24. The administrator must, within six months after the end of each fiscal year of the plan, transmit to the Régie an annual statement drawn up on the form it provides, along with the certificates and documents required by the form. The annual statement must be accompanied by the fees prescribed by regulation.

The administrator must cause to be prepared, within the same time, a financial report containing a statement of the financial situation and a statement of changes in the net assets available for the provision of benefits, presenting the information determined by regulation for the fiscal year just ended. The report must be audited by an accountant who is a member of the *Ordre des comptables professionnels agréés du Québec*.

25. The administrator must provide a plan that includes a default investment option that meets the criteria determined by regulation.

The administrator must, in addition, subject to the conditions prescribed by regulation, offer from three to five other investment options of varying degrees of risk and expected return that would allow a prudent person to create a portfolio of investments appropriate for retirement savings and from among which a member may make an investment choice.

If a member does not make an investment choice under the second paragraph, the investment option provided for in the first paragraph applies to the member's accounts.

All investments must be permitted under fiscal rules.

For the purposes of the second paragraph, "other investment option" means any investment strategy determined according to the following criteria:

- (1) the investor profile determined according to risk tolerance;
- (2) the term of the investment;
- (3) the expected return and appreciation;
- (4) the guarantees on the investment, if any; and
- (5) any other criteria determined by regulation.

26. A member's investment choices may not be changed by the administrator except on the request of the member or, after written notice is given to the members concerned, in the circumstances and in the manner determined by regulation.

27. The administrator must provide a plan to its members at a low cost. The criteria for determining if a plan is low cost are determined by regulation.

In addition, the fees that may be deducted from the return on fund assets may vary according to the investment option chosen. The nature or amount of those fees and of the fees the administrator may charge members are determined by regulation.

§2.—*Authorization*

28. A legal person referred to in section 14 applying for authorization must forward the application to the Autorité des marchés financiers in the form it prescribes.

The application must be accompanied by the fees determined by regulation and the following documents:

- (1) a five-year business plan dealing with the proposed development of activities related to the voluntary retirement savings plan and showing how the legal person intends to comply with the conditions and obligations applicable under this subdivision;
- (2) a document attesting that the amount by which the assets of the legal person exceed the liabilities is at least equal to the amount determined by regulation, or an irrevocable letter of credit or a suretyship, which letter or

suretyship is in an amount determined by regulation and is issued by a financial institution licensed as an insurer, trust company or deposit institution under an Act of Canada or of a Canadian province or territory;

(3) a certificate confirming that the legal person holds liability insurance in accordance with the requirements determined by regulation; and

(4) any other document determined by regulation.

29. The Autorité des marchés financiers grants an authorization to legal persons who

(1) provide all the documents and information required under this Act and pay the fees due; and

(2) in the opinion of the Autorité des marchés financiers, are able to comply with the conditions and obligations applicable under this subdivision.

30. Authorization granted by the Autorité des marchés financiers is valid for an indeterminate period.

31. In order to maintain its authorization, an administrator must at all times,

(1) maintain its liability insurance in accordance with the requirements determined by regulation;

(2) maintain its operational capability and the expertise required to properly administer a voluntary retirement savings plan;

(3) in respect of its activities as insurer, trust company or investment fund manager, comply with the Acts and the regulations and any orders, written instructions or undertakings made under any Act governing those activities; and

(4) have a satisfactory financial situation.

32. The Autorité des marchés financiers may suspend or revoke the authorization granted any administrator that is not in compliance with this Act.

33. A suspension of authorization is effective from the date specified in the notice sent to the administrator by the Autorité des marchés financiers. The administrator may, however, take the necessary corrective measures specified in the notice before that deadline.

An administrator whose authorization has been suspended may continue to administer the plan subject to the conditions or restrictions determined by the Autorité des marchés financiers. The administrator may not, however, offer the plan to new employers or individuals.

The Autorité des marchés financiers consults the Régie before making its decision.

34. The Autorité des marchés financiers revokes a suspended authorization if the administrator has not taken the necessary corrective measures before the deadline specified by the Autorité des marchés financiers.

35. The authorization of the administrator of a plan is revoked of right by the Autorité des marchés financiers on the occurrence of one of the following events:

(1) the plan having never had any members, its registration is revoked by the Régie on application by the administrator under the second paragraph of section 10;

(2) the registration of the plan is revoked by the Régie under section 93.

36. An administrator's authorization is cancelled of right by the Autorité des marchés financiers if

(1) the administrator has not filed an application for the registration of the plan within 90 days after the date authorization is granted; or

(2) the registration of the plan has been refused.

37. The Régie must notify the Autorité des marchés financiers without delay if any of the situations described in section 35 or 36 occurs.

38. Following an amalgamation of administrators, the Autorité des marchés financiers revokes the authorization granted the administrators that have amalgamated and grants authorization anew to the administrator resulting from the amalgamation.

On the date of the amalgamation, the administrator resulting from the amalgamation retains the management of the voluntary retirement savings plan designated by the administrators that have amalgamated. The assets of the other plans are liquidated in accordance with Chapter VII.

39. An administrator's authorization is revoked of right the moment the administrator no longer holds an insurer's licence under the Act respecting insurance, no longer holds a trust company licence under the Act respecting trust companies and savings companies, or is no longer registered as an investment fund manager in accordance with Title V of the Securities Act.

40. Any decision by the Autorité des marchés financiers with respect to an authorization under this Act is published in its bulletin.

§3.—*Register of authorized administrators*

41. The Autorité des marchés financiers keeps a register of administrators authorized under this Act, in which the name of the administrators, the address of their head office and main place of business and all other useful information must be recorded.

The register is public and the Autorité des marchés financiers must make it accessible to the public.

§4.—*Distribution*

42. The administrator of a voluntary retirement savings plan, other than an insurer, that provides such a plan to an employer or an individual must act through a dealer registered in accordance with Title V of the Securities Act or a person exempt from the registration requirement under that Act.

An insurer that provides such a plan to an employer must act through a group insurance representative authorized to provide group annuities within the meaning of the Act respecting the distribution of financial products and services (chapter D-9.2) or through an actuary referred to in section 4 of that Act. When providing such a plan to an individual, the insurer must act through a representative in insurance of persons within the meaning of section 3 of that Act.

However, the administrator of a voluntary retirement savings plan may provide such a plan without acting through a dealer, a person exempt from registration or a representative when no advice is requested or given.

43. Neither the Securities Act nor the Act respecting the distribution of financial products and services applies to the provision of a plan by an employer to an employee.

44. Only a representative in insurance of persons referred to in section 3 of the Act respecting the distribution of financial products and services, a dealer registered in accordance with Title V of the Securities Act or a person exempt from the registration requirement under that Act may advise a member of a voluntary retirement savings plan with respect to the choice of an investment option.

DIVISION II
EMPLOYERS

45. An employer within the meaning of subparagraph 7 of the first paragraph of section 1 of the Act respecting labour standards (chapter N-1.1) having an establishment in Québec may offer a voluntary retirement savings plan to employees.

However, any employer who, on 31 December of a given year, employs five eligible employees or more must, in the year that follows, subscribe to a voluntary retirement savings plan and automatically enroll those employees in the plan.

The obligations described in the second paragraph do not apply with respect to eligible employees who

(1) have the opportunity to make contributions, through payroll deductions, to a designated registered retirement savings plan or a designated tax-free savings account, within the enterprise of the employer; or

(2) belong to a category of employees who benefit from a registered pension plan within the meaning of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) to which the employer is party.

For the purposes of this division, “eligible employee” means an employee who

(1) is 18 years of age or over;

(2) is an employee within the meaning of subparagraph 10 of the first paragraph of section 1 of the Act respecting labour standards and works in Québec, or is described in paragraph 1 or 2 of section 2 of that Act; and

(3) is credited with one year of uninterrupted service within the meaning of subparagraph 12 of the first paragraph of section 1 of the Act respecting labour standards.

46. For the purposes of this Act, an employer and an administrator are deemed to have entered into a contract in compliance with section 17 if the employer has entered into an agreement with a professional order, an association or another group that allows the employer’s employees to become members of the administrator’s voluntary retirement savings plan subscribed to by the professional order, the association or the other group. The administrator and the employer are in that case subject to the same rights and obligations under this Act as they would be if the employer had subscribed to the plan.

The agreement must contain the information prescribed by regulation.

47. At least 30 days before subscribing to a voluntary retirement savings plan with the administrator of such a plan, an employer must notify each employee in writing

(1) of the employer’s intention to subscribe to the plan;

(2) of any existing business relationship the employer has with that administrator;

(3) of the fact that eligible employees are automatically enrolled in the plan and that they will have the opportunity to opt out of the plan;

(4) of the fact that the employer will provide the administrator with the personal information determined by regulation concerning the employees referred to in the last paragraph of section 48;

(5) of the requirement for an employee who is not an eligible employee and who wishes to become a member of the plan to inform the employer;

(6) of the fact that the employee may determine his or her own contribution;

(7) of any contribution the employer agrees to pay into the plan or the method of calculating it; and

(8) of any other information determined by regulation.

48. An employer who has subscribed to a voluntary retirement savings plan must automatically enroll in the plan any eligible employee and any employee who so requests, except in the case of employees described in subparagraph 1 or 2 of the third paragraph of section 45.

The employer must also offer the plan to any eligible employee who has opted out of the plan and offer any eligible employee who has set his or her rate of contribution at 0% the possibility of resuming contributions to the plan. The employer must do so in the month of December every two years following the date the employee opted out of the plan or set the rate of contribution at 0%.

The rules set out in the first and second paragraphs apply even if the number of eligible employees falls under five, unless, as long as the number of eligible employees remains under five, all eligible employees opted out of the plan.

An employer has 30 days to enroll the eligible employees and any other employee who so requests in the plan.

49. When an eligible employee opts out of the plan, the employer must keep the notice of opting out for the full duration of the employment and notify the plan administrator in writing within 30 days.

50. An employer may change voluntary retirement savings plans. The employer must then pay the costs related to the transfer of the employee accounts under the conditions prescribed by regulation.

The new administrator must give written notice, to each employee concerned by the transfer, of the employee's membership in the new plan and of the fact that the employee must inform the new administrator of the investment option he or she has chosen within 60 days after the notice is sent.

The plan administrator must transfer the accounts upon expiry of the 60-day period mentioned in the second paragraph, subject to the conditions prescribed by regulation.

Sections 86 and 88 apply to the transfer, with the necessary modifications.

51. An employer is not liable for the acts and omissions of the plan administrator.

52. An employer must provide the plan administrator with the documents and information the plan administrator requires to comply with the law.

53. An employer must notify the plan administrator that employment of an employee who is a member of the plan is terminated within 30 days after the date of termination of employment.

54. Subject to the regulations, an employer may not demand, accept or agree to accept any inducement from a plan administrator, or offer or agree to offer a plan administrator any inducement, with a view to entering into a contract with the administrator in respect of a voluntary retirement savings plan.

CHAPTER IV CONTRIBUTIONS

DIVISION I DETERMINATION, COLLECTION AND REMITTANCE

55. A member determines his or her contribution to the voluntary retirement savings plan.

A member of a plan provided by his or her employer must determine his or her contribution within 60 days after the notice mentioned in subparagraph 1 of the first paragraph of section 19 is sent, failing which the rate of contribution set by regulation applies.

56. A member may, at any time, change his or her contribution to the plan. However, an employee who is a member of a plan provided by his or her employer may not change the contribution more than twice per 12-month period, unless the employer agrees that the member do so more often. A member may also, on the conditions determined by regulation, set his or her rate of contribution at 0%.

An employer has 30 days in which to give effect to a member's request.

An employer must remit to the administrator the contributions collected and those the employer agreed to pay before receiving a member's request.

57. An employer is not required to contribute to the plan on behalf of employees but may do so where employees are members of the plan.

An employer who contributes to a member's plan may change the contribution the employer has agreed to pay, subject to any clause to the contrary in an agreement within the meaning of subparagraph 4 of the first paragraph of section 1 of the Act respecting labour standards. The employer must in that case send a written notice to the plan administrator and the member concerned.

The change cannot take effect until the thirtieth day following the date on which the notice is sent if it means the employer contribution is reduced.

58. As of the first pay that follows the sixty-first day after the notice mentioned in section 19 is sent by the administrator, an employer must collect the members' contributions for each pay period from their salary.

59. An employer must remit member contributions to the plan on or before the last day of the month that follows the day on which they are collected, pays on behalf of the members.

60. If an employer fails to pay the contributions to the plan within the time limit set in section 59, the employer must pay interest on the contributions due.

Contributions bear interest from the last day of the month that follows the month for which they should have been paid to the plan until they are paid to the plan, at the rate and in the manner determined by regulation.

61. If contributions due in respect of a member are paid after a transfer or refund of the balance in the member's account, the plan administrator must transfer or refund those contributions as it did for the accounts in which they were to be paid.

62. Until the contributions and interest accrued are remitted to the plan, an employer is deemed to hold those amounts in trust, whether or not the employer has kept them separate from the employer's own assets.

63. Within 60 days after the time limit set in section 59, a plan administrator must notify the Régie of any contributions not remitted by the employer and the measures taken to ensure remittance.

DIVISION II

LOCKING IN

64. The administrator of a voluntary retirement savings plan must keep a locked-in account and a not locked-in account in its books for each member.

65. Employer contributions are credited to the locked-in account and member contributions are credited to the not locked-in account. Each account is also credited with accrued interest and the other amounts determined by regulation.

66. No sum may be transferred between a member's locked-in and not locked-in accounts.

DIVISION III

REFUNDS AND TRANSFERS

§1. — *Locked-in account*

67. When employment of a member is terminated, when the member reaches the age of 55, when the member's employer establishes a pension plan or an account referred to in the third paragraph of section 45, or in the cases referred to in section 68, all or part of the member's locked-in account may be transferred to a pension plan determined by regulation and chosen by the member.

The plan administrator must make the transfer within 60 days after the member's request.

In the case of a member for whom no employer has subscribed to a plan, the locked-in account may at any time be transferred to a pension plan determined by regulation.

68. A member is entitled to the refund of the funds in the locked-in account

(1) if a physician certifies that the member's physical or mental disability reduces his or her life expectancy;

(2) if a physician certifies that the member is physically or mentally disabled without giving an opinion on his or her life expectancy. In such a case, the member must provide a statement to the administrator certifying that the income he or she is to receive during the 12 months following the application for a refund will not exceed 40% of the Maximum Pensionable Earnings determined, for the year of the refund, pursuant to the Act respecting the Québec Pension Plan (chapter R-9);

(3) if the balance in the member's locked-in account is, subject to any other percentage and conditions set by regulation, less than 20% of the Maximum Pensionable Earnings established in accordance with the Act respecting the Québec Pension Plan for the year in which the member is no longer employed by an employer who subscribed to a voluntary retirement savings plan; or

(4) if the member is deemed, for the purposes of the Taxation Act (chapter I-3), to not have resided in Canada for at least two years.

The plan administrator must make the refund within 60 days after the member's request.

§2. — *Not locked-in account*

69. Upon a request to the plan administrator, at the intervals determined in the plan but never less than once per 12 months, a member is entitled to the refund of all or part of the not locked-in account or to the transfer of all or part of that account to a pension plan determined by regulation and chosen by the member.

Despite the first paragraph, in the case of termination of employment and in the cases provided for in subparagraphs 1, 2 and 4 of the first paragraph of section 68, a member is entitled at any time to the refund or transfer of all or part of the not locked-in account.

The administrator must make the refund or transfer within 60 days after the member's request.

DIVISION IV

VARIABLE PAYMENTS

70. The voluntary retirement savings plan may provide that a member who has reached the age of 55 or the member's spouse, as defined in section 71, may elect to receive variable payments from the funds in his or her accounts, on the conditions and within the time provided by regulation.

CHAPTER V

DEATH OF MEMBER

71. For the purposes of this chapter, the spouse of a member is the person who, on the day before the death of the member,

(1) is married to or in a civil union with the member; or

(2) has been living in a conjugal relationship with the member, who is neither married nor in a civil union, whether the person is of the opposite or the same sex, for a period of not less than three years, or for a period of not less than one year if

(a) at least one child is born, or to be born, of their union;

(b) they have adopted, jointly, at least one child while living together in a conjugal relationship; or

(c) one of them has adopted at least one child who is the child of the other, while living together in a conjugal relationship.

For the purposes of subparagraph 2 of the first paragraph, the birth or adoption of a child prior to the period of conjugal relationship existing on the day before the death occurs may qualify a person as a spouse.

Despite subparagraph 1 of the first paragraph, a person who is legally separated from bed and board with respect to the member on the day preceding the member's death is not entitled to any benefit under this chapter unless the person is the member's successor.

72. On the death of a member who was not receiving variable payments, his or her spouse or, if the member has no spouse, his or her successors are entitled to a benefit the amount of which is equal to the balance in the member's accounts, including interest accrued until the date of payment or the transfer of all or part of the amount to a pension plan determined by regulation and chosen by the member's spouse or, if the member has no spouse, by his or her successors, to the extent that fiscal rules allow it.

The member's spouse may however waive entitlement to the death benefit by notifying the plan administrator of the fact in writing. The spouse may revoke such a waiver by notifying the plan administrator of the revocation in writing before the member's death.

73. On the death of a member who was receiving variable payments, his or her spouse or, if the member has no spouse, his or her successors are entitled to a benefit, the details of which are determined by regulation.

74. The designation and the revocation of beneficiaries are governed by articles 2445 to 2459 of the Civil Code, with the necessary modifications.

CHAPTER VI

TRANSFER OF BENEFITS BETWEEN SPOUSES

75. In the event of separation from bed and board, divorce or marriage annulment, dissolution otherwise than by death of a civil union or annulment of a civil union, the benefits accumulated by a member under the voluntary retirement savings plan are, upon application in writing to the plan administrator, partitioned between the member and his or her spouse to the extent determined in the Civil Code or by a court judgment or a notarized declaration of dissolution of a civil union.

Where the court or the notarized declaration awards to the spouse of a member, in payment of a compensatory allowance, benefits accumulated by the member under a voluntary retirement savings plan, the benefits are, upon application in writing to the administrator, transferred to the spouse to the extent provided by the court judgment or by the notarized declaration.

76. Upon the introduction of an application for separation from bed and board, divorce, annulment of marriage, dissolution or annulment of a civil

union or payment of a compensatory allowance, the member and his or her spouse are entitled, upon application in writing to the plan administrator, to obtain a statement of the benefits accumulated by the member under the voluntary retirement savings plan and the value of the benefits on the date the proceedings are instituted; the statement also contains any other information determined by regulation. The benefits and their value are established according to the rules determined by regulation.

The member and the member's spouse are also entitled to receive a statement of benefits, upon application in writing to the administrator, for the purposes of pre-hearing mediation concerning a family matter or of a joint procedure before a notary for the dissolution of their civil union. The statement contains the information determined by regulation.

77. In the event of cessation of the conjugal relationship between a member of the plan and a spouse, within the meaning of subparagraph 2 of the first paragraph of section 71, the member and the spouse may, in the ensuing year, agree in writing to a partition of the benefits accumulated by the member under the plan; such an agreement cannot, however, confer on the spouse more than 50% of the value of the benefits.

For that purpose, the member and the spouse are entitled to obtain the statement described in section 76, established on the date of cessation of their conjugal relationship.

The plan administrator must partition the benefits under the plan to the extent provided for in the agreement referred to in the first paragraph and in the manner prescribed by regulation.

78. The rules governing the partition of the member's benefits from both the locked-in and the not locked-in accounts are determined by regulation.

In the case of the partition of the member's benefits or to pay a compensatory allowance,

(1) the benefits awarded to the spouse from the member's locked-in account must, except in the cases determined by regulation, remain locked in, even when the benefits are transferred to a pension plan determined by regulation; and

(2) the benefits awarded to the spouse from the member's not locked-in account may be transferred to a pension plan determined by regulation or refunded, in accordance with the conditions determined by regulation.

However, the benefits awarded to the spouse following a seizure for non-payment of support in accordance with the fourth paragraph of article 553 of the Code of Civil Procedure (chapter C-25) must be paid in a lump sum, in the manner determined by regulation.

79. The cost of producing the statement referred to in section 76 and the expenses incurred for effecting the transfer of benefits between spouses may be claimed from the spouses only up to the limit set by regulation.

The costs and expenses claimed from the spouses are divided equally between them, unless they decide to opt for another form of apportionment. Payment of the amount that must be borne by each spouse may be effected by the plan administrator through a reduction of the value of the spouse's benefits, unless that spouse chooses another method of payment.

CHAPTER VII

WINDING-UP AND TERMINATION

80. The Régie may decide to liquidate the assets of a voluntary retirement savings plan if the plan administrator fails to comply with an order issued by the Régie under this Act.

81. The liquidation of the plan assets is ordered by the Régie if the Autorité des marchés financiers has revoked or cancelled the authorization granted the administrator.

The Autorité des marchés financiers must notify the Régie without delay that such an authorization has been revoked or cancelled.

82. A plan administrator that wishes to terminate a plan must give the Régie prior written notice and obtain from the Régie a decision authorizing the administrator to liquidate the plan assets. The Régie must send the administrator an acknowledgement of receipt showing the date notice was received.

83. The plan administrator must liquidate the plan assets on the one hundred and twentieth day after receiving notice of the Régie's decision to liquidate the assets or to authorize the plan administrator to liquidate them.

84. The plan administrator, within 30 days after receiving the Régie's decision to liquidate the plan assets or to authorize the plan administrator to liquidate them, must notify the members and employers of the date on which the assets will be liquidated. The plan administrator must also transmit to the Régie, within that 30-day period, a copy of the notice transmitted to the members and a copy of the notice transmitted to the employers.

The notice required under the first paragraph must also contain

(1) in the case of a member for whom an employer is subscribed to a voluntary retirement savings plan on the date the notice required under the first paragraph is sent:

(a) the value of the sums accrued in the member's not locked-in and locked-in accounts on the date the notice required under the first paragraph is sent; and

(b) a note that the sums accrued in each of the accounts will be transferred to the voluntary retirement savings plan chosen by the employer or, if the employer fails to choose a plan at least 30 days before the date set for the liquidation of the plan assets, to the voluntary retirement savings plan chosen by the administrator;

(2) in the case of a member for whom no employer is subscribed to a voluntary retirement savings plan on the date the notice required under the first paragraph is sent:

(a) the value of the sums accrued in the member's accounts on the date the notice required under the first paragraph is sent;

(b) the options available to the member for the payment of his or her benefits under each of his or her accounts from among those determined by regulation; and

(c) a note that the member, at least 30 days before the date set for the liquidation of the plan assets, may request the administrator to pay the benefits in the manner the member specifies, failing which the sums accrued in the members' accounts will be transferred to the voluntary retirement savings plan chosen by the administrator;

(3) in the case of an employer who is subscribed to a voluntary retirement savings plan on the date the notice provided for in the first paragraph is sent:

(a) the value of the plan assets that corresponds to the aggregate of the accounts of that employer's employees on the date the notice required under the first paragraph is sent; and

(b) a note that the employer, at least 30 days before the date set for the liquidation of the plan assets, may request that the assets be transferred to a voluntary retirement savings plan chosen by the employer and that, if the employer fails to choose a plan within the time limit set, the assets will be transferred to the voluntary retirement savings plan chosen by the administrator; and

(4) any other information determined by regulation.

The administrator must, within 30 days following the member's or the employer's request submitted in accordance with subparagraph *c* of subparagraph 2 or subparagraph *b* of subparagraph 3, pay the benefits accrued to a member according to the option he or she has chosen or transfer the benefits accrued to the plan specified by the employer.

85. The plan administrator may obtain an extension from the Régie to liquidate the plan assets if the Régie is satisfied that it was impossible for the administrator to act within the time limit set in section 83, or if it is of the opinion that an extension is likely to serve the interests of the members.

86. The contributions an employer is required to remit to the plan under section 59 must be paid into the plan until the date the assets are transferred to the plan chosen by the employer, or if there is no such plan, to the plan the administrator will have chosen.

87. During the liquidation of the plan assets, the Régie may order the application, within the time and on the conditions it sets, of any remedial measure it specifies. The order interrupts the liquidation of the assets until such time as the Régie has certified to the person or body having received the order that the order has been complied with.

88. The plan administrator may continue to remit variable payments to the person entitled to them as they become due, until the date the person's benefits are paid in full.

The accounts of a person who receives variable payments must be reduced by the amount of the payments made until the date the person's benefits are paid in full.

89. In the case of the liquidation of the plan assets, the plan administrator pays all costs arising from the refund and transfer of the assets.

If the plan administrator is insolvent, these costs are paid out of the plan assets.

90. The plan is terminated when all the assets are liquidated.

91. After liquidating the plan assets, the plan administrator, within the following 60 days, must give the members of the plan and the employers who have not made the choice provided for in the second paragraph of section 84 the new administrator's contact information, and render an account to the Régie of the liquidation of the assets by filing

(1) a document signed by a person in authority attesting that the liquidated assets are those to which the members affected by the termination of the plan were entitled and that they were disposed of in keeping with the law;

(2) a wind-up report consisting of the annual statement and the financial report required under the first and second paragraphs of section 24; the wind-up report must cover the period between 1 January of the current year and the date of liquidation of the plan assets; and

(3) any other information determined by regulation.

92. Any amount due to a member who is untraceable and who is affected by the termination of the plan must, within the time set in section 83, be transferred to the Minister of Revenue. The transfer must be accompanied by a statement setting out the amount due and, where applicable, the name and last known address of the member.

The Unclaimed Property Act (chapter B-5.1) applies to the amount transferred to the Minister of Revenue.

93. The Régie revokes the registration of a terminated plan 60 days after the plan administrator renders an account to the Régie of the liquidation of the plan assets.

The Régie must notify the Autorité des marchés financiers without delay that the registration of the plan has been revoked.

94. For the purposes of this chapter, the administrator may be an administrator acting under section 104.

CHAPTER VIII

OBLIGATION TO INFORM

95. In addition to the other obligations to provide information under this Act, the administrator of a voluntary retirement savings plan must

(1) provide each member, within 45 days following the end of each fiscal year of the plan and in the manner determined by regulation, with a statement containing the information determined by regulation;

(2) provide the member concerned, within 30 days following receipt of the notice of termination of employment of the member, with a statement containing the information determined by regulation; and

(3) provide the spouse of a deceased member or his or her successors, within 30 days following the date the administrator receives notice of the member's death, with a statement containing the information determined by regulation.

CHAPTER IX

FUNCTIONS AND POWERS OF THE RÉGIE

96. In addition to the other functions conferred on it by this Act, the Régie must oversee voluntary retirement savings plans. To that end, it must ensure that they are administered and operated in conformity with this Act.

97. To exercise its functions, the Régie may, in addition to the other powers conferred on it by this Act and the Act respecting the Québec Pension Plan,

(1) provide information in the form of general or specific instructions regarding the administration of this Act;

(2) carry out inspections regarding the plans;

(3) prepare, or cause to be prepared, at the expense of the person who is required to furnish it, any document provided for in this Act or required by the Régie but not furnished in accordance with this Act or the requirements of the Régie;

(4) require from a plan administrator or an employer, on the conditions and within the time set by the Régie, any document or information it considers necessary for the purposes of this Act; and

(5) require from a plan administrator the payment of the costs established by regulation and related to an inspection or an inquiry regarding a plan.

98. The Régie may make an order directing a plan administrator or an employer to take any remedial measure determined by the Régie within the time and on the conditions set in the order, if it is of the opinion that

(1) the action taken by the administrator or the employer is contrary to sound financial practices;

(2) the financial report prepared under the second paragraph of section 24 does not comply with generally accepted accounting principles;

(3) the plan or its administration is not in conformity with this Act, particularly with the goal of a low-cost plan; or

(4) the contents of a document provided for in this Act or required by the Régie are not in conformity with the requirements of this Act or the Régie.

99. No document relating to a matter covered by this Act is binding on the Régie or may be attributed to it unless it is signed by the chair of its board of directors, the president and chief executive officer of the Régie or a member of its board of directors or personnel but, in the latter case, only to the extent provided in the instrument under which powers are delegated to that member or in the internal by-laws of the Régie.

100. For the purposes of an inspection regarding a plan, an inspector appointed by the Régie may, at any reasonable time, enter any premises where the plan administrator or the employer keeps a document relating to the plan, examine the document, and take an extract from it or make a copy of it.

Whoever has custody, possession or control of the document must, on request, make it available to the inspector and facilitate examination of it.

On request, the inspector must produce identification and a certificate of authority issued by the Régie.

101. The Régie must periodically post a bulletin on its website containing the general instructions it provides under paragraph 1 of section 97 and any other information determined by regulation.

102. The Régie may apply by motion to a judge of the Superior Court to obtain an injunction in respect of any matter covered by this Act.

The motion for an injunction constitutes in itself an action.

The procedure prescribed in the Code of Civil Procedure applies, except that the Régie cannot be required to give security.

103. The Régie may, of its own initiative and without notice, intervene in any civil action or arbitration proceedings pertaining to this Act to participate in the proof and hearing.

104. The Régie may assume, for the period it determines, the provisional administration of all or part of a plan or entrust it to the person or body it designates, in the following cases:

(1) when the Régie or the investigator it has designated is making an inquiry into the plan's conformity with the law or into its administration;

(2) when, in the opinion of the Régie, the plan or the administration of the plan is not in conformity with this Act;

(3) when, in the opinion of the Régie, the plan administrator has committed a malversation, a breach of trust or other form of misconduct;

(4) when the Régie becomes aware that the plan administrator has failed to comply with an order issued by the Régie;

(5) when the plan administrator's authorization is suspended, revoked or cancelled by the Autorité des marchés financiers.

Sections 184 to 186, the first paragraph of section 188 and the second paragraph of section 192 of the Supplemental Pension Plans Act (chapter R-15.1) apply to this Act, with the necessary modifications, where the Régie requires the appointment of a provisional administrator.

105. The Régie determines the remuneration and any allowances and indemnities to be paid to the designated provisional administrator.

106. The expenses relating to the provisional administration of a plan are borne by the plan administrator or, if the plan administrator is insolvent, they are taken out of the plan assets.

CHAPTER X**FUNCTIONS AND POWERS OF THE AUTORITÉ DES MARCHÉS FINANCIERS**

107. The functions and powers conferred on the Autorité des marchés financiers under the Acts it administers in compliance with section 7 of the Act respecting the Autorité des marchés financiers (chapter A-33.2), with respect to insurers, trust companies and investment fund managers, apply to administrators who have obtained authorization under this Act, with the necessary modifications.

Furthermore, sections 329 to 336 of the Act respecting trust companies and savings companies apply to any administrator referred to in subparagraph 1 of the second paragraph of section 14.

108. The Autorité des marchés financiers may prescribe the forms required for the purpose of exercising its functions and powers under this Act.

109. The Autorité des marchés financiers is responsible for the administration of sections 14, 28 to 44, 107, 108, 114, 115, subparagraph 6 of the first paragraph of section 117 in respect of information provided to the Autorité des marchés financiers, subparagraph 8 of the first paragraph of that section and sections 122, 139 and 143.

CHAPTER XI**FUNCTIONS AND POWERS OF THE COMMISSION DES NORMES DU TRAVAIL**

110. The Commission des normes du travail supervises compliance with the obligations set out in the second paragraph of section 45, section 47 when the second paragraph of section 45 applies and section 48.

111. Sections 103 to 110 of the Act respecting labour standards apply to the inquiries the Commission may carry out for the purposes of the sections mentioned in section 110, with the necessary modifications.

CHAPTER XII**PROCEEDINGS**

112. A person concerned may contest a decision or order of the Régie before the Administrative Tribunal of Québec within 30 days of notification of the decision or order.

CHAPTER XIII**REGULATIONS**

113. The Government may, by regulation,

- (1) for the purposes of section 3, determine
 - (a) the manner of registering a voluntary retirement savings plan and its amendments;
 - (b) the documents and information the administrator must file with the Régie; and
 - (c) the fees the administrator must deposit with the Régie;
- (2) for the purposes of section 4, determine the information that must be included in the text of the plan;
- (3) for the purposes of section 8, determine the cases in which a plan and its amendments may become effective on a date before the date on which they are registered;
- (4) for the purposes of section 17, prescribe the information that must be included in a contract between the plan administrator and the employer or a member, as the case may be;
- (5) for the purposes of section 19, determine the information that may be contained in the summary the plan administrator transmits to each member whose employer is subscribed to a plan;
- (6) for the purposes of section 21, determine the grounds on which an administrator may refuse the application of an employer or an individual to subscribe to the plan;
- (7) for the purposes of section 23, determine the cases where a plan administrator may give, offer or agree to give or offer an employer an inducement to enter into a contract with the administrator in respect of a voluntary retirement savings plan, the conditions that apply and the type of inducement, if any;
- (8) for the purposes of section 24, prescribe the fees to be paid with the annual statement as well as the information to be presented in the statement of changes in the net assets available for the provision of benefits;
- (9) for the purposes of section 25, determine the criteria to be met by the default investment option as well as the conditions subject to which other investment options may be offered to a member by the plan administrator as a possible investment choice, and the other criteria to be met in determining the investment strategy of these other investment options;

(10) for the purposes of section 26, determine the circumstances in which the plan administrator may change a member's investment choices and how such a change is made;

(11) for the purposes of section 27, establish the criteria for determining if the plan is low cost, as well as the nature or amount of the fees that may be deducted from the return on assets and of the fees that a plan administrator may charge members;

(12) for the purposes of section 46, determine the information that the agreement must contain;

(13) for the purposes of section 47, determine the personal information concerning the employees with which the employer will provide the administrator and any other information that may be contained in the notice the employer sends the employees;

(14) for the purposes of section 50, prescribe the conditions for the payment of the costs related to the transfer of the employee accounts and for the transfer itself;

(15) for the purposes of section 54, provide the cases in which an employer may demand, accept or agree to accept an inducement from a plan administrator, or offer or agree to offer a plan administrator an inducement, with a view to entering into a contract with the administrator in respect of a voluntary retirement savings plan, the conditions that apply and the type of inducement, if any;

(16) for the purposes of section 55, set the default contribution rate;

(17) for the purposes of section 56, determine the conditions under which a member may set a contribution rate at 0%;

(18) for the purposes of section 60, determine the rate at which and the manner in which the contributions bear interest;

(19) for the purposes of section 65, determine the other amounts credited to the member's locked-in and not locked-in accounts;

(20) for the purposes of sections 67, 69, 72, 78 and 125, determine the pension plans to which the amounts from the locked-in and not locked-in accounts, as the case may be, may be transferred;

(21) for the purposes of section 68, set the conditions and a percentage other than 20%;

(22) for the purposes of section 70, regulate variable payments;

(23) for the purposes of section 73, determine the details of the benefit payable on the death of a member who was receiving variable payments;

(24) for the purposes of section 76, determine

(a) the other information contained in the statement the member and his or her spouse may apply for upon the introduction of an application for separation from bed and board, divorce, annulment of marriage, dissolution or annulment of a civil union or payment of a compensatory allowance;

(b) the rules according to which the benefits accumulated by the member and their value are established; and

(c) the information contained in the statement the member and his or her spouse are entitled to receive for the purposes of a pre-hearing mediation;

(25) for the purposes of section 77, prescribe the manner in which the member's benefits are partitioned;

(26) for the purposes of section 78, determine

(a) the rules governing the partition of the member's benefits from both the locked-in and the not locked-in accounts;

(b) the conditions in which the spouse may apply for a refund; and

(c) the manner in which the benefits awarded to the spouse following a seizure for non-payment of support must be paid;

(27) for the purposes of section 79, set the limit for the costs and expenses that may be claimed;

(28) for the purposes of section 84, determine the member's options for the payment of his or her benefits and the other information the notice may contain;

(29) for the purposes of section 91, determine the information a plan administrator must file with the Régie after liquidating the plan assets;

(30) for the purposes of section 95, determine the manner in which a plan administrator must provide members with statements, as well as the information the statements must contain;

(31) for the purposes of section 97, establish the costs related to an inspection or an inquiry that a plan administrator may charge;

(32) for the purposes of section 101, determine the information the Régie may post on its website; and

(33) prescribe any other measure required for the application of this Act.

114. The Autorité des marchés financiers may, by regulation,

(1) for the purposes of section 28, determine

(a) the fees that must accompany the application for authorization to act as administrator of a voluntary retirement savings plan;

(b) the amounts referred to in subparagraph 2 of the second paragraph of that section;

(c) the requirements for the liability insurance a plan administrator must hold; and

(d) the other documents that must accompany the application for authorization to act as administrator; and

(2) for the purposes of section 31, determine the requirements for the maintenance by a plan administrator of its liability insurance.

