



Statutes of Québec 2016

NATIONAL ASSEMBLY OF QUÉBEC

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

QUÉBEC OFFICIAL PUBLISHER



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assented to between 1 January 2016 and 31 December 2016

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NOTE

This volume contains essentially the text of the public and private Acts assented to in 2016.

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known on 31 December 2016, a list of the Acts, regulations, orders in council or ministerial orders amended, replaced, repealed or enacted by the Act, and the explanatory notes, if any.

A table of the amendments made by public Acts passed in 2016 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 2016, 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 2016 and 31 December 2016.

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

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

TABLE OF CONTENTS

	PAGE
List of Acts assented to in 2016.	IX
Chapter / Bill table of concordance	XIII
Bill / Chapter table of concordance	XIV
Text of public Acts	1
Table of amendments to public Acts in 2016.	759
Table of general amendments to public Acts in 2016	797
Annual Statute / Statute included in the Compilation of Québec Laws and Regulations table of concordance	799
List of legislative provisions whose coming into force has been determined by proclamation or order in council as of 31 December 2016	801
List of legislative provisions whose coming into force has yet to be determined by proclamation or order in council as of 31 December 2016	877
Information required by law to be published	895
Text of private Acts	897
Index	925

LIST OF ACTS ASSENTED TO IN 2016

CHAP.	TITLE	PAGE
1	Funeral Operations Act	1
2	Appropriation Act No. 1, 2016–2017	29
3	Québec Immigration Act	71
4	An Act to ensure better consistency between the French and English texts of the Civil Code	97
5	An Act to amend the Act respecting the National Assembly to reflect changes made to the delimitation of electoral divisions in accordance with the Notice of the establishment of the list of electoral divisions dated 12 October 2011	129
6	Appropriation Act No. 2, 2016–2017	133
7	An Act respecting mainly the implementation of certain provisions of the Budget Speech of 26 March 2015	179
8	An Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area (<i>modified title</i>)	241
9	An Act respecting development of the small-scale alcoholic beverage industry	323
10	An Act to authorize the making of collective agreements with a term of more than three years in the public and parapublic sectors	331
11	An Act to proclaim Memorial Day for Crimes Against Humanity Committed in Cambodia Between 1975 and 1979	335
12	An Act to amend various legislative provisions to better protect persons (<i>modified title</i>)	339
13	An Act respecting the restructuring of university-sector defined benefit pension plans and amending various legislative provisions	351
14	An Act to amend certain Acts establishing pension plans applicable to public sector employees	373
15	Firearms Registration Act	383

List of Acts assented to in 2016

CHAP.	TITLE	PAGE
16	An Act to reduce the cost of certain medications covered by the basic prescription drug insurance plan by allowing calls for tenders	391
17	An Act to amend various municipal-related legislative provisions concerning such matters as political financing . . .	395
18	An Act to give effect to the Charbonneau Commission recommendations on political financing	443
19	An Act to strengthen the fight against transphobia and improve the situation of transgender minors in particular.	459
20	An Act to ensure resumption of the regular maritime transport services provided by Relais Nordik inc. and to settle the dispute between that company and some of its employees.	467
21	An Act to amend the Civil Code to protect seniors' rights as lessees	475
22	An Act to amend various legislative provisions respecting mainly transportation services by taxi	479
23	An Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions	497
24	An Act respecting the process of negotiation of collective agreements and the settlement of disputes in the municipal sector	515
25	An Act to allow a better match between training and jobs and to facilitate labour market entry	531
26	An Act to amend the Education Act.	547
27	An Act to amend the Act respecting the governance of state-owned enterprises to promote the presence of young people on the boards of directors of such enterprises.	567
28	An Act to extend the powers of the Régie de l'assurance maladie du Québec, regulate commercial practices relating to prescription drugs and protect access to voluntary termination of pregnancy services (<i>modified title</i>).	571

List of Acts assented to in 2016

CHAP.	TITLE	PAGE
29	An Act to transfer the activities of the enterprise registrar to the Ministère du Travail, de l'Emploi et de la Solidarité sociale.....	603
30	An Act to amend various legislative provisions concerning municipal affairs	613
31	An Act to grant Ville de Québec national capital status and increase its autonomy and powers.....	621
32	An Act to modernize the governance of national museums.....	641
33	An Act to amend the Courts of Justice Act.....	653
34	An Act to facilitate the disclosure of wrongdoings relating to public bodies (<i>modified title</i>).....	657
35	An Act to implement the 2030 energy policy and to amend various legislative provisions	679
36	An Act respecting Ville de Saguenay	897
37	An Act respecting Municipalité de Sainte-Anne-de-Sorel ...	901
38	An Act respecting Ville de Chibougamau	907
39	An Act respecting Ville de Sherbrooke	911
40	An Act respecting Ville de Saint-Augustin-de-Desmaures ...	915
41	An Act to allow the conversion and amalgamation of L'Assurance Mutuelle de l'Inter-Ouest and L'Assurance mutuelle des fabriques de Montréal.....	921

**TABLE OF CONCORDANCE
CHAPTER / BILL**

Chapter	Bill	Chapter	Bill
1	66	22	100
2	90	23	104
3	77	24	110
4	89	25	70
5	93	26	105
6	95	27	693
7	74	28	92
8	76	29	116
9	88	30	120
10	94	31	109
11	82	32	114
12	59	33	125
13	75	34	87
14	97	35	106
15	64	36	212
16	81	37	215
17	83	38	218
18	101	39	219
19	103	40	220
20	111	41	222
21	492		

**TABLE OF CONCORDANCE
BILL / CHAPTER**

Bill	Chapter	Bill	Chapter
59	12	101	18
64	15	103	19
66	1	104	23
70	25	105	26
74	7	106	35
75	13	109	31
76	8	110	24
77	3	111	20
81	16	114	32
82	11	116	29
83	17	120	30
87	34	125	33
88	9	212	36
89	4	215	37
90	2	218	38
92	28	219	39
93	5	220	40
94	10	222	41
95	6	492	21
97	14	693	27
100	22		

2016, chapter 1 FUNERAL OPERATIONS ACT

Bill 66

Introduced by Mr. Gaétan Barrette, Minister of Health and Social Services

Introduced 22 October 2015

Passed in principle 2 December 2015

Passed 17 February 2016

Assented to 17 February 2016

Coming into force: on the date or dates to be set by the Government

Legislation amended:

Civil Code of Québec

Act respecting industrial accidents and occupational diseases (chapter A-3.001)

Act respecting clinical and research activities relating to assisted procreation (chapter A-5.01)

Act respecting prearranged funeral services and sepultures (chapter A-23.001)

Health Insurance Act (chapter A-29)

Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01)

Act respecting the Communauté métropolitaine de Québec (chapter C-37.02)

Act respecting Roman Catholic cemetery companies (chapter C-40.1)

Religious Corporations Act (chapter C-71)

Public Curator Act (chapter C-81)

Act respecting administrative justice (chapter J-3)

Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (chapter L-0.2)

Mining Act (chapter M-13.1)

Act respecting Forillon Park and its surroundings (chapter P-8)

Act respecting the sharing of certain health information (chapter P-9.0001)

Act respecting liquor permits (chapter P-9.1)

Podiatry Act (chapter P-12)

Animal Health Protection Act (chapter P-42)

Environment Quality Act (chapter Q-2)

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

Public Health Act (chapter S-2.2)

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

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

Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1)

Act to amend the Mining Act (2013, chapter 32)

(cont'd on next page)

Legislation repealed:

Non-Catholic Cemeteries Act (chapter C-17)
Burial Act (chapter I-11)

Regulations amended:

Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1)
Regulation respecting biomedical waste (chapter Q-2, r. 12)

Explanatory notes

This Act creates a new legal framework for funeral operations in order to ensure that public health is protected and that the dignity of deceased persons is respected. It specifies the funeral operations concerned and establishes a licensing system for funeral services businesses and another for embalmers.

To protect public health, the Government may make regulations prescribing layout, equipment and hygiene standards for embalming rooms, rooms set up for the viewing of bodies or human ashes and crematoriums as well as hygiene and protection standards for funeral operations.

The Act includes provisions on the preservation and storage of bodies, on cemeteries, columbariums and mausoleums, and on the interment, disinterment and cremation of bodies as well as provisions on the transportation of bodies and the disposal of human ashes and unclaimed bodies.

An inspection and investigation framework is established for the purpose of verifying compliance with the Act and the regulations. Regulatory and penal provisions are also introduced.

Lastly, various transitional provisions and consequential amendments are made in light of the new legal framework applicable to funeral operations.



Chapter 1

FUNERAL OPERATIONS ACT

[Assented to 17 February 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

GENERAL PROVISIONS

1. This Act applies to the following funeral operations:

- (1) the provision of funeral services;
- (2) embalming;
- (3) the interment, disinterment and transportation of bodies;
- (4) the operation of funeral facilities; and
- (5) the disposal of human ashes.

It also applies to the disposal of unclaimed bodies.

2. For the purposes of this Act,

(1) “body” means, in addition to the body of a deceased person, the remains of such a body other than ashes, a still-born infant or a non-living product of conception when claimed by the mother or father;

(2) “institution” means a health and social services institution within the meaning of 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);

(3) “relative” means the married, civil union or de facto spouse or the child, mother, father, sister or brother of a deceased person;

(4) “cremation services” means services consisting in disposing of a body by fire or any other physical or chemical process;

(5) “funeral services” means embalming services, viewing services with the body or human ashes present or cremation services; and

(6) “embalming” means the preparation, disinfection or embalming of a body.

The washing of a body in the context of a funeral rite or practice does not constitute embalming.

3. This Act does not apply to funeral operations carried out by

(1) the Chief Coroner, coroners in the exercise of their functions under the Act respecting the determination of the causes and circumstances of death (chapter R-0.2) or transportation service providers or persons acting under the Chief Coroner’s or a coroner’s authority;

(2) members in good standing of a professional order governed by the Professional Code (chapter C-26) in the practice of their profession;

(3) educational institutions, persons who teach in a post-secondary funeral science program that is recognized for the purpose of obtaining an embalmer’s licence, or their students when they are acting for the purposes of their studies and are supervised by those persons or by a licensed embalmer;

(4) persons who apply makeup to, style the hair of or dress a body when they are acting under the supervision of a licensed embalmer; or

(5) any other person or category of persons exempted by government regulation.

Nor does this Act apply to

(1) institutions, subject to the provisions regarding unclaimed bodies;

(2) ambulance service permit holders; or

(3) measures prescribed, in the interests of justice, by judicial authorities or the persons that execute such measures.

4. In all circumstances, a body or human ashes must be handled and disposed of in a manner that respects the dignity of the deceased person.

CHAPTER II**FUNERAL SERVICES BUSINESS LICENCE AND EMBALMER'S LICENCE****DIVISION I****LICENCE ISSUE AND GENERAL LICENCE OBLIGATIONS***§1.—General provisions*

5. No one may offer or purport to offer funeral services unless they hold a funeral services business licence.

6. A person who practises embalming must hold an embalmer's licence.

Only a natural person may hold an embalmer's licence.

7. Applications for a licence or its renewal must be submitted to the Minister in the form determined by government regulation, together with the documents and information prescribed and the fees set by regulation.

The Minister issues a licence or renews it if the applicant has the qualifications and meets the conditions prescribed by this Act and the regulations.

8. The Minister may issue, modify or renew a licence subject to any condition, restriction or prohibition the Minister determines. Any condition, restriction or prohibition determined by the Minister must be specified in the licence.

9. A funeral services business licence is issued or renewed for a three-year term.

An embalmer's licence is issued or renewed for a one-year term.

A renewal application must be received not later than three months before the licence expires.

10. Licensees must inform the Minister without delay of any change that may affect the validity of their licence.

In addition, a licensee who intends to cease operations must ensure a professional transition of the human ashes and the prearranged funeral services under the licensee's responsibility. The licensee must also inform the Minister in writing, and the Minister revokes the licence on the date specified in the notice of cessation of activities.

11. Licensees must preserve the documents specified by government regulation, allow them to be examined and provide them to the Minister on request.

§2.—*Provisions applicable to funeral services business licensees*

12. A funeral services business licence specifies the funeral services the licensee is authorized to provide and the funeral facilities the licensee is authorized to operate.

For the purposes of this subdivision, “funeral facility” means a room permanently set up for the viewing of bodies or human ashes, an embalming room or a crematorium.

13. Funeral services business licensees must carry out their operations in accordance with their licence.

14. A funeral services business licence may not be transferred without written authorization from the Minister.

15. The Minister issues an extract of the funeral services business licence for each funeral facility where the licensee is authorized to provide funeral services.

The licence extract must be conspicuously displayed in public view in each facility where the licensee provides funeral services so that it is clearly legible.

16. Funeral services business licensees must keep an up-to-date funeral operations register.

The form and content of, and the terms governing access to and preservation of, the register are prescribed by government regulation.

17. A funeral services business licensee may advertise the business to the public as offering funeral services not specified in the licence, provided the services are offered through another funeral services business licensee. The licensees must enter into and maintain in force the contracts necessary for the provision of those services.

The licensee must inform the Minister, in the manner determined by the Minister, as soon as a contract has been entered into with such a provider.

18. Funeral services business licensees must have a room that is private and set up for meeting with and providing information to clients in strict confidentiality.

19. A funeral services business licensee must appoint a funeral services director unless the licensee is a natural person who occupies that position. In both cases, the Minister must be informed of the fact.

The funeral services director is responsible for the administration and operation of the funeral services business and must see to the day-to-day

management of operations and resources. The funeral services director also represents the licensee in dealings with the Minister.

20. A funeral services business licensee is accountable for the decisions made by the funeral services director in all matters governed by this Act.

21. The funeral services director of a funeral services business must have the qualifications and meet the conditions prescribed by government regulation.

§3.— *Provision applicable to licensed embalmers*

22. The funeral operations register kept by the funeral services business licensee must include a portion on embalming which must be completed and signed by the licensed embalmer who performs each embalming.

DIVISION II

UNFAVOURABLE DECISIONS OF THE MINISTER

23. The Minister may suspend, revoke or refuse to renew the licence of any licensee who

(1) has failed to comply with this Act or the regulations;

(2) has been found guilty, in any place, of an indictable or other offence relating to the operations for which the licence was issued, or, in the case of a licensee who is a legal person or partnership, if a director or officer, or a partner or shareholder having a major interest in the business, has been found guilty of such an offence, unless a pardon has been obtained;

(3) is unable, in the Minister's opinion, to provide adequate services; or

(4) no longer has the qualifications or meets the conditions prescribed by regulation for a licence or does not comply with a condition, restriction or prohibition specified in the licence.

The Minister may also suspend, revoke or refuse to renew a licence if the Minister considers that public health or safety is endangered by the licensee's operations.

For the purposes of this section, a partner holding 20% or more of the interest in a partnership, a general partner of a limited partnership or a shareholder who, directly or indirectly, can exercise 20% or more of the voting rights attached to a legal person's issued shares, is considered to have a major interest in the business.

24. In addition to what is provided for in section 23, the Minister may suspend, revoke or refuse to renew a funeral services business licence, after consultation with the president of the Office de la protection du consommateur

or on the president's recommendation, if the licensee was found guilty of an offence under the Consumer Protection Act (chapter P-40.1) or an offence under the Act respecting prearranged funeral services and sepulchres (chapter A-23.001).

The Minister may also suspend, revoke or refuse to renew the funeral services business licence of a licensee who is insolvent.

25. Instead of suspending, revoking or refusing to renew a licence, the Minister may order the licensee to take the necessary corrective measures within a specified time.

If the licensee does not comply with the Minister's order within the specified time, the Minister may then suspend, revoke or refuse to renew the licensee's licence.

26. To protect public health or safety, the Minister may order a funeral services business licensee to cease to provide funeral services or operate a funeral facility. The Minister then modifies the licence accordingly.

27. Before suspending, revoking or refusing to issue or renew a licence or issuing an order under section 26, the Minister must notify the licensee in writing as prescribed by section 5 of the Act respecting administrative justice (chapter J-3) and grant the licensee at least 10 days to submit observations. The Minister's decision must include reasons and be notified in writing to the applicant or licensee.

However, the Minister may make a decision without being bound by that prior obligation if urgent action is required or to prevent irreparable injury. In such a case, the person affected by the decision may, within the time specified in the decision, submit observations to the Minister for a review of the decision.

28. A licensee whose licence has been suspended may obtain its reinstatement if the necessary corrective measures are taken within the time specified by the Minister.