115. A regulation of the Autorité des marchés financiers under subparagraphs *b* to *d* of paragraph 1 or paragraph 2 of section 114 must be submitted for approval to the Minister of Finance and the Economy, who may approve it with or without amendment.

However, a regulation of the Autorité des marchés financiers under subparagraph *a* of paragraph 1 of section 114 must be submitted for approval to the Government, which may approve it with or without amendment.

A draft of a regulation referred to in the first paragraph may not be submitted for approval and the regulation may not be made before 30 days have elapsed since the publication of the draft in the bulletin of the Autorité des marchés financiers. The regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the regulation. Sections 4 to 8, 11 and 17 to 19 of the Regulations Act (chapter R-18.1) do not apply to the regulation.

The Minister may make a regulation referred to in the first paragraph if the Autorité des marchés financiers fails to make such a regulation within the time determined by the Minister.

The Government may make a regulation referred to in the second paragraph if the Autorité des marchés financiers fails to make such a regulation within the time determined by the Government.

CHAPTER XIV

PENAL PROVISIONS

116. The following are guilty of an offence and liable to a fine of \$1,000 to \$75,000:

(1) a plan administrator that contravenes section 19, 21, 22, 23 or 24, the first paragraph of section 25, section 26, 61, 63, 64 or 66, the second paragraph of section 67 or 68, the third paragraph of section 69 or section 82, 83, 84, 89, 91 or 95;

(2) a plan administrator that neglects or refuses to provide a notice or statement provided for under this Act;

(3) a plan administrator that neglects or refuses to file with the Autorité des marchés financiers or the Régie a statement or report required under this Act; and

(4) a person, other than a plan administrator, who hinders or attempts to hinder a person acting as required or authorized by this Act.

In the case of a subsequent conviction, the fines prescribed in the first paragraph are doubled.

117. The following are guilty of an offence and liable to a minimum fine of \$5,000 and a maximum fine of \$75,000 in the case of a natural person and \$200,000 in other cases:

(1) a plan administrator that contravenes an order made under this Act;

(2) a plan administrator that contravenes section 27;

(3) a person who, with the intention of avoiding the application of this Act, destroys, alters, falsifies, secretes or otherwise disposes of a record or a written or other document;

(4) a person who acts as a plan administrator or suggests they are one without holding the authorization required under section 14;

(5) a person who offers a voluntary retirement savings plan that is not registered in compliance with this Act;

(6) a person who in any manner makes a misrepresentation to the Autorité des marchés financiers or the Régie, in the course of activities governed by this Act;

(7) a plan administrator that hinders or attempts to hinder a person acting as required or authorized by this Act; and

(8) a person who contravenes section 44.

In the case of a subsequent conviction, the fines prescribed in this section are doubled.

118. An employer who fails to remit contributions as required under section 59 or fails to comply with the obligations described in the second paragraph of section 45 is guilty of an offence and liable to a fine of \$500 to \$10,000.

In the case of a subsequent conviction, the fines prescribed in the first paragraph are doubled.

119. An employer is guilty of an offence and liable to a fine of \$600 to \$1,200 if the employer

(1) contravenes section 47, 48, 49, 50, 52, 53 or 54, the second paragraph of section 57 or section 58, 60 or 86; or

(2) contravenes an order made under this Act.

In the case of a subsequent conviction, the fines prescribed in the first paragraph are doubled.

120. A member who has engaged in misrepresentation for the purpose of obtaining the refund of the funds in his or her locked-in account is guilty of an offence and liable to a fine of \$250 to \$500.

In the case of a subsequent conviction, the amounts prescribed in the first paragraph are doubled.

121. A person who, by an act or omission, assists or, by encouragement, advice or consent or by an authorization or an order, induces another person to commit an offence under section 116 or 117 is guilty of the same offence.

122. Penal proceedings may be instituted by the Autorité des marchés financiers for an offence under subparagraph 6 of the first paragraph of section 117 in connection with a misrepresentation made to the Autorité des marchés financiers or for an offence described in subparagraph 8 of the first paragraph of that section.

The fine imposed by the court is remitted to the Autorité des marchés financiers if it has taken charge of the prosecution.

123. Penal proceedings for an offence under this Act are prescribed three years after the date the prosecutor is made aware of the commission of the offence. However, no proceedings may be instituted if more than five years have elapsed since the date of the offence.

CHAPTER XV**MISCELLANEOUS PROVISIONS**

124. The fiscal year of a voluntary retirement savings plan ends on 31 December each year. The fiscal year may not exceed 12 months without the authorization of the Régie.

125. Unless otherwise provided by law, the following amounts, contributions and benefits are unassignable and unseizable:

(1) all contributions remitted or to be remitted to the plan, with accrued interest;

(2) all amounts refunded or benefits paid under this Act; and

(3) all amounts awarded to the spouse of a member following a transfer of benefits effected under Chapter VI, with accrued interest, and the benefits deriving from such amounts.

Except as far as they derive from members' not locked-in accounts, any of those amounts transferred to a pension plan determined by regulation, the accrued interest, and any refunds of such amounts are also unassignable and unseizable.

126. The funds in members' accounts may be pooled by the plan administrator for the purpose of investing the plan assets.

127. The Régie and the Autorité des marchés financiers may, in accordance with the law, enter into an agreement with a government in Canada other than the Gouvernement du Québec or with a department or body of that government in order to authorize

(1) a supervisory authority under a legislative authority other than the Parliament of Québec to exercise any of the powers conferred by this Act on the Régie or the Autorité des marchés financiers; or

(2) the Régie and the Autorité des marchés financiers to exercise any of the powers of such an authority.

Such agreements may, in particular,

(1) determine to what extent and on what conditions a voluntary retirement savings plan is subject to this Act and the legislation of a legislative authority other than the Parliament of Québec that is party to the agreement; and

(2) establish requirements concerning a voluntary retirement savings plan, a plan administrator or an employer, in addition to the other requirements imposed by this Act and the legislation of a legislative authority other than the Parliament of Québec that is party to the agreement.

An agreement must be published in the *Gazette officielle du Québec*. On the expiry of at least 45 days after the publication, it is submitted to the Government for approval, with or without amendment. The agreement comes into force after approval, on the date it is published again in the *Gazette officielle du Québec* or on any later dates stated in the agreement.

The provisions of the agreement have force of law for the period during which it remains in force.

CHAPTER XVI

AMENDING PROVISIONS

CIVIL CODE OF QUÉBEC

128. Article 415 of the Civil Code of Québec is amended by replacing the fifth point in the list in the fifth paragraph by:

“— a plan governed by the Supplemental Pension Plans Act (chapter R-15.1) or by the Voluntary Retirement Savings Plans Act (2013, chapter 26) or that would be governed by one of those Acts if one of them applied where the spouse works;”.

ACT RESPECTING THE AUTORITÉ DES MARCHÉS FINANCIERS

129. Section 19.1 of the Act respecting the Autorité des marchés financiers (chapter A-33.2) is amended by inserting “12 of this Act, section” after “under section” in subparagraph 4 of the first paragraph.

130. Schedule 1 to the Act is amended by adding the following at the end:

“SECTIONS 14, 28 TO 44, 107 TO 109, 114, 115, SUBPARAGRAPH 6 OF THE FIRST PARAGRAPH OF SECTION 117 IN RESPECT OF INFORMATION PROVIDED TO THE AUTORITÉ DES MARCHÉS FINANCIERS, SUBPARAGRAPH 8 OF THE FIRST PARAGRAPH OF THAT SECTION AND SECTIONS 122, 139 AND 143 OF THE VOLUNTARY RETIREMENT SAVINGS PLANS ACT (2013, chapter 26)”.

CODE OF CIVIL PROCEDURE

131. Article 553 of the Code of Civil Procedure (chapter C-25) is amended by inserting “or under a voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act (2013, chapter 26)” after “on behalf of his employees” in subparagraph 7 of the first paragraph.

ACT RESPECTING ADMINISTRATIVE JUSTICE

132. Schedule IV to the Act respecting administrative justice (chapter J-3) is amended by inserting the following paragraph after paragraph 20.2:

“(20.2.1) section 112 of the Voluntary Retirement Savings Plans Act (2013, chapter 26);”.

ACT RESPECTING LABOUR STANDARDS

133. Section 5 of the Act respecting labour standards (chapter N-1.1) is amended by adding the following paragraph at the end:

“The Commission shall also supervise compliance with the obligations described in the second paragraph of section 45, section 47 when the second paragraph of section 45 applies and section 48 of the Voluntary Retirement Savings Plans Act (2013, chapter 26).”

134. Section 122 of the Act is amended by adding the following subparagraphs after subparagraph 7 of the first paragraph:

“(8) on the ground that such employee has exercised a right arising from the Voluntary Retirement Savings Plans Act (2013, chapter 26); or

“(9) for the purpose of evading the application of the Voluntary Retirement Savings Plans Act.”

SUPPLEMENTAL PENSION PLANS ACT

135. Section 2 of the Supplemental Pension Plans Act (chapter R-15.1) is amended by inserting the following subparagraph after subparagraph 5 of the first paragraph:

“(6) a voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act (2013, chapter 26).”

REGULATION UNDER THE ACT RESPECTING INSURANCE

136. The Regulation under the Act respecting insurance (chapter A-32, r. 1) is amended by inserting the following section after section 60:

60.1. A specified group of persons may be composed of members of a voluntary retirement savings plan registered in accordance with the Voluntary Retirement Savings Plans Act (2013, chapter 26), provided those members do not constitute a group under section 60.

The same applies to members of a pooled registered pension plan within the meaning of the Pooled Registered Pension Plans Act (Statutes of Canada, 2012, chapter 16).”

137. Section 61 of the regulation is amended by adding the following paragraph at the end:

“The first paragraph does not apply to the policyholder if the contract is a voluntary retirement savings plan registered in accordance with the Voluntary Retirement Savings Plans Act (2013, chapter 26) or a pooled registered pension plan within the meaning of the Pooled Registered Pension Plans Act (Statutes of Canada, 2012, chapter 16).”

CHAPTER XVII

TRANSITIONAL AND FINAL PROVISIONS

138. Despite the first paragraph of section 124, the first fiscal year of a plan that comes into force before 1 January 2015 ends on 31 December 2015.

139. Despite the second paragraph of section 42, until 1 January 2016 or until any later date determined by the Minister of Finance and the Economy, an insurer may provide a voluntary retirement savings plan to an employer through a group insurance representative only authorized to provide group insurance plans within the meaning of the Act respecting the distribution of financial products and services (chapter D-9.2) or through a representative in insurance of persons within the meaning of section 3 of that Act.

The first paragraph does not apply when a voluntary retirement savings plan is provided to an employer as a substitute for the voluntary retirement savings plan to which the employer is already subscribed.

140. Despite the second paragraph of section 45, an employer must subscribe to a voluntary retirement savings plan and automatically enroll eligible employees in the plan

(1) on or before 31 December 2016, if the employer has 20 eligible employees or more on 30 June 2016;

(2) on or before 31 December 2017, if the employer has from 10 to 19 eligible employees on 30 June 2017; and

(3) by a date set by the Government that may not be prior to 1 January 2018, if the employer has from five to nine eligible employees.

141. The third paragraph of section 48 is to be read as if both occurrences of “five” were replaced by “20” from 1 July 2016 to 30 June 2017 and by “10” from 1 July 2017 until the day before the date set by the Government under paragraph 3 of section 140.

142. Despite section 12, from a date set by the Government that may not be prior to 1 January 2018, an administrator may offer more than one voluntary retirement savings plan.

143. The first regulation made by the Autorité des marchés financiers under subparagraph *a* of paragraph 1 of section 114 may come into force on the date

of its publication in the *Gazette officielle du Québec* or on any later date specified in it. Sections 4 to 8, 11 and 17 to 19 of the Regulations Act (chapter R-18.1) do not apply to that regulation.

The first regulation made by the Autorité des marchés financiers under subparagraphs *b* to *d* of paragraph 1 or paragraph 2 of section 114 may come into force despite not being published in the bulletin of the Autorité des marchés financiers.

144. For the purposes of section 37 of the Act respecting the Québec Pension Plan (chapter R-9), the Minister of Employment and Social Solidarity requires that, for the initial 10 years after the date of coming into force of this Act, the report of activities of the Régie des rentes du Québec contain a statement of the total amount of refunds made by administrators in respect of not locked-in accounts of members under the age of 55.

145. The Minister of Employment and Social Solidarity is responsible for the administration of this Act, except sections 14, 28 to 44, 107 to 109, 114, 115, subparagraph 6 of the first paragraph of section 117 in respect of information provided to the Autorité des marchés financiers, subparagraph 8 of the first paragraph of that section and sections 122, 139 and 143, which are under the responsibility of the Minister of Finance and the Economy, and the second paragraph of section 45, section 47 when the second paragraph of section 45 applies and sections 48, 110 and 111, which are under the responsibility of the Minister of Labour.

146. This Act comes into force on 1 July 2014, except sections 14, 28, 29, 31, 39 to 41, Chapter X and sections 114, 115 and 143, which may come into force on any earlier date set by the Government.

2013, chapter 27

AN ACT TO AMEND THE CIVIL CODE AS REGARDS CIVIL STATUS, SUCCESSIONS AND THE PUBLICATION OF RIGHTS

Bill 35

Introduced by Mr. Bertrand St-Arnaud, Minister of Justice

Introduced 17 April 2013

Passed in principle 28 May 2013

Passed 6 December 2013

Assented to 6 December 2013

Coming into force : 6 December 2013, except sections 1 to 5, 29 and 30, which come into force on the date or dates to be set by the Government

Legislation amended :

Civil Code of Québec

Act respecting the implementation of the reform of the Civil Code (1992, chapter 57)

Act to amend the Civil Code and other legislative provisions relating to land registration (2000, chapter 42)

Explanatory notes

This Act amends the Civil Code of Québec to make a number of modifications concerning civil status, successions and the publication of rights.

In civil status matters, the registrar of civil status is given the power, subject to certain conditions, to draw up the act of death of a missing person after the court has found someone guilty of acts causing the person's death or the disappearance of the person's body. The act drawn up has the same value as a declaratory judgment of death. The registrar is also given the power, again subject to certain conditions, to change the designation of sex that appears on the act of birth of a person who was born in Québec but is domiciled outside Québec, when it is impossible to make such a change in the country where the person is domiciled. It will now be possible to send declarations or documents attesting events relating to civil status electronically, and declarations of birth or death will no longer need to be signed by a witness. In addition, when it is clear that a change is requested in connection with a change of the person's sexual identity, the registrar is from now on dispensed from ascertaining that notices of the application for a change of given name or of the application for a change of the designation of sex on the act of birth have been published, and dispensed from publishing a notice when authorizing any such change. The registrar is also dispensed from such obligations when a change of a name concerns a child under six months of age. As well, a person whose sexual identity does not correspond to the designation of sex that appears in their act of birth may, on meeting certain conditions, have the designation changed without having to undergo medical treatment or surgery.

(Cont'd on next page)

Explanatory notes (Cont'd)

In succession matters, the rules relating to notarial wills and wills made in the presence of witnesses are amended so that a deaf person who is unable to speak, read or write may make either type of will through a sign-language interpreter.

In publication of rights matters, it will no longer be necessary for notaries to sign twice when certifying notarized summaries or notices. No applications for registration purposes will be accepted in future unless a form, made available by the land registrar, is filled out beforehand. Furthermore, an application for registration in the land register made by presenting a notarial deed executed en brevet or an act in private writing resulting from the transfer of the information contained in the original deed or act to an information technology-based medium will only be accepted by the registrar if the signature of the notary or advocate who drew up the deed or act is affixed by means of a signature key pair and subject to certain conditions. The registrar will be authorized to cancel certain registrations on the registrar's own initiative. In addition, the Société d'habitation du Québec and La Financière agricole du Québec, without having to register, or renew the registration of, their address, are to be notified of certain events that could affect their rights for as long as the registration of hypothecs in their favour is maintained. Various changes are made to the rules that apply to the preservation of documents at registry offices.

Lastly, this Act contains technical and consequential amendments as well as transitional provisions.



Chapter 27

AN ACT TO AMEND THE CIVIL CODE AS REGARDS CIVIL STATUS, SUCCESSIONS AND THE PUBLICATION OF RIGHTS

[Assented to 6 December 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

1. Article 63 of the Civil Code of Québec is replaced by the following article:

“**63.** Before authorizing a change of name, the registrar of civil status shall ascertain that notices of the application have been published, except where

(1) a special exemption from publication has been granted by the Minister of Justice for reasons of general interest;

(2) in the case of an application concerning a given name, it is clear that the change requested relates to a modification of the person’s sexual identity; or

(3) the change requested concerns a child under 6 months of age.

In addition, the registrar may require the applicant to furnish any necessary additional explanation and information and shall give third persons who so request the opportunity to state their views.”

2. Article 67 of the Code is amended by replacing the second paragraph by the following paragraph:

“Notice of the change is published in the *Gazette officielle du Québec* except where

(1) a special exemption from publication has been granted by the Minister of Justice for reasons of general interest;

(2) in the case of an application concerning a given name, it is clear that the change requested relates to a modification of the person’s sexual identity; or

(3) the change requested concerns a child under 6 months of age.”

3. Article 71 of the Code is replaced by the following article:

“71. Every person whose sexual identity does not correspond to the designation of sex that appears in that person’s act of birth may, if the conditions prescribed by this Code and by government regulation have been met, have that designation and, if necessary, the person’s given names changed.

These changes may in no case be made dependent on the requirement to have undergone any medical treatment or surgical operation whatsoever.

Subject to article 3084.1, only a person of full age who has been domiciled in Québec for at least one year and is a Canadian citizen may obtain such changes.”

4. Article 72 of the Code is replaced by the following article:

“72. The application is made to the registrar of civil status; the documents prescribed by government regulation must also be provided.”

5. Article 73 of the Code is replaced by the following article:

“73. The application is subject to the same procedure as an application for a change of name, except as to publication requirements, and to the same duties. A change of designation of sex has, with the necessary modifications, the same effects as a change of name.”

6. Article 105 of the Code is replaced by the following article:

“105. The register of civil status is kept in duplicate.”

7. Article 106 of the Code is repealed.

8. Article 108 of the Code is amended by replacing “on the written copy of the register and is substituted for the original form of the name in the computerized copy of the register and on” in the second paragraph by “in the register and is substituted for the original form of the name on”.

9. Article 109 of the Code is amended by replacing “affixes a registration number to it” in the second paragraph by “assigns a registration number to it”.

10. Article 112 of the Code is amended by striking out “, together with the declaration of birth of the child, unless it cannot be transmitted immediately”.

11. Article 113 of the Code is amended by striking out “, before a witness, who signs it”.

12. Article 115 of the Code is amended

(1) by replacing “, of the mother, and of the witness” in the first paragraph by “and of the mother”;

(2) by striking out the second paragraph.

13. Article 116 of the Code is amended by replacing “shall attach a note to it” in the second paragraph by “shall also provide a note”.

14. Article 125 of the Code is amended by striking out the last sentence.

15. Article 126 of the Code is amended by striking out the second paragraph.

16. Article 129 of the Code is amended by replacing the last paragraph by the following paragraph:

“The registrar of civil status then makes the required entries in the register.”

17. The Code is amended by inserting the following article after article 133:

“133.1. Where a court has found a person guilty of acts having caused the death of a missing person or the disappearance of a deceased person’s body, any interested person may declare the death of the absentee to the registrar of civil status. A copy of the judgment of guilty, having become final, must be attached to the declaration of death.

The registrar draws up the act of death of the absentee. Where the date, time and place of death are unknown, the registrar fixes them on the basis of the particulars of the judgment and the presumptions that may be drawn from the circumstances.

The act drawn up by the registrar produces the same effects as a declaratory judgment of death.”

18. Article 134 of the Code is replaced by the following article:

“134. The registrar of civil status makes a notation of the act of marriage or civil union in the act of birth, and makes a notation of the act of death in the act of birth and the act of marriage or civil union.”

19. Article 135 of the Code is amended

(1) by replacing “in the computerized version of the acts” in the first and second paragraphs by “in the acts”;

(2) by replacing “in the computerized version of the act” in the third paragraph by “in the act”;

(3) by striking out “the computerized copy of” in the last paragraph.

20. Article 136 of the Code is amended by replacing “sur l’acte” in the first and second paragraphs in the French text by “à l’acte”.

21. Article 137 of the Code is amended by replacing “in the computerized copy of the register to ensure the publication of the register” in the second paragraph by “in the register”.

22. Article 142 of the Code is amended by striking out the last sentence.

23. Article 147 of the Code is amended by replacing “sur l’acte” in the French text by “à l’acte”.

24. Article 721 of the Code is amended

(1) by striking out “or a deaf-mute” in the first paragraph and by replacing “only deaf” in that paragraph by “able to do so”;

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

“In the will, the testator declares that he has read it in the presence of the notary and, where such is the case, the witness. If the testator is unable to speak, the declaration is read to him by the notary in the presence of the witness; if he is able to speak, it is read aloud by the testator himself, in the presence of the notary and the witness.”

25. The Code is amended by inserting the following article after article 722:

“722.1. A deaf person who, being unable to speak, read or write, cannot avail himself of the other provisions of this section may make a notarial will, provided he conveys his wishes to the notary through a sign-language interpreter.

The testator, in the presence of the notary and a witness, declares, through the same means, that the document translated to him by the interpreter is his will.

The interpreter is chosen by the testator from among interpreters qualified to exercise their functions before the courts and may in no case be the spouse of the testator or related to the testator in either the direct or the collateral line up to and including the third degree, or connected with the testator by marriage or a civil union.

The interpreter must first swear in writing, before the notary, the testator and the witness, to carry out his functions with impartiality and accuracy and not to disclose any information related to his mandate. The original of the oath is attached to the will.”

26. Article 729 of the Code is amended by replacing “may not make a will in the presence of witnesses, unless the will is read” in the first paragraph by “may make a will in the presence of witnesses, provided the will is read”.

27. The Code is amended by inserting the following article after article 730:

“730.1. A deaf person who, being unable to speak, read or write, cannot avail himself of the other provisions of this section may make a will in the presence of witnesses, provided he conveys his wishes to the drafter through a sign-language interpreter.

The testator, in the presence of the witnesses, declares, through the same means, that the document translated to him by the interpreter is his will. Where possible, the testator affixes his signature or a personal mark at the end of the will. Otherwise, the testator has a third party sign for him, in his presence and in accordance with his instructions. The witnesses then sign the will immediately in the presence of the testator.

The interpreter is chosen by the testator from among interpreters qualified to exercise their functions before the courts and may in no case be the spouse of the testator or be related to the testator in either the direct or the collateral line up to and including the third degree, or connected with the testator by marriage or a civil union.

The interpreter must first swear in writing, before the drafter, the testator and the witnesses, to carry out his functions with impartiality and accuracy and not to disclose any information related to his mandate. The original of the oath is attached to the will.”

28. Article 903 of the Code is amended

(1) by adding “and ensure the utility of the immovable” after “for as long as they remain there”;

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

“However, movables which, in the immovable, are used to operate an enterprise or to carry on activities remain movables.”

29. Article 2982 of the Code is amended by adding the following paragraph at the end:

“In all cases, before an application for registration and the accompanying documents may be presented, information concerning, among other things, the nature of the act or rights to be registered, the identity of the parties to the act or of the holder of the rights and, if applicable, the description of the immovables concerned must be entered on the form made available by the Land Registrar. If the application is presented in hard copy, it must be accompanied by the registration slip printed from that form.”

30. The Code is amended by inserting the following article after article 2982:

“2982.1. An application for registration in the land register made by presenting a notarial deed executed en brevet or an act in private writing resulting from the transfer of the information contained in the original deed or act to an information technology-based medium cannot be accepted by the registrar unless the signature of the notary or advocate who drew up the deed or act is affixed by means of a signature key pair in accordance with the Regulation respecting land registration (chapter CCQ, r. 6).

Documentation attesting that the notary or advocate made the transfer 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.”

31. Article 2992 of the Code is amended by adding the following paragraph at the end:

“If the summary is notarized, the mere signature of the notary is a sufficient certificate.”

32. Article 2999.1 of the Code is amended by adding the following sentence at the end of the last paragraph: “If the notice is notarized, the mere signature of the notary is sufficient verification.”

33. Article 3017 of the Code is amended by adding the following sentence at the end of the second paragraph: “It must also be sent to La Financière agricole du Québec and the Société d’habitation du Québec in the case of an immovable charged with hypothecs published in their favour.”

34. Article 3021 of the Code is amended by striking out subparagraph 6 of the first paragraph.

35. The Code is amended by inserting the following article after article 3021:

“3021.1. The Land Registrar is bound to keep, for archival purposes, in the registry offices or in any other place, all registers and documents in paper form, including those which were converted to electronic form pursuant to a ministerial order under the Act respecting registry offices (chapter B-9).”

36. Article 3066.1 of the Code is amended by adding the following sentence at the end of the first paragraph: “It may also be cancelled on the registrar’s own initiative if the registrar becomes aware that the undivided co-ownership has ended.”

37. The Code is amended by inserting the following article after article 3074:

“3074.1. In land registration matters, the registrar may, on his own initiative, cancel the registration of an address that no longer has effect because of the cancellation of the registration of a principal right.”

38. The Code is amended by inserting the following before subsection 1 of Section II of Chapter I of Title Two of Book Ten:

“§0.1. — *Change of designation of sex*

“3084.1. When a change of the designation of sex that appears on the act of birth of a person born in Québec but domiciled outside Québec proves impossible in the country where the person is domiciled, the registrar of civil status may, at the request of the person, change the designation and, if necessary, change the person’s given names in the act drawn up in Québec.

The application is subject to the conditions prescribed by the law of Québec, except those respecting domicile and nationality.”

ACT RESPECTING THE IMPLEMENTATION OF THE REFORM OF THE CIVIL CODE

39. Section 48 of the Act respecting the implementation of the reform of the Civil Code (1992, chapter 57) is repealed.

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

40. Section 245 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, chapter 42) is amended by adding the following paragraph at the end:

“This section does not prevent the Land Registrar from preserving these registers and documents in any other place the Registrar deems appropriate.”

TRANSITIONAL AND FINAL PROVISIONS

41. The provisions added to article 3017 of the Civil Code by section 33 apply only to a hypothec the constitution, acquisition or transmission of which was registered on or after the date on which the registry office established for the registration division in which the immovable concerned is situated became fully computerized with regard to land registration, as stated in the Schedule to this Act, or, in the case of the registration division of Montréal, after 31 August 1980 and, in the case of the registration division of Laval, after 31 July 1980.

42. The period of 30 years set in article 3022 of the Civil Code with regard to the validity of the registration of an address in the land register is deemed to begin on the registration of the address in the register, even if the registration was effected before 9 October 2001.

This section does not affect the validity of the registration of an address effected more than 27 years prior to 6 December 2013 and not cancelled at that date, provided the registration is renewed within three years of that date.

43. The first regulation made under sections 3 and 4 must be examined by the competent committee of the National Assembly before it is adopted by the Government.

44. This Act comes into force on 6 December 2013, except sections 1 to 5, 29 and 30, which come into force on the date or dates to be set by the Government.

SCHEDULE

(Section 41)

Dates on which registry offices became fully computerized with regard to land registration

Land Registration Division	Date	Reference in Gazette officielle du Québec
A		
ABITIBI	15 October 2002	2002, G.O. 1, 1166
ARGENTEUIL	1 December 2003	2003, G.O. 1, 1196
ARTHABASKA	4 August 2003	2003, G.O. 1, 842
B		
BEAUCE	26 May 2003	2003, G.O. 1, 507
BEAUHARNOIS	12 May 2003	2003, G.O. 1, 454
BELLECHASSE	28 January 2002	2002, G.O. 1, 10
BERTHIER	16 September 2002	2002, G.O. 1, 1058
BONAVENTURE I	18 August 2003	2003, G.O. 1, 879
BONAVENTURE II	20 October 2003	2003, G.O. 1, 1061
BROME	8 September 2003	2003, G.O. 1, 939
C		
CHAMBLY	22 April 2003	2003, G.O. 1, 387
CHAMPLAIN	3 September 2002	2002, G.O. 1, 996
CHARLEVOIX I	24 November 2003	2003, G.O. 1, 1184
CHARLEVOIX II	10 November 2003	2003, G.O. 1, 1135
CHÂTEAUGUAY	7 April 2003	2003, G.O. 1, 344
CHICOUTIMI	25 June 2002	2002, G.O. 1, 731
COATICOOK	18 February 2002	2002, G.O. 1, 91
COMPTON	25 February 2002	2002, G.O. 1, 91
D		
DEUX-MONTAGNES	24 March 2003	2003, G.O. 1, 320
DORCHESTER	4 February 2002	2002, G.O. 1, 91
DRUMMOND	23 June 2003	2003, G.O. 1, 573
F		
FRONTENAC	9 June 2003	2003, G.O. 1, 557
G		
GASPÉ	15 September 2003	2003, G.O. 1, 969
GATINEAU	3 June 2002	2002, G.O. 1, 663
H		
HULL	2 July 2002	2002, G.O. 1, 758
HUNTINGDON	16 June 2003	2003, G.O. 1, 557

I		
ÎLES-DE-LA-MADELEINE	3 November 2003	2003, G.O. 1, 1114
J		
JOLIETTE	21 October 2002	2002, G.O. 1, 1197
K		
KAMOURASKA	11 February 2002	2002, G.O. 1, 91
L		
L'ASSOMPTION	23 September 2002	2002, G.O. 1, 1086
L'ISLET	14 January 2002	2002, G.O. 1, 10
LA TUQUE	13 May 2002	2002, G.O. 1, 473
LABELLE	29 April 2002	2002, G.O. 1, 379
LAC-SAINT-JEAN-EST	22 July 2002	2002, G.O. 1, 840
LAC-SAINT-JEAN-OUEST	5 August 2002	2002, G.O. 1, 907
LA PRAIRIE	2 June 2003	2003, G.O. 1, 525
LÉVIS	15 April 2002	2002, G.O. 1, 379
LOTBINIÈRE	21 January 2002	2002, G.O. 1, 10
M		
MASKINONGÉ	9 September 2002	2002, G.O. 1, 1036
MATANE	22 April 2002	2002, G.O. 1, 379
MATAPÉDIA	27 May 2002	2002, G.O. 1, 473
MISSISQUOI	17 November 2003	2003, G.O. 1, 1158
MONTCALM	7 October 2002	2002, G.O. 1, 1137
MONTMAGNY	7 January 2002	2002, G.O. 1, 10
MONTMORENCY	10 February 2003	2003, G.O. 1, 133
N		
NICOLET	19 August 2002	2002, G.O. 1, 956
P		
PAPINEAU	12 August 2002	2002, G.O. 1, 927
PONTIAC	8 April 2002	2002, G.O. 1, 379
PORTNEUF	3 February 2003	2003, G.O. 1, 99
Q		
QUÉBEC	24 February 2003	2003, G.O. 1, 197
R		
RICHELIEU	11 March 2002	2002, G.O. 1, 212
RICHMOND	11 August 2003	2003, G.O. 1, 855
RIMOUSKI	25 March 2002	2002, G.O. 1, 212
ROUVILLE	10 June 2002	2002, G.O. 1, 702
ROUYN	22 September 2003	2003, G.O. 1, 984

S

SAGUENAY	14 October 2003	2003, G.O. 1, 1061
SAINT-HYACINTHE	9 October 2001	2001, G.O. 1, 1022
SAINT-JEAN	2 April 2002	2002, G.O. 1, 212
SEPT-ÎLES	27 October 2003	2003, G.O. 1, 1101
SHAWINIGAN	29 July 2002	2002, G.O. 1, 888
SHEFFORD	29 September 2003	2003, G.O. 1, 1003
SHERBROOKE	21 May 2002	2002, G.O. 1, 473
STANSTEAD	4 March 2002	2002, G.O. 1, 213
SAINTE-ANNE-DES-MONTS	25 August 2003	2003, G.O. 1, 894

T

TÉMISCAMINGUE	2 September 2003	2003, G.O. 1, 918
TÉMISCOUATA	17 June 2002	2002, G.O. 1, 702
TERREBONNE	30 June 2003	2003, G.O. 1, 590
THETFORD	28 July 2003	2003, G.O. 1, 808
TROIS-RIVIÈRES	15 July 2002	2002, G.O. 1, 816

V

VAUDREUIL	20 May 2003	2003, G.O. 1, 482
VERCHÈRES	14 April 2003	2003, G.O. 1, 373

2013, chapter 28

AN ACT RESPECTING THE MINISTÈRE DE L'ENSEIGNEMENT SUPÉRIEUR, DE LA RECHERCHE, DE LA SCIENCE ET DE LA TECHNOLOGIE

Bill 45

Introduced by Mr. Pierre Duchesne, Minister of Higher Education, Research,
Science and Technology

Introduced 15 May 2013

Passed in principle 4 June 2013

Passed 5 December 2013

Assented to 6 December 2013

Coming into force: 5 January 2014

Legislation amended:

Act respecting the accreditation and financing of students' associations (chapter A-3.01)
Financial Administration Act (chapter A-6.001)
Tax Administration Act (chapter A-6.002)
Individual and Family Assistance Act (chapter A-13.1.1)
Act respecting financial assistance for education expenses (chapter A-13.3)
Health Insurance Act (chapter A-29)
Act respecting the Centre de recherche industrielle du Québec (chapter C-8.1)
Charter of the French language (chapter C-11)
Professional Code (chapter C-26)
General and Vocational Colleges Act (chapter C-29)
Act respecting the Commission d'évaluation de l'enseignement collégial (chapter C-32.2)
Act respecting artistic, literary and scientific competitions (chapter C-51)
Act respecting the Conseil du statut de la femme (chapter C-59)
Act respecting the Conseil supérieur de l'éducation (chapter C-60)
Act respecting the Conservatoire de musique et d'art dramatique du Québec (chapter C-62.1)
Act respecting the development of Québec firms in the book industry (chapter D-8.1)
Act to promote workforce skills development and recognition (chapter D-8.3)
Act respecting private education (chapter E-9.1)
Pay Equity Act (chapter E-12.001)
Act respecting educational institutions at the university level (chapter E-14.1)
Executive Power Act (chapter E-18)
Act to secure handicapped persons in the exercise of their rights with a view to achieving social,
school and workplace integration (chapter E-20.1)
Act respecting university foundations (chapter F-3.2.0.1)
Act respecting the governance and management of the information resources of public bodies
and government enterprises (chapter G-1.03)
Court Bailiffs Act (chapter H-4.1)
Taxation Act (chapter I-3)

(Cont'd on next page)

Legislation amended : (Cont'd)

Act respecting the Institut de tourisme et d'hôtellerie du Québec (chapter I-13.02)
Act respecting Institut national de santé publique du Québec (chapter I-13.1.1)
Act respecting the Institut national des mines (chapter I-13.1.2)
Education Act (chapter I-13.3)
University Investments Act (chapter I-17)
Medical Act (chapter M-9)
Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (chapter M-14)
Act respecting the Ministère de l'Éducation, du Loisir et du Sport (chapter M-15)
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 du Développement économique, de l'Innovation et de l'Exportation (chapter M-30.01)
Government Departments Act (chapter M-34)
Act respecting labour standards (chapter N-1.1)
Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1)
Pharmacy Act (chapter P-10)
Police Act (chapter P-13.1)
Act respecting educational programming (chapter P-30.1)
Youth Protection Act (chapter P-34.1)
Act respecting the legal publicity of enterprises (chapter P-44.1)
Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)
Act respecting the Pension Plan of Management Personnel (chapter R-12.1)
Act respecting occupational health and safety (chapter S-2.1)
Fire Safety Act (chapter S-3.4)
Act respecting health services and social services (chapter S-4.2)
Act respecting health services and social services for Cree Native persons (chapter S-5)
Act respecting pre-hospital emergency services (chapter S-6.2)
Act respecting the Université du Québec (chapter U-1)

Regulations amended :

Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1)
Regulation respecting legal aid (chapter A-14, r. 2)
Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec (chapter A-29, r. 1)
Regulation respecting hearing devices and insured services (chapter A-29, r. 2)
Regulation respecting insured visual aids and related services (chapter A-29, r. 3)
Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act (chapter A-29, r. 4)
Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4)
Regulation respecting safety in public baths (chapter B-1.1, r. 11)
Regulation respecting the determination of child support payments (chapter C-25, r. 6)
Regulation respecting the tuition fees that a general and vocational college must charge (chapter C-29, r. 2)
Regulation respecting the standards, conditions and procedure for alienation of an immovable of a general and vocational college (chapter C-29, r. 3)
College Education Regulations (chapter C-29, r. 4)
Regulation respecting the signing of certain deeds, documents or writings of the Commission administrative des régimes de retraite et d'assurances (chapter C-32.1.2, r. 1)
Regulation respecting the application of the Real Estate Brokerage Act (chapter C-73.1, r. 1)
Regulation respecting the accreditation of training bodies, training instructors and training services (chapter D-8.3, r. 1)
Regulation respecting the application of the Act respecting private education (chapter E-9.1, r. 1)
Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry (chapter F-5, r. 1)
Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels (chapter F-5, r. 2)
Regulation respecting the terms and conditions for the issue of a permit by the Chambre des huissiers de justice du Québec (chapter H-4.1, r. 7)

(Cont'd on next page)

Regulations amended : (Cont'd)

Regulation respecting the selection of foreign nationals (chapter I-0.2, r. 4)
Regulation respecting the Taxation Act (chapter I-3, r. 1)
Regulation respecting certain professional activities which may be performed by a puéricultrice or a garde-bébé and by other persons (chapter I-8, r. 4)
Règlement sur l'exercice des pouvoirs et la régie interne de l'Institut de tourisme et d'hôtellerie du Québec (chapter I-13.02, r. 1)
Regulation respecting university investments (chapter I-17, r. 1)
Regulation respecting the application of the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (chapter L-0.2, r. 1)
Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care (chapter M-9, r. 2.1)
Regulation respecting the delegations of powers and duties of the Minister of Education, Recreation and Sports (chapter M-15, r. 1)
By-law to establish the Training Plan Regulation of the École nationale de police du Québec (chapter P-13.1, r. 4)
Artificial Insemination of Cattle Regulation (chapter P-42, r. 9)
Agricultural Operations Regulation (chapter Q-2, r. 26)
Regulation respecting the quality of drinking water (chapter Q-2, r. 40)
Regulation respecting the implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Kingdom of Belgium (chapter R-9, r. 11)
Regulation respecting the implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of Sweden (chapter R-9, r. 39)
Règlement sur les régimes complémentaires d'avantages sociaux dans l'industrie de la construction (chapter R-20, r. 10)
Regulation respecting the conditions governing the exercise of functions within a municipal fire safety service (chapter S-3.4, r. 1)
Regulation respecting the training required to obtain an agent licence to carry on private security activities (chapter S-3.5, r. 2)
Reduced Contribution Regulation (chapter S-4.1.1, r. 1)
Regulation respecting the conditions for the registration of an ambulance technician in the national workforce registry (chapter S-6.2, r. 1)
By-law respecting housing (chapter S-8, r. 7)
Regulation respecting the disposition of certain surplus or confiscated properties (chapter T-8.1, r. 2)
Regulation respecting certain conditions of employment of senior executives of general and vocational colleges made by a ministerial order dated 17 June 2005 and approved by the Conseil du trésor, T.B. 202573 dated 21 June 2005 (2005, G.O. 2, 2423)
Regulation respecting certain conditions of employment of senior staff of general and vocational colleges made by a ministerial order dated 17 June 2005 and approved by the Conseil du trésor, T.B. 202574 dated 21 June 2005 (2005, G.O. 2, 2449)

Explanatory notes

This Act establishes the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie.

The Minister of Higher Education, Research, Science and Technology is entrusted with the mission of supporting the development and promoting the quality of college education and university education in order to facilitate access to the highest forms of knowledge and culture for every person who has the will and the ability to pursue them. A further mission of the Minister is to contribute to the development of research, science, innovation and technology in a sustainable development perspective.

This Act confers on the Minister functions relating to higher education and to research, science, innovation and technology that are presently assigned by law to the Minister of Education, Recreation and Sports or to the Minister of Economic Development, Innovation and Export Trade. It amends the constituting statutes of their departments accordingly, and modifies many other laws and regulations in order to reflect the transfer of functions.

Lastly, this Act contains transitional provisions.



Chapter 28

AN ACT RESPECTING THE MINISTÈRE DE L'ENSEIGNEMENT SUPÉRIEUR, DE LA RECHERCHE, DE LA SCIENCE ET DE LA TECHNOLOGIE

[Assented to 6 December 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

RESPONSIBILITY OF THE MINISTER

1. The Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie is under the direction of the Minister of Higher Education, Research, Science and Technology, appointed under the Executive Power Act (chapter E-18).

2. The mission of the Minister is to support the development and promote the quality of college education and university education in order to facilitate access to the highest forms of knowledge and culture, including through skill and knowledge development, for every person who has the will and the ability to pursue them.

A further mission of the Minister is to contribute to the development of research, especially fundamental and applied research, and of science, innovation and technology, including in academic, industrial and social environments, in a sustainable development perspective, mainly by promoting access to knowledge, economic development, social progress and respect for the environment. To that end, the Minister promotes synergy among the various players concerned.

3. The Minister is to develop policy directions and policies in the areas within the Minister's jurisdiction and propose them to the Government. A national research and innovation policy is among the policies the Minister is to develop.

The Minister is to coordinate and follow up on the implementation of those policy directions and policies.

4. The functions of the Minister are, more particularly, to

(1) promote higher education, research, science, innovation and technology and, in those fields, foster cooperation between the various players and cohesive

government action and extend Québec's influence both within Canada and abroad;

(2) support and contribute to the development of those fields and to raising the level of scientific, cultural and professional achievement among the population of Québec;

(3) promote the development of higher education institutions and see to the quality of the services provided, in connection with the Minister's mission, by such institutions;

(4) promote the integrity, enhancement and quality of research activities;

(5) contribute to the effectiveness of government economic development initiatives through research-, science-, innovation- or technology-related measures;

(6) take coordinated action with the Minister of Education, Recreation and Sports to foster the continuity, development and integration of educational pathways;

(7) manage all financial assistance programs established by the Act respecting financial assistance for education expenses (chapter A-13.3);

(8) participate, with the ministers concerned and within the scope of Canadian intergovernmental affairs policy and international affairs policy, in devising and implementing external cooperation programs in sectors in which exchanges are conducive to the development of the fields within the Minister's jurisdiction; and

(9) advise the Government and government departments and bodies and make recommendations, where appropriate.

In addition, the Minister assumes any other responsibility conferred on the Minister by the Government.

5. In the pursuit of the Minister's mission, the Minister may, among other things,

(1) grant financial assistance out of the sums put at the Minister's disposal for that purpose, subject to the conditions determined by the Minister;

(2) obtain the necessary information from government departments and any public body to which the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) applies, and from any private body;

(3) enter into agreements, subject to the applicable legislative provisions, with a government other than that of Québec, with a department or body of such a government, or with an international organization or one of its agencies;

(4) conduct or commission research, studies and analyses; and

(5) provide any person, group or body with the services the Minister considers necessary.

6. A sharing of resources and services between the Minister and the Minister of Education, Recreation and Sports is to be encouraged whenever it can be instrumental in their pursuit of objectives associated with the continuity, development and integration of educational pathways or their fulfillment of efficiency and cost-benefit requirements in the management of human, financial, physical and information resources.

7. The Minister may delegate certain powers to the Deputy Minister, to a public servant or the holder of a position within the department or within another government department or a body whose personnel is appointed under the Public Service Act (chapter F-3.1.1), after consulting with the minister responsible for the department or the body's chief executive officer.

The Minister may, in writing, authorize the subdelegation of specified powers.

CHAPTER II

ORGANIZATION OF THE DEPARTMENT

8. The Government appoints a person as Deputy Minister of Higher Education, Research, Science and Technology, in accordance with the Public Service Act.

9. Under the direction of the Minister, the Deputy Minister administers the department.

The Deputy Minister also exercises any other function assigned by the Minister or the Government.

10. In exercising deputy-ministerial functions and powers, the Deputy Minister has the authority of the Minister.

11. The Deputy Minister may delegate any power assigned to the Deputy Minister to any public servant or holder of a position within the department. The Deputy Minister may likewise delegate any power to a person within another department or in a body described in section 7, after consulting with the minister responsible for the department or the body's chief executive officer.

The Deputy Minister may, in writing, authorize the subdelegation of specified powers.

12. The personnel of the department consists of the public servants needed to exercise the Minister's functions; they are appointed in accordance with the Public Service Act.

The Minister is to determine the duties of the public servants to the extent that they are not determined by law or by the Government.

13. The signature of the Minister or Deputy Minister gives authority to any document emanating from the department.

A deed, document or writing is binding on or may be attributed to the Minister only if it is signed by the Minister, the Deputy Minister, a personnel member of the department or the holder of a position and, in the last two cases, only so far as determined by the Minister.

14. The Minister may allow a required signature to be affixed by an automatic device or any other technology-based process, subject to the conditions the Minister determines.

15. A document or copy of a document emanating from the department or forming part of its records, signed or certified true by the Deputy Minister or any other authorized person, is authentic.

16. The Minister is to table a report on the activities of the department for each fiscal year in the National Assembly within 4 months of the end of the fiscal year or, if the Assembly is not sitting, within 15 days of resumption.

CHAPTER III

FUNDS

DIVISION I

UNIVERSITY EXCELLENCE AND PERFORMANCE FUND

17. A fund to be known as the University Excellence and Performance Fund is established within the department.

The purpose of the Fund is to finance the educational institutions at the university level listed in section 1 of the Act respecting educational institutions at the university level (chapter E-14.1).

More particularly, the Fund is dedicated to

(1) paying to each institution financial assistance determined annually according to the gifts and legacies paid into it, the growth of those gifts and legacies, and the number of students registered at the institution;

- (2) financing the institutions according to, for each one, first, their success in achieving objectives of paying off their accumulated deficits, and second, their success in improving the quality of teaching and student services; and
- (3) supporting excellence in research.

18. The following are credited to the Fund:

- (1) the sums transferred to the Fund by the Minister of Finance under section 54 of the Financial Administration Act (chapter A-6.001);
- (2) the sums transferred to the Fund by the Minister out of the appropriations allocated for that purpose by Parliament;
- (3) the gifts, legacies and other contributions paid into the Fund to further the achievement of its objects; and
- (4) the revenue generated by the sums credited to the Fund.

19. Despite section 53 of the Financial Administration Act, the Minister may not, as the person responsible for the Fund, borrow from the Minister of Finance sums credited to the Financing Fund established under the Act respecting the Ministère des Finances (chapter M-24.01).

20. The surpluses accumulated by the Fund are transferred to the general fund on the dates and to the extent determined by the Government.

DIVISION II

QUÉBEC RESEARCH FUND

§1.—Establishment and organization

21. The following bodies are hereby established:

- (1) the “Québec Research Fund–Nature and Technology”;
- (2) the “Québec Research Fund–Health”;
- (3) the “Québec Research Fund–Society and Culture”.

22. Each fund is a legal person.

23. Each fund is a mandatary of the State.

The property of each fund is part of the domain of the State but the performance of its obligations may be levied against its property.

Each fund binds only itself when it acts in its own name.

24. Each fund has its head office at the place determined by the Government. Notice of the location or of any transfer of the head office is published in the *Gazette officielle du Québec*.

25. Each fund is administered by a board of directors composed of an odd number of not more than 15 members, including the chief scientist and the scientific director, appointed by the Government.

The Government may appoint observers to each fund. The observers participate in the meetings of the fund but have no vote.

26. The Government chooses the chief scientist from among at least three persons approved by a committee following a selection process established by the Government. The committee is to be composed of at least three members appointed by the Government.

The selection process does not apply to a chief scientist whose term is renewed. However, within six months prior to the expiry of the chief scientist's term, each board of directors carries out a performance evaluation and sends it to the Minister, along with recommendations as to the advisability of renewing the chief scientist's term.

The Government determines the remuneration, employee benefits and other conditions of employment of the chief scientist. The office of chief scientist is a full-time position.

27. The Government appoints a scientific director to each fund, on the recommendation of that fund's board of directors. The scientific director ensures that the activities of the fund are properly run.

If the board of directors refuses or neglects to make the recommendation required under the first paragraph, the Government may appoint a scientific director after notifying the members of the board.

Within six months prior to the expiry of the scientific director's term, the board of directors includes with the recommendation provided for in the first paragraph an evaluation of the scientific director's performance.

The Government determines the remuneration, employee benefits and other conditions of employment of the scientific director. The office of scientific director is a full-time position.

28. The members of the board of directors designate a vice-chair from among their number.

29. The chief scientist is the chair of the board of directors of all three funds, and is responsible for calling meetings and ensuring that they run smoothly.

The chief scientist exercises the powers assigned by the by-laws of each fund and the functions assigned by the boards of directors.

If absent from a board meeting, the chief scientist is replaced by the vice-chair of the board.

30. The chief scientist and the scientific director are appointed for not over five years.

The other members are appointed for not over three years.

31. At the end of their terms, the members of the board of directors remain in office until they are replaced or reappointed.

The appointment of the chief scientist and the scientific director may be renewed more than once; the appointment of the other members may be renewed only once.

32. Every vacancy occurring during a term of office is filled in accordance with the mode of appointment prescribed in section 25, 26, 27 or 28, as applicable.

Absence from a number of meetings determined by the internal by-laws of each fund constitutes a vacancy.

33. The chief scientist advises the Minister on the development of research and science and, in accordance with the mandate assigned by the Minister, works to enhance Québec's position and influence in Canada and internationally.

The chief scientist coordinates efforts on issues that are common to the three funds, as well as intersectoral research activities.

The chief scientist is also responsible for administering the human, physical, financial and information resources of the three funds, and for consolidating and integrating the administrative activities of the funds.

34. The members of the boards of directors other than the chief scientist and the scientific directors are not remunerated except in the cases, on the conditions and to the extent that may be determined by the Government. However, they are entitled to a reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

35. In no case may the chief scientist or scientific directors, under pain of forfeiture of office, have any direct or indirect interest in an undertaking, body or association causing their personal interest to conflict with that of the fund. However, such forfeiture is not incurred if such an interest devolves to them by succession or gift, provided that they renounce or dispose of it with all possible dispatch.

Any other member of the board of directors who has any interest in such an undertaking, body or association must, under pain of forfeiture of office, disclose it in writing to the chief scientist and abstain from participating in any deliberation and any decision concerning that undertaking, body or association. Such a board member must also withdraw from a meeting for the duration of the deliberations and the vote on the issue.

This section does not prevent a board member from expressing an opinion on general measures relating to conditions of employment within the fund which would also apply to the board member.

36. Each fund may establish offices at places it determines and may hold its sittings anywhere in Québec.

The quorum at meetings of the board of directors is over one half of the members of the board of directors of the fund.

In case of a tie vote, the chief scientist has a casting vote.

37. Every decision signed by all the members of the board of directors has the same force as if it had been taken at a regular sitting.

38. The members of the personnel of a fund is appointed in accordance with the staffing plan established by by-law of the fund.

Subject to the provisions of a collective agreement, a fund determines, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government. The by-law may also make them subject to the second paragraph of section 35.

§2. — *Functions and powers*

39. The functions of the Québec Research Fund–Nature and Technology are

(1) to promote and provide financial support for research in the fields of natural sciences, mathematical sciences and engineering;

(2) to promote and provide financial support for the dissemination of scientific knowledge in fields of research related to natural sciences, mathematical sciences and engineering;

(3) to promote and provide financial support for the training of researchers through achievement scholarships to graduate and postgraduate students and to persons who engage in postdoctoral research, and through professional development scholarships to persons who wish to re-enter the research community and through grants that allow the teaching duties of college level professors engaging in research activities to be reduced;

(4) to create any necessary partnership, in particular with universities, colleges and the industry, and the government departments and public and private bodies concerned.

40. The functions of the Québec Research Fund–Health are

(1) to promote and provide financial support for all areas of research in the field of health, including basic, clinical and epidemiological research, research in the field of public health and research in the field of health services;

(2) to promote and provide financial support for the dissemination of scientific knowledge in fields of health research;

(3) to promote and provide financial support for the training of researchers through achievement scholarships to graduate and postgraduate students and to persons who engage in postdoctoral research, and through professional development scholarships to persons who wish to re-enter the research community and through grants that allow the teaching duties of college level professors engaging in research activities to be reduced;

(4) to create any necessary partnership, in particular with universities, colleges and health care institutions, and the government departments and public and private bodies concerned.

41. The functions of the Québec Research Fund–Society and Culture are

(1) to promote and provide financial support for the development of research in the fields of social and human sciences and the field of education, management, arts and letters;

(2) to promote and provide financial support for the dissemination of knowledge in fields of research related to social and human sciences and to education, management, arts and letters;

(3) to promote and provide financial support for the training of researchers through achievement scholarships to graduate and postgraduate students and to persons who engage in postdoctoral research, and through professional development scholarships to persons who wish to re-enter the research community and through grants that allow the teaching duties of college level professors engaging in research activities to be reduced;

(4) to create any necessary partnership, in particular with universities, colleges and cultural institutions, and the government departments and public and private bodies concerned.

42. Every three years on the date fixed by the Minister, each fund transmits to the Minister a three-year plan of activities describing

- (1) the context in which the fund operates and the main issues it is concerned with;
- (2) the chosen strategic orientations, objectives and courses of action;
- (3) the results to be achieved at the end of the period covered by the plan;
- (4) the performance indicators used to measure the achievement of results.

The plan must indicate separately, for the first year covered, the amounts estimated for the management expenditures of the fund and the amounts estimated for each of the financial support programs.

The plan is submitted to the Government for approval and must take into account the directives that the Minister may give to the fund on its objectives and orientations.

The plan is tabled in the National Assembly within 15 days of its approval by the Government if the Assembly is in session or, if it is not sitting, within 15 days of the opening of the next session or resumption.

43. At the beginning of each fiscal year on the date fixed by the Minister, a fund sends the budgetary estimates for the year concerned, along with the list of the activities planned for that year, to the Minister for approval.

44. A fund may, within the scope of its plan of activities approved by the Government and on the conditions it determines, grant financial support by way of subsidies and grants.

A fund may also grant financial support in any other manner approved by the Government.

45. A financial support program must determine

- (1) the form and content of applications for financial support, the information they must contain and the documents which must accompany them;
- (2) the terms and conditions subject to which financial support may be granted and the criteria for the assessment of applications for financial support;
- (3) the scales and limits of the financial support.

The elements mentioned in subparagraphs 2 and 3 are subject to approval by the Minister.

46. A fund may form committees responsible for the assessment of the applications for financial support that are addressed to it.

The members of such committees are not remunerated; they are, however, entitled, to the extent provided by regulation of the Government and on presentation of vouchers, to an attendance allowance and to the reimbursement of reasonable expenses incurred by them in the performance of their duties.

However, committee members delegated by departments and public agencies are not entitled to an attendance allowance.

47. A fund may, according to law, enter into any agreement with any government other than that of Québec, any department of such a government, any international organization, or any agency of such a government or organization, in order to carry out its functions.

48. A fund must adopt by-laws in accordance with the principles set out in the Act respecting the governance of state-owned enterprises (chapter G-1.02).

Each fund must adopt a policy for examining and dealing with complaints about operations connected with its activities.

49. In addition to its functions provided for under this division, each fund implements the financial support programs that are under its authority pursuant to another Act or, with the authorization of the Government and on the conditions it determines, the financial support programs under the authority of a department or a public agency. The fund then carries out its functions in accordance with this subdivision, wherever practicable.

50. In no case may a fund, unless authorized by the Government,

(1) contract a loan that increases its total outstanding borrowings to more than the amount determined by the Government;

(2) make a contract for a term or amount exceeding that determined by the Government.

No fund may acquire immovables.

51. In the pursuit of its objectives, a fund may receive gifts, legacies, subsidies and other contributions, provided that any conditions attached are compatible with the achievement of its mission.

52. Each fund advises the Minister on any matter in its area of competence that is submitted to it by the Minister, and makes any recommendations it considers appropriate.

§3.—*Financial provisions*

53. The Government may, on the conditions it determines,

(1) guarantee any loan contracted by a fund as well as the execution of any of its obligations;

(2) authorize the Minister of Finance to advance to a fund any amount deemed necessary for the carrying out of its functions.

Any sum that the Government may be called to pay under the guarantees or to advance to a fund is taken out of the Consolidated Revenue Fund.

§4.— *Documents, accounts and reports*

54. No deed, document or writing binds a fund unless it is signed by the chief scientist, the scientific director or a member of the personnel of the fund and, in the case of such a member, only to the extent determined by regulation of the fund.

A fund may, by by-law and on the conditions it determines, allow a signature to be affixed by means of an automatic device to the documents it determines or a facsimile of a signature to be engraved, lithographed or printed on them. However, the facsimile has the same force as the signature itself only if the document is countersigned by a person authorized by the chief scientist.

Every by-law made by virtue of this section comes into force 10 days after the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in it.

55. The minutes of the meetings of the board of directors, approved by the board and certified by the chief scientist or any other person authorized by a fund, are authentic. The same applies to documents and copies of documents emanating from a fund or forming part of its records, if they are so certified.

56. An intelligible transcription of a decision or other data stored in a computer or in a computer-readable medium by a fund is a document of that fund and constitutes proof of its contents if it is certified by a person referred to in section 54.

57. The fiscal year of each fund ends on 31 March.

58. Not later than 31 July each year, each fund must transmit to the Minister a report of its activities for the preceding fiscal year.

The report shall, in addition to the information the Minister may prescribe, contain a progress report on the three-year plan approved under section 42.

59. The Minister shall table the annual report of a fund in the National Assembly within 30 days of receiving it if the Assembly is in session or, if it is not sitting, within 30 days after the opening of the next session or resumption.

60. The books and accounts of the fund are audited every year by the Auditor General and also whenever so ordered by the Government.

The auditor's report must accompany the annual report of the fund.

§5.—*Penal provisions*

61. Every person who gives false or misleading information in view of obtaining or procuring financial support provided for by this division is guilty of an offence and liable to a fine of not more than \$5,000.

62. Where a legal person commits an offence against section 61, every director or representative of that legal person who was aware of the offence is deemed to be a party to the offence and is liable to a fine of not more than \$5,000 unless he proves to the satisfaction of the court that he did not acquiesce to the commission of the offence.

63. No person found guilty of an offence against section 61 or 62 or against section 380 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) in connection with financial support contemplated under this chapter may, unless he has been pardoned, obtain financial support under this chapter for a period of two years from the conviction.

CHAPTER IV

COMMISSION DE L'ÉTHIQUE EN SCIENCE ET EN TECHNOLOGIE

DIVISION I

ESTABLISHMENT AND ORGANIZATION

64. The Commission de l'éthique en science et en technologie is established.

65. The secretariat of the Commission is located at the place determined by the Government. Notice of the location or any change of location of the secretariat is published in the *Gazette officielle du Québec*.

66. The Commission is composed of 13 members, including a president, appointed by the Government. The members must possess expertise in ethics and be from the university and industrial research communities in the fields of social and human sciences, natural sciences, engineering and biomedical sciences and from the ethics community, the practice communities and civil society.

The Government may appoint an observer at the Commission; the observer participates in meetings of the Commission but is not entitled to vote.

67. The members of the Commission, including the president, are appointed for not more than three years.

The term of office of the members may be renewed consecutively only once. At the expiry of their terms of office, the members remain in office until they are replaced or reappointed.

68. Any vacancy occurring during the term of office of the members of the Commission is filled in accordance with the mode of appointment prescribed in section 66.

Absence from a number of meetings determined by the by-laws of the Commission constitutes a vacancy in the cases and circumstances specified in the by-laws.

69. The president manages the Commission and supervises its personnel.

The Government determines the remuneration, employee benefits and other conditions of employment of the president.

70. Members of the Commission other than the president are not remunerated, except in the cases, on the conditions and to the extent determined by the Government. They are, however, entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

71. The meetings of the Commission and any committee of the Commission are held in camera. The Commission may invite other persons to take part in one of its meetings, or a meeting of any of its committees.

The Commission may hold its meetings anywhere in Québec.

Six members are a quorum at meetings of the Commission.

In the case of a tie vote, the president has a casting vote.

72. The personnel members of the Commission are appointed in accordance with the Public Service Act.

DIVISION II

FUNCTIONS AND POWERS

73. The function of the Commission is to advise the Minister on any matter relating to ethical issues in the areas of science and technology. A further function of the Commission is to promote reflection on those issues.

74. In performing its function, the Commission shall give the Minister its opinion on any matter the Minister submits to it relating to ethical issues in the areas of science and technology. The Commission may also take the initiative of submitting advisory opinions to the Minister or making recommendations on any matter within its purview.

Moreover, it must communicate its findings and conclusions to the Minister.

After giving the Minister reasonable notice, the Commission may make public its advisory opinions, recommendations, findings and conclusions.

75. The Commission may establish committees for the proper conduct of its work. At the request of the Minister, it must form working groups to examine particular matters.

The members of committees and working groups are not remunerated, except in the cases, on the conditions and to the extent determined by the Government. They are, however, entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

76. The Commission must adopt by-laws in accordance with the principles set out in the Act respecting the governance of state-owned enterprises.

77. Not later than 31 July each year, the Commission submits to the Minister an activity report for the preceding fiscal year.

The Minister tables the report in the National Assembly within 30 days of receiving it or, if the Assembly is not sitting, within 30 days of resumption.

CHAPTER V

ADVISORY COMMITTEE ON THE FINANCIAL ACCESSIBILITY OF EDUCATION

78. An advisory committee on the financial accessibility of education is established under the name “Comité consultatif sur l’accessibilité financière aux études”.

79. The advisory committee is composed of 16 members, including a chair, appointed by the Government after consultation with groups representing students, the staff of educational institutions and socio-economic circles. The appointments are made on the recommendation of the Minister after consulting with the Minister of Education, Recreation and Sports.

The members so appointed must be as follows:

(1) one member is to be a student at the secondary level, in vocational education;

(2) two members are to be students at the college level, one in a technical studies program and the other in a pre-university studies program;

(3) four members are to be university students, one at the undergraduate level, one at the Master's level, one at the doctoral level and one in a continuing education program;

(4) one member is to be a teacher;

(5) five members are to be persons assigned to administrative functions, two in a general and vocational college and the other three in an educational institution at the university level; and

(6) three members are to be persons representing socio-economic groups.

80. The Deputy Minister and the Deputy Minister of Education, Recreation and Sports are, by virtue of their office, associate members of the advisory committee, without voting rights. They may designate a substitute.

81. The members of the advisory committee are appointed for a term of not more than four years.

At the expiry of their term, they remain in office until reappointed or replaced.

The term of a member of the advisory committee may be renewed only once.

82. A vacancy on the advisory committee is filled in accordance with the rules of appointment to the committee.

Loss of the status required or an unexplained absence from the number of consecutive meetings stipulated in the by-laws of the advisory committee, in the cases and circumstances set out in the by-laws, constitutes a vacancy.

83. The members of the advisory committee are not remunerated except in the cases, on the conditions and to the extent that may be determined by the Government. However, they are entitled to a reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

84. The advisory committee adopts by-laws.

85. The secretariat of the advisory committee is within the territory of Ville de Québec.

The advisory committee may hold its meetings anywhere in Québec.

86. The quorum at meetings of the advisory committee is the majority of its members.

87. The secretary and the other personnel members of the advisory committee are appointed in accordance with the Public Service Act.

88. The advisory committee is responsible for advising the Minister and the Minister of Education, Recreation and Sports on any matter submitted to the committee by either Minister with regard to

(1) financial assistance programs established by the Act respecting financial assistance for education expenses;

(2) tuition fees, admission or registration fees for educational services and other fees relating to such services; and

(3) measures or policies that may affect the financial accessibility of education.

89. The advisory committee may

(1) refer any question concerning a matter coming under the advisory committee's jurisdiction to the Minister or to the Minister of Education, Recreation and Sports, according to their respective jurisdictions;

(2) commission studies and research;

(3) solicit and receive observations and suggestions from individuals or groups; and

(4) request any available information from the Minister or the Minister of Education, Recreation and Sports.

90. The Minister, after consulting with the Minister of Education, Recreation and Sports when the matter relates to a level of education within that Minister's jurisdiction, must seek the advice of the advisory committee on any draft regulation respecting the financial assistance programs referred to in paragraph 1 of section 88.

The Minister and the Minister of Education, Recreation and Sports must also seek the advice of the advisory committee on any condition they intend to include in the budgetary rules or in any directive they intend to give to educational institutions with respect to matters referred to in paragraph 2 of section 88.

The Minister or the Minister of Education, Recreation and Sports, as applicable, informs the advisory committee of the time within which the advice must be sent to the Minister. That time cannot be less than 30 days.

If the advisory committee fails to send its advice within the time specified, the obligations of the Minister concerned under the first and second paragraphs are deemed to be fulfilled.

91. Not later than 30 June each year, the advisory committee must submit a report to the Minister and to the Minister of Education, Recreation and Sports on its activities for the previous fiscal year.

That Minister tables the report in the National Assembly within 30 days of receiving it or, if the Assembly is not sitting, within 30 days of resumption.

CHAPTER VI

AMENDING PROVISIONS

FINANCIAL ADMINISTRATION ACT

92. Schedule 1 to the Financial Administration Act (chapter A-6.001) is amended by inserting “Comité consultatif sur l’accessibilité financière aux études” in alphabetical order.

ACT RESPECTING FINANCIAL ASSISTANCE FOR EDUCATION EXPENSES

93. Section 10 of the Act respecting financial assistance for education expenses (chapter A-13.3) is amended

(1) by inserting “or the Minister of Education, Recreation and Sports, according to their respective jurisdictions,” after “Minister” in the first paragraph;

(2) by replacing “the Minister” by “either minister” in the second paragraph.

94. Section 11 of the Act is amended by replacing paragraph 3 by the following paragraph:

“(3) he has been admitted to an educational institution designated by the Minister or the Minister of Education, Recreation and Sports, according to their respective jurisdictions, for the granting of loans and bursaries or loans only, in order to pursue studies recognized by either minister on a full-time basis;”.

95. Section 18 of the Act is replaced by the following section:

“**18.** A student is eligible for a bursary provided that

(1) the student has been admitted to an educational institution designated by the Minister or the Minister of Education, Recreation and Sports for the granting of loans and bursaries in order to pursue studies recognized by either minister on a full-time basis; and

(2) the student is within the period of eligibility for a bursary as established by regulation.”

96. Section 31.1 of the Act is amended by adding the following paragraph at the end:

“The Minister consults the Minister of Education, Recreation and Sports if the amount is related to studies in vocational training at the secondary level.”

97. Section 33 of the Act is amended by replacing paragraph 3 by the following paragraph:

“(3) the person has been admitted to an educational institution designated by the Minister or the Minister of Education, Recreation and Sports for the granting of loans, according to their respective jurisdictions, in order to pursue studies recognized by either minister on a part-time basis;”.

98. Section 44 of the Act is amended

(1) by replacing “in paragraphs 1 and 2 of section 18” in the first paragraph by “in paragraph 1 of section 18”;

(2) by replacing the fourth and fifth paragraphs by the following paragraphs:

“The Minister of Education, Recreation and Sports may, subject to the same conditions, exercise that power to grant financial assistance for vocational training at the secondary level.

The Ministers must include a statement of the financial assistance granted under this section and the reasons for such payments in their annual activity reports.”

99. Section 45 of the Act is amended by replacing the first paragraph by the following paragraph:

“**45.** An examination committee for exceptional cases is hereby established. The members of the committee are appointed by the Minister after consultation with groups representing the staff of educational institutions, students and socio-economic circles and after consultation with the Minister of Education, Recreation and Sports.”

100. Section 46 of the Act is amended by inserting “or the Minister of Education, Recreation and Sports, as the case may be,” after “Minister”.

101. Section 56 of the Act is replaced by the following section:

“**56.** The Minister may

(1) establish the list of educational institutions at the postsecondary level designated for the granting of loans and bursaries;

(2) establish the list of educational institutions at the postsecondary level designated for the granting of loans only;

(3) establish the list of educational institutions at the postsecondary level designated for the granting of loans for the purposes of the loans program for part-time studies at the postsecondary level;

(4) establish the list of courses or courses of study at the postsecondary level, including training periods or not, recognized for the purposes of eligibility for financial assistance; and

(5) establish the list of financial institutions recognized for the purposes of guaranteed loans both for studies in vocational training at the secondary level and for studies at the postsecondary level.

The Minister of Education, Recreation and Sports may, after consultation with the Minister,

(1) establish the list of educational institutions at the secondary level designated for the granting of loans and bursaries;

(2) establish the list of educational institutions at the secondary level designated for the granting of loans only;

(3) establish the list of educational institutions at the secondary level designated for the granting of loans for the purposes of the loans program for part-time studies in vocational training at the secondary level; and

(4) establish the list of courses or courses of study in vocational training at the secondary level, including training periods or not, recognized for the purposes of eligibility for financial assistance.

The lists referred to in subparagraphs 1 to 3 of the first and second paragraphs may be established by the Ministers in such a way that particular courses of study are identified for which an educational institution at the secondary or postsecondary level is designated for the granting of loans and bursaries or for the granting of loans.

The lists referred to in subparagraphs 4 of the first and second paragraphs may be established by the Ministers in such a way that a particular educational institution at the secondary or postsecondary level is designated in respect of one or more particular courses of study recognized for the purposes of eligibility for financial assistance.

Instead of drawing up a list, the Ministers may determine, for each level of education, for each cycle and for certain categories of institutions that the Ministers identify, the conditions that an educational institution must meet in order to be designated for the granting of loans and bursaries or the granting of loans, and the conditions that a course or course of study must meet in order to be recognized for the purposes of eligibility for financial assistance.”

102. Section 57 of the Act is amended by inserting “, on the recommendation of the Minister and after consultation with the Minister of Education, Recreation and Sports for matters related to a level of education under the latter’s jurisdiction,” after “by regulation” in the introductory clause of the first paragraph.

103. Section 65 of the Act is amended by replacing “Minister of Education, Recreation and Sports” by “Minister of Higher Education, Research, Science and Technology”.

GENERAL AND VOCATIONAL COLLEGES ACT

104. Section 17.2 of the General and Vocational Colleges Act (chapter C-29) is amended

(1) by striking out “after the latter has consulted the Minister of Economic Development, Innovation and Export Trade” in the first paragraph;

(2) by adding the following sentence at the end of the first paragraph: “Before giving authorization, the Minister shall consult any minister concerned with such a centre’s activities.”

105. Section 26 of the Act is amended by striking out the second paragraph.

ACT RESPECTING THE CONSEIL SUPÉRIEUR DE L’ÉDUCATION

106. The preamble of the Act respecting the Conseil supérieur de l’éducation (chapter C-60) is amended

(1) by replacing “the Minister of Education, Recreation and Sports and to advise that Minister” in the fourth paragraph by “the Minister of Education, Recreation and Sports and the Minister of Higher Education, Research, Science and Technology and to advise the Ministers”;

(2) by striking out the fifth paragraph.

107. Section 3 of the Act is amended by striking out “, its committee”.

108. Section 4 of the Act is amended by replacing “of Education, Recreation and Sports” in the second paragraph by “after consultation with the Minister of Higher Education, Research, Science and Technology”.

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

7. The Deputy Minister of Education, Recreation and Sports and the Deputy Minister of Higher Education, Research, Science and Technology are ex officio associate members of the Council, but are not entitled to vote. They may designate a substitute.

The Deputy Ministers shall send to the Council and its commissions, if any, such available information as they require.”

110. Section 9 of the Act is amended

(1) by inserting “and the Minister of Higher Education, Research, Science and Technology” after “Minister” in the first paragraph;

(2) by replacing “to the Minister” in the second paragraph by “to the Ministers”.

111. Section 10 of the Act is amended by replacing “to the Minister” in paragraph 1 by “to the Ministers”.

112. Section 10.1 of the Act is replaced by the following section:

“**10.1.** The Council shall advise the Minister or the Minister of Higher Education, Research, Science and Technology, as applicable, on draft regulations that they are required to submit to the Council and on any matter submitted to it by them.”

113. Section 12 of the Act is amended by striking out “and those of its committee” in the first paragraph.

114. Section 14 of the Act is amended by striking out “, its committee”.

115. Section 14.1 of the Act is amended by replacing “to the Minister of Education, Recreation and Sports” in the first paragraph by “to the Minister and the Minister of Higher Education, Research, Science and Technology”.

116. Sections 23.1 to 23.8 of the Act are repealed.

117. Section 28 of the Act is amended by replacing “The committee and any commissions” by “The commissions”.

118. Section 29 of the Act is amended

(1) by striking out “or of the committee”;

(2) by replacing “of the body of which he is a member” by “of the Council”.