If the licensee fails to take the necessary corrective measures within the time specified, the Minister must then revoke or refuse to renew the licence.

29. A licensee whose licence has been revoked or has not been renewed must surrender it and the licence extracts to the Minister within 15 days after notification of the Minister's decision.

The Minister may also require that a licensee whose licence has been suspended surrender it and the licence extracts.

30. An applicant who has been denied a licence or a licensee whose licence has been suspended, revoked or modified or has not been renewed may contest

the Minister's decision before the Administrative Tribunal of Québec within 60 days after notification of the Minister's decision.

31. The Minister may take any means necessary to inform the public and any other licensees under this Act of the suspension or revocation of or the refusal to renew a licence.

CHAPTER III

SPECIAL PROVISIONS APPLICABLE TO CERTAIN FUNERAL OPERATIONS

DIVISION I

EMBALMING

32. Embalming must be performed in an embalming room operated by a funeral services business.

33. To protect public health, the Government may, by regulation, prescribe hygiene and protection standards for embalming and determine the conditions, including the time limits, in which embalming must be performed.

The Government may, by regulation, also prescribe layout, equipment and hygiene standards for embalming rooms.

DIVISION II

PRESENTATION AND VIEWING OF BODIES

34. The presentation or viewing of a body must be held by a funeral services business

(1) in a room permanently set up for the viewing of bodies or human ashes and appearing on the business's licence;

(2) in a room temporarily set up for the viewing of bodies or human ashes provided the business's licence authorizes the operation of a room permanently set up for such purposes; or

(3) in a room operated by the business, before the body's embalming or cremation and solely for identification purposes.

The washing of a body in the context of a funeral rite or practice in the presence of relatives or close relations of the deceased person must not be considered a presentation or viewing of the body.

35. When a body is presented or a viewing is held, the body must be laid out in a casket, whether open or closed. However, in the moments immediately preceding its cremation, a body may be presented on a stretcher or table.

36. To protect public health, the Government may, by regulation, prescribe hygiene and protection standards for the presentation or viewing of bodies and determine the conditions, including the time limits, in which such presentation or viewing must take place.

The Government may also prescribe, by regulation, layout, equipment and hygiene standards for rooms set up for the presentation or viewing of bodies or human ashes as well as manufacturing and hygiene standards for rental caskets, and determine the conditions for the use of rental caskets.

DIVISION III

PRESERVATION OF BODIES

37. Rooms or equipment used for the preservation of bodies may be operated only by a funeral services business or a cemetery operator.

38. To protect public health, the Government may, by regulation, prescribe hygiene and protection standards for the preservation of bodies.

The Government may also prescribe layout and hygiene standards for rooms or equipment used for the preservation of bodies and determine the conditions for the use of such rooms or equipment.

39. Cemetery operators must, every five years, declare to the Minister the rooms and equipment they operate for the preservation of bodies.

When renewing their licence, funeral services businesses must declare to the Minister the rooms and equipment they operate for the preservation of bodies.

40. A public vault may be built only in a cemetery and must be used exclusively for the temporary storage of bodies and human ashes.

41. No one may open a casket after it has been placed in a public vault except when this is necessary in order to proceed with the cremation of the body.

42. Exceptionally and to ensure compliance with the law and the protection of public health, the Minister may require that a body held by a funeral services business or cemetery operator be transferred to another funeral services business or cemetery operator.

The business or operator transferring the body must provide all the documents pertaining to the body to the business or operator identified by the Minister. The business or operator transferring the body may not claim the costs related to its preservation from anyone and must pay the costs related to its transportation.

DIVISION IV

OPERATION OF A CEMETERY, COLUMBARIUM OR MAUSOLEUM

43. No one may establish or close a cemetery or change its size or use without prior authorization from the Minister.

44. A columbarium may be operated only by a funeral services business or a cemetery operator.

45. A mausoleum may be operated only by a cemetery operator.

A mausoleum may not be built elsewhere than in a cemetery.

46. The Government may, by regulation, prescribe layout and hygiene standards for cemeteries, columbariums and mausoleums and determine the conditions for their use.

47. Cemetery operators must, every five years, declare to the Minister the columbariums and mausoleums they operate. They must also inform the Minister of any change within three months.

When renewing their licence, funeral services businesses must declare to the Minister all the columbariums they operate. They must also inform the Minister of any change within three months.

48. Cemetery and columbarium operators must keep an up-to-date burial register.

The form and content of, and the terms governing access to and preservation of, the register are prescribed by government regulation.

49. If the Minister considers it necessary for the protection of public health or safety, the Minister may prohibit access to all or part of a cemetery, columbarium or mausoleum, or prohibit the operation of all or part of such funeral facilities, until the situation endangering public health or safety is over.

The Minister may also order that work be done to remedy the problematic situation and specify the time within which the cemetery operator or funeral services business must do the work.

50. In the cases provided for in section 49, or when a cemetery is being closed or its size or use changed, the Minister may require that the bodies be disinterred and reinterred under the conditions and in the places determined by the Minister.

51. In the event of a cessation of operations or a bankruptcy, a columbarium operator, a funeral services business that holds human ashes or, if applicable, the syndic, must take reasonable measures to hand the ashes over to a relative. The operator, business or syndic may also hand the ashes over to any other person who shows an interest in the deceased person.

If such measures fail, the ashes must be placed in a cemetery or handed over to another columbarium operator at the expense of the columbarium operator who ceased operations.

The columbarium operator, funeral services business or syndic, as the case may be, must inform the Minister of the steps taken and the place where the ashes have been placed.

The Minister may inform the public of the cessation of activities or the bankruptcy of a columbarium operator and indicate to which operator the ashes were handed over.

52. A columbarium operator or funeral services business may keep abandoned human ashes in a safe place.

A columbarium operator who wishes to dispose of abandoned human ashes that have not been claimed one year after the expiry of a contract or a funeral services business that wishes to dispose of abandoned human ashes that have not been claimed one year after cremation must place them in a cemetery or hand them over to another columbarium operator.

Ashes are considered to have been abandoned after the columbarium operator or funeral services business has taken reasonable measures to hand the ashes over to a relative or to any other person who shows an interest in the deceased person.

53. Exceptionally and to ensure compliance with the law, the Minister may require that human ashes placed in a columbarium be handed over to another columbarium operator.

The operator handing over the ashes must provide all the documents pertaining to the body to the operator identified by the Minister. The operator handing over the ashes may not claim the costs related to their preservation from anyone and must pay the costs related to their transportation.

54. To enable the Minister to validate the information held by the Minister, the Minister may require the Minister of Municipal Affairs, Regions and Land Occupancy or a municipality to provide information on the presence of cemetery operators in a particular territory.

DIVISION V

INTERMENT AND DISINTERMENT OF BODIES

55. The interment of a body must be carried out in a lot or mausoleum situated in a cemetery or be carried out, after the Minister's authorization has been obtained, in another place.

56. A disinterment must be authorized by the Court.

A person wishing to disinter a body must file an application to that end with a judge of the Superior Court, together with an authorization from the national public health director. The application must be notified to the operator of the place where the body is interred.

The application must include reasons and specify the name of the person who will disinter the body, the means that will be taken to ensure that the body is respected and how the body will be disposed of.

57. The information allowing identification of the person whose body is to be disinterred as well as any available information on the cause of death or the intoxications, infections or diseases from which the person suffered must be submitted to the national public health director with the application for authorization.

The national public health director grants a disinterment authorization if, in the director's opinion, the disinterment does not present a public health hazard. The authorization may be subject to conditions.

58. A judge, when authorizing the disinterment of a body, must take into account the conditions prescribed by the national public health director.

59. A disinterment authorization must be notified to the Chief Coroner.

60. The disinterment of a body must be carried out in such a way as to protect public health.

61. The Government may, by regulation, prescribe standards and conditions for interment and disinterment.

DIVISION VI**CREMATION OF BODIES**

62. The cremation of a body must be carried out in a crematorium operated by a funeral services business.

63. To protect public health, the Government may, by regulation, prescribe hygiene and protection standards for cremations and determine the persons who are authorized to perform cremations.

The Government may also, by regulation, prescribe layout, equipment and hygiene standards for crematoriums.

DIVISION VII**TRANSPORTATION OF BODIES**

64. A body may be transported only by a funeral services business or another transportation services provider that is acting under a contract entered into with a funeral services business.

65. A body must be transported in accordance with the conditions and the equipment, hygiene and protection standards prescribed by government regulation.

The Minister may inform a funeral services business that has entered into a contract with a transportation services provider of any failure of the latter to comply with the law and the regulations.

66. A body may not be transported without the following:

(1) a copy of the attestation of death, except in the case of a non-living product of conception;

(2) a document specifying, if applicable, that the body presents a public health hazard; and

(3) any other information prescribed by ministerial regulation.

The copy of the attestation of death must be given to the funeral services business or the transportation services provider acting for the business by a person authorized by law to draw up attestations of death and the documents and information required under subparagraphs 2 and 3 of the first paragraph, by a person determined by ministerial regulation.

The funeral services business must keep the documents and information described in the first paragraph in accordance with the conditions prescribed by regulation.

67. The funeral services business that takes charge of the body must communicate the documents and information required under section 66 to the funeral services provider acting for the business.

68. If the Minister considers it necessary for the protection of public health or safety, the Minister may order a funeral services business to cease using a transportation services provider until the situation endangering public health or safety has ended.

DIVISION VIII

BODIES PRESENTING A PUBLIC HEALTH HAZARD

69. A regulation made under this chapter may prescribe rules that vary according to the diseases which may constitute a public health hazard when carried by a body.

CHAPTER IV

DISPOSAL OF HUMAN ASHES

70. A funeral services business must hand human ashes over to a single person in one or more containers, which must hold all the ashes.

The funeral services business must enter the information prescribed by government regulation in the funeral operations register.

71. No one may scatter human ashes in a place where they may constitute a nuisance or in a manner that fails to respect the dignity of the deceased person.

CHAPTER V

UNCLAIMED BODIES

72. An institution is responsible for the custody and preservation of the bodies of persons whose death is attested in a facility maintained by the institution until the bodies are claimed or deemed unclaimed.

73. The Minister may designate one or more public institutions responsible for the custody and preservation of the bodies of persons whose death is attested outside a facility maintained by an institution until the bodies are claimed or deemed unclaimed.

74. The institution responsible for a body must ask a police force to conduct a search to find a relative of the deceased person.

When the search is concluded, the police force must as soon as possible inform the institution, in writing, of its outcome and inform a relative, if one has been found, of the person's death.

75. A body is deemed unclaimed if no relative can be found or if a relative

(1) declares in writing that he or she does not intend to claim it; or

(2) has not claimed the body within 72 hours after being officially informed of the death or after indicating that he or she intends to claim it.

76. An institution that has custody of an unclaimed body must inform the Minister as soon as possible and forward any document or information specified by the Minister. The same applies to a coroner who has custody of such a body that is not or is no longer required for the purposes of the Act respecting the determination of the causes and circumstances of death and that the coroner decides to entrust to the Minister.

77. The Minister may authorize the transfer of an unclaimed body to a person, other than a relative, who shows an interest in the deceased person and makes a written request, with reasons, to that end.

The person to whom the body is transferred is then responsible for paying the costs of disposing of the body.

78. The Minister may offer an unclaimed body to an educational institution or transfer it to a funeral services business for disposal in accordance with this Act.

The Minister then advises the institution or the coroner concerned of the steps they must take with regard to the body.

79. An educational institution that receives an unclaimed body must pay the transportation, preservation and disposal costs.

An educational institution that disposes of an unclaimed body must enter how and where it disposed of the body in a register that it maintains for that purpose.

The form and content of, and the terms governing access to and preservation of, the register are prescribed by government regulation.

80. A body transferred by the Minister to a funeral services business must be interred or cremated as soon as possible.

The interment or cremation is carried out at the expense of the succession or, if the property left by the deceased person is insufficient to cover the interment or cremation expenses and they are not covered by a prearranged funeral services contract or sepulture contract, at the Government's expense.

81. A funeral services business may not refuse to take charge of an unclaimed body if the Minister requires it to do so and pays the fees determined by government regulation.

82. The Minister must keep an up-to-date register of unclaimed bodies.

The form and content of, and the terms governing access to and preservation of, the register are prescribed by government regulation.

CHAPTER VI

INSPECTION AND INVESTIGATION

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

84. An inspector may, in the exercise of the functions of office,

(1) at any reasonable time enter any premises where funeral operations are carried out and any premises where the inspector has reasonable grounds to believe that such operations are carried out;

(2) take photographs of the premises and equipment;

(3) require the persons present to provide any information about the operations carried out in those premises that is necessary for the discharge of the inspector's functions, and to produce any document or extract of a document containing such information for examination or the making of copies;

(4) inspect any vehicle used to transport bodies;

(5) conduct any test or analysis or take any measurements; and

(6) open a container or any equipment used as part of funeral operations, including a casket, or ask that it be opened for examination.

An inspector may be accompanied by an expert in a particular matter or request that the funeral services business or cemetery operator under inspection seek an expert opinion and provide the inspector with the resulting report, if such an opinion is considered necessary. The cost of the expert opinion is assumed by the funeral services business or cemetery operator.

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

86. On request, an inspector or investigator must identify himself or herself and produce a certificate of authority.

87. An inspector or investigator may not be sued for any act performed in good faith in the exercise of the functions of office.

CHAPTER VII

REGULATORY POWERS

88. In addition to the powers conferred on it by this Act, the Government may, by regulation,

- (1) determine the additional fees that may be charged to a licensee;
- (2) determine continuing education requirements for licensed embalmers or the staff of funeral services businesses or of transportation services providers acting for such businesses;
- (3) determine any other measure or standard for funeral operations, including any funeral operations not governed by this Act, that it considers necessary to protect public health;
- (4) determine the equipment, hygiene and protection standards applicable in the context of funeral rites and practices, in particular with regard to the washing of a body; and
- (5) determine the regulatory provisions made under this Act whose violation constitutes an offence and prescribe, for each offence, the minimum and maximum fines to which an offender is liable, which may not exceed the amounts specified in section 92.

CHAPTER VIII

PENAL PROVISIONS

89. The following persons are guilty of an offence and liable to a fine of \$250 to \$750 in the case of a natural person and \$750 to \$2,250 in other cases:

- (1) a licensee or cemetery operator who fails to preserve a document whose preservation is required or to provide information, reports or other documents that must be provided under this Act or the regulations;
- (2) a licensee or cemetery operator who fails to keep a register required under this Act; and
- (3) a licensee who contravenes the second paragraph of section 15 or section 29.

90. The following persons are guilty of an offence and liable to a fine of \$500 to \$1,500 in the case of a natural person and \$1,500 to \$4,500 in other cases:

(1) a funeral services business licensee who contravenes section 14, 17 or 18, the first paragraph of section 19, the first paragraph of section 70 or section 81;

(2) a columbarium operator, syndic or funeral services business licensee, as the case may be, who contravenes section 51 or 52; and

(3) anyone who contravenes section 32, 40, 41, 45, 55, 60 or 62, the first paragraph of section 66 or section 71.

91. The following persons are guilty of an offence and liable to a fine of \$1,000 to \$5,000 in the case of a natural person and \$3,000 to \$15,000 in other cases:

(1) a funeral services business licensee who employs a person who practises embalming without the embalmer's licence required under section 6;

(2) a funeral services business licensee who contravenes section 13;

(3) anyone who contravenes the first paragraph of section 5 or 6, section 34, 35, 37, 43 or 44, the first paragraph of section 56 or section 64;

(4) anyone who hinders an inspector or investigator in the exercise of the functions of office;

(5) anyone who refuses to provide an inspector with information or documents the inspector is entitled to require or examine, or conceals or destroys a document or other object relevant to an inspection; and

(6) anyone who provides the Minister or an inspector in the exercise of the functions of office with information, reports or other documents that must be provided under this Act and that the person knows or should have known to be false or misleading.

92. The following persons are guilty of an offence and liable to a fine of \$2,500 to \$12,500 in the case of a natural person and \$7,500 to \$37,500 in other cases:

(1) anyone who refuses to comply with anything that the Minister requires to be done under the first paragraph of section 42, section 50 or the first paragraph of section 53;

(2) anyone who enters a cemetery, columbarium or mausoleum or any part of a cemetery, columbarium or mausoleum when the Minister has prohibited access under the first paragraph of section 49;

(3) a funeral services business licensee or cemetery operator who provides access to all or part of a cemetery, columbarium or mausoleum, or continues to operate it, when the Minister has prohibited such access or operation under the first paragraph of section 49;

(4) a funeral services business licensee or cemetery operator who neglects or refuses to do work ordered by the Minister under the second paragraph of section 49 within the time specified; and

(5) a funeral services business that continues to use a transportation services provider when the Minister has prohibited its doing so under section 68.