ACT RESPECTING THE DEVELOPMENT OF QUÉBEC FIRMS IN THE BOOK INDUSTRY

119. Section 6 of the Act respecting the development of Québec firms in the book industry (chapter D-8.1) is amended by replacing subparagraph 2 of the fourth paragraph by the following subparagraphs:

“(2) one by the Minister of Education, Recreation and Sports;

“(2.1) one by the Minister of Higher Education, Research, Science and Technology;”.

ACT TO PROMOTE WORKFORCE SKILLS DEVELOPMENT AND RECOGNITION

120. Section 7 of the Act to promote workforce skills development and recognition (chapter D-8.3) is amended by replacing “under subparagraphs 1 to 3 of the first paragraph of section 56 of the Act respecting financial assistance for education expenses (chapter A-13.3), in relation to the study programs recognized by the Minister” in paragraph 8 by “or the Minister of Higher Education, Research, Science and Technology under subparagraphs 1 to 3 of the first and second paragraphs of section 56 of the Act respecting financial assistance for education expenses (chapter A-13.3), in relation to the study programs recognized by either of those ministers”.

ACT RESPECTING PRIVATE EDUCATION

121. The Act respecting private education (chapter E-9.1) is amended by inserting the following section before section 1:

“**0.1.** The Minister of Education, Recreation and Sports shall exercise the ministerial functions and powers provided for in this Act in relation to preschool education services, elementary school instructional services, secondary school instructional services in general and vocational education and supplementary vocational training services related to any of those levels of education.

The Minister of Higher Education, Research, Science and Technology shall exercise the ministerial functions and powers provided for in this Act in relation to college-level general and vocational instructional services and college-level supplementary vocational training services.”

122. Section 10 of the Act is replaced by the following section:

“**10.** No person may operate a private educational institution to which this Act applies unless the person holds a permit for the institution and the educational services or categories of educational services that are dispensed.

The permit is issued

(1) by the Minister of Education, Recreation and Sports for educational services or categories of educational services referred to in paragraphs 1 to 5 of section 1;

(2) by the Minister of Higher Education, Research, Science and Technology for educational services or categories of educational services referred to in paragraphs 7 and 8 of section 1; or

(3) by either of those ministers for supplementary vocational training services referred to in paragraph 9 of section 1, according to the level of education to which they could be considered to belong.

If an institution dispenses services under both ministers' responsibility, a permit issued by each minister is required."

123. Section 16 of the Act is amended by replacing the first paragraph by the following paragraph:

"**16.** The Ministers may establish separate permits for the various educational services within their jurisdiction."

124. Sections 47 and 48 of the Act are replaced by the following section:

"**47.** The Government may, by regulation, determine rules governing the pedagogical aspects of the supplementary vocational training services dispensed by private educational institutions.

The regulation may prescribe that the following are subject to the Minister's approval:

- (1) the programs of studies;
- (2) the instructional material to be used by the institutions;
- (3) the form and content of the training attestation to be issued by an institution to a student who has achieved the objectives of the programs of studies in a field authorized by its permit;
- (4) the standards and procedures for the evaluation of students' learning achievement; and
- (5) the rules governing certification of studies by an institution."

125. Section 49 of the Act is replaced by the following section:

"**49.** The institution shall issue a training attestation to a student who has achieved the objectives of the programs of studies in a field authorized by its permit. The attestation must not contain any mention which may lead to believe that the attestation has been awarded by the Minister or that it is equivalent to a diploma, certificate or other attestation referred to in paragraph 4 or 8 of section 1."

126. Section 96 of the Act is replaced by the following section:

“96. The Commission is composed of nine members, including a chairman, appointed by the Government. The members, other than the chairman, shall represent the following fields:

(1) five members shall represent the field of preschool, elementary and secondary education; and

(2) three members shall represent the field of college education.

The members referred to in subparagraph 1 of the first paragraph are appointed on the recommendation of the Minister of Education, Recreation and Sports. At least three of those members are chosen from a list of at least six candidates proposed by the groups which the Minister considers, with regard to the services within the Minister’s jurisdiction, to be representative of permit holders, directors of private educational institutions governed by this Act, teachers in those institutions and parents of the students attending those institutions.

The members referred to in subparagraph 2 of the first paragraph are appointed on the recommendation of the Minister of Higher Education, Research, Science and Technology. At least two of those members are chosen from a list of at least six candidates proposed by the groups which the Minister considers, with regard to the services within the Minister’s jurisdiction, to be representative of permit holders, directors of private educational institutions governed by this Act, teachers in those institutions and parents of the students attending those institutions.

The chairman is appointed on the recommendation of the Minister of Education, Recreation and Sports, after consultation with the Minister of Higher Education, Research, Science and Technology.”

127. Section 104 of the Act is amended

(1) by inserting “and the Minister of Higher Education, Research, Science and Technology” after “Sports”;

(2) by replacing “coming under his jurisdiction” by “within their respective jurisdictions”.

128. Section 105 of the Act is replaced by the following section:

“105. The Commission must advise the Minister of Education, Recreation and Sports or the Minister of Higher Education, Research, Science and Technology, as the case may be, on any matter either minister submits to it respecting private education.

The advice of the Commission on any subject concerning which a Minister is required to consult the Commission pursuant to this Act must be given within

90 days of the date of the Minister's request, failing which the obligation of the Minister is deemed to be fulfilled.”

129. Section 107 of the Act is amended by replacing paragraph 1 by the following paragraph:

“(1) refer any matter relating to private education to the Minister of Education, Recreation and Sports or the Minister of Higher Education, Research, Science and Technology, according to their respective jurisdictions; and”.

130. Section 109 of the Act is amended

(1) by inserting “and the Minister of Higher Education, Research, Science and Technology” after “Sports” in the first paragraph;

(2) by replacing “the Minister of Education, Recreation and Sports” in subparagraph 3 of the second paragraph by “either of those ministers”.

131. Section 111 of the Act is amended by inserting “on the recommendation of the Minister of Education, Recreation and Sports or the Minister of Higher Education, Research, Science and Technology, according to their respective jurisdictions,” after “by regulation,” in the introductory clause.

132. Section 174 of the Act is replaced by the following section:

“**174.** The Minister of Education, Recreation and Sports and the Minister of Higher Education, Research, Science and Technology are responsible for the administration of this Act, in the areas within their respective jurisdictions.”

EXECUTIVE POWER ACT

133. Section 4 of the Executive Power Act (chapter E-18) is amended by adding the following paragraph at the end:

“(39) a Minister of Higher Education, Research, Science and Technology.”

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

134. Section 2 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 replacing subparagraph 4 of the first paragraph by the following subparagraphs:

“(4) school boards and the Comité de gestion de la taxe scolaire de l'île de Montréal;

“(4.1) general and vocational colleges and the educational institutions at the university level listed in paragraphs 1 to 11 of section 1 of the Act respecting educational institutions at the university level (chapter E-14.1);”.

135. The Act is amended by inserting the following section after section 8:

8.1. The Minister of Higher Education, Research, Science and Technology, after consultation with the chief information officer, designates a network information officer for the public bodies referred to in subparagraph 4.1 of the first paragraph of section 2.”

136. Section 11 of the Act is amended by adding the following sentence at the end of the second paragraph: “In addition, the Minister of Education, Recreation and Sports and the Minister of Higher Education, Research, Science and Technology, after consultation with the chief information officer, may enter into an agreement specifying that the same person may act as sectoral information officer for both departments.”

137. Section 14 of the Act is amended

(1) by inserting “, the Minister of Higher Education, Research, Science and Technology” after “Sports” in paragraph 3;

(2) by replacing “in subparagraph 4 or 5” in paragraph 3 by “in subparagraph 4, 4.1 or 5”.

138. Section 15 of the Act is amended by replacing “4” in the fourth paragraph by “4.1”.

TAXATION ACT

139. The Taxation Act (chapter I-3) is amended by inserting “or the Minister of Higher Education, Research, Science and Technology” after “Sports” in the following provisions:

(1) subparagraph *i* of paragraph *a* of section 358.0.2;

(2) paragraph *d* of section 752.0.1;

(3) subparagraph *a* of the first paragraph of section 752.0.2.1;

(4) the definition of “designated educational institution” and paragraph *a* of the definition of “recognized educational program” in the first paragraph of section 776.41.12.

140. The Act is amended by replacing “Minister of Education, Recreation and Sports” wherever it appears in the following provisions by “Minister of Higher Education, Research, Science and Technology”:

- (1) paragraph *c.1* of section 725;
- (2) paragraph *d* of the definition of “foreign researcher on a postdoctoral internship” in the first paragraph of section 737.22.0.0.1;
- (3) paragraph *d* of the definition of “foreign professor” in the first paragraph of section 737.22.0.5;
- (4) paragraph *b* of the definition of “recognized diploma” in the first paragraph of section 776.1.5.0.16;
- (5) paragraph *b* of the definition of “recognized diploma” in section 1029.8.122.

141. The Act is amended by replacing “Minister of Economic Development, Innovation and Export Trade” wherever it appears in the following provisions by “Minister of Higher Education, Research, Science and Technology”:

- (1) paragraph *d* of the definition of “foreign researcher” in the first paragraph of section 737.19;
- (2) paragraph *d* of the definition of “foreign expert” in the first paragraph of section 737.22.0.0.5;
- (3) paragraph *a.1.1* of section 1029.8.1;
- (4) the first paragraph of sections 1029.8.10 and 1029.8.11;
- (5) paragraph *a* and subparagraphs *i*, *i.1* and *i.2* of paragraph *b* of section 1029.8.16;
- (6) subparagraphs *b* of the fourth paragraphs of sections 1029.8.16.1.4 and 1029.8.16.1.5;
- (7) section 1029.8.16.1.9.

142. Sections 1029.8.33.2, 1029.8.33.11.1 and 1029.8.33.11.11 of the Act are amended, in the first paragraph,

- (1) by inserting “or the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie” after “Sport” in paragraph *a* of their definition of “recognized educational institution”;
- (2) by inserting “or the Minister of Higher Education, Research, Science and Technology” after “Sports” in paragraph *c* of their definition of “recognized educational institution” and by replacing “first paragraph” in that paragraph *c* by “first and second paragraphs”;

(3) by inserting “or the Minister of Higher Education, Research, Science and Technology” after “Sports” in paragraph *d* of their definition of “recognized educational institution”.

ACT RESPECTING THE INSTITUT DE TOURISME ET D’HÔTELLERIE DU QUÉBEC

143. Section 5 of the Act respecting the Institut de tourisme et d’hôtellerie du Québec (chapter I-13.02) is amended by replacing “, including the chairman and a director general, appointed by the Government” in the first paragraph by “, including the chairman and a director general, appointed by the Government, on the recommendation of the Minister, after consultation with the Minister of Education, Recreation and Sports. The composition of the board must tend towards gender parity.”

144. Section 17 of the Act is amended

(1) by replacing “Minister of Education, Recreation and Sports” in subparagraph 3 of the first paragraph by “Minister”;

(2) by inserting “or the Minister” after “authorization of the Minister” in the second paragraph;

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

“As regards an agreement entered into under subparagraph 4 of the first paragraph, the Minister or the Minister of Education, Recreation and Sports, according to their respective jurisdictions, is considered responsible for the institute for the purposes of Chapters III and III.1 of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1) and Division II of the Act respecting the Ministère du Conseil exécutif (chapter M-30).”

145. Section 18 of the Act is amended

(1) by replacing “of Education, Recreation and Sports” in the first paragraph by “or the Minister of Education, Recreation and Sports, according to their respective jurisdictions”;

(2) by adding the following sentence at the end of the first paragraph: “The institute shall consult both ministers if it develops new programs or if it amends existing programs that concern both levels of education.”

146. Section 19 of the Act is amended by striking out “of Education, Recreation and Sports”.

147. Section 23 of the Act is amended

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

23. The institute must comply with any directives concerning its policy directions and policies which may be given to it by the Minister or the Minister of Education, Recreation and Sports, according to their respective jurisdictions, as soon as those directives are approved by the Government.”;

(2) by replacing “of the Minister” in the second paragraph by “of either of those ministers”.

148. Section 28 of the Act is amended

(1) by inserting “the Minister and” after “year to” in the first paragraph;

(2) by replacing “the Minister” in the second paragraph by “either of those ministers”.

149. Section 30 of the Act is amended by replacing “any information he may require” by “or the Minister of Education, Recreation and Sports, as the case may be, any information either minister may require”.

150. Section 31 of the Act is replaced by the following section:

31. Each year, the institute shall submit its budget estimates for the next fiscal year to the Minister and the Minister of Education, Recreation and Sports on the date and in the form and with the content determined by the Ministers.

The budget estimates must be approved by the Minister after consultation with the Minister of Education, Recreation and Sports.”

151. Section 42 of the Act is amended by replacing “Minister of Education, Recreation and Sports” by “Minister of Higher Education, Research, Science and Technology”.

ACT RESPECTING THE INSTITUT NATIONAL DES MINES

152. Section 5 of the Act respecting the Institut national des mines (chapter I-13.1.2) is amended by inserting “and the Minister of Higher Education, Research, Science and Technology” after “Minister” in subparagraph 3 of the second paragraph.

153. Section 6 of the Act is amended

(1) by adding “or the Minister of Higher Education, Research, Science and Technology” at the end of paragraph 6;

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

“As regards an agreement entered into under subparagraph 3 of the first paragraph, the Minister or the Minister of Higher Education, Research, Science and Technology, according to their respective jurisdictions, is considered

responsible for the institute for the purposes of Chapters III and III.1 of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1) and Division II of the Act respecting the Ministère du Conseil exécutif (chapter M-30).”

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

“**7.** The institute must give its opinion on any question the Minister or the Minister of Higher Education, Research, Science and Technology submits to it with respect to the fields or subjects within its purview. The institute’s opinion must include recommendations, unless the nature of the request precludes it.”

155. Section 8 of the Act is replaced by the following section:

“**8.** Each year, the institute must prepare a plan of its activities and the related budget. The plan must reflect the policy directions and objectives determined by the Minister after consultation with the Minister of Higher Education, Research, Science and Technology. The plan must also contain the information specified by the Minister or the Minister of Higher Education, Research, Science and Technology.

The plan must be sent to the Minister on the date set by the Minister.

The plan must be approved by the Minister who, for that purpose, must consult the Minister of Higher Education, Research, Science and Technology.”

156. Section 10 of the Act is amended by inserting “or the Minister of Higher Education, Research, Science and Technology, as the case may be,” after “Minister”.

157. Section 11 of the Act is amended

(1) by replacing “17” in the first paragraph by “18”;

(2) by replacing “The Government” in the introductory clause of the second paragraph by “On the recommendation of the Minister, after consultation with the Minister of Higher Education, Research, Science and Technology, the Government”;

(3) by replacing subparagraph 3 of the second paragraph by the following subparagraphs:

“(3) four members from the mining-related sector of the secondary level in vocational education, appointed after consultation with that sector;

“(3.1) two members from mining-related sectors of the college or university level, appointed after consultation with those sectors;”;

(4) by inserting “, the Deputy Minister of Higher Education, Research, Science and Technology” after “Sports” in the third paragraph;

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

“The composition of the board must tend towards gender parity.”

158. Section 28 of the Act is amended

(1) by inserting “or the Minister of Higher Education, Research, Science and Technology” after “Minister” in the first paragraph;

(2) by replacing “the Minister” in the second paragraph by “either of those ministers”.

159. Section 35 of the Act is amended by inserting “, after consultation with the Minister of Higher Education, Research, Science and Technology,” after “Minister” in the first paragraph.

EDUCATION ACT

160. Section 477.14 of the Education Act (chapter I-13.3) is amended

(1) by striking out “appointed by the Minister after consultation with the interested bodies” in the introductory clause;

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

“The chair is appointed by the Minister, after consultation with the Minister of Higher Education, Research, Science and Technology.

The members referred to in subparagraphs 2 and 3 of the first paragraph are appointed by the Minister, after consultation with the interested bodies. The members referred to in subparagraphs 4 and 5 of the first paragraph are appointed by the Minister of Higher Education, Research, Science and Technology, after consultation with the interested bodies.

In addition, the Minister may appoint two associate members to the committee, one chosen from among the employees of the Ministère de l'Éducation, du Loisir et du Sport, the other from among the managerial staff of the school boards. An additional associate member, chosen from among the employees of the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie, may be appointed by the Minister of Higher Education, Research, Science and Technology.”

161. Section 477.15 of the Act is amended by adding the following paragraphs at the end:

“In addition, the committee shall advise the Minister of Higher Education, Research, Science and Technology on the financing of university-level teacher education programs.

Before approving a program or making a recommendation, the committee shall consult the administrative committee set up by the Minister of Higher Education, Research, Science and Technology to provide advice on university training programs.”

ACT RESPECTING THE MINISTÈRE DE L'ÉDUCATION, DU LOISIR ET DU SPORT

162. Section 1.1 of the Act respecting the Ministère de l'Éducation, du Loisir et du Sport (chapter M-15) is amended by replacing “, secondary and college education and university education and research, except where another minister is responsible” by “and secondary education”.

163. Section 1.2 of the Act is amended by replacing subparagraph 3 of the first paragraph by the following subparagraph:

“(3) taking coordinated action with the Minister of Higher Education, Research, Science and Technology to foster the continuity, development and integration of educational pathways;”.

164. Section 1.3 of the Act is amended by striking out “or research” in paragraph 3.

165. The Act is amended by inserting the following section after section 3.1:

“**3.2.** A sharing of resources and services between the Minister and the Minister of Higher Education, Research, Science and Technology is to be encouraged wherever it can be instrumental in their pursuit of objectives related to the continuity, development and integration of educational pathways or their fulfillment of efficiency and cost-benefit requirements in the management of human, financial, physical and information resources.”

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

166. Section 21 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 the following subparagraph after subparagraph 2 of the third paragraph:

“(2.1) the Deputy Minister of Higher Education, Research, Science and Technology or an Associate or Assistant Deputy Minister of Higher Education, Research, Science and Technology designated by the Deputy Minister;”.

ACT RESPECTING THE MINISTÈRE DU DÉVELOPPEMENT
ÉCONOMIQUE, DE L'INNOVATION ET DE L'EXPORTATION

167. Section 2 of the Act respecting the Ministère du Développement économique, de l'Innovation et de l'Exportation (chapter M-30.01) is amended by striking out “innovation”, “, as well as research”, “scientific,” and “, scientific development”.

168. Section 3 of the Act is amended by striking out “, and promoting research, science, technology and innovation” in the first paragraph.

169. Section 5 of the Act is amended

(1) by striking out paragraph 5;

(2) by inserting “, particularly with the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie,” after “bodies” in paragraph 9.

GOVERNMENT DEPARTMENTS ACT

170. Section 1 of the Government Departments Act (chapter M-34) is amended by adding the following paragraph at the end:

“(38) the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie, presided over by the Minister of Higher Education, Research, Science and Technology.”

ACT RESPECTING THE SECTORAL PARAMETERS OF CERTAIN
FISCAL MEASURES

171. Section 2 of the Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1) is amended by replacing “Minister of Education, Recreation and Sports” in paragraph 4 by “Minister of Higher Education, Research, Science and Technology”.

172. Section 1.1 of Schedule C to the Act is amended by striking out paragraphs 2, 3, 5 and 6.

173. Chapter III of Schedule C to the Act, comprising sections 3.1 to 3.5, Chapter IV of that schedule, comprising sections 4.1 to 4.6, Chapter VI of that schedule, comprising sections 6.1 to 6.5, and Chapter VII of that schedule, comprising sections 7.1 to 7.5, become Chapter IV, comprising sections 4.1 to 4.5, Chapter V, comprising sections 5.1 to 5.6, Chapter VI, comprising sections 6.1 to 6.5, and Chapter VII, comprising sections 7.1 to 7.5, of Schedule D to the Act, with the necessary changes in numbering.

174. Section 8.10 of Schedule C to the Act is amended by replacing “Minister of Education, Recreation and Sports” in paragraph 1 by “Minister

of Higher Education, Research, Science and Technology or the Minister of Education, Recreation and Sports”.

175. The heading of Schedule D to the Act is amended by replacing “MINISTER OF EDUCATION, RECREATION AND SPORTS” by “MINISTER OF HIGHER EDUCATION, RESEARCH, SCIENCE AND TECHNOLOGY”.

176. Section 1.1 of Schedule D to the Act is amended

(1) by replacing “Minister of Education, Recreation and Sports” by “Minister of Higher Education, Research, Science and Technology”;

(2) by adding the following paragraphs after paragraph 2:

“(3) the deduction in respect of foreign researchers provided for in sections 737.19 to 737.22 of the Taxation Act;

“(4) the deduction in respect of foreign experts provided for in sections 737.22.0.0.5 to 737.22.0.0.8 of the Taxation Act;

“(5) the refundable tax credit for university research and for research carried on by a public research centre or a research consortium and the tax credit for fees and dues paid to a research consortium provided for in sections 1029.8.1 to 1029.8.7 and 1029.8.9.0.2 to 1029.8.9.0.4 of the Taxation Act; and

“(6) the tax credit for private partnership pre-competitive research provided for in sections 1029.8.16.1.1 to 1029.8.16.1.9 of the Taxation Act.”

177. Schedule D to the Act is amended by adding the following after section 3.6:

“CHAPTER IV

“SECTORAL PARAMETERS OF DEDUCTION IN RESPECT OF FOREIGN RESEARCHERS

“DIVISION I

“INTERPRETATION AND GENERAL

“4.1. In this chapter, unless the context indicates otherwise,

“eligible employer” means a person or partnership who declares to the Minister that the person or partnership is carrying on a business in Canada and undertaking or causing to be undertaken on the person’s or partnership’s behalf in Québec scientific research and experimental development related to a business of the person or partnership and that the person or partnership is neither an eligible university entity within the meaning of section 2.1 of Schedule D, nor a person exempt from tax under section 984 or 985 of the

Taxation Act or that would be exempt from tax under that section 985 but for section 192 of that Act;

“foreign researcher tax holiday” means the fiscal measure provided for in Title VII.3 of Book IV of Part I of the Taxation Act, under which an individual may deduct an amount in computing the individual’s taxable income for a taxation year.

“4.2. In order for an individual who works for an eligible employer to benefit from the foreign researcher tax holiday for a taxation year, the eligible employer must obtain a qualification certificate in respect of the foreign researcher (in this chapter referred to as a “researcher qualification certificate”) from the Minister.

The employer must file an application for the qualification certificate before 1 March of the calendar year that follows the individual’s taxation year for which he or she first claims the tax holiday.

“DIVISION II

“RESEARCHER QUALIFICATION CERTIFICATE

“4.3. A researcher qualification certificate issued to an eligible employer certifies that the individual referred to in the certificate is recognized as a researcher.

“4.4. To be recognized as a researcher, an individual must

- (1) be specialized in the field of pure or applied science or a related field;
- (2) hold, or possess knowledge equivalent to the knowledge acquired by the holder of, a Master’s degree recognized by a Québec university in any of the fields referred to in paragraph 1; and
- (3) have the skills required to carry out scientific research and experimental development activities.

“4.5. An eligible employer to which a researcher qualification certificate is issued must promptly send a copy of the certificate to the individual concerned so that it may be attached to his or her fiscal return.

“CHAPTER V**“SECTORAL PARAMETERS OF DEDUCTION IN RESPECT OF FOREIGN EXPERTS****“DIVISION I****“INTERPRETATION AND GENERAL**

“5.1. In this chapter, unless the context indicates otherwise,

“eligible employer” means a person or partnership who declares to the Minister that the person or partnership is carrying on a business in Canada for the period in which the person or partnership undertakes or causes to be undertaken on the person’s or partnership’s behalf in Québec, as part of a project, scientific research and experimental development related to a business of the person or partnership, as well as for the periods preceding and following the carrying out of the project, and that the person or partnership is neither an eligible university entity within the meaning of section 2.1 of Schedule D, nor a person mentioned in section 984 or 985 of the Taxation Act;

“foreign expert tax holiday” means the fiscal measure provided for in Title VII.3.0.2 of Book IV of Part I of the Taxation Act, under which an individual may deduct an amount in computing the individual’s taxable income for a taxation year.

“5.2. In order for an individual who works for an eligible employer to benefit from the foreign expert tax holiday for a taxation year, the eligible employer must obtain a qualification certificate in respect of the individual (in this chapter referred to as an “expert qualification certificate”) from the Minister. The certificate must be obtained for each taxation year for which the individual may claim the tax holiday.

The employer must file an application for the qualification certificate before 1 March of the calendar year that follows the individual’s taxation year concerned.

“DIVISION II**“EXPERT QUALIFICATION CERTIFICATE**

“5.3. An expert qualification certificate issued to an eligible employer certifies that the individual referred to in the certificate is recognized as an expert in respect of the employer for the taxation year for which the application for the qualification certificate was made or for the part of the year specified in it.

“5.4. In order for an individual to be recognized as an expert in respect of an eligible employer, the individual must

(1) be specialized in a field appropriate to the valorization of scientific research and experimental development results;

(2) hold, or possess knowledge equivalent to the knowledge acquired by the holder of, a diploma recognized by a Québec university in a field referred to in paragraph 1;

(3) have the skills required to carry out activities that consist in the valorization of the results deriving from the employer's scientific research and experimental development projects, which activities include

(a) the management of innovation resulting from those projects,

(b) the commercialization and marketing of the results deriving from those projects,

(c) the transfer of advanced technologies resulting from those projects,

(d) the financing of scientific research and experimental development activities; and

(4) have duties with the employer that consist exclusively or almost exclusively, on a continuous basis, in carrying on activities that consist in the valorization of the results deriving from the employer's scientific research and experimental development projects.

“5.5. If an individual is temporarily absent from work for reasons the Minister considers reasonable, the Minister may, for the purpose of determining whether the individual meets the conditions for recognition as an expert in respect of an eligible employer, consider that the individual continued to perform his or her duties throughout the period of absence exactly as he or she was performing them immediately before the beginning of that period.

“5.6. An eligible employer to which an expert qualification certificate is issued for a taxation year must promptly send a copy of the certificate to the individual concerned so that it may be attached to his or her fiscal return for the year.

“CHAPTER VI

“SECTORAL PARAMETERS OF TAX CREDIT FOR RESEARCH CARRIED ON BY RESEARCH CONSORTIUM AND OF TAX CREDIT FOR FEES AND DUES PAID TO RESEARCH CONSORTIUM

“DIVISION I

“INTERPRETATION AND GENERAL

“6.1. In this chapter, unless the context indicates otherwise,

“research consortium” means a non-profit private research centre established in Canada whose members carry on businesses in the same sector of activity or in related sectors of activity;

“tax credit for fees and dues paid to a research consortium” means the fiscal measure provided for in Division II.2.1 of Chapter III.1 of Title III of Book IX of Part I of the Taxation Act, under which a person is deemed to have paid an amount to the Minister of Revenue on account of the person’s tax payable under that Part for a taxation year;

“tax credit for research carried on by a research consortium” means the fiscal measure provided for in Division II.1 of Chapter III.1 of Title III of Book IX of Part I of the Taxation Act, under which a person is deemed to have paid an amount to the Minister of Revenue on account of the person’s tax payable under that Part for a taxation year.

“6.2. To be recognized as an eligible research consortium, for the purposes of the tax credit for research carried on by a research consortium and the tax credit for fees and dues paid to a research consortium, a body must obtain a certificate in its respect (in this chapter referred to as a “consortium certificate”) from the Minister.

“DIVISION II

“CONSORTIUM CERTIFICATE

“6.3. A consortium certificate issued to a body certifies that the body is recognized as an eligible research consortium. Such a certificate is valid for an indeterminate period, unless otherwise specified in the certificate.

“6.4. In order for a body to be recognized as an eligible research consortium, it must be a research consortium in respect of which the following conditions are met:

(1) the number of members forming the research consortium and their financial contribution are sufficiently representative of a sector of activity;

(2) the public or parapublic bodies operating in that sector of activity that are members of the research consortium do not constitute a majority of its members and do not provide the major part of its financing;

(3) the association agreement of the members of the research consortium requires that a research program concerning the members’ scientific and technological interests be established every year, and provides that the research results obtained will be available to all the members for use and development according to their specific needs;

(4) the mission of the research consortium is to carry on scientific research and experimental development work in Québec that is generic in nature and is not likely to lead to readily marketable results;

(5) the results of scientific research and experimental development work carried on by the research consortium may give rise to applications in various industrial sectors or to products that are commercially different among its members and that vary according to the use and development each may make of those results; and

(6) the research consortium has employees who have the skills required to carry on scientific research and experimental development work and has the premises and equipment needed to carry on that work in Québec.

The condition of subparagraph 3 of the first paragraph is not considered met if the association agreement does not clearly define the manner in which the research results obtained may be used and developed by the members of the research consortium.

The Minister may recognize only one research consortium per sector of activity.

“6.5. A body that holds a valid consortium certificate must file a notice of change of status with the Minister if

(1) a change that has occurred in its human or physical resources could compromise its capacity to carry out scientific research and experimental development work;

(2) the composition of the consortium has changed significantly; or

(3) the association agreement of the members of the consortium or the consortium’s mission has been modified.

If a body fails to fulfil its obligation to file a notice of change of status, the Minister may revoke the consortium certificate issued to it.

“CHAPTER VII

“SECTORAL PARAMETERS OF TAX CREDIT FOR PRIVATE PARTNERSHIP PRE-COMPETITIVE RESEARCH

“DIVISION I

“INTERPRETATION AND GENERAL

“7.1. In this chapter, unless the context indicates otherwise,

“research project” means a scientific research and experimental development project;

“tax credit for private partnership pre-competitive research” means the fiscal measure provided for in Division II.3.0.1 of Chapter III.1 of Title III of Book IX of Part I of the Taxation Act, under which a person is deemed to have paid an amount to the Minister on account of the person’s tax payable under that Part for a taxation year.

“7.2. To benefit from the tax credit for private partnership pre-competitive research, in respect of a research project, a person or, if the person claims the tax credit as a member of a partnership, the partnership must obtain a certificate in that respect (in this chapter referred to as a “research project certificate”) from the Minister. Such a certificate is valid for a maximum period of three years.

“DIVISION II

“RESEARCH PROJECT CERTIFICATE

“7.3. The Minister may not issue a research project certificate in respect of a research project provided for in a partnership agreement unless an application to that effect is filed with the Minister before the beginning of the project.

Despite the first paragraph, the Minister may issue a research project certificate to a person or a partnership in respect of a research project carried out within the scope of a partnership agreement to which the person or partnership is a party if

(1) the application for the certificate is filed with the Minister on or before the 90th day following the day on which the research project began; or

(2) the application for the certificate is filed with the Minister within three years following the day on which the research project began and

(a) the application could not be filed within the time provided in subparagraph 1 for reasons beyond the control of the person or of the members of the partnership,

(b) the application gives the reasons why it could not be filed within such time, and

(c) the Minister considers that the reasons put forward justify the admissibility of the application.

“7.4. A research project certificate issued to a person or a partnership certifies that the research project referred to in it is a pre-competitive research project carried out under a partnership agreement to which the person or partnership is a party. The certificate also specifies the date on which its period of validity ends.

“7.5. In order for a research project to be considered to be a pre-competitive research project carried out under a partnership agreement to which the person or partnership filing the application for a certificate is a party, the following conditions must be met:

(1) each party to the partnership agreement (in this section referred to as a “partner”) has a scientific and technological interest in seeing the research project carried out, and the purpose of the partnership agreement coincides with the respective interests of all the partners, even if their sectors of activity differ;

(2) the partners are on an equal footing and share responsibility for the research project, each partner assuming its own liability, without guaranteeing the liability of the other partners;

(3) the partners pool their contributions to the research project, which contributions may be inputs of equipment, efforts, cash, knowledge or expertise;

(4) the expected duration and the purpose of the research project are defined in the partnership agreement;

(5) the research project affords each partner the possibility of using the results, such that each partner has an interest in seeing the project carried out in order to benefit from the results with a view to enhance its growth;

(6) the research project will affect the partners, whether the project is successful or not;

(7) each partner is entitled to benefit from the research project results, the planned sharing of those results being based on the interests of each partner and having to be coherent with the pursuit of its technological development; in that respect, the partnership agreement must include the obligation to negotiate conditions relating to the rights of each of the partners to exploit the intellectual property deriving from the research project, and must govern the disclosure of information on the obtention of a patent protecting the intellectual property, if applicable;

(8) all the partners participate in managing the research project and no partner is subordinate to another; and

(9) each partner performs a part of the work required to carry out the research project, while participating in the overall research project.

For the purpose of determining whether the condition of subparagraph 8 of the first paragraph is met, the establishment of a management committee and the development of a decision-making or dispute settlement mechanism, which may be provided for in the partnership agreement, are indicators that the research project is managed jointly.

For the purposes of subparagraph 9 of the first paragraph, groups of researchers, developers or engineers are considered to participate in the overall research project if they separately carry out work related to various aspects of the research project and participate in study sessions and discussions to integrate their respective research results in the overall structure of the project.”

ACT RESPECTING EDUCATIONAL PROGRAMMING

178. Section 3.1 of the Act respecting educational programming (chapter P-30.1) is amended by replacing “Minister of Economic Development, Innovation and Export Trade” in subparagraph 2 of the first paragraph by “Minister of Higher Education, Research, Science and Technology”.

179. Section 9 of the Act is amended by inserting “, to the Minister of Higher Education, Research, Science and Technology” after “members of the committee”.

ACT RESPECTING THE PROCESS OF NEGOTIATION OF THE COLLECTIVE AGREEMENTS IN THE PUBLIC AND PARAPUBLIC SECTORS

180. Section 31 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) is replaced by the following section:

“31. The committees established under paragraphs 1 and 2 of section 30 are composed of persons appointed by the Minister of Education, Recreation and Sports and the committee established under paragraph 3 of that section is composed of persons appointed by the Minister of Higher Education, Research, Science and Technology. The committees also include persons appointed, as the case may be, by the group of school boards referred to in paragraph 1 of section 30, the group of school boards referred to in paragraph 2 of that section or the group of colleges.

A group of school boards or a group of colleges is an association, federation or other organization to which the majority of the school boards referred to in paragraph 1 of section 30, of the school boards referred to in paragraph 2 of that section or of the colleges belong and which is considered to be representative of such school boards by the Minister of Education, Recreation and Sports or of such colleges by the Minister of Higher Education, Research, Science and Technology, if it is not already recognized as such by law.”

181. Section 32 of the Act is amended by inserting “of Education, Recreation and Sports or the Minister of Higher Education, Research, Science and Technology” after “Minister” in the first paragraph.

182. Section 33 of the Act is amended by inserting “or to the Minister of Higher Education, Research, Science and Technology, as the case may be” after “Minister of Education, Recreation and Sports”.

183. Section 43 of the Act is replaced by the following section:

“**43.** The Conseil du trésor shall invite the Minister of Education, Recreation and Sports, the Minister of Higher Education, Research, Science and Technology or the Minister of Health and Social Services, as the case may be, to participate in its deliberations where they deal with the negotiations referred to in sections 44 and 53.”

FIRE SAFETY ACT

184. Section 55 of the Fire Safety Act (chapter S-3.4) is amended by inserting “or the Minister of Higher Education, Research, Science and Technology, as the case may be” after “Sports” in the first paragraph.

185. Section 62 of the Act is amended

(1) by replacing “15” in the first paragraph by “16”;

(2) by adding the following subparagraph after subparagraph 5 of the second paragraph:

“(6) a member of the personnel of the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie designated by the Deputy Minister of Higher Education, Research, Science and Technology.”

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

186. Section 88 of the Act respecting health services and social services (chapter S-4.2) is amended

(1) by replacing “Minister of Education, Recreation and Sports and the Minister of Economic Development, Innovation and Export Trade” by “Minister of Higher Education, Research, Science and Technology”;

(2) by replacing “Act respecting the Ministère du Développement économique, de l’Innovation et de l’Exportation (chapter M-30.01)” by “Act respecting the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie (2013, chapter 28)”.

187. Sections 89 to 91 of the Act are amended by replacing “Minister of Education, Recreation and Sports and the Minister of Economic Development, Innovation and Export Trade” by “Minister of Higher Education, Research, Science and Technology”.

188. Section 110 of the Act is amended

(1) by inserting “or the Minister of Higher Education, Research, Science and Technology” after “Sports” in the third paragraph;

(2) by inserting “or the Minister of Higher Education, Research, Science and Technology, as applicable” after “Sports” in the fourth paragraph.

189. Sections 436.1 and 436.8 of the Act are amended by replacing “Minister of Education, Recreation and Sports” by “Minister of Higher Education, Research, Science and Technology”.