93. Anyone who aids, abets, counsels, allows, authorizes or orders another person to commit an offence under this Act or the regulations is guilty of that offence.

94. If an offence is committed by the funeral services director of a funeral services business or by a director of a legal person, partnership or association without legal personality, the minimum and maximum fines that may be imposed are double those prescribed for a natural person.

95. In any penal proceedings relating to an offence under this Act or the regulations, proof that the offence was committed by a director, agent or employee of any party is sufficient to establish that it was committed by that party, unless the party establishes that due diligence was exercised and all necessary precautions were taken to prevent the commission of the offence.

96. In the case of a subsequent offence, the minimum and maximum fines prescribed in this Act and the regulations are doubled.

CHAPTER IX

MISCELLANEOUS PROVISIONS

97. The Government may exempt from all or part of this Act and the regulations all or part of the territory of a municipality situated more than 200 km from a funeral facility specified in the licence of a funeral services business, or any other territory the Government determines.

The Government may also, by regulation, prescribe specific conditions and equipment, hygiene and protection standards for funeral operations in those territories.

98. The Minister may, by agreement, entrust all or part of the management of the licences provided for in this Act to a public body.

The public body may then exercise all the powers and responsibilities granted by the Minister in the agreement.

99. In order to distribute the examination of applications for the renewal of funeral services business licences over time, the Minister may, when issuing a funeral services business licence for the year (*insert the year that follows the date of coming into force of section 5*) and, later, when issuing new licences, provide that they be valid for a term equal to or less than three years but greater than or equal to one year.

100. Cemetery operators have until (*insert the date that is six months after the date of coming into force of section 39*) to declare to the Minister the rooms and equipment they operate for the preservation of bodies.

101. A person or partnership who, on 22 October 2015, holds a funeral director's permit for the sole purpose of operating a columbarium and does not operate a cemetery may continue to operate the columbarium. Sections 46 and 48 to 53 then apply to such a person or partnership.

Such a person or partnership may dispose of the columbarium only in favour of a funeral services business or a cemetery operator.

102. A person or partnership who, on 22 October 2015, operates a mausoleum situated outside a cemetery may continue to operate the mausoleum and to develop it. Sections 46 and 48 to 50 then apply to such a person or partnership.

103. Cemetery operators have until (*insert the date that is six months after the date of coming into force of section 47*) to declare to the Minister the columbariums and mausoleums they operate.

104. Despite section 55, a body that, on (*insert the date of coming into force of section 55*), is interred elsewhere than in a lot or mausoleum situated in a cemetery may remain interred there.

105. The Minister may require of licensees or cemetery operators that they provide, in the manner and within the time specified, the statistical data, reports and other information, including financial statements, necessary for the discharge of the functions vested in the Minister under this Act, provided it is not possible to link that information to a deceased person.

CHAPTER X

AMENDING PROVISIONS

CIVIL CODE OF QUÉBEC

106. Article 122 of the Civil Code of Québec is amended by replacing “the funeral director who” in the second paragraph by “the funeral services business that”.

107. Article 125 of the Code is amended by replacing “a funeral director has taken charge of the body, he” by “a funeral services business has taken charge of the body, it”.

108. Article 2441.1 of the Code, enacted by section 48 of chapter 25 of the statutes of 2009, is amended by replacing “to a funeral director holding a permit under the Act respecting medical laboratories, organ, tissue, gamete and embryo conservation and the disposal of human bodies” in the first paragraph by “to a funeral services business holding a licence required under the Funeral Operations Act (2016, chapter 1)”.

ACT RESPECTING PREARRANGED FUNERAL SERVICES AND SEPULTURES

109. Section 3 of the Act respecting prearranged funeral services and sepultures (chapter A-23.001) is amended by replacing “except under the funeral director’s permit required by the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (chapter L-0.2), unless he is the holder of such a permit” by “without a funeral services business licence issued under the Funeral Operations Act (2016, chapter 1), unless the person holds such a licence”.

110. Section 40 of the Act is amended by replacing “a funeral director’s permit or where his permit” in subparagraph 1 of the first paragraph by “a funeral services business licence or where the licence”.

111. Section 73 of the Act is amended by replacing “a funeral director’s permit” in paragraph 1 by “a funeral services business licence”.

NON-CATHOLIC CEMETERIES ACT

112. The Non-Catholic Cemeteries Act (chapter C-17) is repealed.

ACT RESPECTING ROMAN CATHOLIC CEMETERY COMPANIES

113. Section 37 of the Act respecting Roman Catholic cemetery companies (chapter C-40.1) is repealed.

114. Section 38 of the Act is amended by striking out “Subject to the right of the Minister of Health and Social Services as mentioned in section 37,”.

115. Section 42 of the Act is amended by replacing “the Burial Act (chapter I-11)” by “the Funeral Operations Act (2016, chapter 1)”.

RELIGIOUS CORPORATIONS ACT

116. Section 8 of the Religious Corporations Act (chapter C-71) is amended by replacing “the Burial Act (chapter I-11)” in subparagraph *e* of the second paragraph by “the Funeral Operations Act (2016, chapter 1)”.

PUBLIC CURATOR ACT

117. Section 42 of the Public Curator Act (chapter C-81) is amended by replacing “l’incinération” in the second paragraph in the French text by “la crémation”.

BURIAL ACT

118. The Burial Act (chapter I-11) is repealed.

ACT RESPECTING ADMINISTRATIVE JUSTICE

119. Section 25 of the Act respecting administrative justice (chapter J-3) is amended by inserting “0.2,” after “paragraphs” in the second paragraph.

120. Section 3 of Schedule I to the Act is amended

(1) by inserting the following paragraph after paragraph 0.1:

“(0.2) proceedings under section 30 of the Funeral Operations Act (2016, chapter 1);”;

(2) by replacing “the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies” in paragraph 6 by “the Act respecting medical laboratories and organ and tissue conservation”.

ACT RESPECTING MEDICAL LABORATORIES, ORGAN AND TISSUE CONSERVATION AND THE DISPOSAL OF HUMAN BODIES

121. The title of the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (chapter L-0.2) is amended by replacing “, organ and tissue conservation and the disposal of human bodies” by “and organ and tissue conservation”.

122. Section 1 of the Act is amended by striking out subparagraphs *d*, *j* and *p* of the first paragraph.

123. The heading of Division II of the Act is replaced by the following heading:

“FUNCTIONS OF THE MINISTER”.

124. Sections 32 and 33 of the Act are repealed.

125. Section 38 of the Act is amended by striking out the third paragraph.

126. Section 40.4 of the Act is repealed.

127. Section 43 of the Act is repealed.

128. Division VIII of the Act, comprising sections 51 to 53, is repealed.

129. Division IX of the Act, comprising sections 54 to 64, is repealed.

130. Section 69 of the Act is amended

(1) by replacing “, vacation camp, cremation, embalmer’s or funeral director’s” in subparagraph *b* of the first paragraph by “or vacation camp”;

(2) by striking out subparagraphs *h, l, m, n* and *s* of the first paragraph;

(3) by striking out the second paragraph.

131. Section 70 of the Act is repealed.

MINING ACT

132. Section 144 of the Mining Act (chapter M-13.1) is amended by replacing “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)” in the second paragraph by “governed by the Funeral Operations Act (2016, chapter 1)”.

133. Section 235 of the Act is amended by replacing “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)” in the third paragraph by “governed by the Funeral Operations Act (2016, chapter 1)”.

ACT RESPECTING FORILLON PARK AND ITS SURROUNDINGS

134. Section 5 of the Act respecting Forillon Park and its surroundings (chapter P-8) is amended

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

(2) by replacing “, the Non-Catholic Cemeteries Act (chapter C-17) and the Burial Act” in the second paragraph by “and the Funeral Operations Act (2016, chapter 1)”.

ANIMAL HEALTH PROTECTION ACT

135. Section 11.12 of the Animal Health Protection Act (chapter P-42) is amended by striking out “Division IV.1 of the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (chapter L-0.2),” in the second paragraph.

ACT RESPECTING THE DETERMINATION OF THE CAUSES AND CIRCUMSTANCES OF DEATH

136. Section 1 of the Act respecting the determination of the causes and circumstances of death (chapter R-0.2) is amended by replacing “incinération” in the second paragraph in the French text by “crémation”.

137. The heading of Division III of Chapter III of the Act is amended by replacing “INCINÉRATION” in the French text by “CRÉMATION”.

138. Section 78 of the Act is amended by replacing “Division IX of the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (chapter L-0.2)” by “Chapter V of the Funeral Operations Act (2016, chapter 1)”.

139. Section 80 of the Act is amended by replacing “Division IX of the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (chapter L-0.2)” by “Chapter V of the Funeral Operations Act (2016, chapter 1)”.

PUBLIC HEALTH ACT

140. Section 46 of the Public Health Act (chapter S-2.2) is amended by replacing “the funeral director” in the last paragraph by “the funeral services director of the funeral services business”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

141. The Act respecting health services and social services (chapter S-4.2) is amended by inserting the following sections after section 114:

“**114.1.** A public institution may exercise the responsibilities conferred on it by the Minister under section 73 of the Funeral Operations Act (2016, chapter 1) with respect to the bodies of persons whose death is attested outside a facility maintained by an institution.

“**114.2.** Subject to Chapter V of the Funeral Operations Act (2016, chapter 1), an institution must, if it is responsible for a body donated to an educational institution, take the measures required to deliver the body to that institution.”

142. Section 349.1 of the Act is amended by replacing “, organ and tissue conservation and the disposal of human bodies” in subparagraph 2 of the first paragraph by “and organ and tissue conservation”.

ACT TO AMEND THE MINING ACT

143. Section 67 of the Act to amend the Mining Act (2013, chapter 32) is amended by replacing “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)” in subparagraph 5 of the first paragraph of section 144, as replaced, by “governed by the Funeral Operations Act (2016, chapter 1)”.

OTHER AMENDING PROVISIONS

144. In the following provisions, a reference to the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (chapter L-0.2) is replaced by a reference to the Funeral Operations Act (2016, chapter 1):

(1) the first paragraph of section 232 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01);

(2) the first paragraph of section 219 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02); and

(3) section 408 of the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1).

145. In the following provisions, a reference to the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies is replaced by a reference to the Act respecting medical laboratories and organ and tissue conservation:

(1) paragraph 2 of section 112, the first paragraph of section 113 and paragraph 4 of section 189 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001);

(2) paragraph 2 of section 2 of the Act respecting clinical and research activities relating to assisted procreation (chapter A-5.01);

(3) subparagraph *p* of the first paragraph of section 1 of the Health Insurance Act (chapter A-29);

(4) paragraph 10 of section 4 of the Act respecting the sharing of certain health information (chapter P-9.0001);

(5) subparagraph 1 of the first paragraph of section 42 and subparagraph 9 of the first paragraph of section 86 of the Act respecting liquor permits (chapter P-9.1);

(6) the third paragraph of section 13 of the Podiatry Act (chapter P-12);

(7) section 93 of the Environment Quality Act (chapter Q-2); and

(8) section 172 of the Act respecting pre-hospital emergency services (chapter S-6.2).

146. Unless the context indicates otherwise, in any text, a reference to the Non-Catholic Cemeteries Act (chapter C-17) or the Burial Act (chapter I-11) is a reference to this Act.

147. Section 110 of the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) is amended by replacing “57 of the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (chapter L-0.2)” in the third paragraph by “75 of the Funeral Operations Act (2016, chapter 1)” and “the second paragraph of section 58 of that Act” by “the first paragraph of section 77 of that Act”.

148. Section 2 of the Regulation respecting biomedical waste (chapter Q-2, r. 12) is amended by replacing paragraph 1 by the following paragraph:

“(1) a body governed by the Funeral Operations Act (2016, chapter 1);”.

CHAPTER XI

FINAL PROVISIONS

149. The Minister of Health and Social Services is responsible for the administration of this Act.

150. The provisions of this Act come into force on the date or dates to be set by the Government.

2016, chapter 2
APPROPRIATION ACT NO. 1, 2016–2017

Bill 90

Introduced by Mr. Sam Hamad, Minister responsible for Government Administration and Ongoing Program Review and Chair of the Conseil du trésor

Introduced 22 March 2016

Passed in principle 22 March 2016

Passed 22 March 2016

Assented to 23 March 2016

Coming into force: 23 March 2016

Legislation amended: None

Explanatory notes

This Act authorizes the Government to pay out of the general fund of the Consolidated Revenue Fund, for the 2016–2017 fiscal year, a sum not exceeding \$15,332,397,535.00, representing some 29.7% of the appropriations to be voted for each of the portfolio programs listed in Schedule 1.

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

Lastly, the Act also approves expenditure estimates for a total of \$3,771,398,169.00 and investment estimates for a total of \$545,626,586.00, representing some 28.5% of the expenditure estimates and some 25.1% of the investment estimates for the special funds listed in Schedule 2.



Chapter 2

APPROPRIATION ACT NO. 1, 2016–2017

[Assented to 23 March 2016]

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 \$15,332,397,535.00 to defray a part of the Expenditure Budget of Québec tabled in the National Assembly for the 2016–2017 fiscal year. The sum is constituted as follows:

(1) a first portion of \$12,916,347,800.00, in appropriations allocated according to the programs listed in Schedule 1, representing 25.0% of the appropriations to be voted in the 2016–2017 Expenditure Budget;

(2) an additional portion of \$2,416,049,735.00, in appropriations allocated according to the programs listed in Schedule 1, representing some 4.7% of the appropriations to be voted in the 2016–2017 Expenditure Budget.

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

Furthermore, it may, in cases other than the transfer of a portion of an appropriation referred to in the first paragraph, authorize the transfer of a portion of an appropriation between programs in the same portfolio, provided such a transfer does not increase or decrease the amount of the appropriation authorized by law by more than 10%, excluding, where applicable, the portion of the appropriation for which provision has been made.

3. The expenditure and investment estimates for the special funds listed in Schedule 2 are approved for the 2016–2017 fiscal year. These sums are constituted as follows:

(1) a first portion of \$3,302,891,275.00, representing 25.0% of the expenditure estimates in the 2016–2017 Special Funds Budget and an additional portion of \$468,506,894.00, representing some 3.5% of the expenditure estimates in the 2016–2017 Special Funds Budget;

(2) a first portion of \$542,883,400.00, representing 25.0% of the investment estimates in the 2016–2017 Special Funds Budget and an additional portion of \$2,743,186.00, representing some 0.1% of the investment estimates in the 2016–2017 Special Funds Budget.