REGULATION RESPECTING FINANCIAL ASSISTANCE FOR EDUCATION EXPENSES

190. The Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1) is amended by inserting “or the Minister of Education, Recreation and Sports” after “Minister” in the first paragraph of sections 7 and 50, the third paragraph of section 32, the first, second and third paragraphs of section 46, section 52 and the last paragraph of section 56.

REGULATION RESPECTING THE TUITION FEES THAT A GENERAL AND VOCATIONAL COLLEGE MUST CHARGE

191. Section 3 of the Regulation respecting the tuition fees that a general and vocational college must charge (chapter C-29, r. 2) is amended by striking out “of Education, Recreation and Sports”.

REGULATION RESPECTING THE STANDARDS, CONDITIONS AND PROCEDURE FOR ALIENATION OF AN IMMOVABLE OF A GENERAL AND VOCATIONAL COLLEGE

192. Section 2 of the Regulation respecting the standards, conditions and procedure for alienation of an immovable of a general and vocational college (chapter C-29, r. 3) is amended by striking out “of Education, Recreation and Sports”.

COLLEGE EDUCATION REGULATIONS

193. Section 4 of the College Education Regulations (chapter C-29, r. 4) is amended by striking out “of Education, Recreation and Sports” in subparagraph 2 of the second paragraph.

REGULATION RESPECTING THE ACCREDITATION OF TRAINING BODIES, TRAINING INSTRUCTORS AND TRAINING SERVICES

194. Section 8 of the Regulation respecting the accreditation of training bodies, training instructors and training services (chapter D-8.3, r. 1) is amended by inserting “the ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie,” after “ministère de l’Éducation, du Loisir et du Sport,” in paragraph 3.

REGULATION RESPECTING THE APPLICATION OF THE ACT
RESPECTING PRIVATE EDUCATION

195. Section 1 of the Regulation respecting the application of the Act respecting private education (chapter E-9.1, r. 1) is amended

(1) by striking out “, to college level education”;

(2) by adding the following sentence at the end: “The Minister of Higher Education, Research, Science and Technology shall exercise the functions provided for in this Regulation with regard to college level education.”

196. Section 9 of the Regulation is amended by inserting “relating to the level of instruction for which the permit is issued as” after “fees” in the first paragraph.

RÈGLEMENT SUR L’EXERCICE DES POUVOIRS ET LA RÉGIE
INTERNE DE L’INSTITUT DE TOURISME ET D’HÔTELLERIE
DU QUÉBEC

197. Section 11 of the Règlement sur l’exercice des pouvoirs et la régie interne de l’Institut de tourisme et d’hôtellerie du Québec (chapter I-13.02, r. 1, French only) is amended by inserting “et au ministre de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie” after “Sport” in paragraph 12.

REGULATION RESPECTING UNIVERSITY INVESTMENTS

198. Section 1 of the Regulation respecting university investments (chapter I-17, r. 1) is amended by striking out “of Education, Recreation and Sports” in the introductory clause.

REGULATION RESPECTING THE DELEGATIONS OF POWERS
AND DUTIES OF THE MINISTER OF EDUCATION, RECREATION
AND SPORTS

199. Paragraph 3 of section 1 and sections 3, 7 and 8 of the Regulation respecting the delegations of powers and duties of the Minister of Education, Recreation and Sports (chapter M-15, r. 1) are repealed.

OTHER AMENDING PROVISIONS

200. The expression “Minister of Economic Development, Innovation and Export Trade” is replaced by “Minister of Higher Education, Research, Science and Technology” in the following legislative provisions:

(1) section 42 of the Act respecting the Centre de recherche industrielle du Québec (chapter C-8.1);

(2) the second paragraph of section 1 of the Act respecting artistic, literary and scientific competitions (chapter C-51).

201. The expressions “Minister of Education, Recreation and Sports” and “Ministère de l’Éducation, du Loisir et du Sport” are replaced by “Minister of Higher Education, Research, Science and Technology” and “Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie”, respectively, wherever they appear in the following legislative provisions:

(1) section 64 of the Act respecting the accreditation and financing of students’ associations (chapter A-3.01);

(2) section 88.3 of the Charter of the French language (chapter C-11);

(3) sections 16.1, 51 and 72 of the General and Vocational Colleges Act (chapter C-29);

(4) section 47 of the Act respecting the Commission d’évaluation de l’enseignement collégial (chapter C-32.2);

(5) subparagraph 2 of the first paragraph of section 4 and sections 21 and 22 of the Act respecting the Conservatoire de musique et d’art dramatique du Québec (chapter C-62.1);

(6) section 10 of the Act respecting educational institutions at the university level (chapter E-14.1);

(7) section 24 of the Act respecting university foundations (chapter F-3.2.0.1);

(8) section 27 of the Court Bailiffs Act (chapter H-4.1);

(9) section 7 of the Act respecting Institut national de santé publique du Québec (chapter I-13.1.1);

(10) paragraph *c* of section 1 of the University Investments Act (chapter I-17);

(11) subparagraph *b* of the first paragraph of section 29 of the Medical Act (chapter M-9);

(12) section 2 of the Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (chapter M-14);

(13) paragraph *b* of section 15 of the Pharmacy Act (chapter P-10);

(14) section 15 and subparagraph 5 of the second paragraph of section 18 of the Police Act (chapter P-13.1);

(15) section 63 of the Act respecting pre-hospital emergency services (chapter S-6.2);

(16) paragraph *f* of section 1 and section 59 of the Act respecting the Université du Québec (chapter U-1).

The expression “Minister of Education, Recreation and Sports” is replaced by “Minister” in the following legislative provisions:

(1) sections 19, 34, 37 and 63 of the Act respecting the accreditation and financing of students’ associations (chapter A-3.01);

(2) section 2 of the General and Vocational Colleges Act (chapter C-29);

(3) section 5, subparagraph 3 of the second paragraph of section 13 and section 22 of the Act respecting the Commission d’évaluation de l’enseignement collégial (chapter C-32.2);

(4) paragraph 13 of section 1 of the Act respecting educational institutions at the university level (chapter E-14.1);

(5) section 6.1 of the University Investments Act (chapter I-17).

202. The following legislative provisions are amended by inserting, depending on the context, “, the Minister of Higher Education, Research, Science and Technology”, “, the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie” or “, the Deputy Minister of Higher Education, Research, Science and Technology” after “Minister of Education, Recreation and Sports”, “Ministère de l’Éducation, du Loisir et du Sport” or “Deputy Minister of Education, Recreation and Sports”:

(1) the second paragraph of section 84 of the Individual and Family Assistance Act (chapter A-13.1.1);

(2) the sixth paragraph of section 65 of the Health Insurance Act (chapter A-29);

(3) the third paragraph of section 7 of the Act respecting the Conseil du statut de la femme (chapter C-59);

(4) section 6.1 and the second paragraph of section 63 of the Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration (chapter E-20.1);

(5) paragraph *e* of section 23 of the Youth Protection Act (chapter P-34.1).

203. The following legislative provisions are amended by inserting, depending on the context, “or the Minister of Higher Education, Research, Science and Technology” or “or the Ministère de l’Enseignement supérieur,

de la Recherche, de la Science et de la Technologie”, with the necessary grammatical adjustments, after “Minister of Education, Recreation and Sports” or “Ministère de l’Éducation, du Loisir et du Sport” wherever they appear:

(1) subparagraph *o* of the second paragraph of section 69.1 of the Tax Administration Act (chapter A-6.002);

(2) subparagraph *d* of subparagraph 7 and subparagraph 7.1 of the third paragraph of section 12, subparagraph 3 of the first paragraph of section 16.10 and the second paragraph of section 95.0.1 of the Professional Code (chapter C-26);

(3) paragraph 1 of section 8 of the Pay Equity Act (chapter E-12.001);

(4) paragraph 5 of section 3 of the Act respecting labour standards (chapter N-1.1);

(5) the second paragraph of section 103 of the Act respecting the legal publicity of enterprises (chapter P-44.1);

(6) section 9 of Schedule I to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1);

(7) paragraphs 13 and 14 of section 167 of the Act respecting occupational health and safety (chapter S-2.1);

(8) section 125 of the Act respecting health services and social services for Cree Native persons (chapter S-5).

204. The expressions “Minister of Education, Recreation and Sports” or “Minister of Education”, “Ministère de l’Éducation, du Loisir et du Sport” or “Ministry of Education, Recreation and Sports”, and “Assistant Deputy Minister for Professional and Technical Training” are replaced wherever they appear in the following regulatory provisions by “Minister of Higher Education, Research, Science and Technology”, “Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie” and “Assistant Deputy Minister for Higher Education”, respectively:

(1) any regulatory provision made under the Professional Code (chapter C-26) and any provision of a regulation respecting the committee on training of professionals of a professional order, except for the Regulation respecting the committee on training of nursing assistants (chapter C-26, r. 155) and the Regulation respecting the joint committee on training in medicine (chapter M-9, r. 18);

(2) the second occurrence of “Minister of Education, Recreation and Sports” in section 37 of the Regulation respecting hearing devices and insured services (chapter A-29, r. 2);

(3) the third paragraph of section 11.2 of the Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4);

(4) the fourth paragraph of section 26 of the Regulation respecting safety in public baths (chapter B-1.1, r. 11);

(5) the definition of “annual income” in the first paragraph of section 9 of the Regulation respecting the determination of child support payments (chapter C-25, r. 6), the second paragraph of that section and line 208 of Schedule I to that Regulation;

(6) section 14 of the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care (chapter M-9, r. 2.1);

(7) the second paragraph of section 3 of the Regulation respecting the signing of certain deeds, documents or writings of the Commission administrative des régimes de retraite et d’assurances (chapter C-32.1.2, r. 1);

(8) subparagraph 2 of the first paragraph of section 9 and subparagraph 3 of the first paragraph of section 13 of the Regulation respecting the application of the Real Estate Brokerage Act (chapter C-73.1, r. 1);

(9) section 20 of the Regulation respecting the terms and conditions for the issue of a permit by the Chambre des huissiers de justice du Québec (chapter H-4.1, r. 7);

(10) subparagraph iii of paragraph *b* of subsection 2 of section 99, subparagraph *d* of the first paragraph of section 132, section 133 and the third paragraph of section 228 of the Regulation respecting the application of the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (chapter L-0.2, r. 1);

(11) subparagraphs 4 and 8 of the first paragraph of section 4 of the By-law to establish the Training Plan Regulation of the École nationale de police du Québec (chapter P-13.1, r. 4);

(12) section 18 of the Artificial Insemination of Cattle Regulation (chapter P-42, r. 9);

(13) section 24 of the Agricultural Operations Regulation (chapter Q-2, r. 26);

(14) section 2 and paragraphs 2 and 3 of section 10 of the Regulation respecting the conditions governing the exercise of functions within a municipal fire safety service (chapter S-3.4, r. 1);

(15) paragraph 2 of section 1 of the Regulation respecting the training required to obtain an agent licence to carry on private security activities (chapter S-3.5, r. 2);

(16) subparagraph 3 of the first paragraph of section 15 of the Reduced Contribution Regulation (chapter S-4.1.1, r. 1);

(17) subparagraph 1 of the first paragraph of section 1 of the Regulation respecting the conditions for the registration of an ambulance technician in the national workforce registry (chapter S-6.2, r. 1);

(18) the definitions of “Minister” and “Ministry” in section 1 and section 95 of the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges made by a ministerial order dated 17 June 2005 and approved by the Conseil du trésor, T.B. 202573 dated 21 June 2005 (2005, G.O. 2, 2423) as amended;

(19) the definitions of “Minister” and “Ministry” in section 1 of the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges made by a ministerial order dated 17 June 2005 and approved by the Conseil du trésor, T.B. 202574 dated 21 June 2005 (2005, G.O. 2, 2449) as amended.

205. The following regulatory provisions are amended by inserting, depending on the context, “or the Minister of Higher Education, Research, Science and Technology” or “or the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie”, with the necessary grammatical adjustments, after “Minister of Education, Recreation and Sports”, “Ministère de l’Éducation, du Loisir et du Sport” or “Ministère de l’Éducation du Québec” wherever they appear:

(1) the first and last paragraphs of section 3 of the Regulation respecting legal aid (chapter A-14, r. 2);

(2) paragraph 2 of section 3, paragraph 3 of section 4.2, subparagraph *b* of subparagraph 3 of the first paragraph of section 15 and subparagraph 2 of the first paragraph of section 23 of the Regulation respecting eligibility and registration of persons in respect of the Régie de l’assurance maladie du Québec (chapter A-29, r. 1);

(3) paragraph 2 of the definition of “person with a hearing deficiency” in section 1 of the Regulation respecting hearing devices and insured services (chapter A-29, r. 2);

(4) subparagraph 1 of the first paragraph of section 26 of the Regulation respecting insured visual aids and related services (chapter A-29, r. 3);

(5) the third paragraphs of sections 16 and 50 of the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act (chapter A-29, r. 4);

(6) the introductory clause of the first paragraph of section 6.1 of the Regulation respecting certificates of qualification and apprenticeship in

electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry (chapter F-5, r. 1);

(7) subparagraph *d* of paragraph 3 of section 25 of the Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels (chapter F-5, r. 2);

(8) subparagraph *i* of paragraph *b.2* of subsection 1 of section 1 and subsection 5.2 of section 47 of the Regulation respecting the selection of foreign nationals (chapter I-0.2, r. 4);

(9) the second paragraph of section 2 of the Regulation respecting certain professional activities which may be performed by a puéricultrice or a garde-bébé and by other persons (chapter I-8, r. 4);

(10) sections 890.15R1 and 1086R97 of the Regulation respecting the Taxation Act (chapter I-3, r. 1);

(11) subparagraph 1 of the fourth paragraph of section 44 of the Regulation respecting the quality of drinking water (chapter Q-2, r. 40);

(12) paragraph 3 of article 26 of Schedule 1 to the Regulation respecting the implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Kingdom of Belgium (chapter R-9, r. 11);

(13) paragraph 3 of article 15 of Schedule II to the Regulation respecting the implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of Sweden (chapter R-9, r. 39);

(14) paragraph 2 of the definition of “personne à charge” in section 1 of the Règlement sur les régimes complémentaires d’avantages sociaux dans l’industrie de la construction (chapter R-20, r. 10);

(15) section 6 of the By-law respecting housing (chapter S-8, r. 7);

(16) subparagraph 2 of the first paragraph of section 4 of the Regulation respecting the disposition of certain surplus or confiscated properties (chapter T-8.1, r. 2).

CHAPTER VII

INCORPORATION INTO THIS ACT OF PROVISIONS FROM OTHER ACTS

206. Sections 13.1, 13.3, 13.4 and 13.7 of the Act respecting the Ministère de l’Éducation, du Loisir et du Sport (chapter M-15) become sections 17 to 20 of this Act, respectively, after replacing “Minister of Education, Recreation and Sports” in paragraph 3 of section 13.3 of that Act by “Minister” and

renumbering paragraphs 2 to 5 of section 13.3 of that Act as paragraphs 1 to 4 of the corresponding section of this Act.

207. Sections 46 to 83 of the Act respecting the Ministère du Développement économique, de l'Innovation et de l'Exportation (chapter M-30.01) become sections 21 to 63 of this Act, respectively, after renumbering paragraph 5 of section 61 of that Act as paragraph 4 of the corresponding section of this Act and renumbering Divisions I to V of Chapter V of that Act as subdivisions 1 to 5 of Division II of Chapter III of this Act and after replacing

(1) the reference to sections 50, 50.1, 50.2 and 50.3 in section 54 of that Act by a reference to sections 25 to 28 of this Act;

(2) the reference to section 57 in section 60 of that Act by a reference to section 35 of this Act;

(3) the reference to section 75 in section 76.1 of that Act by a reference to section 54 of this Act;

(4) the reference to section 64 in section 78 of that Act by a reference to section 42 of this Act;

(5) the expression “this Chapter” in section 81 of that Act by “Division II”;

(6) the reference to section 81 in section 82 of that Act by a reference to section 61 of this Act;

(7) the reference to sections 81 and 82 in section 83 of that Act by a reference to sections 61 and 62 of this Act.

208. Sections 45.1 to 45.14 of the Act respecting the Ministère du Développement économique, de l'Innovation et de l'Exportation become sections 64 to 77 of this Act, respectively, after renumbering Divisions I and II of Chapter IV.1 of that Act as Divisions I and II of Chapter IV of this Act and replacing the reference to section 45.3 in section 45.5 of that Act by a reference to section 66.

CHAPTER VIII

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

209. Unless the context indicates otherwise, in any document other than an Act or a regulation, including in any order, order in council, policy, budget rule, permit, certificate, proclamation, administrative document, judicial pleading or contract,

(1) a reference to the Minister or Deputy Minister of Education, Recreation and Sports or the Ministère de l'Éducation, du Loisir et du Sport, or to the Minister or Deputy Minister of Economic Development, Innovation and Export

Trade or the Ministère du Développement économique, de l'Innovation et de l'Exportation is, if the matter is under the responsibility of the Minister of Higher Education, Research, Science and Technology, a reference to the Minister or Deputy Minister of Higher Education, Research, Science and Technology or the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie; and

(2) a reference to the Act respecting the Ministère de l'Éducation, du Loisir et du Sport or the Act respecting the Ministère du Développement économique, de l'Innovation et de l'Exportation, or to any of their provisions, concerning a matter within the jurisdiction of the Minister of Higher Education, Research, Science and Technology is a reference to this Act or to the corresponding provision of this Act.

210. The Regulation respecting private educational institutions at the college level (chapter E-9.1, r. 4) is deemed to have been made by the Minister of Higher Education, Research, Science and Technology.

211. A person or body referred to in section 8 of the Regulation respecting the application of the Act respecting private education (chapter E-9.1, r. 1) that provides services for levels of instruction under the responsibility of the Minister of Higher Education, Research, Science and Technology and the Minister of Education, Recreation and Sports may, despite section 9 of that Regulation as amended by section 196, maintain a single security guarantee until 30 June 2014.

212. The records and other documents of the Ministère du Développement économique, de l'Innovation et de l'Exportation and of the Ministère de l'Éducation, du Loisir et du Sport are transferred to the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie, to the extent that they pertain to matters within the jurisdiction of the Minister.

213. Any proceeding relating to higher education, research, science, innovation or technology or to any other matter devolving upon the Minister of Higher Education, Research, Science and Technology to which the Minister of Education, Recreation and Sports or the Minister of Economic Development, Innovation and Export Trade is a party is continued by the Minister of Higher Education, Research, Science and Technology without continuance of suit.

214. The members of the councils, committees or commissions whose composition is modified or in respect of which the authority responsible for appointments is changed by this Act continue in office on the same terms, until they are replaced or reappointed.

215. Until the coming into force of the by-laws of the advisory committee on the financial accessibility of education adopted under section 84, the committee is governed by the rules of internal management adopted under section 23.6 of the Act respecting the Conseil supérieur de l'éducation (chapter C-60), with the necessary modifications.

In addition, until that coming into force, any unexplained absence from four consecutive meetings constitutes a vacancy for the purposes of section 82.

216. The members of the personnel of the Ministère de l'Éducation, du Loisir et du Sport and the Ministère du Développement économique, de l'Innovation et de l'Exportation who exercise functions relating to matters within the jurisdiction of the Minister of Higher Education, Research, Science and Technology become members of the personnel of the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie.

217. The Conseil du trésor may, after consultation with the ministers concerned and to the extent it determines, transfer appropriations between the Ministère de l'Éducation, du Loisir et du Sport and the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie or between the latter and the Ministère des Finances et de l'Économie, for the fiscal year 2013-2014, to reflect the sharing of responsibilities among the ministers.

218. The Government may, by regulation, prescribe any other consequential or transitional provision necessary for the carrying out of this Act.

Such a regulation is not subject to the publication requirement or the requirement as regards its date of coming into force set out in sections 8 and 17 of the Regulations Act (chapter R-18.1) and may, once published and if it so provides, apply from any date not prior to 5 January 2014.

219. This Act comes into force on 5 January 2014.

2013, chapter 29

AN ACT TO AMEND THE TERRITORIAL DIVISION ACT AND OTHER LEGISLATIVE PROVISIONS

Bill 51

Introduced by Mr. Bertrand St-Arnaud, Minister of Justice

Introduced 13 June 2013

Passed in principle 6 November 2013

Passed 6 December 2013

Assented to 6 December 2013

Coming into force : 5 January 2014

Legislation amended :

Territorial Division Act (chapter D-11)

Courts of Justice Act (chapter T-16)

Explanatory notes

This Act replaces the name of the judicial district of Hull and the name of its chief place by the name Gatineau.

It makes changes to the description of the areas located within the boundaries of the district, in particular, to the list of municipalities situated within it and to the description of the territory over which concurrent jurisdiction is exercised in the district and another district.

As well, it transfers the list of the places situated within the limits of the judicial districts from section 9 of the Territorial Division Act to a schedule to that Act.

Lastly, it gives the Government the regulatory power to change the name of any judicial district or to update the name of any chief place or the description of the places located within the boundaries of a district.



Chapter 29

AN ACT TO AMEND THE TERRITORIAL DIVISION ACT AND OTHER LEGISLATIVE PROVISIONS

[Assented to 6 December 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

TERRITORIAL DIVISION ACT

1. Section 9 of the Territorial Division Act (chapter D-11) is amended

(1) by replacing “and composed” in the introductory clause by “and bounded”;

(2) by moving the second paragraph or the second and third paragraphs, as the case may be, of subsections 1 to 9, with a reference to the number and name of the district, to Schedule 1, which is added to the Act and entitled “List of places situated within the boundaries of judicial districts” and by replacing “within the above described perimeter” wherever they appear in those paragraphs by “within the boundaries of the district”;

(3) in paragraph 11,

(a) by replacing “**Hull**” and “Hull” in the heading by “**Gatineau**” and “Gatineau”;

(b) by replacing “Hull” in the first paragraph by “Gatineau”;

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

“This judicial district includes the following local municipalities: the towns of Gatineau, Gracefield and Thurso; the municipalities of L’Ange-Gardien, Boileau, Cantley, Chelsea, Chénéville, Denholm, Fassett, Kazabazua, Lac-Sainte-Marie, Lac-Simon, Mayo, Montebello, Montpellier, Mulgrave-et-Derry, Namur, Notre-Dame-de-Bonsecours, Notre-Dame-de-la-Paix, Notre-Dame-de-la-Salette, Papineauville, Plaisance, Ripon, Saint-André-Avellin, Saint-Émile-de-Suffolk, Saint-Sixte, Val-des-Bois and Val-des-Monts; the township municipalities of Lochaber, Lochaber-Partie-Ouest and Low; that part of Municipalité de Bouchette situated in the township of Northfield, that part of Municipalité de Bowman situated in the township of Bowman, that part of Municipalité de Blue Sea situated in the township of Wright, that part of Municipalité de Duhamel situated in the townships of Papineau and Preston, that part of Municipalité de Lac-des-Plages situated in the township of Addington, that part of Municipalité de Notre-Dame-du-Laus situated in the

township of Blake, that part of Municipalité de La Pêche situated in the townships of Masham and Wakefield, that part of Municipalité de Pontiac situated in the township of Eardley and, finally, the parts of Municipalité du canton d'Amherst situated in the townships of Addington and Ponsoyby.”;

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

“It also comprises the unorganized territory situated within the boundaries of the district.”;

(e) by moving the second and third paragraphs so replaced to the new Schedule 1;

(4) by moving the second paragraph or the second and third paragraphs, as the case may be, of subsections 12 to 32, with a reference to the number and name of the district, to Schedule 1 and by replacing “within the above described perimeter” wherever they appear in those paragraphs by “within the boundaries of the district”.

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

“9.1. The Government may, by regulation, change the name of judicial districts or update the name of chief places. It may also update Schedule 1 as regards the description of the areas located within the boundaries of districts, including the list of municipalities situated within them.

Such a regulation may also contain any necessary transitional or concordance provision, including amendments to any other Act or regulation.”

COURTS OF JUSTICE ACT

3. Section 24 of the Courts of Justice Act (chapter T-16) is amended by replacing “Hull” by “Gatineau”.

4. Section 32 of the Act is amended

(1) by replacing “Hull” wherever it appears in subparagraph 1 of the first paragraph by “Gatineau”;

(2) by replacing “for the districts of Hull, Labelle and Pontiac, with residence at Hull” in subparagraph 7 of the first paragraph by “for the districts of Gatineau, Labelle and Pontiac, with residence at Gatineau”.

5. Schedule I to the Act is amended

(1) by replacing, in the column listing the judicial districts, “Hull and Labelle” by “Gatineau and Labelle”, “Hull and Pontiac” by “Gatineau and Pontiac” and “Hull and Terrebonne” by “Gatineau and Terrebonne”;

(2) by replacing “Over the townships of Wright, Aylwin, Northfield, Blake, McGill, Wells, Bigelow and over that part of the territory of the municipality of Duhamel situated in the township of Gagnon.” in the column describing the territory over which concurrent jurisdiction is exercised for the districts of Hull and Labelle by “Over the territory of the municipalities of Blue Sea, Bouchette, Bowman, Duhamel and Notre-Dame-du-Laus and over the territory of Municipalité du canton d’Amherst.”;

(3) by replacing “over that part of the municipality of Lac-des-Plages situated in the township of Amherst” in the column describing the territory over which concurrent jurisdiction is exercised for the districts of Hull and Terrebonne by “over the territory of Municipalité de Lac-des-Plages”.

AMENDING AND FINAL PROVISIONS

6. In any other Act and in any regulation, “Hull” is replaced by “Gatineau” when in reference to the judicial district or to the chief place of the district.

In legal situations existing on the day of coming into force of the Act, unless the context indicates otherwise, in any act or document, a reference to the district of Hull is a reference to the district of Gatineau and a reference to Hull as chief place of the district is a reference to Gatineau.

7. This Act comes into force on 5 January 2014.

2013, chapter 30

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MUNICIPAL AFFAIRS

Bill 64

Introduced by Mr. Gaétan Lelièvre, Minister for Regions

Introduced 14 November 2013

Passed in principle 26 November 2013

Passed 5 December 2013

Assented to 6 December 2013

Coming into force : 6 December 2013, except section 13, which comes into force on the date to be set by the Government

Legislation amended:

Charter of Ville de Montréal (chapter C-11.4)

Cities and Towns Act (chapter C-19)

Municipal Code of Québec (chapter C-27.1)

Municipal Powers Act (chapter C-47.1)

Act respecting municipal taxation (chapter F-2.1)

Act respecting the Société d'habitation du Québec (chapter S-8)

Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1)

Explanatory notes

This Act amends the Cities and Towns Act, the Municipal Code of Québec and the Charter of Ville de Montréal in order to provide that the approval of plan participants is not required for a change to a municipal employee pension plan for the purpose of enhancing benefits, which enhancement is paid out of a stabilization fund, or refunding contributions paid into such a fund.

The Municipal Powers Act is amended to allow local municipalities, on certain conditions, to build, own or operate a dam or to carry out work on one.

The Act respecting municipal taxation is amended to simplify the process for filing, with the Minister of Municipal Affairs, Regions and Land Occupancy, a demand for payment of compensation in lieu of taxes following an alteration to the property assessment roll. The Act is also amended to provide that only the land area of the territory of a municipality, as shown in the Répertoire des municipalités, is to be considered in computing the property value of the road bed of a railway.

The Act respecting the Société d'habitation du Québec is amended to allow the Government to designate a person who will be in charge of administering and distributing, according to the rules it establishes, the contributions provided for in the Société's various programs. The Act is also amended to provide for a legal hypothec in favour of the Société on the immovables it subsidizes, in order to guarantee mainly their social housing vocation.

(Cont'd on next page)

Explanatory notes (Cont'd)

The Act respecting Northern villages and the Kativik Regional Government is amended to allow a member of the council of a northern village, on certain conditions, to participate, deliberate and vote at a sitting of the council by telephone or another means of communication, and to allow a member of the executive committee of the Kativik Regional Government to participate, deliberate and vote at a meeting of the council by telephone or another means of communication when only the committee secretary is present at the place where the meeting is held. The Act is also amended to harmonize certain provisions regarding the ineligibility of persons to be nominated or elected members of council with provisions applicable in the other municipalities of Québec.

Finally, the period of application of an intermunicipal agreement regarding fire protection is extended, and municipalities are temporarily authorized to borrow, on certain conditions, part of the sums related to the refund of the Québec sales tax by the Gouvernement du Québec.



Chapter 30

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MUNICIPAL AFFAIRS

[Assented to 6 December 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHARTER OF VILLE DE MONTRÉAL

1. Section 37 of Schedule C to the Charter of Ville de Montréal (chapter C-11.4) is amended by adding the following sentence at the end of the first paragraph: “However, the formalities provided for in those paragraphs do not apply in the case of an amendment to such a by-law for the purpose of enhancing benefits, which enhancement is paid out of a stabilization fund established under the Supplemental Pension Plans Act (chapter R-15.1), or refunding contributions paid into such a fund.”

CITIES AND TOWNS ACT

2. Section 464 of the Cities and Towns Act (chapter C-19) is amended by adding the following sentence at the end of the fourth paragraph of subparagraph 8 of the first paragraph: “However, no approval is required in the case of an amendment to the by-law for the purpose of enhancing benefits, which enhancement is paid out of a stabilization fund established under the Supplemental Pension Plans Act (chapter R-15.1), or refunding contributions paid into such a fund.”

MUNICIPAL CODE OF QUÉBEC

3. Article 706 of the Municipal Code of Québec (chapter C-27.1) is amended by adding the following sentence at the end of the first paragraph: “However, no approval is required in the case of an amendment to the by-law for the purpose of enhancing benefits, which enhancement is paid out of a stabilization fund established under the Supplemental Pension Plans Act (chapter R-15.1), or refunding contributions paid into such a fund.”

MUNICIPAL POWERS ACT

4. The Municipal Powers Act (chapter C-47.1) is amended by inserting the following section after section 95:

“95.1. A local municipality may, for the exercise of any of its powers, own and operate a dam.

A local municipality whose territory is included in that of a regional county municipality must, before building a dam or carrying out work on a dam that could affect its impounding capacity or alter the water flow, obtain the authorization of the regional county municipality. If the dam is located in a lake or watercourse under the joint jurisdiction of two or more regional county municipalities, the local municipality must obtain the authorization of both or all of those regional county municipalities or of the board of delegates, as applicable.

Such authorization may be made subject to the local municipality entering into an agreement concerning the operation of the dam.”

ACT RESPECTING MUNICIPAL TAXATION

5. Section 48 of the Act respecting municipal taxation (chapter F-2.1) is amended by replacing “total area of the territory of the local municipality on that date” by “land area of the territory of the local municipality on that date, as shown in the Répertoire des municipalités published on the website of the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire”.

6. Section 254.1 of the Act is amended by adding the following sentences at the end of the second paragraph: “In such a case, sending a copy of the certificate of alteration concerning the immovable, as provided for in subparagraph 3 of the second paragraph of section 179, stands in lieu of filing such a demand for payment. The substitution is only valid if the certificate includes every entry contained on the roll and needed to calculate the amount and if the extract is received not later than 31 December of the fiscal year following the fiscal year in which the alteration is made.”

ACT RESPECTING THE SOCIÉTÉ D’HABITATION DU QUÉBEC

7. The Act respecting the Société d’habitation du Québec (chapter S-8) is amended by inserting the following after section 68.10:

“§7. — *Legal hypothecs*

68.11. The obligations of an owner of a housing immovable under an operating agreement are guaranteed by a legal hypothec in favour of the Société on the immovable for the amount of the financial assistance granted by the Société.

Despite article 2725 of the Civil Code, notice of a legal hypothec need not be served on the debtor if the operating agreement mentions the hypothec and this provision.

“§8. — *Management of contributions paid under housing programs*

“**68.12.** If the Société specifies, in its housing programs, that contributions must be paid by the bodies receiving financial assistance under those programs, the Government designates the person in charge of receiving, administering and distributing those contributions, according to the rules it establishes.”

ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK REGIONAL GOVERNMENT

8. Section 20 of the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1) is amended

(1) by inserting “where a position as officer is in question,” before “any” in subparagraph 6 of the first paragraph;

(2) by inserting “where a position as officer is in question,” before “any” in subparagraph 7 of the first paragraph;

(3) by inserting the following subparagraph after subparagraph *d* of subparagraph 8 of the first paragraph:

“(e) any person found guilty of an act punishable under a law of Canada or Québec by imprisonment for two years or more and sentenced to a term of 30 days or more, whether or not the sentence has been served; the disqualification lasts for a period equal to twice the term of imprisonment, and starts on the day the judgment convicting the person becomes final or the day the final sentence is pronounced, whichever is later.”

9. The Act is amended by inserting the following section after section 117:

“**117.1.** If the circumstances so justify, a member of the council may participate, deliberate and vote at a sitting of the council by telephone or other means of communication if the following conditions are met:

(1) the telephone or other means of communication used enables all persons participating or present at the sitting to hear one another;

(2) the majority of the council members physically present at the place determined for the sitting give their consent;

(3) at the time the sitting is held, the mayor, the acting mayor or the member appointed to preside over the sitting and the secretary-treasurer are physically present at the place determined for the sitting. In addition, for general or regular sittings of the council, the members in sufficient number to constitute the quorum are also physically present.

The minutes of the sitting must mention any consent given to allow a member of the council to avail himself of the right described in the first paragraph, the

name of any member of the council who availed himself of that right and the means of communication used by the member.

A member of the council who participates, deliberates and votes at a sitting in accordance with this section is deemed to be present at that sitting.”

10. Section 294 of the Act is amended

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

“However, a member may only avail himself of that right if the secretary of the executive committee is physically present at the time the meeting is to be held at the place determined, in accordance with section 292, for meetings of the executive committee.”;

(2) by striking out the third paragraph.

MISCELLANEOUS AND FINAL PROVISIONS

11. A municipality may, during each of the fiscal years mentioned in the second paragraph and by a by-law requiring only the approval of the Minister of Municipal Affairs, Regions and Land Occupancy, order a loan that cannot exceed the amount that, for each such fiscal year, corresponds to the percentages, set out in that paragraph, of the compensation prescribed for the municipality for 2013 in Schedule II.1.1 to the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2).

The maximum amount of such a loan is

(1) 50% of the amount of the compensation for a loan ordered during the 2014 fiscal year;

(2) 37.5% of the amount of the compensation for a loan ordered during the 2015 fiscal year;

(3) 25% of the amount of the compensation for a loan ordered during the 2016 fiscal year;

(4) 12.5% of the amount of the compensation for a loan ordered during the 2017 fiscal year.

The term of repayment of the loan may not exceed 10 years and the expenses incurred for the interest and for the establishment of a sinking fund must be provided by means of a special tax imposed by the by-law and levied annually, until the expiry of the term of the loan, on all the taxable immovable property in the territory of the municipality or by an appropriation out of the general revenues of the municipality.

To obtain all or part of the amounts referred to in the second paragraph, a municipality may, by by-law, authorize the borrowing of available monies from the general fund or the working fund. The by-law must specify the amount and the source of the monies borrowed and provide for the repayment of the loan, over a maximum term of 10 years, from the general revenues of the municipality.

The total of the amounts borrowed by a municipality under the by-laws referred to in the first and fourth paragraphs cannot exceed, for a single fiscal year, the maximum amount provided for in the second paragraph for that fiscal year.

12. Section 5 has effect in respect of any property assessment roll or roll of rental values as of the 2014 municipal fiscal year.

As necessary, the assessor alters the property assessment roll and, if applicable, the roll of rental values to reflect the change in value of any land referred to in section 47 of the Act respecting municipal taxation (chapter F-2.1) as a result of the amendment made to section 48 of that Act by section 5 of this Act.

The alteration made by the assessor is deemed to be made under section 174 or 174.2 of the Act respecting municipal taxation and has effect from

(1) 1 January 2014, in the case of an alteration made not later than 31 December 2015; or

(2) the first day of the fiscal year preceding the fiscal year during which it is made, in all other cases.

13. Despite Resolution 2012-12-852 passed by the council of Ville de Chambly on 4 December 2012, by which the city avails itself of the non-renewal clause provided in section 16 of the Entente intermunicipale relative à la fourniture d'un service de sécurité incendie entered into by that city and Ville de Carignan on 22 January 2009, the agreement continues to apply beyond 21 January 2014, subject to the conditions it specifies, which apply with the necessary modifications. Among those modifications, the percentages set out in the first paragraph of section 12 of the agreement apply according to the budget adopted, in accordance with section 11 of the agreement, for the 2103 fiscal year.