4. This Act comes into force on 23 March 2016.

SCHEDULE 1

GENERAL FUND

AFFAIRES MUNICIPALES ET OCCUPATION DU TERRITOIRE

	First portion	Additional portion
PROGRAM 1		
Territorial Development	28,971,950.00	
PROGRAM 2		
Municipal Infrastructure Modernization	106,210,400.00	30,189,600.00
PROGRAM 3		
Compensation in Lieu of Taxes and Financial Assistance to Municipalities	152,118,725.00	360,000,000.00
PROGRAM 4		
General Administration	15,591,325.00	
PROGRAM 5		
Promotion and Development of the Metropolitan Region	30,713,850.00	43,070,330.00
PROGRAM 6		
Commission municipale du Québec	835,650.00	
PROGRAM 7		
Housing	107,615,025.00	
PROGRAM 8		
Régie du logement	5,272,800.00	
	447,329,725.00	433,259,930.00

AGRICULTURE, PÊCHERIES ET ALIMENTATION

	First portion	Additional portion
PROGRAM 1		
Bio-food Business Development, Training and Food Quality	103,757,650.00	102,501,300.00
PROGRAM 2		
Government Bodies	112,811,975.00	2,373,100.00
	<hr/> 216,569,625.00	<hr/> 104,874,400.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

	First portion	Additional portion
PROGRAM 1		
Secrétariat du Conseil du trésor	21,810,325.00	
PROGRAM 2		
Government Operations	47,365,825.00	
PROGRAM 3		
Commission de la fonction publique	1,053,825.00	
PROGRAM 4		
Retirement and Insurance Plans	1,111,125.00	
PROGRAM 5		
Contingency Fund	338,705,725.00	
PROGRAM 6		
Promotion and Development of the Capitale-Nationale	13,491,850.00	12,270,000.00
	423,538,675.00	12,270,000.00

CONSEIL EXÉCUTIF

	First portion	Additional portion
PROGRAM 1		
Lieutenant-Governor's Office	189,600.00	
PROGRAM 2		
Support Services for the Premier and the Conseil exécutif	22,254,450.00	
PROGRAM 3		
Canadian Intergovernmental Affairs	3,190,825.00	
PROGRAM 4		
Aboriginal Affairs	66,394,625.00	14,000,000.00
PROGRAM 5		
Youth	9,661,625.00	5,000,000.00
PROGRAM 6		
Access to Information and Reform of Democratic Institutions	2,191,925.00	
PROGRAM 7		
Maritime Affairs	190,075.00	175,000.00
	104,073,125.00	19,175,000.00

CULTURE ET COMMUNICATIONS

	First portion	Additional portion
PROGRAM 1		
Internal Management, Centre de conservation du Québec and Conseil du patrimoine culturel du Québec	14,092,725.00	
PROGRAM 2		
Support for Culture, Communications and Government Corporations	149,237,850.00	12,731,880.00
PROGRAM 3		
Charter of the French Language	7,322,400.00	
	<hr/> 170,652,975.00	<hr/> 12,731,880.00

DÉVELOPPEMENT DURABLE, ENVIRONNEMENT ET LUTTE
CONTRE LES CHANGEMENTS CLIMATIQUES

	First portion	Additional portion
PROGRAM 1		
Environmental Protection	42,136,150.00	3,830,000.00
PROGRAM 2		
Bureau d'audiences publiques sur l'environnement	1,278,275.00	
	<hr/> 43,414,425.00	<hr/> 3,830,000.00

ÉCONOMIE, SCIENCE ET INNOVATION

	First portion	Additional portion
PROGRAM 1		
Economic Development and Development of Innovation and Exports	84,156,725.00	13,450,750.00
PROGRAM 2		
Economic Development Fund Interventions	71,359,000.00	
PROGRAM 3		
Research and Innovation Bodies	47,252,875.00	
PROGRAM 4		
Status of Women	2,326,950.00	
	<hr/> 205,095,550.00	<hr/> 13,450,750.00

ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

	First portion	Additional portion
PROGRAM 1		
Administration	43,071,375.00	
PROGRAM 2		
Support for organizations	17,741,250.00	
PROGRAM 3		
Financial Assistance for Education	219,346,175.00	
PROGRAM 4		
Preschool, Primary and Secondary Education	2,367,919,025.00	931,234,700.00
PROGRAM 5		
Higher Education	1,345,258,650.00	301,639,950.00
PROGRAM 6		
Development of Recreation and Sports	18,530,025.00	4,700,000.00
	4,011,866,500.00	1,237,574,650.00

ÉNERGIE ET RESSOURCES NATURELLES

	First portion	Additional portion
PROGRAM 1		
Management of Natural Resources	18,620,175.00	3,000,000.00
	<hr/> 18,620,175.00	<hr/> 3,000,000.00

FAMILLE

	First portion	Additional portion
PROGRAM 1		
Planning, Research and Administration	16,866,450.00	1,250,000.00
PROGRAM 2		
Assistance Measures for Families	543,926,900.00	158,568,100.00
PROGRAM 3		
Condition of Seniors	7,298,975.00	
PROGRAM 4		
Public Curator	12,477,625.00	
	<hr/> 580,569,950.00	<hr/> 159,818,100.00

FINANCES

	First portion	Additional portion
PROGRAM 1		
Department Administration	10,046,325.00	
PROGRAM 2		
Budget and Taxation Policies, Economic Analysis and Administration of Government Financial and Accounting Activities	28,087,000.00	
PROGRAM 3		
Debt Service	1,500,000.00	
	<hr/>	
	39,633,325.00	

FORÊTS, FAUNE ET PARCS

	First portion	Additional portion
PROGRAM 1		
Forests	79,349,325.00	55,000,000.00
PROGRAM 2		
Wildlife and Parks	31,322,350.00	15,000,000.00
	<hr/>	<hr/>
	110,671,675.00	70,000,000.00

IMMIGRATION, DIVERSITÉ ET INCLUSION

	First portion	Additional portion
PROGRAM 1		
Immigration, Diversity and Inclusion	74,922,825.00	
	<hr/> 74,922,825.00	

JUSTICE

	First portion	Additional portion
PROGRAM 1		
Judicial Activity	8,249,625.00	179,300.00
PROGRAM 2		
Administration of Justice	71,628,550.00	13,992,700.00
PROGRAM 3		
Administrative Justice	3,629,650.00	3,515,100.00
PROGRAM 4		
Justice Accessibility	45,575,650.00	15,191,900.00
PROGRAM 5		
Bodies Reporting to the Minister	5,826,050.00	941,300.00
PROGRAM 6		
Criminal and Penal Prosecutions	30,677,175.00	2,450,000.00
	<hr/>	<hr/>
	165,586,700.00	36,270,300.00

PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

	First portion	Additional portion
PROGRAM 1		
The Public Protector	3,769,350.00	
PROGRAM 2		
The Auditor General	7,399,400.00	725,000.00
PROGRAM 4		
The Lobbyists Commissioner	827,250.00	
	<hr/>	<hr/>
	11,996,000.00	725,000.00

RELATIONS INTERNATIONALES ET FRANCOPHONIE

	First portion	Additional portion
PROGRAM 1		
International Affairs	24,253,900.00	
	<hr/>	
	24,253,900.00	

SANTÉ ET SERVICES SOCIAUX

	First portion	Additional portion
PROGRAM 1		
Coordination Functions	34,995,275.00	
PROGRAM 2		
Services to the Public	4,638,605,150.00	
PROGRAM 3		
Office des personnes handicapées du Québec	3,166,925.00	
	<hr/>	
	4,676,767,350.00	

SÉCURITÉ PUBLIQUE

	First portion	Additional portion
PROGRAM 1		
Security, Prevention and Internal Management	168,193,025.00	11,574,400.00
PROGRAM 2		
Sûreté du Québec	153,024,175.00	140,140,500.00
PROGRAM 3		
Bodies Reporting to the Minister	12,187,025.00	
	<hr/> 333,404,225.00	<hr/> 151,714,900.00

TOURISME

	First portion	Additional portion
PROGRAM 1		
Promotion and Development of Tourism	34,498,700.00	
	<hr/> 34,498,700.00	

TRANSPORTS, MOBILITÉ DURABLE ET ÉLECTRIFICATION DES
TRANSPORTS

	First portion	Additional portion
PROGRAM 1		
Infrastructures and Transportation Systems	156,366,475.00	
PROGRAM 2		
Administration and Corporate Services	13,940,675.00	
	<hr/>	
	170,307,150.00	

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

	First portion	Additional portion
PROGRAM 1		
Employment Assistance Measures	200,535,975.00	65,000,000.00
PROGRAM 2		
Financial Assistance Measures	732,537,175.00	75,000,000.00
PROGRAM 3		
Administration	115,201,350.00	15,000,000.00
PROGRAM 4		
Labour	4,300,725.00	2,354,825.00
	<hr/> 1,052,575,225.00	<hr/> 157,354,825.00

SCHEDULE 2

SPECIAL FUNDS

AFFAIRES MUNICIPALES ET OCCUPATION DU TERRITOIRE

	First portion	Additional portion
TERRITORIES DEVELOPMENT FUND		
Expenditure budget	30,280,500.00	
TOTAL		
Expenditure budget	30,280,500.00	

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

	First portion	Additional portion
NATURAL DISASTER ASSISTANCE FUND		
Expenditure budget	1,025,325.00	
Investment budget	65,000.00	
<hr/>		
TOTALS		
Expenditure budget	1,025,325.00	
Investment budget	65,000.00	

CULTURE ET COMMUNICATIONS

	First portion	Additional portion
AVENIR MÉCÉNAT CULTURE FUND		
Expenditure budget	1,250,000.00	
QUÉBEC CULTURAL HERITAGE FUND		
Expenditure budget	4,610,575.00	
TOTAL		
Expenditure budget	5,860,575.00	

DÉVELOPPEMENT DURABLE, ENVIRONNEMENT ET LUTTE
CONTRE LES CHANGEMENTS CLIMATIQUES

	First portion	Additional portion
GREEN FUND		
Expenditure budget	216,772,625.00	
Investment budget	1,619,975.00	
	<hr/>	
TOTALS		
Expenditure budget	216,772,625.00	
Investment budget	1,619,975.00	

ÉCONOMIE, SCIENCE ET INNOVATION

	First portion	Additional portion
MINING AND HYDROCARBON CAPITAL FUND		
Expenditure budget	118,750.00	
ECONOMIC DEVELOPMENT FUND		
Expenditure budget	103,159,000.00	
TOTAL	<hr/>	
Expenditure budget	103,277,750.00	

ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

	First portion	Additional portion
SPORTS AND PHYSICAL ACTIVITY DEVELOPMENT FUND		
Expenditure budget	16,831,875.00	
UNIVERSITY EXCELLENCE AND PERFORMANCE FUND		
Expenditure budget	6,250,000.00	
TOTAL	<hr/>	
Expenditure budget	23,081,875.00	

ÉNERGIE ET RESSOURCES NATURELLES

	First portion	Additional portion
NATURAL RESOURCES FUND		
Expenditure budget	62,619,500.00	12,100,000.00
Investment budget	191,250.00	
TERRITORIAL INFORMATION FUND		
Expenditure budget	28,744,825.00	
Investment budget	10,402,875.00	
TOTALS		
Expenditure budget	91,364,325.00	12,100,000.00
Investment budget	10,594,125.00	

FAMILLE

	First portion	Additional portion
CAREGIVER SUPPORT FUND		
Expenditure budget	6,820,000.00	9,300,000.00
EDUCATIONAL CHILDCARE SERVICES FUND		
Expenditure budget	581,071,500.00	314,501,300.00
EARLY CHILDHOOD DEVELOPMENT FUND		
Expenditure budget	5,312,500.00	4,687,500.00
TOTAL	<hr/>	<hr/>
Expenditure budget	593,204,000.00	328,488,800.00

FINANCES

	First portion	Additional portion
FINANCING FUND		
Expenditure budget	601,700.00	
FUND OF THE BUREAU DE DÉCISION ET DE RÉVISION		
Expenditure budget	680,375.00	
Investment budget	8,750.00	
IFC MONTRÉAL FUND		
Expenditure budget	330,775.00	992,325.00
NORTHERN PLAN FUND		
Expenditure budget	43,753,000.00	75,187,500.00
TAX ADMINISTRATION FUND		
Expenditure budget	215,612,150.00	
TOTALS		
Expenditure budget	260,978,000.00	76,179,825.00
Investment budget	8,750.00	

FORÊTS, FAUNE ET PARCS

	First portion	Additional portion
NATURAL RESOURCES FUND – SUSTAINABLE FOREST DEVELOPMENT SECTION		
Expenditure budget	129,618,225.00	47,500,000.00
Investment budget	2,500,000.00	
TOTALS	<hr/>	<hr/>
Expenditure budget	129,618,225.00	47,500,000.00
Investment budget	2,500,000.00	

JUSTICE

	First portion	Additional portion
ACCESS TO JUSTICE FUND		
Expenditure budget	3,851,500.00	
Investment budget	1,000.00	
FONDS D'AIDE AUX VICTIMES D'ACTES CRIMINELS		
Expenditure budget	6,307,975.00	
Investment budget	20,000.00	
REGISTER FUND OF THE MINISTÈRE DE LA JUSTICE		
Expenditure budget	9,528,950.00	
Investment budget	382,500.00	525,000.00
FUND OF THE ADMINISTRATIVE TRIBUNAL OF QUÉBEC		
Expenditure budget	10,056,950.00	
Investment budget	291,425.00	
PUBLIC CONTRACTS FUND		
Expenditure budget	1,041,250.00	
TOTALS		
Expenditure budget	30,786,625.00	
Investment budget	694,925.00	525,000.00

SANTÉ ET SERVICES SOCIAUX

	First portion	Additional portion
FUND TO FINANCE HEALTH AND SOCIAL SERVICES INSTITUTIONS		
Expenditure budget	384,750,000.00	
HEALTH AND SOCIAL SERVICES INFORMATION RESOURCES FUND		
Expenditure budget	52,493,925.00	
Investment budget	4,551,100.00	
FUND FOR THE PROMOTION OF A HEALTHY LIFESTYLE		
Expenditure budget	10,042,875.00	
TOTALS		
Expenditure budget	447,286,800.00	
Investment budget	4,551,100.00	

SÉCURITÉ PUBLIQUE

	First portion	Additional portion
POLICE SERVICES FUND		
Expenditure budget	144,586,450.00	
Investment budget	3,818,900.00	
TOTALS		
Expenditure budget	144,586,450.00	
Investment budget	3,818,900.00	

TOURISME

	First portion	Additional portion
TOURISM PARTNERSHIP FUND		
Expenditure budget	34,362,350.00	
Investment budget	112,500.00	
TOTALS		
Expenditure budget	34,362,350.00	
Investment budget	112,500.00	

TRANSPORTS, MOBILITÉ DURABLE ET ÉLECTRIFICATION DES
TRANSPORTS

	First portion	Additional portion
AIR SERVICE FUND		
Expenditure budget	17,992,500.00	
Investment budget	2,500,000.00	
ROLLING STOCK MANAGEMENT FUND		
Expenditure budget	28,975,300.00	
Investment budget	11,237,225.00	
HIGHWAY SAFETY FUND		
Expenditure budget	9,100,000.00	
Investment budget	739,400.00	2,218,186.00
LAND TRANSPORTATION NETWORK FUND		
Expenditure budget	818,758,875.00	
Investment budget	497,700,250.00	
TOTALS		
Expenditure budget	874,826,675.00	
Investment budget	512,176,875.00	2,218,186.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

	First portion	Additional portion
ASSISTANCE FUND FOR INDEPENDENT COMMUNITY ACTION		
Expenditure budget	5,869,950.00	4,238,269.00
LABOUR MARKET DEVELOPMENT FUND		
Expenditure budget	258,134,875.00	
GOODS AND SERVICES FUND		
Expenditure budget	22,384,325.00	
Investment budget	642,500.00	
INFORMATION TECHNOLOGY FUND OF THE MINISTÈRE DE L'EMPLOI ET DE LA SOLIDARITÉ SOCIALE		
Expenditure budget	5,281,525.00	
Investment budget	5,362,500.00	
ADMINISTRATIVE LABOUR TRIBUNAL FUND		
Expenditure budget	21,207,450.00	
Investment budget	736,250.00	
FONDS QUÉBÉCOIS D'INITIATIVES SOCIALES		
Expenditure budget	2,701,050.00	
TOTALS		
Expenditure budget	315,579,175.00	4,238,269.00
Investment budget	6,741,250.00	

2016, chapter 3 QUÉBEC IMMIGRATION ACT

Bill 77

Introduced by Madam Kathleen Weil, Minister of Immigration, Diversity and Inclusiveness
Introduced 2 December 2015
Passed in principle 18 February 2016
Passed 6 April 2016
Assented to 6 April 2016

Coming into force: on the date or dates to be set by the Government

Legislation amended:

Individual and Family Assistance Act (chapter A-13.1.1)
Act respecting administrative justice (chapter J-3)
Act respecting the Ministère de l'Immigration et des Communautés culturelles (chapter M-16.1)
Act to amend the Act respecting the Ministère des Communautés culturelles et de l'Immigration (1993, chapter 70)
Act to amend the Act respecting immigration to Québec (2004, chapter 18)

Legislation replaced:

Act respecting immigration to Québec (chapter I-0.2)

Legislation repealed:

Act to amend the Act respecting immigration to Québec (2001, chapter 58)

Regulation amended:

Regulation respecting immigration consultants (chapter I-0.2, r. 0.2)

Explanatory notes

This Act replaces the Act respecting immigration to Québec. Its purposes are the selection of foreign nationals wishing to stay temporarily or settle permanently in Québec, family reunification of Canadian citizens and permanent residents with their close relatives who are foreign nationals, and the reception of refugees and other persons in special hardship situations.

Moreover, the goals of this Act are to promote, through a shared commitment between Québec society and immigrants, the latter's full participation, in French, in community life, in full equality and in keeping with democratic values, and to contribute, through the establishment of harmonious intercultural relations,

(cont'd on next page)

Explanatory notes (cont'd)

to the cultural enrichment of Québec society. In addition, the aim of this Act is that immigrants contribute, in particular, to Québec's prosperity, the preservation and vitality of French, the vitality of the regions and Québec's international influence.