The first paragraph also applies, with the necessary modifications, to the Lettre d'entente relative à l'utilisation d'un camion auto-pompe citerne homologated by Resolution 2012-04-293 passed by the council of Ville de Chambly on 3 April 2012 and by Resolution 2012-09-382 passed by the council of Ville de Carignan on 4 September 2012.

The first two paragraphs cease to apply on the date the council of Ville de Carignan passes a resolution to that effect; however, they cease to apply on 31 August 2014 if the town has not passed a resolution by that date.

The first three paragraphs do not apply if, not later than 21 January 2014, Ville de Chambly and Ville de Carignan enter into a new agreement or an agreement extending the period of application of the agreement referred to in the first paragraph.

14. This Act comes into force on 6 December 2013, except section 13, which comes into force on the date to be set by the Government.

2013, chapter 31

AN ACT TO REPLACE AND RECONSTITUTE THE NOTARIAL DEEDS *EN MINUTE* DESTROYED IN THE 6 JULY 2013 RAILWAY DISASTER IN VILLE DE LAC-MÉGANTIC

Bill 65

Introduced by Mr. Bertrand St-Arnaud, Minister of Justice

Introduced 19 November 2013

Passed in principle 27 November 2013

Passed 6 December 2013

Assented to 6 December 2013

Coming into force : 6 December 2013

Legislation amended : None

Explanatory notes

This Act establishes a special procedure for reconstituting the notarial records destroyed in the 6 July 2013 railway disaster in Ville de Lac-Mégantic.

The role of the notaries, holders or legal depositaries of these records is defined with respect to the recovery of the information entered in the repertory or index of notarial deeds *en minute* relating to any destroyed records. In addition, the replacement and reconstitution of destroyed original notarial deeds *en minute* are facilitated.

To that end, a simplified and non-judicial replacement procedure is established for the deeds concerned : it is proposed that destroyed deeds may be replaced by inserting into the record an authentic copy of such deeds, delivered by any person who holds such a copy.

In addition, in cases where replacing a deed is not possible, it is proposed that the notary reconstitute the deed at the request of a party to the deed or of an interested third person.

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Explanatory notes (Cont'd)

The Minister of Justice is also given the power to establish any rule governing an alternate reconstitution procedure and to determine, after consulting the Chambre des notaires du Québec, certain cases in which reconstitution is not compulsory.

Lastly, notaries must report to the Chambre des notaires du Québec on the replacements and reconstitutions made.



Chapter 31

AN ACT TO REPLACE AND RECONSTITUTE THE NOTARIAL DEEDS *EN MINUTE* DESTROYED IN THE 6 JULY 2013 RAILWAY DISASTER IN VILLE DE LAC-MÉGANTIC

[Assented to 6 December 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

PURPOSE

1. The purpose of this Act is to establish measures to enable the effective and rapid reconstitution of the notarial records destroyed in the 6 July 2013 railway disaster in Ville de Lac-Mégantic.

For that purpose, the Act defines the role of the notaries, holders or legal depositaries of such destroyed records and introduces, among other measures, a special procedure to simplify the replacement of notarial deeds *en minute* the originals of which were preserved in those records.

DIVISION II

REPLACEMENT OF DESTROYED DEEDS

2. Articles 870 and 871 of the Code of Civil Procedure (chapter C-25) do not apply to the deeds referred to in this Act.

3. The original of a destroyed notarial deed *en minute* is replaced by inserting into the record an authentic copy, delivered to the notary, of the deed concerned.

The notary enters on the copy a declaration under oath of office stating that the original was destroyed and is replaced by the copy. The replacement copy stands in lieu of the original.

4. The notary provides, on request and free of charge, a new authentic copy of a destroyed deed to the person who delivered the authentic copy of that deed to the notary.

DIVISION III**RECONSTITUTION OF DEEDS**

5. Despite the first paragraph of article 871.1 of the Code of Civil Procedure, a request for reconstitution must be made to the notary by a party to the deed or by an interested third person in order for the notary to be required to establish and carry out a procedure for that purpose, subject to the rules adopted under section 6 of this Act.

6. The Minister of Justice may, after consulting the Chambre des notaires du Québec, establish any rule applicable to the reconstitution of destroyed deeds and any annexes to those deeds that cannot be replaced.

The Minister may also, after such consultation, establish criteria aimed at excluding certain deeds or annexes from the reconstitution obligation.

DIVISION IV**INFORMATION RELATING TO REPLACED OR RECONSTITUTED DEEDS**

7. If the repertory or index of deeds executed *en minute* was destroyed, the notary must, in accordance with the rules established by resolution of the board of directors of the Chambre des notaires du Québec, compile the information relating to the deeds the notary replaces or reconstitutes. In particular, the notary must compile the date, number and nature or character of such deeds, and the names of the parties.

DIVISION V**REPORT TO THE CHAMBRE DES NOTAIRES DU QUÉBEC**

8. The notary reports to the Chambre des notaires du Québec on the replacements and reconstitutions made. The content and form of the report are established by resolution of the board of directors.

DIVISION VI**FINAL PROVISIONS**

9. The Minister of Justice is responsible for the administration of this Act.

10. This Act comes into force on 6 December 2013.

2013, chapter 32 AN ACT TO AMEND THE MINING ACT

Bill 70

Introduced by Madam Martine Ouellet, Minister of Natural Resources

Introduced 5 December 2013

Passed in principle 6 December 2013

Passed 9 December 2013

Assented to 10 December 2013

Coming into force : 10 December 2013, except sections 21, 22, 31, 41, 52 where it enacts sections 101.0.1 and 101.0.3 of the Mining Act, 63 and 67, which come into force on the date of coming into force of the first regulation that amends the Regulation respecting mineral substances other than petroleum, natural gas and brine after 10 December 2013, and sections 35, 38 and 108, which come into force on the date to be set by the Government

Legislation amended :

Act respecting land use planning and development (chapter A-19.1)

Mining Act (chapter M-13.1)

Regulation amended :

Regulation respecting environmental impact assessment and review (chapter Q-2, r. 23)

Explanatory notes

This Act amends the Mining Act in a number of ways.

Among other things, it adds a chapter containing provisions specific to Native communities.

Claim holders must notify the municipality and the landowner concerned within 60 days after registering a claim of the fact that they have obtained the claim, and must inform the municipality and the landowner at least 30 days before performing work. They must also submit an annual report on all work performed to the Minister of Natural Resources.

An obligation is introduced to declare the discovery of mineral substances containing 0.1% or more of triuranium octaoxyde within 90 days after the discovery.

A mining lease cannot be granted until a rehabilitation and restoration plan, regarding which the certificate of authorization required under the Environment Quality Act has been issued, and a scoping and market study as regards processing in Québec are submitted to the Minister.

In the case of a metal mine project where the mine has a production capacity of less than 2,000 metric tons per day, a public consultation must be held before a mining lease may be granted.

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Explanatory notes (Cont'd)

When granting a lease, the Government may, on reasonable grounds, require that the economic spinoffs within Québec of mining the mineral resources authorized under the lease be maximized and may require the lessee to establish and maintain a monitoring committee to foster the involvement of the local community in the project as a whole.

Mining rights holders must provide information to the Minister about the quantity of ore extracted and its value, the duties paid under the Mining Tax Act, and the overall contributions paid by them.

The information the Minister obtains from holders of mining rights for the purposes of the Mining Act is now public information. However, reports on exploration work involving amounts beyond the allowances that may be claimed under the Mining Tax Act remain confidential for five years.

A public consultation must be held before a peat lease or a lease to carry on an industrial activity or to engage in commercial export may be issued. The Minister may refuse to grant or may terminate a sand and gravel lease, in the public interest.

The power of expropriation given to holders of mining rights may only be exercised during the actual mining stage, and the holders are required to provide financial support to owners during negotiations to acquire a residential immovable or an immovable used for agricultural purposes and situated on farm land and to obtain a written authorization at least 30 days in advance in order to access the site.

The system of penal sanctions under the Mining Act is updated and various technical amendments are made to that Act.

The Act respecting land use planning and development is amended to allow regional county municipalities to delimit any mining-incompatible territory in their land use and development plan. The sites and parcels of land included in such territories are specified in the Mining Act and mineral substances included in them are withdrawn from mining activities.

Lastly, the Regulation respecting environmental impact assessment and review is amended in order to make all mineral processing plant construction and operation projects and all mine development and operation projects, where the processing or production capacity of the plant or the mine is 2,000 metric tons or more per day, and all such projects relating to rare earth processing, subject to an environmental assessment, regardless of the processing or production capacity of the project.



Chapter 32

AN ACT TO AMEND THE MINING ACT

[Assented to 10 December 2013]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Mining Act (chapter M-13.1) is amended by inserting the following after the title of the Act:

“AS mineral resources are present throughout Québec and constitute social wealth for present and future generations;

AS mining has helped forge Québec’s identity and should continue to be a source of pride;

AS it is necessary to promote the optimal use of mineral resources in order to create as much wealth as possible for the people of Québec;

AS it is necessary to engage in mineral development in a manner respectful of the environment;

AS it is necessary to promote development that is associated with Québec communities and integrated into their environment;

AS it is necessary to pursue sustainable diversification of the regions’ economies;”.

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

“CHAPTER I.1

“PROVISIONS SPECIFIC TO NATIVE COMMUNITIES

“**2.1.** This Act must be construed in a manner consistent with the obligation to consult Native communities. The Government shall consult Native communities separately if the circumstances so warrant.

“**2.2.** Taking into account the rights and interests of Native communities is an integral part of reconciling mining activities with other possible uses of the territory.

“**2.3.** The Minister draws up, makes public and keeps up to date a Native community consultation policy specific to the mining sector.”

3. Section 6 of the Act is amended by inserting “on the parcel of land in which they have rights and” after “use and displace,”.

4. Section 8 of the Act is amended by striking out “—mining exploration licences;”, “—seabed exploration licences;”, “—seabed mining leases;” and “—exploration licences for surface mineral substances;”.

5. Section 9 of the Act is replaced by the following section:

“**9.** Ownership of any real and immovable mining right is separate from ownership of the soil involved.

Use of the soil, before or after a mining right is granted, by a third person does not in any case confer a right to compensation on the holder of the mining right. The same applies to the transfer or granting of rights in lands in the domain of the State.

This section is declaratory.”

6. Section 10 of the Act is repealed.

7. Section 13 of the Act is amended by replacing paragraph 3 by the following paragraphs:

“(3) register any other instrument relating to the following mining rights:

— mining leases;

— mining concessions;

— leases to mine surface mineral substances;

— leases to produce petroleum and natural gas;

— leases to operate an underground reservoir; and

— authorizations to produce brine;

“(4) register promises to purchase relating to claims.”

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

“**13.1.** The registrar shall register the authorizations granted under sections 66, 67, 69, 70, 106, 107, 140 and 150 in the public register of real and immovable mining rights.

The registrar shall make an entry in the register relating to the declarations of lease or claim holders concerning the discovery of mineral substances that contain 0.1% or more of triuranium octaoxide.”

9. Section 14 of the Act is amended

- (1) by replacing “paragraph 3” in the first paragraph by “paragraph 3 or 4”;
- (2) by striking out “, whether or not it is exempt from registration at the registry office of the registration division,” in the second paragraph.

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

“17. The purpose of this Act is to promote mineral prospecting, exploration and development in keeping with the principle of sustainable development, while ensuring that Quebecers get a fair share of the wealth generated by mineral resources and taking into account other possible uses of the territory.

Another purpose of this Act is to ensure that non-renewable resources are used for the benefit of future generations.

A further purpose of this Act is to develop homegrown expertise in mineral resource exploration, development and processing in Québec.”

11. Section 27 of the Act is replaced by the following section:

“27. No person may prospect on a parcel of land that is subject to a claim, a mining concession or a mining lease, or on a parcel of land referred to in section 304.1 or withdrawn from prospecting, mining exploration and mining operations under this Act, or by the effect of another Act, to the extent provided for in that Act.”

12. Section 29 of the Act is amended by striking out “Subject to section 92,” and “any land that is subject to a mining exploration licence, or”.**13.** Section 30 of the Act is amended by replacing the first paragraph by the following paragraph:

“30. No person may stake or map designate a parcel of land withdrawn from prospecting, mining exploration and mining operations under this Act, or by the effect of another Act to the extent provided for in that Act.”

14. Section 32 of the Act is amended

- (1) by striking out paragraph 1;
- (2) by replacing paragraph 4 by the following paragraph:

“(4) reserved to the State under section 304;”;
- (3) by striking out paragraph 5.

15. Section 38 of the Act is amended

(1) by inserting “in the case of staking, or before 9:00 a.m. in the case of map designation,” after “7:00 a.m.” in the first paragraph;

(2) by replacing “executory” in the first paragraph by “enforceable”;

(3) by replacing “Pour les” at the beginning of the third paragraph in the French text by “Aux”.

16. Section 42 of the Act is amended

(1) by striking out “a mining exploration licence,” in the second paragraph;

(2) by replacing “on the maps kept at the office of the registrar. Any modification of the area and form of the parcel of land shall be recorded in a notice posted in a conspicuous place in the regional offices designated by ministerial order and in the office of the registrar, and shall take effect on the date indicated in the notice” in the third paragraph by “in the public register of real and immovable mining rights. Any modification takes effect on the date specified in the notice”.

17. Section 42.5 of the Act is amended by striking out “and if no mining exploration licence held by a third person is contiguous to that excess portion”.

18. Section 45 of the Act is amended by replacing “Except with the Minister’s authorization issued under section 58” by “Except in the cases provided for in sections 58 and 83”.

19. Section 46 of the Act is amended by striking out “or in a regional office designated by ministerial order”.

20. Section 47 of the Act is amended by striking out the second paragraph.

21. Section 48 of the Act is amended

(1) by replacing “The notice of staking must be accompanied with the following documents” in the introductory clause by “The following documents must be forwarded to the office of the registrar within 20 days of the staking”;

(2) by striking out “official” in paragraph 1;

(3) by striking out paragraphs 3 and 4.

22. Section 49 of the Act is amended

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

(2) by striking out subparagraph 2 of the second paragraph.

23. Section 50 of the Act is amended by striking out all occurrences of “or of map designation” and “or notice of map designation”.

24. Section 51 of the Act is amended by inserting “30.1,” after “30,” in subparagraph 3 of the first paragraph.

25. Section 52 of the Act is amended, in the first paragraph,

(1) by inserting “, 30.1” after “30” in subparagraph 3;

(2) by adding the following subparagraph after subparagraph 4:

“(5) where the territory has an area of 0.1 hectares or less.”

26. Section 59.1 of the Act is amended by striking out “, the agreement referred to in subparagraph 2 of that paragraph”.

27. Section 60.1 of the Act is amended by replacing “, and a copy of the notice must be posted in a conspicuous place at the office of the registrar” in the second paragraph by “and made public by the Minister”.

28. Section 61 of the Act is amended

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

“**61.** Subject to the special rules in the first paragraph of section 83.3 that apply to the conversion of claims into map designated claims, the first term of a claim expires two years after the claim is registered.”;

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

“If all or part of a claim lies within a mining-incompatible territory, it may only be renewed if work is performed on the claim during any term occurring after the delimitation of that territory.”

29. Section 62 of the Act is repealed.

30. Section 64 of the Act is amended by striking out “an exploration licence for surface mineral substances or” in paragraph 3.

31. Section 65 of the Act is amended by adding the following paragraphs at the end:

“With respect to lands granted, alienated or leased by the State for purposes other than mining purposes and lands subject to an exclusive lease to mine surface mineral substances, the claim holder must, within 60 days after registering the claim and in the manner determined by regulation, notify the owner, the lessee, the holder of the exclusive lease to mine surface mineral substances and the local municipality of the claim obtained.

If the claim is in the territory of a local municipality, the claim holder must also inform the municipality and the landowner, at least 30 days before the work begins, of the work to be performed.”

32. Section 67 of the Act is amended by adding “in an amount equal to the amounts spent for all the work performed, on the filing of the reports on that work” at the end of the second paragraph.

33. Section 69 of the Act is amended

(1) by replacing “geological or geochemical sampling” in the first paragraph by “sampling,”;

(2) by adding “for the purpose of determining the characteristics of the ore” at the end of the first sentence in the second paragraph;

(3) by striking out “metallurgical” in the second paragraph;

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

“The application for authorization must be accompanied by the fee prescribed by regulation.”

34. Section 71 of the Act is replaced by the following section:

“**71.** Stone may be extracted from lands in the domain of the State, without compensation to the claim holder, for the construction or maintenance of State works.”

35. The Act is amended by inserting the following section after section 71:

“**71.1.** The claim holder shall, on each anniversary date of the registration of the claim, submit to the Minister a report on the work performed in the year.”

36. Section 72 of the Act is amended by replacing the first sentence in the second paragraph by the following sentence: “The claim holder must, not later than that day, report to the Minister on all the work performed, including work for which an exploration allowance or a pre-production development allowance may be claimed under the Mining Tax Act (chapter I-0.4), whether or not it actually is.”

37. Section 73 of the Act is amended

(1) by inserting “twice” after “an amount equal to”;

(2) by replacing “, equal to” by “, twice”.

38. Section 75 of the Act is replaced by the following section:

“**75.** Amounts spent during the term of a claim to perform work in excess of the minimum cost prescribed by regulation and excess amounts accumulated for the claim as at (*insert the date of coming into force of section 38 of this Act*) may be applied to the six subsequent terms of the claim, subject to the special rules for the conversion of staked claims into map designated claims.”

39. Section 77 of the Act is repealed.

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

“**78.** Excess amounts spent in respect of a claim by its holder may be applied, in accordance with section 76, towards the renewal of another claim regarding which the holder has made a promise to purchase by way of an instrument registered in the public register of real and immovable mining rights.

If those excess amounts were spent by a person who is not the holder of the claim concerned but who has made a promise to purchase in the manner described in the preceding paragraph, the amounts spent may be applied, with the claim holder’s written consent, towards the renewal of a claim held by that person or regarding which the person has made a promise to purchase in the manner described in the preceding paragraph.”

41. The Act is amended by inserting the following section after section 81:

“**81.1.** A claim holder is required to declare to the Minister and to the Minister of Sustainable Development, Environment and Parks any discovery of mineral substances containing 0.1% or more of triuranium octaoxide within 90 days after the discovery.”

42. Section 82 of the Act is amended by replacing “he shall expropriate the claim” in the third paragraph by “he shall terminate the claim and pay compensation equal to the amounts spent for all the work performed, on the filing of the reports on that work”.

43. Section 83 of the Act is amended by adding the following paragraph at the end:

“However, the claim holder may abandon only part of the claim with a view to the classification of an outstanding geological site or a protected area or for any other reason considered sufficient by the Minister. In such a case, the Minister may give the claim holder authorization to move, disturb or replace a post delimiting the staked parcel of land.”

44. Section 83.1 of the Act is repealed.

45. Section 83.2 of the Act is amended by striking out “with respect to a parcel of land situated in Îles-de-la-Madeleine or in any territory other than a territory referred to in section 83.1,” and “also” in the first paragraph.

46. Section 83.6 of the Act is repealed.

47. Section 83.6.1 of the Act is replaced by the following section:

“**83.6.1.** The Minister may, on the Minister’s own initiative, convert a staked claim into a map designated claim in accordance with sections 83.3 to 83.5.”

48. Sections 83.7 to 83.13 of the Act are repealed.

49. Division IV of Chapter III of the Act, comprising sections 84 to 99, is repealed.

50. Section 100 of the Act is amended by striking out “, except where he is authorized to do so pursuant to a seabed mining lease”.

51. Section 101 of the Act is replaced by the following section:

“**101.** The Minister shall grant a lease in respect of all or part of a parcel of land that is subject to one or more claims if the claim holder establishes the existence of indicators of the presence of a workable deposit, meets the conditions and pays the annual rental prescribed by regulation.

The lease cannot be granted before the rehabilitation and restoration plan is approved in accordance with this Act, and the certificate of authorization mentioned in section 22, 31.5, 164 or 201 of the Environment Quality Act (chapter Q-2) has been issued.

Despite the second paragraph, the Minister may grant a lease if the time needed to obtain the certificate of authorization is unreasonable.

The Minister shall make public the rehabilitation and restoration plan as submitted to the Minister for approval and register it in the public register of real and immovable mining rights for public information and consultation purposes as part of the environmental impact assessment and review procedure provided for in the Environment Quality Act.

An application for a mining lease must be accompanied by a survey of the parcel of land involved, unless it has already been entirely surveyed, a report describing the nature, extent and probable value of the deposit, certified by an engineer or a geologist who meets the qualification requirements determined by regulation, and a project feasibility study as well as a scoping and market study as regards processing in Québec.

At the Minister's request, the holder of the mining right shall provide the Minister with any document and information relating to the mining project.

The Minister may subject the mining lease to conditions designed to avoid conflicts with other uses of the territory.”

52. The Act is amended by inserting the following sections after section 101:

“101.0.1. In the case of a metal mine project where the mine has a production capacity of less than 2,000 metric tons per day, the applicant for a mining lease must, before submitting the application and in the manner prescribed by regulation, hold a public consultation in the region where the project is situated. The applicant shall then send a report on the consultation to the Minister and the Minister of Sustainable Development, Environment and Parks.

The rehabilitation and restoration plan required under section 232.1 must be accessible to the public at least 30 days before the consultation begins. The Minister may, if he deems that the consultation was not carried out in the manner prescribed by regulation, impose any additional measure.

The first paragraph does not apply to a rare earth project.

“101.0.2. When granting a lease, the Government may, on reasonable grounds, require that the economic spinoffs within Québec of mining the mineral resources authorized under the lease be maximized.

“101.0.3. The lessee establishes a monitoring committee to foster the involvement of the local community in the project as a whole.

The committee must be established within 30 days after the lease is issued and must be maintained until all the work provided for in the rehabilitation and restoration plan has been completed.

The committee members are chosen in the manner determined by the lessee.

The lessee determines the number of representatives who are to sit on the committee. However, the committee must include at least one representative of the municipal sector, one representative of the economic sector, one member of the public and, if applicable, one representative of a Native community consulted by the Government with respect to the project. A majority of the committee members must be independent from the lessee. All must be from the region in which the mining lease is granted.”

53. Section 103 of the Act is amended

(1) by replacing “mining rights” by “claims”;

(2) by replacing “shall be reduced by the area of the land subject to the lease and, in the case of a mining exploration licence, the required work” by “is reduced by the area of the land subject to the lease, and the work”.

54. Section 104 of the Act is amended

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

“(2.1) has provided the Minister with a scoping and market study as regards processing in Québec;”;

(2) by replacing “and the regulations” in subparagraph 4 of the second paragraph by “, the Mining Tax Act (chapter I-0.4) and the regulations”;

(3) by replacing “an extension thereof on the conditions, for the rental and for the term he determines” in the last paragraph by “five-year extensions”.

55. Section 111 of the Act is amended by striking out “Sand, gravel or”.

56. Section 118 of the Act is replaced by the following section:

“**118.** The grantee shall commence mining operations within five years after 10 December 2013.”

57. The Act is amended by inserting the following section after section 118:

“**118.1.** Before beginning mining operations and every 20 years after they begin, a grantee shall send the Minister a scoping and market study as regards processing in Québec.”

58. Sections 119 and 120 of the Act are replaced by the following sections:

“**119.** Before mining operations begin and 20 years after they begin, the Government may, on reasonable grounds, require the maximization of the economic spinoffs within Québec of mining the mineral resources authorized under the mining concession.

“**120.** On each anniversary date of a mining lease or mining concession, the lessee or grantee, as applicable, shall send the Minister a report showing the quantity of ore extracted during the previous year, its value, the duties paid under the Mining Tax Act (chapter I-0.4) during that period, the overall contributions paid by the lessee or grantee and any other information determined by regulation.”

59. Section 121 of the Act is amended by replacing “119” in the second paragraph by “100”.

60. Section 122 of the Act is amended by replacing “consultation with” in paragraph 4 by “obtaining a favourable opinion from”.

61. Divisions VI and VII of Chapter III of the Act, comprising sections 127 to 139, are repealed.

62. Section 140 of the Act is amended by replacing “Notwithstanding the first paragraph” at the beginning of the second paragraph by “In the event of a disaster”.

63. The Act is amended by inserting the following section after section 140:

“**140.1.** An applicant for a peat lease or a lease to carry on an industrial activity or to engage in commercial export shall hold a public consultation on the project in the region where the project is situated and in the manner prescribed by regulation after submitting the application.

At the Minister’s request, the applicant shall provide the Minister with any document or information relating to the public consultation. If the Minister finds that the consultation was not carried out in the manner prescribed by regulation, the Minister may impose any additional measure.

The Minister may subject the lease to conditions designed to avoid conflicts with other uses of the territory or to follow up on comments received during the public consultation.”

64. Section 142 of the Act is amended by replacing the third paragraph by the following paragraph:

“No exclusive lease is granted if the parcel of land concerned is subject to a mining lease, a mining concession or an exclusive lease to mine surface mineral substances in favour of a third person or if an application for a mining lease has been filed in favour of a third person. Nor is such a lease granted if the parcel of land concerned is subject to a claim in favour of a third person, unless the lease applied for is only to mine a surface mineral substance referred to in paragraph 2 of section 64 and excluded from the exclusive right to explore for mineral substances granted to the holder under the claim.”

65. The Act is amended by inserting the following sections after section 142:

“**142.0.1.** The Minister may refuse an application for a sand and gravel lease, in the public interest. The Minister may also refuse such an application in order to avoid conflicts with other uses of the territory.

“**142.0.2.** The Minister may, at any time and in the public interest, terminate a lease to mine sand, gravel or stone. In such a case, the Minister shall grant the lease holder a lease in respect of another parcel of land. Failing that, the Minister shall compensate the holder for the loss suffered.

The Minister may reduce the leased area for the same reasons and subject to the same conditions.”

66. Section 142.1 of the Act is amended by striking out “on a parcel of land subject to a licence to explore for surface mineral substances held by the applicant, or to an application” in the fifth paragraph.

67. Section 144 of the Act is replaced by the following section:

“**144.** The following sites and parcel of land may not be leased:

- (1) a parcel of land subject to an improvement provided for by regulation;
- (2) a parcel of land withdrawn from prospecting, mining exploration and mining operations;
- (3) a parcel of land regarding which a temporary suspension notice has been issued in accordance with section 304.1;
- (4) an outstanding geological site classified under section 305.1; and
- (5) a parcel of land used as a cemetery within the meaning of the Act respecting Roman Catholic cemetery companies (chapter C-40.1) or established as a cemetery in accordance with the Non-Catholic Cemeteries Act (chapter C-17).

The Minister may refuse to grant a lease or may grant a lease subject to conditions and obligations which may concern, among other matters and despite this Act, the work required to be performed if the lease concerns a parcel of land

- (1) situated in an Indian reserve;
- (2) designated as a migratory bird sanctuary under the Migratory Birds Convention Act, 1994 (Statutes of Canada, 1994, chapter 22);
- (3) where the mineral substances referred to in section 6, except sand and gravel, are being mined or have been mined in the past; or
- (4) reserved to the State under section 304.”

68. Section 147 of the Act is amended

- (1) by replacing “for one year” in the introductory clause of the second paragraph by “, no more than 10 times, for one-year periods”;
- (2) by inserting the following paragraph after the second paragraph:

“The Minister may extend the term of a lease following the tenth renewal, for one-year periods.”

69. Section 148 of the Act is amended

(1) by replacing “by mere notice, for a term not exceeding five years” in the introductory clause of the second paragraph by “no more than twice, for five-year periods”;

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

“After the second renewal of the lease, the Minister may grant 5-year extensions or, in the case of a peat lease, 15-year extensions.”

70. The Act is amended by inserting the following section after section 150:

“**150.1.** Five percent of the area of any parcel of land subject to a lease to mine surface mineral substances is reserved to the State for public development purposes.”

71. Section 155 of the Act is amended, in the third paragraph,

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

“(2) a forest road, if it is used for forest development activities within the meaning of the Sustainable Forest Development Act (chapter A-18.1); however, royalties remain payable if the work is carried out pursuant to a forestry permit issued under section 73 of that Act for forest development activities other than the harvest of timber to supply a wood processing plant;”;

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

“(4) all or part of a road with respect to which a municipality has obtained an authorization to see to maintenance and repair in accordance with section 66 of the Municipal Powers Act (chapter C-47.1); or

“(5) a road, by a non-profit organization determined by the Minister.”

72. Section 156 of the Act is amended by replacing “consultation with” in paragraph 3 by “obtaining a favourable opinion from”.

73. Section 207 of the Act is amended

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

“**207.** A staking or map designation notice, an application for a lease or for an authorization under section 32 or 33, a report, an application for exemption from the work required under this Act or an application for the

renewal or conversion of mining rights is deemed to have been sent, filed or received on the date it is received at the office of the registrar.”;

(2) by striking out “to a licence to explore for surface mineral substances or” and “or map designated”, wherever it appears in the second paragraph;

(3) in the third paragraph,

(a) by replacing “32, 33 or 194.1” by “32 or 33”;

(b) by striking out “or a regional office designated by ministerial order” and “or, if they are filed in person at a regional office designated by ministerial order, according to the order in which they are received at that office”;

(4) in the fourth paragraph,

(a) by replacing “visée” in the French text by “visées”;

(b) by inserting the following sentence after the first sentence: “Map designation notices for which the order of receipt cannot be determined in accordance with the preceding paragraph shall also be admitted in the order established by a drawing of lots.”

74. Section 207.1 of the Act is repealed.

75. Section 212 of the Act is replaced by the following section:

“**212.** A holder of a mining right may not claim compensation from another holder of a mining right for the deposit of mine tailings on the parcel of land subject to the former’s right, except in the case of a mining lease or a mining concession.”

76. Section 213 of the Act is amended by replacing “II” in the first paragraph in the French text by “Le titulaire de droit minier”.

77. Sections 213.2 and 213.3 of the Act are repealed.

78. Section 215 of the Act is replaced by the following section:

“**215.** The documents and information obtained by the Minister from holders of mining rights for the purposes of this Act are public. The Minister makes such documents and information public in the manner the Minister sees fit.

However, the work reports required under section 72 involving amounts beyond the allowances that may be claimed under the Mining Tax Act (chapter I-0.4) remain confidential for five years after the date of the work.

The following are made public once a year for each mining lease, mining concession and lease to mine surface mineral substances:

- (1) the quantity and value of the ore extracted during the previous year;
- (2) the royalties paid during the previous year; and
- (3) the overall contributions paid by the holder.

The following are also made public:

- (1) the rehabilitation and restoration plan approved by the Minister; and
- (2) the total amount of the financial guarantee required.

However, the data contained in an agreement entered into between a holder of a mining lease or a mining concession and a community is not made public and may only be used for statistical purposes.

This section applies subject to the restrictions on rights of access prescribed by section 28 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).”

79. Section 216 of the Act is amended

(1) by striking out “, mining exploration licence or exploration licence for surface mineral substances” in the first paragraph;

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

“Before the date of abandonment, revocation or expiry of the lease, the holder of a lease to mine surface mineral substances shall remove all the property and any extracted surface mineral substances from the parcel of land subject to the lease.”;

(3) by replacing “ore” and “or” in the third paragraph by “mineral substances” and “and”, respectively.

80. The Act is amended by inserting the following section after section 216:

“216.1. All the documents required for the purposes of this Act and the regulations must be submitted in the formats determined by the Minister. The documents must be sent in the manner prescribed and to the place specified by the Minister, as applicable.

Those rules apply, in particular, to the data necessary for showing, in the public register of real and immovable mining rights, the territories identified as mining-incompatible under section 304.1.1.”

81. Section 225 of the Act is amended by replacing “They” at the beginning of the first paragraph by “The holder of mining rights and the operator”.

82. Section 226 of the Act is amended

(1) by inserting “and the Minister of Sustainable Development, Environment and Parks” before “a written notice” in the first paragraph;

(2) by replacing “informing the Minister” and “transmit to the Minister a copy” in the first paragraph by “informing them” and “a copy”, respectively;

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

“In the event of a strike or lock-out, the notice required under the first paragraph must be sent within four months after the beginning of the strike or lock-out.”

83. Sections 228 and 229 of the Act are repealed.

84. Section 231 of the Act is replaced by the following section:

“231. In addition to the protective measures necessary to prevent any damage and the safety measures prescribed by regulation, the Minister may, if mining activities are temporarily or permanently discontinued, order the holder of a mining right or the operator to take any measure imposed by the Minister.

The Minister may cause the work to be done at the expense of a holder of a mining right or operator who fails to comply with the Minister’s orders or the regulatory prescriptions.

The first paragraph does not apply in the case of a strike, lock-out, cessation of underground exploration or operation of a mine for a period of less than six months.”

85. Section 232 of the Act is repealed.

86. Section 232.1 of the Act is amended by replacing the introductory clause by the following introductory clause:

“232.1. The following persons must submit a rehabilitation and restoration plan to the Minister for approval and carry out the work provided for in the plan:”.

87. Section 232.2 of the Act is replaced by the following section:

“232.2. The rehabilitation and restoration plan submitted by a person identified in section 232.1, other than an applicant for a mining lease, must be approved by the Minister before mining activities begin.”

88. Section 232.3 of the Act is amended

- (1) by replacing “an estimate” in paragraph 4 by “a detailed estimate”;
- (2) by adding the following paragraph after paragraph 4:
“(5) in the case of an open-pit mine, a backfill feasibility study.”

89. Section 232.4 of the Act is amended by replacing the first paragraph by the following paragraphs:

“232.4. A person identified in section 232.1 must furnish a guarantee covering the anticipated cost of completing the work required under the rehabilitation and restoration plan to the extent provided for in this Act and in accordance with the standards established by regulation.

Such work must include

- (1) the rehabilitation and restoration of accumulation areas;
- (2) geotechnical soil stabilization;
- (3) the securing of openings and surface pillars;
- (4) water treatment; and
- (5) road-related work.”

90. Section 232.5 of the Act is amended by replacing “consultation with” in the first paragraph by “obtaining a favourable opinion from”.**91.** The Act is amended by inserting the following section after section 232.7:

“232.7.1. Rehabilitation and restoration work must begin within three years after operations cease. However, the Minister may exceptionally require that the work begin within a shorter period, or authorize one or more extensions. The first extension may not exceed three years and additional extensions may not exceed one year.”

92. Section 232.10 of the Act is amended

- (1) by replacing paragraphs 1 and 2 by the following paragraphs:

“(1) if the Minister is satisfied that the rehabilitation and restoration work has been completed in accordance with the rehabilitation and restoration plan approved by the Minister, and if no sum of money is due to the Minister with respect to the performance of the work; and

“(2) if the Minister is satisfied that the condition of the land affected by the mining activities no longer poses a risk for the environment or for human health and safety and, in particular, poses no risk of acid mine drainage.”;

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

“The Minister may also release a person from the obligations set out in sections 232.1 to 232.7 and issue a certificate to that effect if the Minister agrees to let a third person assume the obligations.

The Minister shall issue the certificate after obtaining a favourable opinion from the Minister of Sustainable Development, Environment and Parks.”

93. Section 233 of the Act is amended by inserting “and of the Minister” after “mine”.

94. The Act is amended by inserting the following section after section 233:

“233.1. A person specially or generally authorized by the Minister to carry out work related to protective measures or rehabilitation and restoration work may enter, at any reasonable time, any place where an activity governed by this Act or the regulations is carried on.”

95. Section 235 of the Act is replaced by the following section:

“235. On lands granted, alienated or leased by the State for purposes other than mining purposes or on lands subject to an exclusive lease to mine surface mineral substances, the holder of a mining right or the owner of mineral substances must obtain a written authorization at least 30 days in advance in order to access the site or may acquire, by agreement, any real right or property allowing the holder to access the site or conduct exploration work or mining operations.

If no agreement is reached to that end, the holder of a mining right or the owner of mineral substances may, for the purpose of conducting mining operations, acquire the property mentioned in the first paragraph by expropriation.

Cemeteries within the meaning of the Act respecting Roman Catholic cemetery companies (chapter C-40.1), cemeteries established under the Non-Catholic Cemeteries Act (chapter C-17) and Native cemeteries are exempt from expropriation.

The holder of a mining right who intends to acquire a residential immovable, or an immovable used for agricultural purposes and situated on farm land within the meaning of the Act respecting the acquisition of farm land by non-residents (chapter A-4.1), must pay the costs of the professional services required to negotiate the agreement, up to a maximum amount representing 10% of the value of the immovable as entered on the property assessment roll.

In no case may a residential immovable be moved or demolished before a mining lease is issued.”

96. Sections 236 to 238 of the Act are repealed.

97. Section 246 of the Act is amended by inserting “after obtaining a favourable opinion from the Minister of Natural Resources and” after “may,” in the first paragraph.