The Act substantially reproduces certain current provisions of the Act respecting immigration to Québec, notably in the matter of immigration planning. In this respect, it maintains the powers enabling the Government to set conditions for the selection of foreign nationals for permanent or temporary immigration and to determine the cases in which a person or a group of persons may enter into a sponsorship undertaking to assist a foreign national in settling permanently in Québec. It grants the Minister of Immigration, Diversity and Inclusiveness the power to create pilot immigration programs of a set duration for the purpose of developing new immigration programs.

The Act reformulates the current provisions on reception, francization and integration programs to specify that such programs are aimed at fostering immigrants' full participation in Québec society and in community life as well as their long-term settlement in the regions, and to empower the Minister to implement them.

In addition, the jurisdiction of the Administrative Tribunal of Québec is extended in immigration matters by, among other ways, providing a recourse for foreign nationals belonging to the economic class whose application for selection for permanent immigration was refused.

The Government is authorized to determine the cases in which an employer wishing to hire a foreign national must file an application with the Minister for the assessment or validation of an employment offer and is granted the power to impose any necessary conditions on an employer who hires such a foreign national.

The Act maintains the current mechanism for the management of applications for selection for permanent immigration and extends it, notably, to applications for selection for temporary immigration and to applications made by employers. It also introduces a model based on expressions of interest by foreign nationals, which are used to constitute a bank of candidates and choose, on the basis of invitation criteria determined by the Minister, the candidates best suited to Québec's needs.

The Act revises the current provisions applicable to immigration consultants to better regulate their activities. The Minister is granted, among other powers, the power to refuse an application for recognition as an immigration consultant for a public interest reason. The Act also modernizes the provisions concerning inspection and investigation powers, the penal provisions, the provisions regarding administrative penalties, including monetary penalties, and any obsolete or inappropriate provisions.

Lastly, various amending provisions, notably, with respect to the Minister's functions and responsibilities under the Act respecting the Ministère de l'Immigration et des Communautés culturelles, are introduced.



Chapter 3

QUÉBEC IMMIGRATION ACT

[Assented to 6 April 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

OBJECTS

1. The purposes of this Act are the selection of foreign nationals wishing to stay temporarily or settle permanently in Québec, family reunification of Canadian citizens and permanent residents with their close relatives who are foreign nationals, and the reception of refugees and other persons in special hardship situations.

Moreover, the goals of this Act are to promote, through a shared commitment between Québec society and immigrants, the latter's full participation, in French, in community life, in full equality and in keeping with democratic values, and to contribute, through the establishment of harmonious intercultural relations, to the cultural enrichment of Québec society.

Lastly, the aim of this Act is that immigrants contribute, in particular, to Québec's prosperity, the preservation and vitality of French—the common language knowledge of which is the key to successful participation—the vitality of the regions and Québec's international influence.

2. In this Act, a “foreign national” is a person who is neither a Canadian citizen nor a permanent resident within the meaning of the Immigration and Refugee Protection Act (Statutes of Canada, 2001, chapter 27).

CHAPTER II

IMMIGRATION PLANNING

3. To develop a multi-year immigration plan, the Minister, taking into account such elements as Québec's immigration policy, the demand for immigration, Québec's needs, including its regions' needs, and Québec's capacity to receive and integrate immigrants, submits multi-year guidelines to the Government for approval.

4. The multi-year guidelines address such matters as the composition of immigration and the projected number of persons to be admitted. They are to

be tabled in the National Assembly for a general consultation to be held by the competent parliamentary committee.

5. Taking into account the multi-year plan, the Minister establishes an annual immigration plan the purpose of which is to specify projected immigration levels.

The plan indicates the projected or estimated number of foreign nationals that Québec expects to receive and the number of selection decisions concerning immigrants wishing to settle permanently in Québec that may be made. Those numbers may be broken down by class, by immigration program or by program component.

The plan is tabled in the National Assembly not later than 1 November each year or, if the Assembly is not sitting, within 15 days after resumption.

CHAPTER III

TEMPORARY AND PERMANENT IMMIGRATION

DIVISION I

IMMIGRATION CLASSES AND PROGRAMS

6. The classes of foreign nationals wishing to stay temporarily in Québec are

- (1) the temporary worker class;
- (2) the international student class; and
- (3) the person on a temporary stay for medical treatment class.

7. The classes of foreign nationals wishing to settle permanently in Québec are

- (1) the economic class;
- (2) the family class; and
- (3) the humanitarian class.

8. The Government may, by regulation, determine other classes in addition to those listed in sections 6 and 7.

9. For each class, the Government may, by regulation, determine immigration programs and, for each program, the selection conditions and any selection criteria applicable to foreign nationals.

10. To stay or settle in Québec, foreign nationals belonging to one of the classes listed in sections 6 and 7 must file an application with the Minister under an immigration program, unless they are covered by an exemption provided for by government regulation.

An application under a family class program must be filed by a sponsor.

11. Despite the immigration program under which a foreign national's application is filed, the Minister may decide to examine the application under a different immigration program in order to facilitate the foreign national's selection.

DIVISION II

TEMPORARY IMMIGRATION

12. A foreign national who belongs to one of the classes listed in section 6 must be selected by the Minister by obtaining the Minister's consent to the foreign national's stay. Such consent is required, unless the foreign national is covered by an exemption provided for by government regulation.

13. The Minister's consent to a foreign national's stay is given once the foreign national meets all the conditions of an immigration program under which the application is examined.

14. The Minister's consent is certified in the manner and on the conditions prescribed by government regulation.

15. An employer wishing to hire a foreign national must, in the cases and on the conditions determined by government regulation, and after filing an application, obtain from the Minister a positive assessment as to the employment offer's impact on Québec's labour market.

The conditions applicable to an employer who hires a foreign national after having obtained a positive assessment for an employment offer are determined by government regulation.

16. For the purpose of developing new temporary immigration programs, the Minister may, by regulation, implement a temporary immigration pilot program lasting up to five years.

The maximum number of foreign nationals who may be selected under a temporary immigration pilot program is 400 per year.

The Minister determines, by regulation, the conditions and required fees applicable under such a program.

DIVISION III

TRANSITION TO PERMANENT IMMIGRATION

17. A foreign national who is staying temporarily in Québec may file an application for selection under an immigration program intended to allow the foreign national to settle permanently in Québec.

The selection conditions and any selection criteria applicable to the foreign national under such a program are determined by government regulation.

DIVISION IV

PERMANENT IMMIGRATION

§1.—*General provisions*

1. SELECTION FOR PERMANENT IMMIGRATION

18. To settle permanently in Québec, a foreign national must be selected by the Minister, unless the foreign national belongs to the family class, is recognized as a refugee when already in Québec or is covered by an exemption provided for by government regulation.

19. The Minister selects a foreign national who meets all the conditions of an immigration program under which the application is examined.

20. The Minister's selection decision also applies to the family members who are included in the application filed with the Minister by the foreign national.

21. The Minister's selection decision is certified in the manner and on the conditions prescribed by government regulation.

2. SPONSORSHIP UNDERTAKING

22. A person or a group of persons may, by contract, give a sponsorship undertaking to the Government to assist a foreign national and the family members accompanying the foreign national in settling permanently in Québec.

The Government determines, by regulation, which persons or groups of persons may file a sponsorship undertaking application with the Minister and the applicable conditions.

23. An undertaking is entered into according to the terms and for the time prescribed by government regulation.

24. The Government may, by regulation, determine the cases in which an undertaking may be cancelled or considered to have lapsed and the situations in which the Minister may lift the effects of a lapse.

§2.—*Economic class*

25. A foreign national who belongs to the economic class may be selected by the Minister under a program intended to attract persons who are able to contribute to Québec's prosperity by settling in Québec.

26. The Government may, by regulation, determine that achieving a score obtained by applying a selection grid is one of the selection conditions referred to in section 9. Such a grid is to include selection criteria such as training, work experience and knowledge of French.

27. The weighting of the selection criteria referred to in section 26, the passing score and, as applicable, the cut-off score for a selection criterion are set by ministerial regulation.

28. The Minister may, when required, in collaboration with the other ministers concerned, collate economic information, such as a list of priority areas of training or economic sectors, with a view to assessing a foreign national's ability to contribute to Québec's prosperity by settling in Québec.

That information may be published in any medium the Minister considers appropriate.

29. An employer who wishes to hire a foreign national may, in the cases and on the conditions determined by government regulation, file an application with the Minister for the validation of the employment offer.

The conditions that apply to an employer who hires a foreign national after the validation of an employment offer are determined by government regulation.

30. Subject to section 31, the conditions applicable to a person who or a partnership that participates in the management of an investment or of a deposit of a sum of money by a person who files an application in the economic class are determined by government regulation.

The Government also determines, by regulation, conditions relating to the investment, deposit, management and disposition of the sums invested or deposited, including their reimbursement and confiscation.

31. If the number of selection applications the Minister intends to receive is determined by a decision made under section 50, the Minister may, by regulation, require a person or partnership referred to in section 30 who or that participates in the management of an investment of a foreign national to hold a quota. The Minister may also, in the same manner,

- (1) set the minimum quota of the person or partnership;
- (2) determine the terms and conditions for assigning a quota to the person or partnership, in particular by establishing a quota calculation formula and determining the value of the parameters;
- (3) prescribe the monetary administrative penalties applicable to a person who or a partnership that does not comply with the quota assigned by the Minister, set their amount and determine the applicable conditions; and
- (4) determine conditions relating to the transfer of a quota.

32. For the purpose of developing new economic immigration programs, the Minister may, by regulation, implement a permanent immigration pilot program lasting up to five years.

The maximum number of foreign nationals who may be selected under a permanent immigration pilot program is 550 per year.

The Minister determines, by regulation, the conditions, selection criteria and required fees applicable under such a program.

§3.—*Family class*

33. To settle permanently in Québec, a foreign national who belongs to the family class must be the subject of an undertaking by a natural person or a group of natural persons in accordance with sections 22 to 24.

§4.—*Humanitarian class*

34. A foreign national who is in a special hardship situation may be selected by the Minister in the cases and on the conditions determined by government regulation.

35. The Government determines, by regulation, the cases in which an undertaking entered into on behalf of a foreign national who is in a special hardship situation constitutes one of the elements the Minister may take into account in selecting that foreign national.

36. For the purpose of facilitating the permanent immigration of persons from countries or regions affected by a humanitarian crisis, the Government may, by regulation, if the urgency of the situation requires it, implement an immigration program with a set duration and determine its conditions.

CHAPTER IV**OVERRIDE POWER**

37. Despite section 13, the Minister may consent to the stay of a foreign national who does not meet a condition of a program under which the foreign national's application is examined. The conditions the Minister may override are prescribed by government regulation.

In addition, the Minister may refuse to consent to the stay of a foreign national who meets all the conditions prescribed by regulation if the Minister has reasonable grounds to believe that the foreign national's stay in Québec would be contrary to the public interest.

38. Despite section 19 and in the cases determined by government regulation, the Minister may select for permanent immigration a foreign national who does not meet a condition or selection criterion applicable to him or her if, after examining the application, the Minister is of the opinion that the foreign national can successfully settle in Québec.

In addition, the Minister may refuse to select a foreign national who meets all the conditions determined by regulation if the Minister has reasonable grounds to believe that the foreign national has little likelihood of successfully settling in Québec or that his or her settling in Québec would be contrary to the public interest.

39. If the Minister refuses to select a foreign national for temporary or permanent immigration for a public interest reason, the Minister must indicate the nature of the reason.

40. When exercising discretion under the first paragraph of section 37 or 38, the Minister may require, in the cases prescribed by government regulation, that an undertaking be entered into on behalf of the foreign national if the Minister believes that such an undertaking is necessary for the foreign national to successfully stay or settle in Québec.

CHAPTER V**APPLICATION PROCEDURE AND MANAGEMENT****DIVISION I****CONDITIONS FOR FILING AN APPLICATION WITH THE MINISTER**

41. The conditions relating to the filing of any application made under this Act are determined by ministerial regulation.

DIVISION II**EXPRESSION OF INTEREST**

42. In the cases prescribed by government regulation, a foreign national may file an application for selection only if invited to do so by the Minister.

A foreign national who wishes to be invited to file such an application must submit an expression of interest in staying or settling in Québec to the Minister.

43. The Minister enters the expression of interest submitted by a foreign national who meets the submission conditions prescribed by ministerial regulation in the expressions-of-interest bank.

The conditions governing the validity of an expression of interest, including the time for which it is valid, as well as the effects of its invalidity are determined by government regulation.

44. The Minister determines the criteria or sets of criteria on the basis of which the Minister invites foreign nationals to file an application for selection in accordance with section 10 as well as their order of priority. The Minister may also rank foreign nationals, in particular by applying a score or determining whether or not the invitation criteria or sets of invitation criteria are met by each foreign national.

The Minister's decision is valid for a maximum period of 24 months and may be modified at any time during that period. The Minister publishes the decision in the *Gazette officielle du Québec* and in any medium the Minister considers appropriate. The decision takes effect on the date of its publication or on any later date specified in it.

An invitation criterion may be a score, a selection condition or criterion or any other criterion relating to a foreign national's ability to successfully stay or settle in Québec, such as training or a trade or occupation. Such an invitation criterion may notably also be a region of destination in Québec, a country or region affected by a humanitarian crisis or the existence of an international commitment.

45. The Minister invites foreign nationals to file an application for selection on the basis of the decision made under section 44.

The Minister determines the number of foreign nationals invited on the basis of an invitation criterion or a set of invitation criteria, according to the order of priority of invitation criteria or according to a ranking, taking into account, among other considerations, the Minister's processing capacity, the annual immigration plan, any decision made under sections 50 and 51, Québec's labour market needs, or labour market integration prospects.

The Minister publishes that decision in any medium the Minister considers appropriate.

46. A decision made by the Minister under section 44 or 45 is not a regulation within the meaning of the Regulations Act (chapter R-18.1).

47. The Minister may invite a foreign national who is subject to section 42 to file an application without the invitation criteria being applied if the Minister is of the opinion that the foreign national is able to contribute to Québec's prosperity by staying or settling in Québec.

48. The Government determines, by regulation, the cases in which the Minister invites a foreign national referred to in section 42 to file an application for selection without the invitation criteria being applied.

49. The Minister may withdraw a foreign national's expression of interest from the bank if the Minister has reasonable grounds to believe that the foreign national's staying or settling in Québec would be contrary to the public interest.

DIVISION III

MINISTER'S DECISION RESPECTING APPLICATION MANAGEMENT

50. The Minister may make a decision on the receipt and processing of applications filed with the Minister in accordance with Chapter III. Such a decision is made taking into account such elements as the guidelines and the objectives set out in the annual immigration plan, Québec's needs and capacity to receive and integrate immigrants or the public interest.

Such a decision may pertain to the maximum number of applications the Minister intends to receive, the period for receiving applications, the terms and conditions for suspending the receipt of applications, and the order of priority for processing and disposing of applications that have yet to be examined.

The Minister's decision may, if it so specifies, apply to applications received in the three months preceding its effective date that have yet to be examined. In such cases, the Minister informs the applicant and, if applicable, returns the sums the applicant paid as fees.

51. In addition, the Minister may make a decision on the maximum number of foreign nationals that the Minister invites under section 45. The Minister may also determine the period for submitting expressions of interest or suspend the submission of expressions of interest.

52. A decision made by the Minister under section 50 or 51 may apply to an immigration class, an immigration program or a component of such a program.

A decision made by the Minister on the basis of humanitarian considerations or to ensure diversity in the origin of expressions of interest and applications for selection may also apply to a country, a region or a group of countries or regions.

A decision concerning applications filed under section 15 or 29 may, in particular, apply to a region of Québec, an economic sector, a trade or an occupation, taking into account Québec's labour market needs.

A decision stands for a maximum period of 24 months and may be modified at any time during that period. The Minister publishes the decision in the *Gazette officielle du Québec* and in any medium the Minister considers appropriate. The decision takes effect on the date of its publication or on any later date specified in it.

The reason for a decision must be included in the decision.

53. A decision made by the Minister under section 50 or 51 is not a regulation within the meaning of the Regulations Act.

DIVISION IV

REFUSAL TO EXAMINE, REJECTION OF AN APPLICATION AND INVALIDITY OF A DECISION

54. A person who submits an expression of interest to or files an application with the Minister must, at the Minister's request, demonstrate the truthfulness of the facts set out in his or her statements.

55. A person referred to in section 54 must also, at the time, within the time limit and in the manner specified by the Minister, provide the Minister with any information or document the Minister considers relevant.

56. The Minister may refuse to examine a person's application if

(1) the person has, in the five years preceding the examination of the application, directly or indirectly provided the Minister with false or misleading information or documents; or

(2) the person has been the subject of a decision made for a public interest reason under section 37, 38, 49 or 65.

57. The Minister may reject a person's application if

(1) the person has failed to demonstrate to the Minister, as required under section 54, the truthfulness of the facts set out in his or her statements;

(2) the person has failed to provide information or documents required by the Minister under section 55;

(3) the application contains false or misleading information or documents;

(4) the person has, in the five years preceding the examination of the application, directly or indirectly provided the Minister with false or misleading information or documents; or

(5) the person has been the subject of a decision made for a public interest reason under section 37, 38, 49 or 65.

58. A decision of the Minister is invalid if it expires, is cancelled or lapses.

The Government determines, by regulation, the time for which a decision made by the Minister is valid, the cases in which a decision lapses and the situations in which the Minister may lift the effects of any such lapse.

59. The Minister may cancel a decision in the cases prescribed by government regulation or if

(1) the application relating to the decision contained false or misleading information or documents;

(2) the decision was made in error;

(3) the conditions required for making a favourable decision cease to exist; or

(4) the public interest so requires.

The Minister's decision takes effect immediately.

CHAPTER VI

PARTICIPATION IN QUÉBEC SOCIETY

60. In collaboration with the other ministers concerned, the Minister develops reception, francization and integration programs for immigrants and programs aimed at establishing harmonious intercultural relations to promote immigrants' full participation, in French, in community life, in full equality and in keeping with democratic values, as well as their long-term settlement in the regions.

Within that framework, the Minister establishes and implements services in Québec and abroad in the areas under the Minister's responsibility and determines the eligibility requirements for those services.

61. The Minister may allocate financial assistance to an immigrant who, in accordance with the conditions determined under a program referred to in the first paragraph of section 60, has access to reception, francization or integration services.

CHAPTER VII**IMMIGRATION CONSULTANT**

62. A person wishing to act as an immigration consultant must, subject to the second paragraph of section 63, be recognized by the Minister.

63. The Government may, by regulation, define “immigration consultant” and determine classes of immigration consultants.

It may also exempt the members or a class of members of a professional order from all or some of the provisions applicable to immigration consultants.

64. The Minister recognizes a person as an immigration consultant or renews a person’s recognition as such if the person meets all the conditions determined by regulation.

The Government also determines the cases in which the Minister must not recognize a person as an immigration consultant or renew a person’s recognition as such.

65. Despite any regulation enacted under section 64, the Minister may refuse an application for recognition or for the renewal of recognition as an immigration consultant if the Minister has reasonable grounds to believe that the applicant’s recognition as such would be contrary to the public interest.

66. The time for which an immigration consultant’s recognition is valid is prescribed by government regulation.

67. The obligations of immigration consultants and the prohibitions applicable to them in the exercise of consulting activities are determined by government regulation.

68. The Minister may suspend or revoke an immigration consultant’s recognition in the cases prescribed by government regulation or if the Minister is of the opinion that the public interest requires it.

69. The Minister keeps an up-to-date register of recognized immigration consultants, indicating those whose recognition has been suspended or revoked in the last five years.

The register is published in any medium the Minister considers appropriate.

70. Division IV of Chapter V, except sections 58 and 59, applies to applications filed with the Minister under this chapter.

CHAPTER VIII**REVIEW OF A DECISION OR PROCEEDING BEFORE THE ADMINISTRATIVE TRIBUNAL OF QUÉBEC**

71. A decision of the Minister may be reviewed in the cases and on the conditions the Minister determines.

72. A decision made by the Minister may be contested by the following persons before the Administrative Tribunal of Québec within 60 days after the date of its notification:

(1) a natural person whose undertaking application on behalf of a foreign national has been refused or whose undertaking on behalf of a foreign national has been cancelled;

(2) a foreign national belonging to the economic class whose application for selection for permanent immigration has been refused, unless the decision was made under the second paragraph of section 38;

(3) a foreign national in respect of whom a temporary or permanent immigration selection decision has been cancelled, unless the decision was made for a public interest reason;

(4) a person who or a partnership that has incurred a monetary administrative penalty prescribed by a regulation under paragraph 3 of section 31 or sections 101 and 102; and

(5) a person whose recognition as an immigration consultant has been refused, suspended or revoked or has not been renewed, unless the decision was made for a public interest reason.

CHAPTER IX**REQUIRED FEES**

73. The fees to be paid for the examination of an application for selection for temporary immigration filed by a foreign national are

(1) \$191 for an application filed as a temporary worker; and

(2) \$109 for an application filed as an international student or as a person on a temporary stay for medical treatment.

74. The fees to be paid for the examination of an application for selection for permanent immigration filed by a foreign national belonging to the economic class are

(1) \$15,000 for an application filed as an investor;

(2) \$1,034 for an application filed as an entrepreneur or a self-employed worker; and

(3) \$765 for an application filed as a skilled worker.

75. The fees to be paid for each family member accompanying a foreign national referred to in paragraph 2 or 3 of section 74 are \$164.

76. The fees to be paid for the examination of a sponsorship undertaking application regarding a foreign national who belongs to the family class are \$272 for the first foreign national and \$109 for every other foreign national included in the application.

77. The fees to be paid for the examination of an application for the assessment of an employment offer's impact on Québec's labour market or for the validation of an employment offer are \$191.

78. The fees to be paid for the examination of an application filed by an immigration consultant are

(1) \$1,600 for recognition as an immigration consultant; and

(2) \$1,300 for the renewal of recognition as such.

79. The fees prescribed in this chapter are payable at the time the application is filed unless a ministerial regulation made under section 41 provides otherwise.

80. 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 other means the Minister considers appropriate.

81. With the exception of the fees to be paid for the examination of applications referred to in sections 73 to 78, the Government may, by regulation, set fees for any other application or for any stage in the examination of an application.

The Government may also, in the same manner, set the fees to be paid in connection with an expression of interest or the issue or filing of any document.

82. The Government may, by regulation, determine the cases in which a foreign national is exempted from paying the required fees.

CHAPTER X

DELEGATION AND AGREEMENTS

83. The Minister may, by agreement, delegate all or some of the powers conferred on the Minister by this Act to another minister or to a body of the Administration within the meaning of the Public Administration Act (chapter A-6.01).

84. The Minister may enter into an agreement for the administration of this Act and the regulations with another minister, an association, a partnership or a person, such as a body or a municipal authority.

CHAPTER XI

INSPECTION AND INVESTIGATION

DIVISION I

INSPECTION

85. The Minister may appoint an inspector to verify compliance with this Act and the regulations.

The inspector may, in the exercise of inspection functions,

(1) enter, at any reasonable time, the establishment of a legal person, an employer or an immigration consultant;

(2) take photographs or make recordings on the premises mentioned in subparagraph 1;

(3) examine and make copies of any document containing information relating to the activities of the persons mentioned in subparagraph 1; and

(4) require that the persons present provide or communicate to the inspector, within a reasonable time, any information or document relating to the application of this Act and the regulations for examination or the making of copies.

A person having custody, possession or control of any document relating to the application of this Act and the regulations must, at the inspector's request, send the document to the inspector within a reasonable time and facilitate its examination, regardless of the medium and of the means by which it may be accessed.

86. An inspector may, by a formal demand delivered by registered mail or personal service, require any person to file by registered mail or personal service, within a reasonable time specified in the demand, information or documents relating to the application of this Act or the regulations.

The person to whom the demand is made must, within the specified time, comply with the demand, whether or not the person has already filed such information or a reply to a similar demand made under this Act.

DIVISION II

INVESTIGATION

87. The Minister may conduct an investigation or commission a person the Minister designates to conduct an investigation on any matter relating to the application of this Act and the regulations.

88. In the course of an investigation relating to an offence under this Act or a regulation, a judge of the Court of Québec may, on an *ex parte* application following an information laid in writing and under oath by an investigator, order a person, other than the person under investigation,

(1) to produce original documents, or copies of them certified by affidavit to be true copies, or to produce information; or

(2) to prepare a document based on documents or information already in existence and to produce it.

The order requires the documents or information to be produced within the time, at the place and in the form specified and to be given to the investigator named in it.

Before making such an order, the judge must be satisfied that there are reasonable grounds to believe that

(1) an offence under this Act or a regulation is being or has been committed;

(2) the documents or information will afford evidence respecting the commission of the offence; and

(3) the person who is the subject of the order has possession or control of the documents or information.

The order may contain any terms that the judge considers appropriate, including terms to protect lawyers' and notaries' professional secrecy.

Where the judge who makes the order or any other judge having jurisdiction to make such an order is satisfied, on an *ex parte* application made on the basis of an affidavit submitted by an investigator in support of the application, that the interests of justice warrant the granting of the application, the judge may vary or revoke the order or set a new time limit.

Every copy of a document produced under this section, on proof by affidavit that it is a true copy, is admissible in evidence in any proceeding and has the

same probative force as the original document would have if it had been proved in the ordinary way.

DIVISION III

MISCELLANEOUS PROVISIONS

89. Legal proceedings may not be brought against inspectors and investigators for acts performed in good faith in the exercise of inspection and investigation functions.

90. Inspectors and investigators must, on request, provide identification and produce a certificate of authority signed by the Minister.

91. Any document produced for an investigation and certified by the Minister or an investigator as being a true copy of the original is admissible as proof and has the same probative force as the original.

CHAPTER XII

PENAL PROVISIONS

92. Anyone who

(1) acts in such a way as to falsely suggest that his, her or its conduct or activities in relation to matters to which this Act applies are authorized or approved by the Minister or the Government, notably by using the expression “Immigration-Québec”, “Ministère de l’Immigration, de la Diversité et de l’Inclusion” or “Ministère de l’Immigration du Québec” or any similar expression, or

(2) makes or knowingly uses a document that falsely suggests it is made, sent or issued by the Minister or the Government, notably by using the expression “Immigration-Québec”, “Ministère de l’Immigration, de la Diversité et de l’Inclusion” or “Ministère de l’Immigration du Québec” or any similar expression,

is guilty of an offence and is liable to a fine of \$5,000 to \$50,000 in the case of a natural person and \$10,000 to \$100,000 in any other case.

Immigration consultants who, by whatever means, make false, misleading or incomplete representations as to their recognition as immigration consultants or level of competence or as to the extent or effectiveness of their services are also liable to the minimum and maximum fines set out in the first paragraph.

93. Anyone who

(1) acts as an immigration consultant without being recognized as such by the Minister,

(2) directly or indirectly, by an act or omission, communicates to the Minister information or documents that he, she or it knows or should have known to be false or misleading in relation to an application filed with the Minister or an expression of interest to stay or settle in Québec, or

(3) in any way hinders an inspector or investigator in the exercise of inspection or investigation functions, or misleads the inspector or investigator by concealment or misrepresentation, or refuses to provide information or a document the inspector or investigator is entitled to obtain under this Act,

is guilty of an offence and is liable to a fine of \$2,500 to \$25,000 in the case of a natural person and \$5,000 to \$50,000 in any other case.

94. Anyone who contravenes a regulatory provision whose violation constitutes an offence is guilty of an offence and is liable to a fine of \$1,000 to \$50,000 in the case of a natural person and \$2,000 to \$100,000 in any other case.

However, the Government may, by regulation, within the specified minimum and maximum limits, set the minimum and maximum amounts of a fine according to the nature of the violation and its seriousness.

95. The minimum and maximum fines prescribed by this Act or the regulations for a first offence are doubled for a second offence. Those amounts are tripled for a third or subsequent offence.

96. If an offence under this Act or the regulations is committed by a director or officer of a legal person, partnership or association without legal personality, the minimum and maximum fines are twice those prescribed for the offence.

97. Anyone who does or omits to do something in order to assist a person in committing an offence under this Act or the regulations, or advises, encourages, incites or causes a person to commit such an offence, is considered to have committed the same offence.

98. In any penal proceedings relating to an offence under this Act or the regulations, proof that the offence was committed by an agent, mandatary or employee of any party is sufficient to establish that it was committed by that party, unless the party establishes that it exercised due diligence, taking all necessary precautions to prevent the offence.

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

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

100. Penal proceedings instituted under this Act are prescribed one year from the date on which the prosecutor became aware of the commission of the offence.

However, no proceedings may be instituted if more than five years have elapsed from the date of the commission of the offence.

CHAPTER XIII

REGULATIONS

101. The Government may, by regulation, prescribe administrative penalties, including monetary penalties, for contraventions of this Act or the regulations and the conditions applicable to such penalties.

102. A regulation made under section 101 may prescribe monetary administrative penalties for contraventions of

(1) a provision of a regulation made under section 9 that is a condition applicable under an economic immigration program;

(2) a provision of a regulation made under the second paragraphs of sections 15 and 29 or under section 67; and

(3) section 62.

The regulation sets the amounts of the monetary administrative penalty, taking into account the nature of the violation and its seriousness. The amounts may differ depending on whether the violation was committed by a natural person or a legal person.

103. The regulatory provisions whose violation constitutes a penal offence are determined by government regulation.

104. A regulation made under any of sections 15, 17, 18, 21, 26, 27, 29 to 31, 34, 35, 41 to 43, 48 and 81 is not subject to the publication requirement set out in section 8 of the Regulations Act and, despite section 17 of that Act, comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date set in the regulation.

The same holds for a regulation made under any of sections 9, 10 and 101 to 103 in the case of provisions relating to a permanent immigration program.

105. A regulation made under this Act may provide for exemptions and vary for different immigration cases, classes or programs or components of an immigration program, among other things. Such a regulation may also vary for different classes of immigration consultants or different application examination stages.

106. A regulation made under this Act may apply to an application according to the date on which it was filed or to the application examination stage and may apply to an expression of interest according to the date on which it was submitted.

CHAPTER XIV

AMENDING PROVISIONS

INDIVIDUAL AND FAMILY ASSISTANCE ACT

107. Section 91 of the Individual and Family Assistance Act (chapter A-13.1.1) is amended by replacing “any dependants who accompany the foreign national, to settle in Québec must repay the amount granted under a last resort financial assistance program to the foreign national and those dependants” by “the family members accompanying the foreign national within the meaning of that Act, to settle in Québec must repay the amount granted to the foreign national and those family members under a last resort financial assistance program”.

ACT RESPECTING ADMINISTRATIVE JUSTICE

108. Section 30 of the Act respecting administrative justice (chapter J-3) is amended by replacing “concerning an undertaking, a selection certificate or a certificate of acceptance” by “concerning a sponsorship undertaking, a temporary or permanent immigration selection decision, recognition as an immigration consultant or a monetary administrative penalty”.

109. Section 6 of Schedule I to the Act is amended by replacing “17” by “72”.

ACT RESPECTING THE MINISTÈRE DE L’IMMIGRATION ET DES COMMUNAUTÉS CULTURELLES

110. The title of the Act respecting the Ministère de l’Immigration et des Communautés culturelles (chapter M-16.1) is replaced by the following title:

“ACT RESPECTING THE MINISTÈRE DE L’IMMIGRATION, DE LA DIVERSITÉ ET DE L’INCLUSION”.

111. Sections 1 to 4 of the Act are replaced by the following sections:

“1. The Ministère de l’Immigration, de la Diversité et de l’Inclusion is under the direction of the Minister of Immigration, Diversity and Inclusiveness appointed under the Executive Power Act (chapter E-18).

The Minister is responsible for immigration, ethnocultural diversity and inclusiveness.

“2. The Minister is to develop guidelines or policies on immigration and on the full participation, in French, of immigrants and ethnocultural minorities in Québec society, in full equality and in keeping with democratic values, and propose them to the Government. The Minister is notably to develop a Québec policy on those matters.

The Minister is to coordinate and monitor the implementation of those guidelines and policies in order to ensure their relevance and effectiveness.

“3. The Minister is to advise the Government and government departments and bodies on any matter under the Minister’s responsibility.

The Minister is to exercise the functions of office in collaboration with the other ministers concerned, in keeping with their respective missions and functions.