98. Section 261 of the Act is amended

(1) by adding “, without compensation,” after “revoke”;

(2) by striking out “, oil or gas”.

99. Sections 268 to 272 of the Act are repealed.

100. Section 281 of the Act is amended

(1) by striking out “, a mining exploration licence or an exploration licence for surface mineral substances,” in paragraph 1;

(2) by replacing “section 74, 97 or 138” and “those sections” in paragraph 1 by “section 74” and “that section”, respectively;

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

“(5) a mining lease or mining concession if the lessee or grantee does not comply with the requirements established by the Government under section 101.0.2 or 119 or does not comply with the Mining Tax Act;

“(6) a mining right if the holder of the right has, in the preceding five years, been found guilty of an offence referred to in any of sections 316 to 318.”

101. Section 286 of the Act is amended by replacing “executory” by “enforceable”.

102. Section 288 of the Act is amended by replacing the first paragraph by the following paragraph:

“**288.** Within 30 days after the date the revocation of a mining lease, mining concession or lease to mine surface mineral substances becomes enforceable, a person other than the holder of the revoked mining right may obtain, in accordance with this Act, a claim by map designation notice or a lease to mine surface mineral substances on all or part of the parcel of land that was subject to the revoked mining right.”

103. Section 291 of the Act is amended by striking out “62,” and “90, 97,” and by replacing “, 120, 134 or 138” by “or 120”.

104. Section 293 of the Act is amended, in the first paragraph,

(1) by replacing “Il” in the French text by “Le ministre”;

(2) by striking out “that is not exempt, under section 10, from registration at the registry office”.

105. Section 294 of the Act is amended by replacing “executory” by “enforceable”.

106. Section 304 of the Act is amended,

(1) in the first paragraph,

(a) by replacing the introductory clause of subparagraph 1 by the following introductory clause:

“(1) reserve to the State or withdraw from prospecting, mining exploration and mining operations any mineral substance forming part of the domain of the State and necessary for any purpose that the Minister considers to be in the public interest, in particular.”;

(b) by replacing “ecological reserves” in the text following the fifth dash of subparagraph 1 by “protection areas”;

(c) by inserting the following after the text following the fifth dash of subparagraph 1:

“— plant-life and wildlife conservation;

— the protection of eskers that may be a source of drinking water;

— respect for protection areas established under the Groundwater Catchment Regulation (chapter Q-2, r. 6);

— the protection of the rehabilitation and restoration work carried out in accumulation areas under sections 232.1 and 232.11.”;

(d) by striking out subparagraphs 1.1, 1.2, 2 and 4;

(2) by replacing “à la recherche minière ou à l’exploitation minière” in the second paragraph in the French text by “à l’exploration ou à l’exploitation minières”;

(3) by inserting the following paragraph after the second paragraph:

“The Minister must, by order, reserve to the State all mineral substances that form part of the domain of the State and for which a lease to mine surface

mineral substances was refused under section 142.0.1 or terminated by the Minister under section 142.0.2.”

107. Section 304.1 of the Act is amended by replacing the first paragraph by the following paragraph:

“**304.1.** Prior to the making of an order under subparagraph 1 of the first paragraph of section 304, to the coming into force of the withdrawal provided for in section 304.1.1, or to the publication of a notice of classification of an outstanding geological site under section 305.1, the Minister may temporarily suspend, for a period of six months, the right to stake and designate on a map a parcel of land whose boundaries are shown on the maps kept at the office of the registrar. Such a suspension may be renewed for six-month periods.”

108. The Act is amended by inserting the following section after section 304.1:

“**304.1.1.** Any mineral substance forming part of the domain of the State and found in a parcel of land on which a claim may be obtained and that is included in a mining-incompatible territory delimited in a land use and development plan in accordance with the Act respecting land use planning and development (chapter A-19.1) is withdrawn from prospecting, mining exploration and mining operations from the time the territory is shown on the maps kept at the office of the registrar.

A mining-incompatible territory is a territory in which the viability of activities would be compromised by the impacts of mining.”

109. Section 306 of the Act is amended

(1) by replacing “in paragraph 3 of” in paragraph 1 by “in”;

(2) by replacing “lease” in paragraph 2 by “mining right” and by inserting “, des frais” after “des droits” in the French text;

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

“(3) determine the conditions for renewing a mining right or a licence and, if applicable, the fee or rental payable;”;

(4) by replacing “lease” in paragraph 5 by “mining right”;

(5) by replacing “and fix the amount of the applicable fees” in paragraph 8 by “and prescribe the applicable fees, and for the purpose of prescribing the fee that must accompany a map designation notice, define “person” for the purposes of the first paragraph of section 307”;

(6) by inserting the following paragraphs after paragraph 8:

“(8.1) prescribe the fee payable by an applicant for a mining right in the case of a referral to the Minister under section 53;

“(8.2) determine how the notification under section 65 is to be given;

“(8.3) prescribe the fee payable under section 69;”;

(7) by replacing “section 70” in paragraph 9 by “sections 70 and 144”;

(8) by replacing paragraph 10.1 by the following paragraph:

“(10.1) determine, for the purposes of the first paragraph of section 72, what constitutes property examination and technical assessment work;”;

(9) by striking out “61,” in paragraph 11;

(10) by inserting the following paragraph after paragraph 12.1:

“(12.1.1) prescribe the fee payable by the holder of a mining right who submits an application to abandon the right in accordance with the first paragraph of section 83 or sections 122 and 156;”;

(11) by striking out “under section 83.1 or 83.6” in paragraph 12.2 and by striking out “under sections 83.1 and 83.6” in paragraphs 12.3 to 12.5;

(12) by striking out “or of the exploration licences for surface mineral substances to be converted,” in paragraph 12.3 and “or to the exploration licences for surface mineral substances to be converted,” in paragraph 12.4;

(13) by striking out paragraphs 12.7 to 12.9;

(14) by inserting the following paragraphs after paragraph 12.10:

“(12.11) determine the manner in which the public consultation required under sections 101.0.1 and 140.1 is to be held;

“(12.12) determine the particulars relating to the monitoring committee established under section 101.0.3, in particular with respect to the independence of committee members, the information and documents a lessee must provide to the committee so that it can carry out its mandate, the nature of the committee costs to be reimbursed by the lessee, the number of meetings the committee must hold each year and the production of an annual report;”;

(15) by striking out paragraph 13;

(16) by replacing “sections 207 and 207.1” in paragraph 21.1 by “section 207”;

(17) by inserting the following paragraphs after paragraph 26.2:

“(26.3) prescribe the fee payable for the assessment of a rehabilitation and restoration plan with a view to its approval or revision;

“(26.4) prescribe the fee payable for the assessment and inspections conducted for the purpose of issuing a certificate of release under section 232.10;

“(26.5) prescribe the fee payable when applying for an approval under sections 240 and 241;”;

(18) by inserting the following paragraphs after paragraph 29:

“(29.1) prescribe the fee payable for searching the public register of real and immovable mining rights, the fee payable for copies of documents, or extracts from the register, and any other related fees;

“(29.2) prescribe the fee payable by a person to whom an inspector has given a written notice of non-compliance with this Act or the regulations;

“(29.3) prescribe the fee payable for the issue of an attestation respecting mining rights provided for in section 32 of the Groundwater Catchment Regulation (chapter Q-2, r. 6);”.

110. Section 311 of the Act is repealed.

111. Sections 314 to 321.1 of the Act are replaced by the following sections:

“**314.** A person who

(1) contravenes any of sections 19, 20, 45, 157, 165, 176, 220 to 226, 227 and 282,

(2) damages an outstanding geological site classified by the Minister under section 305.1 or destroys or alters property situated on such a site,

(3) contravenes a provision of a regulation whose contravention constitutes an offence under paragraph 31 of section 306, or

(4) prohibits or hinders access to a parcel of land containing mineral substances that form part of the domain of the State by a person authorized by the Minister to perform geological research and inventory work and who, on request, provides identification and produces a certificate of authority signed by the Minister

is guilty of 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.

“**315.** A person who contravenes any of sections 27, 30, 81.1, 155, 233.1 and 252 is guilty of 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.

316. A person who contravenes any of sections 100, 140, 185, 193, 216, 232.1, 232.2, 232.6, 233, 240 and 241 is guilty of 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.

317. A person who contravenes section 30.1 is guilty of 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.

318. A person who contravenes any of sections 232.4, 232.5 or 232.7 or the standards prescribed by regulation for the guarantee required under this Act is guilty of an offence and is liable to a fine corresponding to 10% of the total amount of the guarantee.

319. The fines prescribed in this Act or the regulations are doubled for a second offence and tripled for a subsequent offence, without exceeding the maximum fine.”

112. Section 322 of the Act is amended by replacing “315 to 321” by “314 to 318”.

113. Sections 342, 343, 346 to 353 and 355 to 359 and the second paragraph of section 360 of the Act are repealed.

114. Section 361 of the Act is amended by replacing “has not” in the second paragraph by “had not”.

115. Sections 364, 372, 377, 380 and 381 of the Act are repealed.

AMENDING PROVISIONS

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

116. Section 6 of the Act respecting land use planning and development (chapter A-19.1) is amended by replacing subparagraph 7 of the first paragraph by the following subparagraph:

“(7) delimit any mining-incompatible territory within the meaning of section 304.1.1 of the Mining Act (chapter M-13.1);”.

117. Section 53.7 of the Act is amended by adding the following sentences at the end of the first paragraph: “If, under subparagraph 7 of the first paragraph of section 6, the amending by-law delimits a mining-incompatible territory within the meaning of section 304.1.1 of the Mining Act (chapter M-13.1), or modifies the boundaries of such a territory, the Minister’s opinion must state that the proposed amendment is inconsistent with government policy directions if the Minister has received from the Minister of Natural Resources and Wildlife an opinion, with reasons, stating that the proposed amendment is inconsistent with a government policy direction drawn up for the purpose of establishing

such a territory. The opinion of the Minister of Natural Resources and Wildlife must be received by the Minister not later than the 30th day after the day the latter requested the former's opinion in accordance with section 267.”

REGULATION RESPECTING ENVIRONMENTAL IMPACT ASSESSMENT AND REVIEW

118. Section 2 of the Regulation respecting environmental impact assessment and review (chapter Q-2, r. 23) is amended, in the first paragraph,

(1) by replacing “7 000 metric tons or more per day” in the text following the first dash in subparagraph *n.8* by “2 000 metric tons or more per day, except in the case of rare earth deposits”;

(2) by inserting the following after the text following the second dash in subparagraph *n.8*:

“ —rare earth ore;”;

(3) by replacing “7 000 metric tons or more per day” in the text following the first dash in subparagraph *p* by “2 000 metric tons or more per day, except in the case of rare earths”;

(4) by inserting the following after the text following the second dash in subparagraph *p*:

“ —a rare earth mine;”.

TRANSITIONAL AND FINAL PROVISIONS

119. Before mining operations begin in accordance with section 118 of the Mining Act (chapter M-13.1), a person who has been granted a concession for which letters patent were issued after 1 July 1911 must, in the year after this Act is assented to and subsequently every year, carry out on the land subject to the concession exploration work from among the types of work listed in section 69 of the Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2) and whose minimum cost is \$35/km². However, amounts spent for property examination and technical assessment work may not be accepted beyond one-fourth of the minimum cost.

Before 1 February each year, the grantee must report the work performed to the Minister; the report must contain the information and be accompanied by the documents prescribed by sections 72 to 85 of the Regulation.

120. The holder of a seabed exploration licence issued under section 127 of the Mining Act, as it reads on 9 December 2013, becomes the holder of a map designated claim.

121. The holder of a seabed mining lease issued under section 128 of the Mining Act, as it reads on 9 December 2013, becomes the holder of a mining lease.

122. If a person identified in section 232.1 of the Mining Act has begun mining activities on 10 December 2013, the absence of approval by the Minister of the rehabilitation and restoration plan required under that section does not prevent the person from continuing those activities.

123. Territories delimited for non-exclusive recreation, tourism, plant-life or wildlife conservation purposes under subparagraph 1.1 of the first paragraph of section 304 of the Mining Act, as it reads on 9 December 2013, are deemed to be State reserves ordered in accordance with section 304 of this Act.

124. Any mineral substance forming part of the domain of the State and found in an urban perimeter shown on maps kept at the registrar's office, except mineral substances found in a territory subject to a mining right obtained before 10 December 2013, is withdrawn from prospecting, mining exploration and mining operations as of that date, until the territories provided for in section 304.1.1 of the Mining Act are determined.

125. Paragraph 5 of section 232.3 of the Mining Act, enacted by paragraph 2 of section 88 of this Act, does not apply to mines in operation on 10 December 2013.

126. The grantee of a mining concession who has begun mining exploration work on 10 December 2013 must send the Minister a scoping and market study as regards processing in Québec within 3 years after that date, and subsequently every 20 years.

127. This Act comes into force on 10 December 2013, except sections 21, 22, 31, 41, 52 where it enacts sections 101.0.1 and 101.0.3 of the Mining Act, 63 and 67, which come into force on the date of coming into force of the first regulation that amends the Regulation respecting mineral substances other than petroleum, natural gas and brine after 10 December 2013, and sections 35, 38 and 108, which come into force on the date to be set by the Government.

TABLE OF AMENDMENTS TO PUBLIC ACTS IN 2013

This table contains the amendments made in 2013 to 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 Compilation of Québec Laws and Regulations.

The cumulative table of amendments, listing all amendments made since 1977 to the Compilation of Québec Laws and Regulations and other public Acts, is now available on the CD-ROM provided with this volume and is also posted on the website of Les Publications du Québec at the following address:

http://www2.publicationsduquebec.gouv.qc.ca/lois_et_reglements/tab_modifs/AaZ.pdf.

Abbreviations

a. = article	App. = Appendix	s. = section
aa. = articles	c. = chapter	ss. = sections
Ab. = Abrogated	Rp. = Replaced	Sched. = Schedule

Reference	Title Amendments
1- COMPILATION OF QUÉBEC LAWS AND REGULATIONS	
c. A-3.01	Act respecting the accreditation and financing of students' associations 19 , 2013, c. 28, s. 201 34 , 2013, c. 28, s. 201 37 , 2013, c. 28, s. 201 63 , 2013, c. 28, s. 201 64 , 2013, c. 28, s. 201
c. A-4.1	Act respecting the acquisition of farm land by non-residents 2 , 2013, c. 24, s. 1 3 , 2013, c. 24, s. 2 15 , 2013, c. 24, s. 3 15.1 , 2013, c. 24, s. 3 15.2 , 2013, c. 24, s. 3 15.3 , 2013, c. 24, s. 3 16 , 2013, c. 24, s. 3 16.1 , 2013, c. 24, s. 3
c. A-6.001	Financial Administration Act 24.1 , 2013, c. 16, s. 188 77 , 2013, c. 16, s. 84 89 , 2013, c. 16, s. 85 Sched. 1 , 2013, c. 6, s. 7; 2013, c. 28, s. 92 Sched. 2 , 2013, c. 4, s. 7; 2013, c. 23, s. 95
c. A-6.002	Tax Administration Act 69.0.0.12 , 2013, c. 10, s. 1 69.0.0.13 , 2013, c. 10, s. 2 69.0.0.14 , 2013, c. 10, s. 3 69.1 , 2013, c. 23, s. 96; 2013, c. 28, s. 203 69.4.1 , 2013, c. 23, s. 97 93.1.9.1 , 2013, c. 10, s. 4

TABLE OF AMENDMENTS

Reference	Title Amendments
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c. A-6.01	Public Administration Act 21 , 2013, c. 23, s. 98 40 , 2013, c. 9, s. 49 42 , 2013, c. 23, s. 99 73.1 , 2013, c. 4, s. 8 73.2 , 2013, c. 4, s. 8 77 , 2013, c. 16, s. 61; 2013, c. 23, s. 100 77.2 , Ab. 2013, c. 4, s. 9
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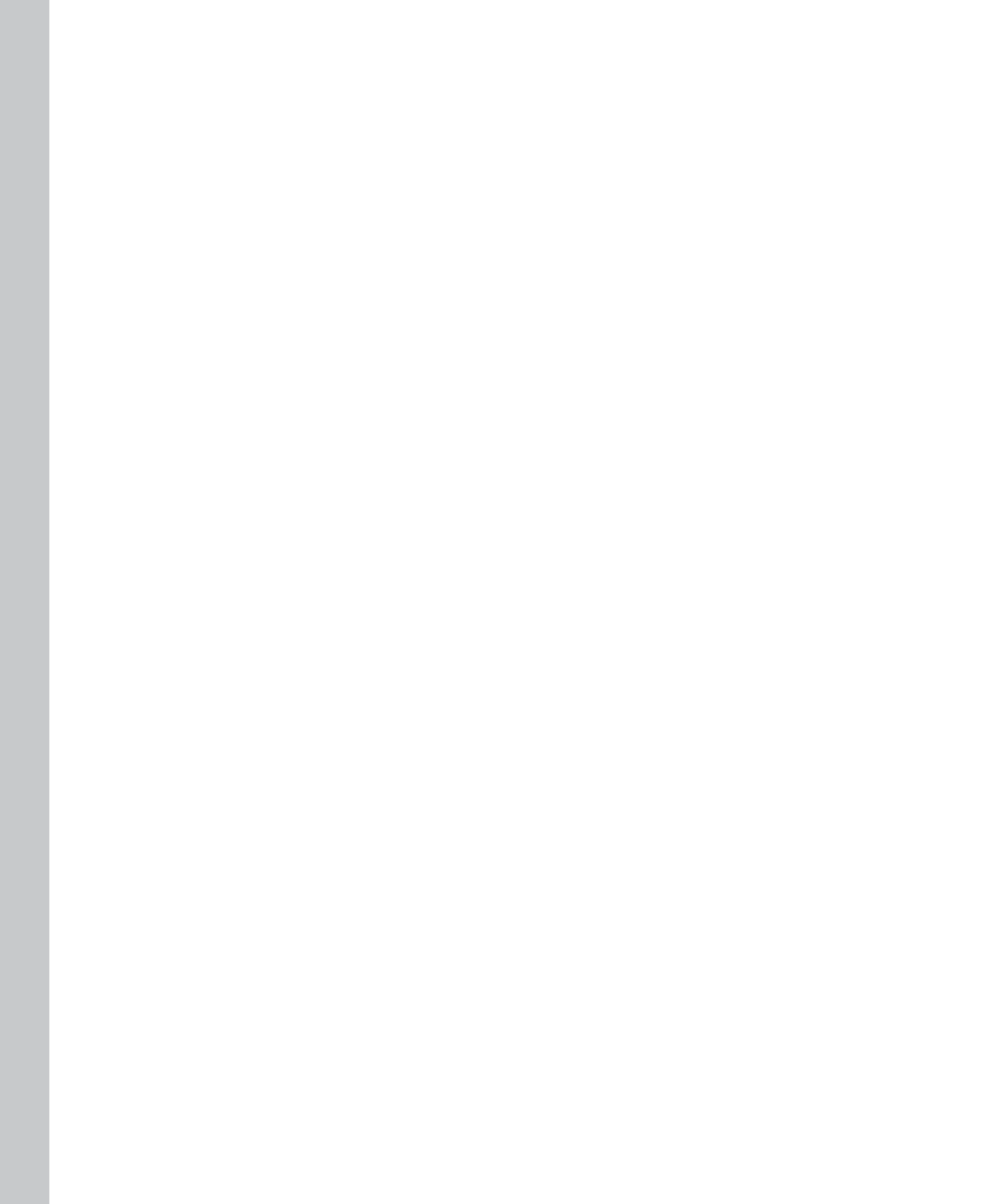
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c. V-1.1	Securities Act 41, 2013, c. 18, s. 102 68, 2013, c. 18, s. 103 151.1.1, 2013, c. 18, s. 104 169, 2013, c. 18, s. 105 169.1, 2013, c. 18, s. 106 170, 2013, c. 18, s. 107 171.1, 2013, c. 18, s. 108 171.1.1, 2013, c. 18, s. 109 171.2, 2013, c. 18, s. 109 237, 2013, c. 18, s. 110 297.1, 2013, c. 18, s. 111 307.2, 2013, c. 18, s. 112 307.6, 2013, c. 18, s. 113 307.8, 2013, c. 18, s. 114 322, 2013, c. 18, s. 115 323.8.1, 2013, c. 18, s. 116 331.1, 2013, c. 18, s. 117
c. V-5.01	Auditor General Act 2, 2013, c. 16, s. 65 4, 2013, c. 16, s. 66 5, Ab. 2013, c. 16, s. 67 6, 2013, c. 16, s. 68 23, 2013, c. 16, s. 69 24, 2013, c. 16, s. 70 27, Ab. 2013, c. 16, s. 71 28, Ab. 2013, c. 16, s. 71 29, 2013, c. 16, s. 72 30.2, 2013, c. 16, s. 73 31, 2013, c. 16, s. 74 32, 2013, c. 16, s. 75 34, 2013, c. 16, s. 76 40, 2013, c. 16, s. 77 42, 2013, c. 16, s. 78 43, 2013, c. 16, s. 79 47, 2013, c. 16, s. 80 48, 2013, c. 16, s. 81 54, 2013, c. 16, s. 82 70, 2013, c. 16, s. 83
c. V-5.1	Cree Villages and the Naskapi Village Act 1, 2013, c. 19, s. 85 11, 2013, c. 19, s. 86 18, 2013, c. 19, s. 87
c. V-6.1	Act respecting Northern villages and the Kativik Regional Government 20, 2013, c. 30, s. 8 117.1, 2013, c. 30, s. 9 294, 2013, c. 30, s. 10

TABLE OF AMENDMENTS

Reference	Title Amendments
2- ACTS NOT INCLUDED IN THE COMPILATION OF QUÉBEC LAWS AND REGULATIONS	
2000, c. 42	Act to amend the Civil Code and other legislative provisions relating to land registration 245 , 2013, c. 27, s. 40
2006, c. 17	Act to amend the Election Act to encourage and facilitate voting 21 , Ab. 2013, c. 5, s. 13 38 , 2013, c. 5, s. 14
2008, c. 29	Act to amend the Education Act and other legislative provisions 9 , 2013, c. 15, s. 6 14 , 2013, c. 15, s. 6
2010, c. 20	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 8 , 2013, c. 16, s. 129; 2013, c. 25, s. 42
2011, c. 16	Act to abolish the Ministère des Services gouvernementaux and to implement the Government's 2010-2014 Action Plan to Reduce and Control Expenditures by abolishing or restructuring certain bodies and certain funds 1 (Sched. I) , 2013, c. 16, s. 128
2012, c. 25	Integrity in Public Contracts Act 74 , 2013, c. 23, s. 141

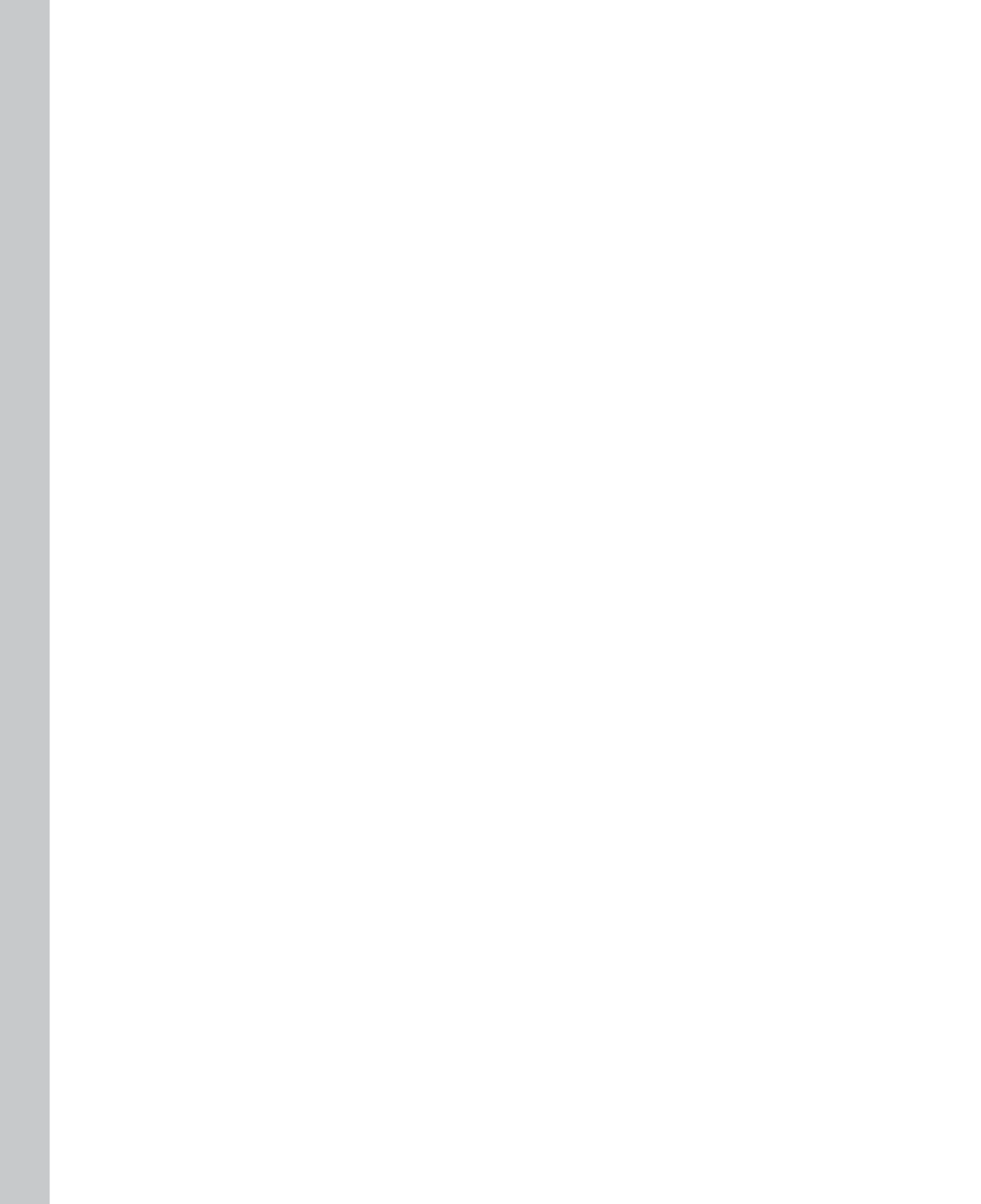
Note: Information on how to use this table may be obtained by phone at 418 643-2840. The cumulative table of amendments, listing all amendments made since 1977 to the Compilation of Québec Laws and Regulations and other public Acts, including amendments made by the Acts passed in 2013, is now available on the CD-ROM provided with this volume and is also posted on the website of Les Publications du Québec at the following address:
http://www2.publicationsduquebec.gouv.qc.ca/lois_et_reglements/tab_modifs/AaZ.pdf.



**TABLE OF GENERAL AMENDMENTS
TO PUBLIC ACTS IN 2013**

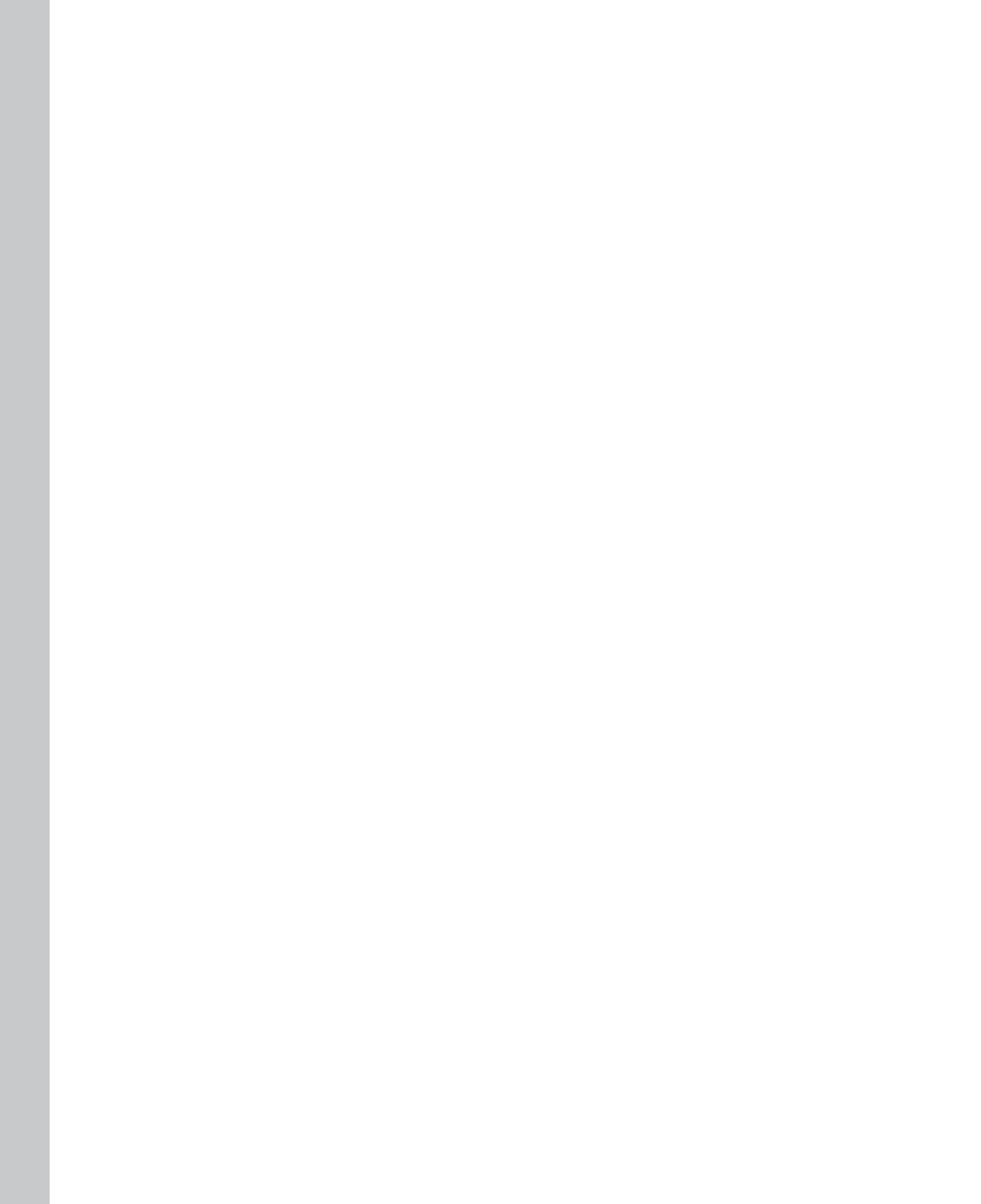
The entries below are references to legislative provisions passed in 2013 which amend generally or affect one or several Acts rather than specific sections.

Title	Reference
Act establishing the Eeyou Istchee James Bay Regional Government and introducing certain legislative amendments concerning the Cree Nation Government	2013, c. 19, s. 91 (Bill 42)
Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions	2013, c. 23, s. 164 (Bill 38)
Act to amend the Public Service Act mainly with respect to staffing	2013, c. 25, s. 34 (Bill 41)
Act to amend the Territorial Division Act and other legislative provisions	2013, c. 29, s. 6 (Bill 51)



**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
2013, chapter 19	chapter G-1.04
2013, chapter 22	chapter E-1.1.1
2013, chapter 23	chapter I-8.3
2013, chapter 26	chapter R-17.0.1
2013, chapter 28	chapter M-15.1.0.1
2013, chapter 31	chapter R-21.1



**LIST OF LEGISLATIVE PROVISIONS WHOSE COMING INTO FORCE
HAS BEEN DETERMINED BY PROCLAMATION OR ORDER
IN COUNCIL AS OF 31 DECEMBER 2013**

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>)

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

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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, 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

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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 Enginemmen 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

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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)

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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

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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. a, b)) 1984-01-01 s. 29 (s. 80 (par. c))
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

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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

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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

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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)

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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

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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

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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

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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

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Reference	Title Date of coming into force
1985, c. 34	<p>Building Act – <i>Cont'd</i></p> <p>1986-11-01 ss. 226, 227, 228 (par. 2, 3)</p> <p>1987-01-01 s. 224</p> <p>1988-06-15 ss. 269-273</p> <p>1989-02-01 ss. 221, 225 (s. 9.35), 229 (par. 1)</p> <p>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)</p> <p>1997-01-15 ss. 160 (par. 1), 165 (par. 1)</p> <p>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 (1st 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</p> <p>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 (1st par. (in all respects other than the qualification of contractors and owner-builders), 2nd par.)</p> <p>2003-01-01 s. 19</p> <p>2003-12-02 s. 214 (concerning the Gas Distribution Act (R.S.Q., chapter D-10))</p> <p>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)</p> <p>2005-02-17 s. 38</p> <p>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)</p> <p>2006-06-21 ss. 215 (1st 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)</p> <p>2012-05-03 ss. 215 (with regard to amusement rides and devices), 282 (with regard to amusement rides and devices)</p> <p>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)</p> <p>2013-03-18 ss. 29 (in all respects), 215 (in all respects), 282 (in all respects)</p>
1985, c. 35	<p>An Act to amend various legislation respecting transport</p> <p>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</p> <p>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</p>
1985, c. 36	<p>An Act to repeal the Act respecting corporations for the development of Québec business firms</p> <p>1985-11-01 ss. 1-4</p>

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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

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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)

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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

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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"),

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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

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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

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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

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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

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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>)

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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";

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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. a and par. b and e 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. a, b and e 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

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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)
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

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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

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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

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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)

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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

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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

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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

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Reference	Title Date of coming into force
1996, c. 32	<p>An Act respecting prescription drug insurance and amending various legislative provisions – <i>Cont'd</i></p> <p style="padding-left: 40px;">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</p> <p>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.)</p> <p>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</p> <p>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</p>

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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

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Reference	Title Date of coming into force
1996, c. 61	<p>An Act respecting the Régie de l'énergie – <i>Cont'd</i></p> <p>1998-03-18 ss. 31 (1st par. (subpar. 2, 5)), 32 (par. 3), 114 (par. 4) [as they do not apply to natural gas]</p> <p>1998-05-02 ss. 121, 123, 125, 133, 1st 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 1st par. of s. 25, subpar. 1 of 1st 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 2nd par. of s. 116</p> <p>1998-08-11 s. 114 (par. 7) and, as it does not apply to natural gas, s. 114 (par. 6)</p> <p>1998-11-01 ss. 31 (1st 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 (1st par., 2nd par. (subpar. 2))</p>
1996, c. 68	<p>An Act to amend the Civil Code of Québec and the Code of Civil Procedure as regards the determination of child support payments</p> <p>1997-05-01 ss. 1-4</p>
1996, c. 69	<p>An Act to amend the Savings and Credit Unions Act</p> <p>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:</p> <p style="padding-left: 2em;">Provisions relating to the structure of credit unions and federations</p> <ol style="list-style-type: none"> 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.

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Reference	Title Date of coming into force
1996, c. 69	<p>An Act to amend the Savings and Credit Unions Act – <i>Cont'd</i></p> <p style="padding-left: 40px;">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.</p> <p style="padding-left: 40px;">Provisions relating to administration</p> <ol style="list-style-type: none"> 5. 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. 6. 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. 7. 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. 8. 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. 9. 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	<p>An Act to amend the Act respecting industrial accidents and occupational diseases and the Act respecting occupational health and safety</p> <p>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))</p> <p>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)</p> <p>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)</p>
1996, c. 74	<p>An Act to amend various legislative provisions relating to the construction industry</p> <p>1997-01-15 ss. 2, 10 (par. 4), 15-27</p> <p>1997-01-15 ss. 7, 8</p>
1996, c. 78	<p>An Act to amend the Act respecting income security</p> <p>1997-04-01 ss. 2-5, 6 (par. 2, 3, 4)</p> <p>1997-10-01 ss. 1, 6 (par. 1)</p>
1996, c. 79	<p>An Act to amend the Act respecting financial assistance for students and the General and Vocational Colleges Act</p> <p>1997-02-06 ss. 1, 2, 3, 4, 8, 9, 10, 12, 13, 14, 15, 17</p> <p>1997-04-01 ss. 6, 16</p> <p>1997-05-01 ss. 7, 11</p> <p>1997-07-01 s. 5</p>

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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))

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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

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Reference	Title Date of coming into force
1997, c. 64	<p>An Act to amend the Act respecting the use of petroleum products and other legislative provisions</p> <p>1999-02-24 ss. 1, 2 (enact. ss. 5, 7, 8 (2nd par.), 14 (2nd par.), 22 (subpar. 3), 23, 25 (subpar. 2, 5), 27 (3rd par.), 37, 39, 41, 50, 51, 54, 59), 14 (enact. ss. 96, 97, 114, 115, 116), 15, 17, 18, 25 (3rd par.)</p> <p>1999-04-30 ss. 2 (enact. ss. 1-4, 6, 8 (1st par.), 9-13, 14 (1st par.), 15-21, 22 (subpar. 2 of 1st par., 2nd par.), 24, 25 (subpar. 1, 4 of 1st par., 2nd par.), 26, 27 (1st, 2nd, 4th 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 (1st, 2nd par.)</p> <p>1999-07-01 s. 2 (enact. ss. 22 (subpar. 1), 25 (subpar. 3), 31)</p>
1997, c. 75	<p>An Act respecting the protection of persons whose mental state presents a danger to themselves or to others</p> <p>1998-06-01 ss. 1-60</p>
1997, c. 77	<p>An Act to amend the Public Health Protection Act</p> <p>1998-02-15 ss. 3-7</p>
1997, c. 78	<p>An Act to amend the Act to ensure safety in guided land transport</p> <p>2000-01-01 ss. 1, 2, 4, 7, 15-18</p> <p>2000-05-01 ss. 3, 5, 6, 8-12, 13 (par. 2), 14 (par. 1), 19</p>
1997, c. 80	<p>An Act to amend the Public Curator Act and other legislative provisions relating to property under the provisional administration of the Public Curator</p> <p>1998-12-16 ss. 36, 37</p> <p>1999-06-01 s. 31</p> <p>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</p> <p>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)</p>
1997, c. 83	<p>An Act to abolish certain bodies</p> <p>1998-03-18 ss. 25, 31, 32, 33, 38 (par. 1), 41, 42, 43, 44, 49 (par. 3), 50 (par. 3), 56 (par. 3)</p> <p>2002-10-01 ss. 29, 30</p>
1997, c. 85	<p>An Act to again amend the Taxation Act, the Act respecting the Québec sales tax and other legislative provisions</p> <p>1998-09-16 ss. 5-9, 395-399</p>
1997, c. 87	<p>An Act to amend the General and Vocational Colleges Act and other legislative provisions</p> <p>1998-03-11 ss. 1-5, 7-11, 14, 21, 23-28, 34, 35</p> <p>1998-07-01 ss. 6, 12, 13, 16-19, 22, 29-33</p> <p>1999-01-01 ss. 15, 20</p>
1997, c. 90	<p>An Act to amend the Act respecting financial assistance for students</p> <p>1998-04-01 ss. 1, 2, 3, 13, 14</p> <p>1998-05-01 ss. 4, 5, 6, 7, 8, 9, 10, 11, 12</p>
1997, c. 91	<p>An Act respecting the Ministère des Régions</p> <p>1998-04-01 ss. 1-7, 16-66, 68</p>

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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

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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

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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

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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

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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)

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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)

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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 en minute 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)

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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.

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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)

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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

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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
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

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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, m, 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, m, 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
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. 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,

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Reference	Title Date of coming into force
2002, c. 45	<p>An Act respecting the Autorité des marchés financiers – <i>Cont'd</i></p> <p>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</p> <p>Note: Sections 694 and 741 came into force on the date of coming into force of section 7.</p> <p>2004-06-01 ss. 358 (par. 1), 359 (par. 2), 373, 374 (par. 2), 445, 730</p> <p>2004-08-01 s. 104 (1st par.)</p> <p>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.)</p>
2002, c. 50	<p>An Act to amend the General and Vocational Colleges Act and the Act respecting the Commission d'évaluation de l'enseignement collégial</p> <p>2004-04-07 s. 7</p>
2002, c. 51	<p>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</p> <p>2003-01-01 ss. 1-31</p>
2002, c. 53	<p>An Act to amend the Environment Quality Act and other legislative provisions</p> <p>2008-06-01 ss. 1, 2 (par. 2), 3-5, 9-14, 18</p>
2002, c. 55	<p>An Act to amend the Travel Agents Act and the Consumer Protection Act</p> <p>2003-01-29 s. 22</p> <p>2004-11-11 ss. 18 (par. 2), 25 (par. 2, 6), 26</p>
2002, c. 56	<p>An Act to secure the supply of hogs to a slaughterhouse enterprise in the Abitibi-Témiscamingue region</p> <p>2004-07-21 s. 1</p>
2002, c. 61	<p>An Act to combat poverty and social exclusion</p> <p>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</p> <p>2003-04-01 ss. 1 (3rd par.), 46-57, 67</p> <p>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</p>
2002, c. 62	<p>An Act to amend the Highway Safety Code and the Act respecting the Ministère du Revenu</p> <p>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))</p> <p>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))</p>

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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
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

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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))

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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

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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)))

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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)
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
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

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Reference	Title Date of coming into force
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 s. 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
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)

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Reference	Title Date of coming into force
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 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

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Reference	Title Date of coming into force
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 2010-12-01 ss. 15, 16, 17, 103-110 2011-01-01 ss. 25, 44, 72 (par. 2) 2011-05-01 s. 37 2013-04-07 ss. 2 (par. 1), 18, 19, 21, 22, 91, 95
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

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Reference	Title Date of coming into force
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
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

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Reference	Title Date of coming into force
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
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)
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

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Reference	Title Date of coming into force
2010, c. 5	<p>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</p> <p>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</p> <p>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))</p> <p>(*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):</p> <p>(<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;</p> <p>(<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</p> <p>(<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).</p>
2010, c. 7	<p>An Act respecting the legal publicity of enterprises</p> <p>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</p> <p>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</p>
2010, c. 11	<p>An Act to amend the Act respecting the Pension Plan of Management Personnel and other legislation establishing pension plans in the public sector</p> <p>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)</p>
2010, c. 12	<p>An Act to provide a framework for mandatory state financing of certain legal services</p> <p>2010-08-18 s. 36</p> <p>2010-09-07 ss. 1-35, 37</p>
2010, c. 15	<p>An Act respecting the Institut national d'excellence en santé et en services sociaux</p> <p>2011-01-19 ss. 4-9, 12, 13, 54, 56-74, 76, 77, 81-87, 89-93</p>

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
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
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)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
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
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
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
2012, c. 30	An Act to amend various legislative provisions concerning municipal affairs 2013-06-26 ss. 2, 4-22, 24-32

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
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. 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
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



**LIST OF LEGISLATIVE PROVISIONS WHOSE COMING INTO FORCE
HAS YET TO BE DETERMINED BY PROCLAMATION OR ORDER
IN COUNCIL AS OF 31 DECEMBER 2013**

Provisions not in force on 31 December 2013 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 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), 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. 13 (except with regard to electrical installations to which Chapter V of the Building Code, approved by Order in Council 961-2002 dated 21 August 2002, applies), 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 geodesic 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 en minute, 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</i> , <i>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. 28	An Act to amend the Charter of the French language s. 1
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. 33	An Act to amend the Professional Code and other legislative provisions as regards the health sector s. 2 (where it adds s. 37.1 (par. 3 (subpar. <i>i</i>)) of the Professional Code (R.S.Q., chapter C-26))
2002, c. 45	An Act respecting the Autorité des marchés financiers ss. 116 (2 nd par.), 153 (5 th 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 (2 nd par. (2 nd sentence), except to the extent that that provision applies in respect of the advisory committee on the prevention of poverty and social exclusion), 21 (2 nd par. (the words “and those of the indicators proposed by the Observatoire de la pauvreté et de l’exclusion sociale that were retained”)), 31 (3 rd par.), 32 (2 nd par. (2 nd 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 1 st 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 ss. 109 (to the extent that the provisions enact s. 221.2.3 of the Cooperatives Act (R.S.Q., chapter C-67.2)), 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)

COMING INTO FORCE TO BE DETERMINED

Reference	Title
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 (1 st 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))
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)

COMING INTO FORCE TO BE DETERMINED

Reference	Title
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 ss. 4 (par. 2), 27 (insofar as it enacts s. 48.3), 30-47
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. 2, 3, 4, 13 (except insofar as it enacts s. 204 (only for the purposes of the implementation of s. 301.19 (par. 3))), 14 (insofar as it enacts, in s. 227 (1 st par.), the words “and including particulars about voting in the advance poll and at the returning officer’s office”), 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, 24
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

COMING INTO FORCE TO BE DETERMINED

Reference	Title
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), 54 (except par. 3), 72 (except par. 2), 79, 80, 86 (except par. 2-4), 100, 101, 111-115, 119, 124, 126-131
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.3</i> 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. 21	An Act to affirm the collective nature of water resources and provide for increased water resource protection ss. 19 (except ss. 31.74, 31.88-31.94, 31.96, 31.98-31.108 of the Environment Quality Act (R.S.Q., chapter Q-2)), 20, 22 (except par. 1, 2 (s. 46 (par. s (subpar. 2.3, 2.4, 2.5, 2.6)) of the Environment Quality Act), 4), 23-25, 28, 29, 33-38
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

COMING INTO FORCE TO BE DETERMINED

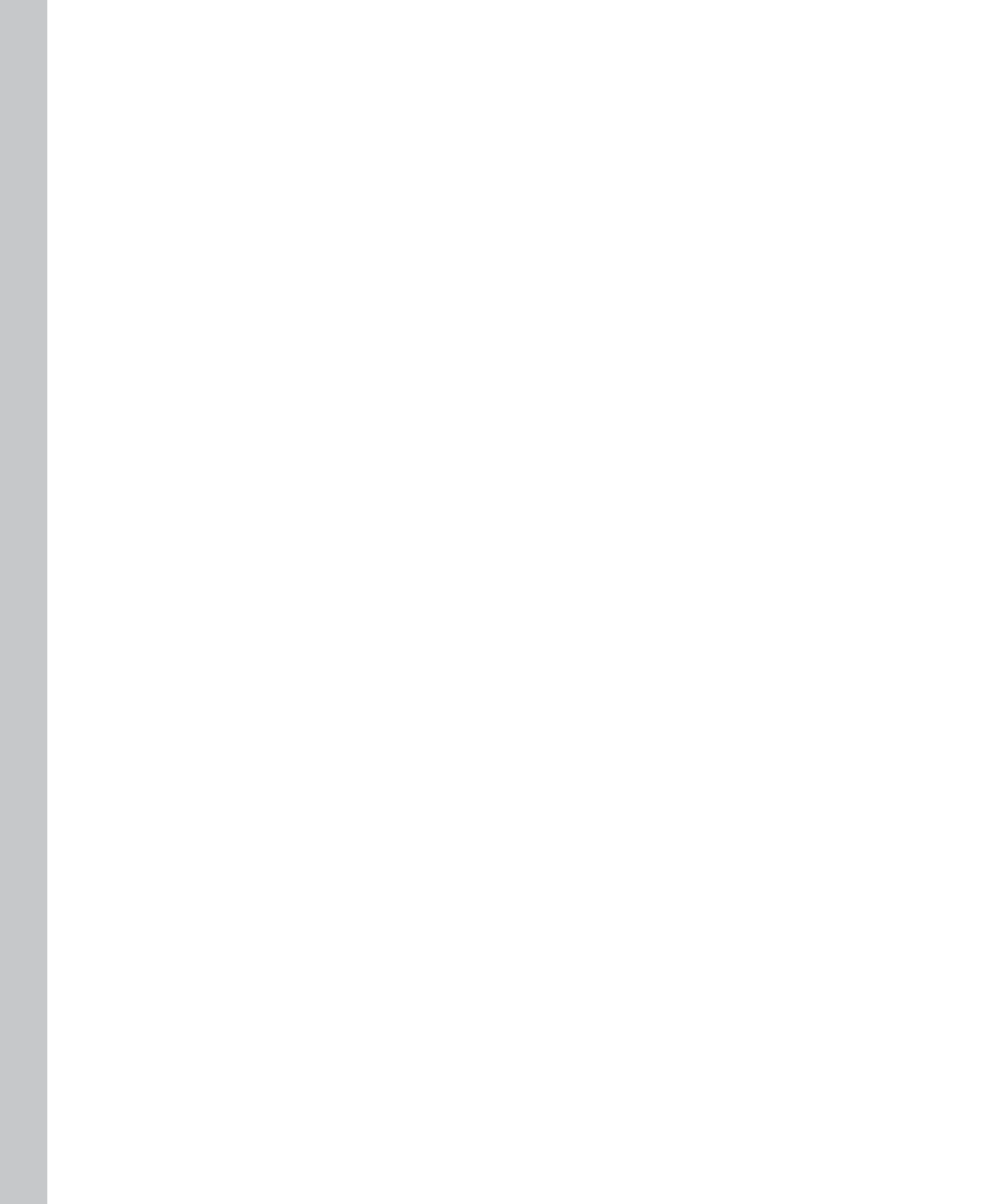
Reference	Title
2009, c. 58	An Act to amend various legislative provisions principally to tighten the regulation of the financial sector ss. 5 (par. 1), 18 (to the extent that it enacts s. 40.2.1 (2 nd par.) of the Deposit Insurance Act (chapter A-26)), 75, 92
2010, c. 3	Sustainable Forest Development Act ss. 5, 13-35, 38-44, 60-87, 115, 117, 118, 127-306, 310-314, 316-319, 321-335, 362, 371 come into force on 1 April 2013 or on any earlier date or dates set by the Government
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. 10	An Act to amend the Act respecting land use planning and development and other legislative provisions concerning metropolitan communities ss. 155 (on 1 April 2013 or on the earlier date set by the Government for the coming into force of s. 138 of the Sustainable Forest Development Act (2010, chapter 3)), 156 (on 1 April 2013 or on the earlier date set by the Government for the coming into force of s. 150 of the Sustainable Forest Development Act)
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)
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. 35	An Act to prevent, combat and punish certain fraudulent practices in the construction industry and make other amendments to the Building Act s. 11
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

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2012, c. 20	An Act to promote access to justice in family matters ss. 1-28, 42, 45, 51, 53, 56
2012, c. 23	An Act respecting the sharing of certain health information ss. 11 (1 st par. (subpar. 4-6)), 22, 24, 25 (“or sold under pharmaceutical control” in par. 1 and par. 2, 3), 26 (“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), 28 (“or a person or partnership”), 31 (“or a person or partnership operating a medical imaging laboratory or a medical diagnostic radiology laboratory”), 32 (except 1 st par.), 39-45, 50, 55 (except 1 st par.), 59 (“or fill a collective prescription for medication”), 75 (“and any other person for whom an entry is requested”), 79 (par. 10), 83 (except 1 st par.), 106-108, 123 (“40 or 43, the second paragraph of section 50”), 124 (“or 108”), 131 (“40,”), 161 (par. 4)
2012, c. 25	Integrity in Public Contracts Act ss. 3, 4, 5, 9, 13 (par. 6), 14, 16, 18 (par. 1), 23, 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. 6	An Act to amend the Police Act as concerns independent investigations 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 s. 8
2013, c. 12	An Act to amend the Professional Code with respect to disciplinary justice ss. 1, 3 (except to the extent that it concerns s. 115.2 of the Professional Code (chapter C-26), insofar as that section refers to the selection procedure for chairs, and ss. 115.3 and 115.5 of the Code), 4, 5 (except to the extent that it concerns ss. 117.2 and 117.3 of the Code), 6-21, 23-25, 29-32
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 subparagraph 6 of the first paragraph of s. 17.12.12 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2)), 54 (to the extent that it inserts a reference to s. 17.12.20 of that Act), 55 (to the extent that it enacts s. 17.12.20 of that Act), 58 (to the extent that it applies to the mining activity management component of the Natural Resources Fund), 158-166
2013, c. 18	An Act to amend various legislative provisions mainly concerning the financial sector ss. 92, 97 (par. 3)
2013, c. 25	An Act to amend the Public Service Act mainly with respect to staffing ss. 1, 3-8, 10-13, 14 (except where it enacts subparagraph 11 of the first paragraph of s. 50.1), 15-17, 19, 22 (par. 1-5), 24, 25, 27 (where it enacts s. 116.5), 32, 34-36, 39
2013, c. 26	Voluntary Retirement Savings Plans Act ss. 14, 28, 29, 31, 39-41, 107-109, 114, 115, 143 come into force on 1 July 2014, unless their coming into force is set by the Government for an earlier date or dates
2013, c. 27	An Act to amend the Civil Code as regards civil status, successions and the publication of rights ss. 1-5, 29, 30

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2013, c. 30	An Act to amend various legislative provisions concerning municipal affairs s. 13
2013, c. 32	An Act to amend the Mining Act ss. 35, 38, 108



INFORMATION REQUIRED BY LAW TO BE PUBLISHED

Constitution of professional orders by letters patent (chapter C-26, s. 27):

Letters patent of the Ordre professionnel des sexologues du Québec
Professional Code
(chapter C-26, s. 27)

Gouvernement du Québec

Order in Council 941-2013, 11 September 2013

Sexologists

— Constitution by letters patent of the Order

Part 2, *Gazette officielle du Québec*, 25 September 2013, Volume 145, No. 39, p. 2729



2013, chapter 33
AN ACT RESPECTING VILLE DE TERREBONNE

Bill 202

Introduced by Mr. Mathieu Traversy, Member for Terrebonne

Introduced 16 April 2013

Passed in principle 14 June 2013

Passed 14 June 2013

Assented to 14 June 2013

Coming into force : 14 June 2013

Legislation amended : None



Chapter 33

AN ACT RESPECTING VILLE DE TERREBONNE

[Assented to 14 June 2013]

AS it is in the interest of Ville de Terrebonne that it be granted a power with respect to the transfer of thoroughfare sites or land under transfer undertakings given by the owners to make contributions for park, playground or natural area purposes;

AS it is in the interest of Ville de Terrebonne that it be possible, in future, for all such thoroughfare sites and land to become municipal property without the town being dependent on the owners' goodwill or being required to take costly legal action to enforce the transfer undertakings duly signed by the owners;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Insofar as a plan relating to a cadastral operation approved by Ville de Terrebonne has been filed with the registry office, the thoroughfare sites that the owner undertakes to transfer for the purposes of a provision enacted under subparagraph 7 of the second paragraph of section 115 of the Act respecting land use planning and development (chapter A-19.1) become, without indemnity, the property of the town and form part of its public domain on registration in the land register of a notice signed by the clerk and drawn up on the earlier of

(1) the date on which the executive committee of the town adopts a resolution to accept the transfer of ownership in accordance with the owner's undertaking; and

(2) the date on which the work described in the municipal works agreement included in the by-law adopted under section 145.21 of the Act respecting land use planning and development is given final acceptance.

The notice of the clerk must mention the fact that the notice is published in the land register under this section.

Hypothecs, charges and real rights affecting the land mentioned in the notice are extinguished by the publication of the notice provided for in this section.

2. Insofar as a plan relating to a cadastral operation approved by the town has been filed with the registry office, the land that the owner undertakes to transfer for the purposes of a provision enacted under the first paragraph of section 117.1 of the Act respecting land use planning and development becomes,

without indemnity, the property of the town and forms part of its public domain on registration in the land register of a notice signed by the clerk and drawn up on the date on which the executive committee of the town adopts a resolution to accept the transfer of ownership in accordance with the owner's undertaking.

The notice of the clerk must mention the fact that the notice is published in the land register under this section.

Hypothecs, charges and real rights affecting the land mentioned in the notice are extinguished by the publication of the notice provided for in this section.

3. This Act comes into force on 14 June 2013.

2013, chapter 34
**AN ACT RESPECTING MUNICIPALITÉ RÉGIONALE DE
COMTÉ DE LA HAUTE-YAMASKA**

Bill 203

Introduced by Mr. François Bonnardel, Member for Granby

Introduced 8 May 2013

Passed in principle 14 June 2013

Passed 14 June 2013

Assented to 14 June 2013

Coming into force : 14 June 2013

Legislation amended : None



Chapter 34

AN ACT RESPECTING MUNICIPALITÉ RÉGIONALE DE COMTÉ DE LA HAUTE-YAMASKA

[Assented to 14 June 2013]

AS Municipalité régionale de comté de La Haute-Yamaska wishes to open bidding on a contract for the design, financing, construction, operation and maintenance of a residual materials recycling and processing centre that will further the achievement of Québec's objectives with regard to the reclamation of residual materials and the reduction of final waste;

AS it is advisable to provide an appropriate framework for the bidding process;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. This Act sets out specific procedural rules to govern the awarding by Municipalité régionale de comté de La Haute-Yamaska, using the system of bid weighting and evaluating described in article 936.0.1 of the Municipal Code of Québec (chapter C-27.1), of a contract for the design, financing, construction, operation and maintenance of a residual materials recycling and processing centre.

2. Bid prices must be submitted in a separate, sealed envelope.

When the tenders are opened, the envelopes containing the bid prices must be entrusted, unopened, to the secretary of the selection committee.

3. After a score has been assigned to each tender for all the other elements required by the call for tenders, the envelopes containing the bid prices are opened under the authority of the process auditor identified in the call for tenders.

The auditor may not be a council member, nor a member or the secretary of the selection committee.

4. Before the contract is awarded, the secretary of the selection committee may authorize the tenderers to update their bid price, in accordance with the rules set out in the call for tenders, for the sole purpose of adjusting their price to take into account a change in the risk premium that is included in the portion relating to the establishment of the bid price and that is required by the tenderers' financial backers to finance the project.

5. The secretary of the selection committee and the process auditor must, in their respective reports, attest to the measures they took to ensure that sections 2 to 4 were complied with and that all tenderers were treated equally.

6. This Act comes into force on 14 June 2013.

2013, chapter 35

**AN ACT RESPECTING VARIOUS BY-LAWS OF VILLE DE
BROSSARD AND VARIOUS BY-LAWS OF VILLE DE
LONGUEUIL APPLICABLE TO THE BOROUGH OF BROSSARD**

Bill 204

Introduced by Madam Fatima Houda-Pepin, Member for La Pinière

Introduced 15 May 2013

Passed in principle 14 June 2013

Passed 14 June 2013

Assented to 14 June 2013

Coming into force : 14 June 2013

Legislation amended : None



Chapter 35

AN ACT RESPECTING VARIOUS BY-LAWS OF VILLE DE BROSSARD AND VARIOUS BY-LAWS OF VILLE DE LONGUEUIL APPLICABLE TO THE BOROUGH OF BROSSARD

[Assented to 14 June 2013]

AS Ville de Longueuil adopted loan by-laws applicable to the borough of Brossard, and as Ville de Brossard subsequently adopted loan by-laws;

AS the special taxes imposed by Ville de Brossard under the terms of those loan by-laws could not be collected for the 2010 fiscal year because of a technical error in the internal tax generation process, and as it is in the interest of Ville de Brossard to recover those special taxes from the taxpayers who are subject to them;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Ville de Brossard may collect, from the taxpayers subject to the following loan by-laws, the special taxes that should have been collected for the 2010 fiscal year under the terms of those by-laws:

(1) by-laws CM-2002-63, CM-2003-83, CM-2003-84, CM-2003-101, CM-2003-106, CM-2003-169, CM-2003-170, CM-2004-222, CM-2004-223, CM-2004-285, CM-2004-296, CM-2005-320, CM-2005-322 and CM-2005-372, adopted by Ville de Longueuil and applicable to Ville de Brossard, as amended;

(2) by-laws 1120, 1174, 1559, 1590, REG-55, REG-59, REG-60, REG-62, REG-64, REG-65, REG-67, REG-84, REG-85 and REG-90, subsequently adopted by Ville de Brossard, as amended.

Ville de Brossard may spread the payment of those taxes over the term of the loans by collecting an annual amount for that purpose out of the special taxes collected under those by-laws.

2. Section 1 has effect from 1 January 2011.

3. This Act comes into force on 14 June 2013.

2013, chapter 36
AN ACT RESPECTING VILLE DE CHÂTEAUGUAY

Bill 205

Introduced by Mr. Pierre Moreau, Member for Châteauguay

Introduced 15 May 2013

Passed in principle 14 June 2013

Passed 14 June 2013

Assented to 14 June 2013

Coming into force : 14 June 2013

Legislation amended : None



Chapter 36

AN ACT RESPECTING VILLE DE CHÂTEAUGUAY

[Assented to 14 June 2013]

AS Ville de Châteauguay has acquired from the Grey Nuns of Montréal a part of Île Saint-Bernard as well as the buildings and works erected on it, and has committed to maintaining the current vocation of the premises and preserving its natural and cultural attributes;

AS the site encompasses the Manoir d'Youville, a building operated as a lodging and restaurant facility;

AS it is appropriate to grant Ville de Châteauguay the powers required for that purpose;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Ville de Châteauguay may operate a lodging and restaurant facility in the buildings acquired under the deed published in the registry office of the registration division of Châteauguay under number 18053650.

In order to exercise this power, Ville de Châteauguay must

(1) retain ownership of all the immovables acquired under the deed referred to in the first paragraph; and

(2) maintain the vocation of these immovables as public places intended mainly for cultural, recreational and community activities.

2. Ville de Châteauguay may, in accordance with section 7.1 of the Municipal Powers Act (chapter C-47.1), entrust a person with the operation of the immovables referred to in section 1.

3. Sections 1 and 2 have effect from 17 April 2011.

4. This Act comes into force on 14 June 2013.

2013, chapter 37
**AN ACT RESPECTING MUNICIPALITÉ RÉGIONALE
DE COMTÉ DES BASQUES**

Bill 206

Introduced by Mr. Jean D'Amour, Member for Rivière-du-Loup–Témiscouata

Introduced 14 May 2013

Passed in principle 14 June 2013

Passed 14 June 2013

Assented to 14 June 2013

Coming into force : 14 June 2013

Legislation amended : None



Chapter 37

AN ACT RESPECTING MUNICIPALITÉ RÉGIONALE DE COMTÉ DES BASQUES

[Assented to 14 June 2013]

AS Municipalité régionale de comté des Basques may, under the Municipal Powers Act (chapter C-47.1), establish a regional park in order to, among other purposes, allow its population and the public to practice recreational activities, and as the municipality wishes, in particular for that purpose, to purchase from Club de chasse et de pêche Appalaches the real hunting, fishing and trapping rights granted to it in the territory of the former seigniory of Nicolas Rioux by the judgment of the Court of Appeal of Québec rendered on 25 August 1999 in case file 200-09-002219-985;

AS the regional county municipality wishes to entrust the operation of the regional park to a non-profit body and as it is expedient that the municipality be granted certain powers to that end;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Municipalité régionale de comté des Basques may establish a non-profit body in order to entrust it with the operation of a regional park.

The regional county municipality determines the manner in which the body's directors and officers are appointed and approves its budget and by-laws.

2. Municipalité régionale de comté des Basques may, by by-law, provide for the remuneration of the directors of such a body who are not members of the council of the municipality, and for the reimbursement of their expenses. The amount of the remuneration is to be determined on the basis of the directors' attendance at meetings of the body.

3. A body established under section 1 is a mandatary of Municipalité régionale de comté des Basques.

4. This Act comes into force on 14 June 2013.

2013, chapter 38

**AN ACT CONCERNING THE POSSIBILITY FOR THE
MUNICIPAL FOUNDER TO STAND SURETY FOR THE
SOCIÉTÉ D'ÉCONOMIE MIXTE D'ÉNERGIE RENOUVELABLE
DE LA RÉGION DE RIVIÈRE-DU-LOUP INC.**

Bill 208

Introduced by Mr. Jean D'Amour, Member for Rivière-du-Loup–Témiscouata

Introduced 14 May 2013

Passed in principle 14 June 2013

Passed 14 June 2013

Assented to 14 June 2013

Coming into force : 14 June 2013

Legislation amended : None



Chapter 38

AN ACT CONCERNING THE POSSIBILITY FOR THE MUNICIPAL FOUNDER TO STAND SURETY FOR THE SOCIÉTÉ D'ÉCONOMIE MIXTE D'ÉNERGIE RENOUVELABLE DE LA RÉGION DE RIVIÈRE-DU-LOUP INC.

[Assented to 14 June 2013]

AS it is in the public interest to facilitate the establishment, in Cacouna, of a plant for the treatment of organic residual materials by biomethanation that would benefit various municipalities;

AS, under the Act respecting mixed enterprise companies in the municipal sector (chapter S-25.01), the amount up to which a municipal entity may stand surety for the commitments of a mixed enterprise company is limited to the value of the company's share capital that was paid by that entity;

AS Municipalité régionale de comté de Rivière-du-Loup and Ville de Rivière-du-Loup are the municipal founder of the Société d'économie mixte d'énergie renouvelable de la région de Rivière-du-Loup inc.;

AS it is in the interest of those municipalities that they be granted certain powers to enable them to stand surety for commitments of the Société d'économie mixte d'énergie renouvelable de la région de Rivière-du-Loup inc. for an amount exceeding the amount established by the Act respecting mixed enterprise companies in the municipal sector;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Despite the third paragraph of section 48 of the Act respecting mixed enterprise companies in the municipal sector (chapter S-25.01) and subject to the second paragraph, the group that is the municipal founder of the Société d'économie mixte d'énergie renouvelable de la région de Rivière-du-Loup inc. may stand surety for the totality of the \$7,500,000 loan contracted by the Société under the agreement entitled "FONDS MUNICIPAL VERT («FMV»)". N° du projet: 10210. Titre du projet: Projet de traitement et valorisation des matières résiduelles organiques par digestion anaérobie. Convention de prêt et de subvention. Projets d'immobilisations – Société d'économie mixte." entered into between the Société d'économie mixte d'énergie renouvelable de la région de Rivière-du-Loup inc., Ville de Rivière-du-Loup, Municipalité régionale de comté de Rivière-du-Loup and the Federation of Canadian Municipalities as trustee of the Green Municipal Fund, for the carrying out of a project to establish a plant in Cacouna for the treatment of organic residual materials by biomethanation.

Any person who operates a private sector enterprise and is a cofounder of the Société d'économie mixte d'énergie renouvelable de la région de Rivière-du-Loup inc. must, for the benefit of the group that is the municipal founder of the Société and for the purpose of guaranteeing the reimbursement of the amount specified in the suretyship contract entered into by that group under the agreement referred to in the first paragraph, provide a suretyship, issued by an insurer holding a license in conformity with the laws in force in Québec that authorizes it to offer suretyships, in an amount proportionate to the person's share in the Société's share capital.

- 2.** This Act comes into force on 14 June 2013.

2013, chapter 39

**AN ACT RESPECTING THE POSSIBILITY FOR MUNICIPAL
FOUNDERS TO STAND SURETY FOR THE SOCIÉTÉ
D'ÉCONOMIE MIXTE DE L'EST DE LA COURONNE SUD
(SÉMECS) INC.**

Bill 209

Introduced by Madam Marie Bouillé, Member for Iberville

Introduced 14 May 2013

Passed in principle 14 June 2013

Passed 14 June 2013

Assented to 14 June 2013

Coming into force : 14 June 2013

Legislation amended : None



Chapter 39

AN ACT RESPECTING THE POSSIBILITY FOR MUNICIPAL FOUNDERS TO STAND SURETY FOR THE SOCIÉTÉ D'ÉCONOMIE MIXTE DE L'EST DE LA COURONNE SUD (SÉMECS) INC.

[Assented to 14 June 2013]

AS the regional county municipalities of Marguerite-D'Youville, La Vallée-du-Richelieu and Rouville are the municipal founders, and are shareholders, of the Société d'Économie Mixte de l'Est de la Couronne Sud (SÉMECS) inc.;

AS, under the Act respecting mixed enterprise companies in the municipal sector (chapter S-25.01), the amount up to which municipal founders may stand surety for a mixed enterprise company is limited to the value of the company's share capital that they have paid;

AS the regional county municipalities of Marguerite-D'Youville, La Vallée-du-Richelieu and Rouville wish to stand surety for the Société d'Économie Mixte de l'Est de la Couronne Sud (SÉMECS) inc. for an amount exceeding the maximum set by that Act;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Despite the third paragraph of section 48 of the Act respecting mixed enterprise companies in the municipal sector (chapter S-25.01) and subject to the authorization of the Minister of Municipal Affairs, Regions and Land Occupancy, each municipal founder of the Société d'Économie Mixte de l'Est de la Couronne Sud (SÉMECS) inc. may stand surety for the Société, in respect of its commitment, for an amount not exceeding an amount proportionate to its share in the company's share capital.

In addition, the Minister may, on the conditions the Minister determines, require that the resolution or by-law authorizing the suretyship be submitted for approval to the persons qualified to vote on loan by-laws according to the procedure prescribed for the approval of such by-laws.

2. This Act comes into force on 14 June 2013.

2013, chapter 40
AN ACT RESPECTING VILLE DE WINDSOR

Bill 207

Introduced by Madam Karine Vallières, Member for Richmond

Introduced 5 November 2013

Passed in principle 5 December 2013

Passed 5 December 2013

Assented to 6 December 2013

Coming into force : 6 December 2013

Legislation amended : None



Chapter 40

AN ACT RESPECTING VILLE DE WINDSOR

[Assented to 6 December 2013]

AS Ville de Windsor wishes to hold an immovable in divided co-ownership in order to establish the offices of its town hall in it;

AS it is in the interest of Ville de Windsor that it be granted certain powers;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Ville de Windsor may hold an immovable situated on lot 5 272 002 of the cadastre of Québec in divided co-ownership in order to establish the offices of its town hall in it.

2. The declaration of co-ownership must provide, in the by-laws of the immovable, that the town must be represented on the board of directors of the syndicate for as long as the town holds a fraction of the immovable described in section 1.

The director representing the town is appointed by the town council from among its members.

3. Sections 477.4 to 477.6 and 573 to 573.4 of the Cities and Towns Act (chapter C-19) apply to the awarding of contracts by the directors or the general meeting of the co-owners of the immovable, for as long as Ville de Windsor holds a fraction of the immovable described in section 1, to the extent that the portion of the proposed expenditures chargeable to the town, 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 Ville de Windsor.

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 Windsor must be approved by the town council to be binding on the town.

5. This Act comes into force on 6 December 2013.

2013, chapter 41
AN ACT RESPECTING VILLE DE SHERBROOKE

Bill 211

Introduced by Mr. Serge Cardin, Member for Sherbrooke

Introduced 14 November 2013

Passed in principle 5 December 2013

Passed 5 December 2013

Assented to 6 December 2013

Coming into force : 6 December 2013

Legislation amended : None



Chapter 41

AN ACT RESPECTING VILLE DE SHERBROOKE

[Assented to 6 December 2013]

AS Ville de Sherbrooke wishes to adopt an RCM plan that includes planning program content so as to maintain only one planning document in force in its territory;

AS Ville de Sherbrooke must be dispensed from the obligation imposed under section 110.10.1 of the Act respecting land use planning and development (chapter A-19.1) to adopt on the same day the by-law revising the planning program and the by-laws that replace the zoning and subdivision by-laws;

AS it is necessary to prescribe that a by-law adopted by Ville de Sherbrooke to replace all the zoning and subdivision by-laws applicable in its territory following the amalgamation of Ville de Sherbrooke, Ville de Rock Forest, Ville de Lennoxville, Ville de Fleurimont and Ville de Bromptonville and the municipalities of Ascot and Deauville by new zoning and subdivision by-laws applicable to the entire territory of Ville de Sherbrooke must be approved by the qualified voters of the entire territory;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. When Ville de Sherbrooke maintains in force a single document that includes provisions specific to the content of both an RCM plan and a planning program, sections 47 to 53.11, 53.11.5, 53.11.6, 53.12 to 56.12, 56.12.3 to 56.12.5, 56.12.8 to 57, 57.3, 58, 59 to 61.1, 61.3 to 71 and 71.0.3 to 72 of the Act respecting land use planning and development (chapter A-19.1) apply, instead of sections 88 to 100 and 102 to 112.8 of that Act, with the necessary modifications, to the provisions specific to the content of a planning program.

2. Section 110.10.1, the second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134, and sections 135 to 137 of the Act respecting land use planning and development do not apply to a by-law adopted by Ville de Sherbrooke to replace all the zoning by-laws and all the subdivision by-laws applicable in its territory following the amalgamation of Ville de Sherbrooke, Ville de Rock Forest, Ville de Lennoxville, Ville de Fleurimont and Ville de Bromptonville and the municipalities of Ascot and Deauville by, respectively, a new zoning by-law and a new subdivision by-law applicable to the entire territory of the city, on the condition that the by-law come into force not later than the day that is three

years after the date of coming into force of the document referred to in section 1 or of the RCM plan.

Such a by-law must be approved in accordance with the Act respecting elections and referendums in municipalities (chapter E-2.2) by the qualified voters of the entire territory of Ville de Sherbrooke.

- 3.** This Act comes into force on 6 December 2013.

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