“4. The Minister’s functions in matters of immigration, ethnocultural diversity and inclusiveness are, more particularly,

(1) to plan the number of immigrants Québec wishes to receive and the composition of that immigration;

(2) to promote immigration and inform immigrants about such topics as Québec’s democratic values, the integration and francization processes, Québec culture and the vitality of the regions;

(3) to select, as temporary or permanent immigrants, foreign nationals who will be able to fully participate, in French, in Québec society;

(4) to contribute, through the selection of temporary or permanent immigrants, to meeting the needs and reflecting the choices of Québec;

(5) to promote immigration’s contribution to Québec’s prosperity, to the preservation and vitality of French—the common language knowledge of which is the key to successful participation—to the vitality of the regions and to Québec’s international influence;

(6) to ensure family reunification, participate in international solidarity efforts and respond to other humanitarian situations;

(7) to contribute, through the provision of reception, francization and integration services and through intercultural relations projects, to immigrants' full participation, in French, in community life, to their long-term settlement in the regions and to the consolidation of harmonious intercultural relations;

(8) after consultation with the other ministers concerned, to coordinate the implementation of reception, francization and integration programs for immigrants; and

(9) to foster the commitment and coordinate the actions of government departments, bodies and social actors in order to build communities that are more inclusive, thereby contributing to immigrants' long-term settlement in the regions, promote immigrants' and ethnocultural minorities' full participation, in French, in community life, in full equality and in keeping with democratic values, and contribute, through the establishment of harmonious intercultural relations, to the cultural enrichment of Québec society.”

112. Sections 5 and 6 of the Act are repealed.

113. Section 7 of the Act is amended

(1) by adding “, including agreements for the sharing of information to satisfy the obligations incumbent on the Minister under the Acts for which the Minister is responsible” at the end of paragraph 2;

(2) by replacing paragraph 4 by the following paragraph:

“(4) take the necessary measures, in collaboration with the other ministers and the bodies concerned, to facilitate the recognition, in Québec, of qualifications acquired abroad, such as by speeding up the recognition process;”;

(3) by replacing paragraph 5 by the following paragraphs:

“(5) establish comparisons between diplomas and education obtained abroad and those obtained within Québec's education system;

“(6) obtain from government departments and bodies the information necessary to develop and implement guidelines and policies and to monitor and evaluate their relevance and effectiveness.”

ACT TO AMEND THE ACT RESPECTING THE MINISTÈRE DES COMMUNAUTÉS CULTURELLES ET DE L'IMMIGRATION

114. Paragraph 1 of section 3, sections 8 and 9 and paragraphs 2, 8 and 9 of section 11 of the Act to amend the Act respecting the Ministère des Communautés culturelles et de l'Immigration (1993, chapter 70) are repealed.

ACT TO AMEND THE ACT RESPECTING IMMIGRATION TO QUÉBEC

115. The Act to amend the Act respecting immigration to Québec (2001, chapter 58) is repealed.

ACT TO AMEND THE ACT RESPECTING IMMIGRATION TO QUÉBEC

116. Sections 2 and 6 and paragraph 5 of section 10 of the Act to amend the Act respecting immigration to Québec (2004, chapter 18) are repealed.

REGULATION RESPECTING IMMIGRATION CONSULTANTS

117. Section 1 of the Regulation respecting immigration consultants (chapter I-0.2, r. 0.2) is repealed.

118. The Regulation is amended by inserting the following section before section 5:

4.1. An immigration consultant must be recognized by the Minister in accordance with section 62 of the Québec Immigration Act (2016, chapter 3).

An immigration consultant who is recognized by the Minister is entered in the consultants register provided for in section 69 of the Act.”

119. Section 7 of the Regulation is amended by replacing “is to deny an application for renewal” in the second paragraph by “may not grant the renewal of an immigration consultant’s recognition”.

120. Sections 10, 15, 24 and 25 of the Regulation are repealed.

CHAPTER XV

TRANSITIONAL AND FINAL PROVISIONS

121. The multi-year guidelines and the annual plan approved by the Government under sections 3.0.0.1 and 3.0.1 of the Act respecting immigration to Québec (chapter I-0.2) which are in force on (*insert the date of coming into force of this Act*) are deemed to have been approved under Chapter II of this Act.

122. A selection certificate issued under section 3.1 or a certificate of acceptance issued under section 3.2 of the Act respecting immigration to Québec before it was replaced by this Act is valid and is deemed to be a decision made under this Act.

123. A sponsorship undertaking subscribed under section 3.1.1 of the Act respecting immigration to Québec before the replacement of that Act by this

Act is valid and is deemed to have been entered into under section 23 of this Act.

124. A decision made by the Minister under section 3.5 of the Act respecting immigration to Québec before the replacement of that Act by this Act is deemed to have been made under the provisions of Division III of Chapter V of this Act.

125. Any civil or penal proceedings pending on (*insert the date of coming into force of this Act*) are continued, without further formality, as if the provisions under which they were brought were still in force.

126. The Government may, by a regulation made within 12 months after (*insert the date of coming into force of this Act*), enact any transitional measure applicable to applications filed with the Minister before that date.

127. The required fees prescribed in Chapter IX must, on the date of its coming into force, be adjusted in accordance with section 80 as if they had been in force since 2 December 2015.

128. This Act replaces the Act respecting immigration to Québec.

129. The Minister of Immigration, Diversity and Inclusiveness is responsible for the administration of this Act.

130. The provisions of this Act come into force on the date or dates to be set by the Government.

2016, chapter 4

AN ACT TO ENSURE BETTER CONSISTENCY BETWEEN THE FRENCH AND ENGLISH TEXTS OF THE CIVIL CODE

Bill 89

Introduced by Madam Stéphanie Vallée, Minister of Justice

Introduced 16 February 2016

Passed in principle 23 February 2016

Passed 5 April 2016

Assented to 6 April 2016

Coming into force: 6 April 2016

Legislation amended:

Civil Code of Québec

Explanatory notes

The purpose of this Act is to amend the English text of the Civil Code to make it more consistent with the French text of the Code in terms of the substance of the law. To ensure consistency, some amendments are also made to the French text of the Code.



Chapter 4

AN ACT TO ENSURE BETTER CONSISTENCY BETWEEN THE FRENCH AND ENGLISH TEXTS OF THE CIVIL CODE

[Assented to 6 April 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Unless otherwise specified, the amendments under this Act amend only the English text of the Civil Code of Québec.

2. Article 6 of the Code is amended by replacing “in good faith” by “in accordance with the requirements of good faith”.

3. Article 28 of the Code is amended

(1) by inserting “, at the latest” after “another physician” in the second paragraph;

(2) by replacing “If a physician” in the third paragraph by “As soon as a physician”.

4. Article 35 of the Code is amended by replacing the second paragraph by the following paragraph:

“The privacy of a person may not be invaded without the consent of the person or without the invasion being authorized by law.”

5. Article 38 of the Code is amended by replacing “made at reasonable cost” by “made for a reasonable cost”.

6. Article 42 of the Code is amended by replacing “heirs and successors” by “heirs or successors”.

7. Article 54 of the Code is amended by replacing “acquires the authority of *res judicata*” in the third paragraph by “becomes final”.

8. Article 59 of the Code is amended by replacing “A person may” and “the minor children” in the second paragraph by “That person may” and “his minor children”, respectively.

9. Article 67 of the Code is amended by replacing “acquires the authority of a final judgment (*res judicata*)” in the first paragraph by “becomes final”.

10. Article 73 of the Code is amended

(1) by replacing “aux mêmes droits” in the French text by “au paiement des mêmes droits”;

(2) by replacing “to the same duties” by “to payment of the same duties”.

11. Article 78 of the Code is amended by replacing “he lives” in the second paragraph by “he happens to be”.

12. Article 80 of the Code is amended

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

“The domicile of an unemancipated minor is that of the tutor.”;

(2) by replacing “the minor is presumed to be domiciled with the parent with whom he” in the second paragraph by “the domicile of the minor is presumed to be that of the parent with whom the minor”.

13. Article 81 of the Code is replaced by the following article:

“**81.** The domicile of a person of full age under tutorship is that of the tutor; the domicile of a person under curatorship is that of the curator.”

14. Article 82 of the Code is amended by replacing “their living together” by “community of life”.

15. Article 84 of the Code is amended by replacing “advising anyone” by “giving news of himself”.

16. Article 103 of the Code is amended by replacing “providing access to it” in the second paragraph by “ensuring its publication”.

17. Article 119 of the Code is amended

(1) by replacing “date of their marriage” in the first paragraph by “place and date of their marriage”;

(2) by replacing “his religious affiliation” in the second paragraph by “the religious society to which he belongs”.

18. Article 121.2 of the Code is amended by replacing “the officiant’s religious affiliation” in the second paragraph by “the religious society to which he belongs”.

19. Article 129 of the Code is amended by replacing “acquires the authority of a final judgment (*res judicata*)” in the first paragraph by “becomes final”.

- 20.** Article 132 of the Code is amended by replacing “are not affected by the alterations” in the third paragraph by “have not been altered”.
- 21.** Article 132.1 of the Code is amended by replacing “*res judicata*” in the second paragraph by “final”.
- 22.** Article 169 of the Code is amended by replacing “is accountable for” by “shall render an account of”.
- 23.** Article 172 of the Code is amended by replacing “sign” by “enter into”.
- 24.** Article 174 of the Code is amended by replacing “Loans or borrowings of large amounts” by “Large loans or borrowings”.
- 25.** Article 202 of the Code is amended by replacing “being informed” in the second paragraph by “learning”.
- 26.** Article 206 of the Code is amended by replacing “mother and close relatives of the minor and persons connected by marriage or a civil union to the minor or” by “mother, close relatives and persons closely connected to the minor by marriage or a civil union, or”.
- 27.** Article 218 of the Code is amended by replacing “make up for the support owed by” by “make good on the obligation of support that lies on”.
- 28.** Article 222 of the Code is amended by replacing “civil union and friends” by “civil union, or friends”.
- 29.** Article 224 of the Code is amended by replacing “civil union and friends” in the first paragraph by “civil union, or friends”.
- 30.** Article 225 of the Code is amended by replacing “civil union and friends” in the second paragraph by “civil union, or friends”.
- 31.** Article 226 of the Code is amended by replacing “civil union and friends” in the first paragraph by “civil union, or friends”.
- 32.** Article 231 of the Code is amended
- (1) by replacing “owing to the dispersal or indifference of the family members or their inability, for serious reasons, to attend, or” in the first paragraph by “owing to the family members being geographically distant, their indifference or a major impediment to them, or owing”;
 - (2) by replacing “civil union and friends” in the third paragraph by “civil union, or friends”.

33. Article 236 of the Code is amended by replacing “attached to” in the second paragraph by “supporting”.

34. Article 242 of the Code is amended by replacing “to take out liability insurance” in the first paragraph by “to take out insurance”.

35. Article 263 of the Code is amended

(1) by replacing “à l’exception de ceux que le curateur public choisit de se réserver” in the second paragraph in the French text by “à l’exception des soins à l’égard desquels le curateur public choisit de se réserver le pouvoir de consentir”;

(2) by replacing “consent to the care” and “except the care which the Public Curator elects to provide” in the second paragraph by “consent to care” and “except care for which the Public Curator elects to reserve to himself the power to give consent”, respectively.

36. Article 264 of the Code is amended

(1) by replacing “Il peut” and “à l’exception de ceux qu’il choisit de se réserver” in the second paragraph in the French text by “Le curateur public peut” and “à l’exception des soins à l’égard desquels le curateur public choisit de se réserver le pouvoir de consentir”, respectively;

(2) by replacing “He may”, “to consent to the care” and “except care which the Public Curator elects to provide” in the second paragraph by “The Public Curator may”, “to give consent to care” and “except care for which the Public Curator elects to reserve to himself the power to give consent”, respectively.

37. Article 266 of the Code is amended by replacing “civil union and friends” in the second paragraph by “civil union, or friends,”.

38. Article 267 of the Code is amended by replacing “civil union and friends” by “civil union, or friends”.

39. Article 269 of the Code is amended by replacing “his close relatives and the persons connected to him by marriage or a civil union” by “his close relatives, persons closely connected to him by marriage or a civil union”.

40. Article 270 of the Code is amended by replacing “and informs a close relative of that person” in the first paragraph by “and so informs a person close to that person”.

41. Article 272 of the Code is amended by replacing “if protective supervision is about to be instituted” in the second paragraph by “if an application for the institution of protective supervision is about to be made”.

42. Article 275 of the Code is amended

(1) by replacing “furniture in it” in the first paragraph by “movable property with which it is furnished”;

(2) by replacing “his furniture or his rights in respect of a” in the second paragraph by “the movable property or the rights relating to the”.

43. Article 291 of the Code is amended by replacing “generally and habitually” by “generally or habitually”.

44. Article 293 of the Code is amended by replacing “required, and” in the first paragraph by “required or, conversely,”.

45. Article 313 of the Code is amended by striking out “existing”.

46. Article 325 of the Code is amended by replacing “except if required” in the second paragraph by “except in case of necessity”.

47. Article 377 of the Code is amended by replacing “is unable to act” in the third paragraph by “becomes disqualified”.

48. Article 392 of the Code is amended by replacing “live together” in the third paragraph by “share a community of life”.

49. Article 411 of the Code is amended by replacing “in cash” in the first paragraph by “all at once”.

50. Article 416 of the Code is amended by replacing “living together” wherever it appears in the second paragraph by “their community of life”.

51. Article 417 of the Code is amended by replacing “living together” in the second paragraph by “sharing a community of life”.

52. Article 427 of the Code is amended by replacing “in cash” in the first paragraph by “all at once”.

53. Article 429 of the Code is amended by replacing “becomes payable” and “in cash” in the first paragraph by “is to be paid” and “all at once”, respectively.

54. Article 448 of the Code is amended by replacing “they subsequently acquire” by “each subsequently acquires”.

55. Article 460 of the Code is amended by replacing “an exclusively” by “his or her exclusive”.

56. Article 466 of the Code is amended by replacing “to live together” by “sharing a community of life”.

57. Article 471 of the Code is amended by replacing “wasted acquests” by “wasted his or her acquests”.

58. Article 482 of the Code is amended by replacing “in cash” in the first paragraph by “all at once”.

59. Article 484 of the Code is amended

(1) by replacing “the rights of former” in the first paragraph by “the rights of pre-existing”;

(2) by replacing “former” in the second paragraph by “the pre-existing”.

60. Article 489 of the Code is amended by replacing “to live together” in the second paragraph by “sharing a community of life”.

61. Article 493 of the Code is amended by replacing “live together” by “share a community of life”.

62. Article 494 of the Code is amended

(1) by replacing “live together” in the portion before paragraph 1 by “share a community of life”;

(2) by replacing “that make further living together” in paragraph 1 by “making the continuation of community of life”.

63. Article 498 of the Code is replaced by the following article:

“**498.** Proof that the continuation of community of life is hardly tolerable may result from the testimony of one party but the court may require additional proof.”

64. Article 499 of the Code is amended by replacing “live together” by “share a community of life”.

65. Article 502 of the Code is amended by replacing “provisional sum” by “provision”.

66. Article 507 of the Code is amended by replacing “live together” by “share a community of life”.

67. Article 508 of the Code is amended by replacing “to live together” in the second paragraph by “sharing a community of life”.

- 68.** Article 514 of the Code is amended by replacing “the agreements made between the spouses, where such is the case” by “, where appropriate, any agreements made between the spouses”.
- 69.** Article 515 of the Code is amended by replacing “living together” in the first paragraph by “their community of life”.
- 70.** Article 518 of the Code is amended by replacing “to live together” in the second paragraph by “sharing a community of life”.
- 71.** Article 521.1 of the Code is amended by replacing “live together” in the first paragraph by “share a community of life”.
- 72.** Article 521.6 of the Code is amended by replacing “live together” in the third paragraph by “share a community of life”.
- 73.** Article 521.12 of the Code is amended by replacing “live together” in the first paragraph by “share a community of life”.
- 74.** Article 521.13 of the Code is amended by replacing the last sentence of the third paragraph by the following sentence: “If he considers it appropriate, the notary may inform the spouses of services of which he is aware that are likely to foster their conciliation.”
- 75.** Article 521.14 of the Code is amended by replacing “living together” by “their community of life”.
- 76.** Article 521.17 of the Code is amended
- (1) by replacing “live together” in the second paragraph by “share a community of life”;
 - (2) by replacing “best interests and with due regard for their rights, and in keeping with” in the third paragraph by “interest and the respect of their rights, taking into account, where appropriate,”.
- 77.** Article 521.19 of the Code is amended by replacing “living together” in the first paragraph by “sharing a community of life”.
- 78.** Articles 525 and 538.3 of the Code are amended by replacing “living together” in the second paragraph by “their community of life”.
- 79.** Article 542 of the Code is amended by replacing “proches” in the second paragraph in the French text by “proches parents”.
- 80.** Article 545 of the Code is amended by replacing “stood *in loco parentis*” in the first paragraph by “fulfilled the role of a parent”.

- 81.** Article 556 of the Code is amended by replacing “given” by “entrusted”.
- 82.** Article 573.1 of the Code is amended by replacing “*res judicata*” by “final”.
- 83.** Article 584 of the Code is amended by replacing “l’un de ses proches” in the second paragraph in the French text by “l’un de ses proches parents”.
- 84.** Article 587.2 of the Code is amended by replacing “reasonable debts” in the third paragraph by “debts reasonably”.
- 85.** Article 588 of the Code is amended by replacing “provisional sum” in the second paragraph by “provision”.
- 86.** Article 589 of the Code is amended by replacing “in cash” by “all at once”.
- 87.** Article 606 of the Code is amended by replacing the last sentence in the second paragraph by the following sentence: “A direct application for withdrawal may also be made to the court.”
- 88.** Article 621 of the Code is amended by replacing “guilty of cruelty towards the deceased or having” in paragraph 1 by “who has subjected the deceased to ill treatment or who has”.
- 89.** Article 644 of the Code is amended by striking out “movable” in the second paragraph.
- 90.** Article 648 of the Code is amended by replacing “the authority of a final judgment (*res judicata*)” by “become final”.
- 91.** Article 679 of the Code is amended by inserting “ordinary” before “collaterals” in the first paragraph.
- 92.** Article 685 of the Code is amended by replacing “in cash” in the first paragraph by “all at once”.
- 93.** Article 687 of the Code is amended by replacing “taking effect at the death” by “having the death as a term”.
- 94.** Article 689 of the Code is amended by replacing “taking effect at the death” in the first paragraph by “having the death as a term”.
- 95.** Article 708 of the Code is amended by replacing “articles” by “property”.
- 96.** Article 722.1 of the Code is amended by replacing “connected with the testator by marriage or a civil union” in the third paragraph by “be connected to that extent by marriage or a civil union to the testator”.

97. Article 723 of the Code is amended by replacing “connected with him by marriage or a civil union” by “is connected to that extent by marriage or a civil union to the testator”.

98. Article 726 of the Code is amended by replacing “any mechanical process” in the first paragraph by “technical means”.

99. Article 728 of the Code is amended by replacing “a mechanical process” in the first paragraph by “technical means”.

100. Article 730 of the Code is amended by replacing “a mechanical process” by “technical means”.

101. Article 730.1 of the Code is amended by replacing “connected with the testator by marriage or a civil union” in the third paragraph by “be connected to that extent by marriage or a civil union to the testator”.

102. Article 744 of the Code is amended by replacing “dependencies” in the first paragraph by “accessories”.

103. Article 745 of the Code is amended by replacing “dependent” by “accessory”.

104. Article 754 of the Code is amended by replacing “ceases to have effect” by “is resolved”.

105. Article 777 of the Code is amended by replacing “has” in the first paragraph by “exercises”.

106. Article 785 of the Code is amended by replacing “the heirs, by majority vote,” by “the majority of the heirs”.

107. Article 790 of the Code is amended by replacing “exempted by the court” in the second paragraph by “the court relieves him of his default”.

108. Article 811 of the Code is amended by replacing “for a reserve” by “for a reserve, if appropriate,”.

109. Article 813 of the Code is amended by replacing “determined things” wherever it appears in the second paragraph by “certain and determinate property”.

110. Article 814 of the Code is amended by replacing “an individual property” by “certain and determinate property”.

111. Article 821 of the Code is amended by striking out “without judicial formalities” in the first paragraph.

- 112.** Article 822 of the Code is amended by replacing “interested persons may consult the account” in the second paragraph by “the account may be consulted”.
- 113.** Article 838 of the Code is amended by replacing “liquidator; otherwise, partition” in the first paragraph by “liquidator or”.
- 114.** Article 842 of the Code is amended by replacing “existing interests and” by “interests involved and the”.
- 115.** Article 845 of the Code is amended by replacing “too great a risk” by “great risks”.
- 116.** Article 847 of the Code is amended by replacing “to enjoyment of only” by “only to enjoyment of”.
- 117.** Article 859 of the Code is amended by replacing “exercise” by “assert”.
- 118.** Article 865 of the Code is amended by replacing “assist the co-partitioners in this matter” by “allow the co-partitioners to make use of them”.
- 119.** Article 871 of the Code is amended by replacing “equivalent property” in the third paragraph by “property of equivalent value”.
- 120.** Article 874 of the Code is amended by replacing “actions” in the third paragraph by “acts or omissions”.
- 121.** Article 888 of the Code is amended by replacing “The setting up of claims” in the second paragraph by “The setting up of the allotment of claims”.
- 122.** Article 900 of the Code is amended by replacing “alienation” in the second paragraph by “disposition”.
- 123.** Article 909 of the Code is amended by striking out “shares of the capital stock or common” in the first paragraph.
- 124.** Article 912 of the Code is amended by replacing “take legal action” by “take part in judicial proceedings”.
- 125.** Article 943 of the Code is amended by replacing “takes legal action” in paragraph 2 by “institutes judicial proceedings”.
- 126.** Article 951 of the Code is amended by replacing “rights of the State” in the second paragraph by “public rights”.
- 127.** Article 976 of the Code is amended by replacing “custom” by “usage”.

128. Article 1014 of the Code is amended by replacing “the expected length of indivision” by “the term provided for the indivision”.

129. Article 1017 of the Code is amended by replacing “right of exclusive use or enjoyment” and “also has exclusive use or enjoyment” by “right of use or exclusive enjoyment” and “also has the use or exclusive enjoyment”, respectively.

130. Article 1020 of the Code is amended by replacing “any loss which by his doing decreases” in the second paragraph by “losses resulting from his act or omission that decrease”.

131. Article 1023 of the Code is amended

(1) by replacing “sell the share of an undivided co-owner” in the first paragraph by “cause the share of a co-owner to be sold”;

(2) by replacing “has no” in the second paragraph by “may not set up his”.

132. Article 1032 of the Code is amended

(1) by inserting “immediate” before “partition” in the first paragraph;

(2) by replacing “too high a risk” in the second paragraph by “presents great risks”.

133. Article 1046 of the Code is amended by replacing “proportionate” by “equal”.

134. Article 1050 of the Code is amended by striking out “real” in the first paragraph.

135. Article 1051 of the Code is amended by replacing “preferences” by “prior claims”.

136. Article 1070 of the Code is amended by inserting “, where applicable,” before “and all other documents” in the second paragraph.

137. Article 1077 of the Code is amended by replacing “counterclaim” by “recursory action”.

138. Article 1087 of the Code is amended by replacing “the general terms” by “the essential terms”.

139. Article 1089 of the Code is amended by replacing “second” in the second paragraph by “new”.

140. Article 1094 of the Code is amended by replacing “voting rights” by “right to vote”.

141. Article 1096 of the Code is amended by inserting “vote” after “majority”.

142. Article 1097 of the Code is amended by replacing “majority vote of the” in the portion before paragraph 1 by “majority of”.

143. Article 1098 of the Code is amended by replacing “majority vote” in the portion before paragraph 1 by “majority”.

144. Article 1106 of the Code is amended by inserting “that he considers” before “necessary” in the second paragraph.

145. Article 1138 of the Code is amended by replacing “preserved” by “retained”.

146. Article 1155 of the Code is amended by replacing “preserve” by “retain”.

147. Article 1158 of the Code is amended

(1) by replacing “legal proceedings” in the first paragraph by “judicial applications”;

(2) by replacing “proceedings” in the second paragraph by “applications”.

148. Article 1168 of the Code is amended by replacing “be declared to have forfeited his right” in the first paragraph by “forfeit his right”.

149. Article 1172 of the Code is amended by replacing “enjoy” by “use”.

150. Article 1195 of the Code is amended by replacing “enjoyment” in the first paragraph by “use”.

151. Article 1200 of the Code is amended by replacing “use” in the second paragraph by “utility”.

152. Article 1205 of the Code is amended by striking out “real”.

153. Article 1215 of the Code is amended by replacing “however” by “in particular”.

154. Article 1220 of the Code is amended by replacing “that is subject to no other indication” by “, placed on the donee or legatee without further indication,”.

155. Article 1256 of the Code is amended

- (1) by replacing “durable” in the first paragraph by “lasting”;
- (2) by replacing “main” in the second paragraph by “essential”.

156. Article 1259 of the Code is amended by replacing “the initial property of the trust foundation”, “substituted therefor” and “substance of the initial property” by “the property forming the initial patrimony of the trust foundation”, “subrogated” and “substance of the patrimony”, respectively.

157. Article 1263 of the Code is amended by replacing “The purpose of an onerous trust established by contract may be to secure” in the first paragraph by “A trust established by onerous contract may have as its object the guarantee of”.

158. Article 1268 of the Code is amended by replacing “a thing” by “corporeal property”.

159. Article 1269 of the Code is amended by replacing “shareholders” by “holders of securities”.

160. Article 1270 of the Code is amended by replacing “main” in the second paragraph by “essential”.

161. Article 1282 of the Code is amended by replacing “may appoint” in the second paragraph by “is to appoint”.

162. Article 1291 of the Code is amended by replacing “take legal action” and “to act or is prevented from acting” by “take part in judicial proceedings” and “to do so or is prevented from doing so”, respectively.

163. Article 1294 of the Code is amended by replacing “substitute another closely related purpose for the original purpose of the trust” in the first paragraph by “substitute, for the original purpose of the trust, a purpose as nearly like it as possible”.

164. Article 1306 of the Code is amended by replacing “appropriate it to a purpose” by “secure its appropriation”.

165. Article 1308 of the Code is amended by replacing “by law or” in the first paragraph by “by law and”.

166. Article 1325 of the Code is amended by replacing “the initial agreement between the administrator and the beneficiary” in the second paragraph by “an agreement to which the administrator and the beneficiary were initially parties”.

167. Article 1328 of the Code is amended by inserting “list or” after “inventory and to”.

168. Article 1338 of the Code is amended by replacing “judicial recourses” and “was duly empowered to give” in the second paragraph by “remedies” and “could validly confer”, respectively.

169. Article 1339 of the Code is amended

(1) by replacing “immovable, or by” in subparagraph *a* of paragraph 5 by “immovable or on”;

(2) by replacing “timely” in paragraph 9 by “continuous”.

170. Article 1353 of the Code is amended by replacing “these have been divided accordingly” by “the division has been respected”.

171. Article 1357 of the Code is amended by replacing “empowered to” in the first paragraph by “who may”.

172. Article 1363 of the Code is amended by replacing “their duties are terminated” in the first paragraph by “their offices are terminated”.

173. Article 1383 of the Code is amended

(1) by replacing “circumstances do” in the first paragraph by “nature of things does”;

(2) by replacing “circumstances absolutely require” in the second paragraph by “nature of things requires”.

174. Article 1384 of the Code is amended by replacing “property and services” by “property or services”.

175. Article 1387 of the Code is amended by inserting “certain” before “secondary”.

176. Article 1437 of the Code is amended by replacing “not in good faith” in the second paragraph by “contrary to the requirements of good faith”.

177. Article 1457 of the Code is amended by replacing “act or fault” in the third paragraph by “act, omission or fault”.

178. The heading of subdivision 2 before article 1459 of the Code is amended by replacing “*Act or fault*” by “*Act, omission or fault*”.

179. Article 1459 of the Code is amended by replacing “act or fault” wherever it appears by “act, omission or fault”.

180. Article 1460 of the Code is amended by replacing “act or fault” in the first paragraph by “act, omission or fault”.

181. Article 1461 of the Code is amended by replacing “any act” and “is himself guilty of a deliberate” by “an act or omission” and “has himself committed an intentional”, respectively.

182. Article 1463 of the Code is amended by replacing “agents and servants” by “subordinates”.

183. Article 1464 of the Code is amended by replacing “An agent or servant” by “A subordinate”.

184. Article 1480 of the Code is amended by replacing “wrongful act” by “wrongful act or omission”.

185. Article 1491 of the Code is amended

(1) by replacing “A person who receives a payment” and “is obliged to restore it” in the first paragraph by “A payment” and “obliges the person who receives it to make restitution”, respectively;

(2) by replacing “He is not obliged to restore it, however,” and “the claim of the person who received the undue payment in good faith” in the second paragraph by “However, a person who receives the payment in good faith is not obliged to make restitution” and “the person’s claim”, respectively.

186. Article 1512 of the Code is amended by replacing “the circumstances” in the first paragraph by “any appropriate circumstances”.

187. Article 1514 of the Code is amended by replacing “act and” in the first paragraph by “act or omission and”.

188. Article 1521 of the Code is amended by replacing “does not” by “does not, in itself,”.

189. Article 1531 of the Code is amended by replacing “act of” by “act or omission of”.

190. Article 1561 of the Code is amended by replacing “the thing” in the first paragraph by “what is”.

191. Article 1562 of the Code is amended by replacing “act or fault” by “act, omission or fault”.

192. Article 1575 of the Code is amended by replacing “it is legally proved” in the first paragraph by “it is proved”.

193. Article 1576 of the Code is amended by striking out “which is recorded”.

194. Article 1609 of the Code is replaced by the following article:

“**1609.** Acquittances, transactions or statements which the debtor, an insurer or their representatives obtain from the creditor, and which relate to the bodily or moral injury the creditor has suffered, are without effect if they are damaging to the creditor and were obtained within 30 days of the act or omission which caused the injury.”

195. Article 1616 of the Code is amended

(1) by replacing “in cash” in the first paragraph by “all at once”;

(2) by replacing “it fixes and indexed” in the second paragraph by “it fixes, which may include indexation”.

196. Article 1634 of the Code is amended by replacing “defrauding a later ranking creditor” in the second paragraph by “defrauding a subsequent creditor”.

197. Article 1636 of the Code is amended by replacing “contract or payment seized and sold and be paid according” by “juridical act seized and sold and may be paid in proportion”.

198. Article 1648 of the Code is amended by replacing “notice” in the first paragraph by “notification”.

199. Article 1650 of the Code is amended by replacing “unlawfully” by “unjustly”.

200. Article 1668 of the Code is amended by replacing “the delegatee evidently” by “it is evident that the delegatee”.

201. Article 1692 of the Code is amended by replacing “quant à ces derniers” and “ils” in the second paragraph in the French text by “quant à ces dernières” and “elles”, respectively.

202. Article 1696 of the Code is amended by striking out “by blood”.

203. Article 1699 of the Code is amended by replacing “unlawfully” in the first paragraph by “without right”.

204. Article 1701 of the Code is amended by replacing “or if the restitution” wherever it appears by “or the cause of the restitution”.

- 205.** Article 1703 of the Code is amended by replacing “expenses incurred” by “disbursements made” and by inserting “the cause of” after “faith or if”.
- 206.** Article 1704 of the Code is amended by inserting “the cause of” after “faith or if” in the second paragraph.
- 207.** Article 1705 of the Code is amended by inserting “the cause of” after “or where” in the second paragraph.
- 208.** Article 1706 of the Code is amended by replacing “derive” in the first paragraph by “retain”.
- 209.** Article 1711 of the Code is amended by replacing “deposit” by “partial payment”.
- 210.** Article 1712 of the Code is amended by replacing “the deed” by “title”.
- 211.** Article 1730 of the Code is amended by replacing “warrant the buyer in the same manner as the seller” by “a seller’s warranty”.
- 212.** Article 1732 of the Code is amended by replacing “fault” by “acts or omissions”.
- 213.** Article 1749 of the Code is amended
- (1) by replacing “original” in the second paragraph by “immediate”;
 - (2) by replacing “hands of the original”, “property by the original” and “charges with which the original” in the third paragraph by “hands of the immediate”, “property by that” and “charges with which the immediate”, respectively.
- 214.** The heading of Division I before article 1779 of the Code is amended by replacing “*rights of succession*” by “*rights in a succession*”.
- 215.** Article 1779 of the Code is amended by replacing “rights of succession” by “rights in a succession”.
- 216.** Article 1842 of the Code is amended by replacing “business” in the third paragraph by “enterprise”.
- 217.** Article 1859 of the Code is amended by inserting “or omission” after “act” in the first paragraph.
- 218.** Article 1860 of the Code is amended by inserting “or omission” after “act” wherever it appears in the second paragraph.

- 219.** Article 1864 of the Code is amended by replacing “normal aging” by “the age”.
- 220.** Article 1938 of the Code is amended by replacing “spouse or blood relative of the lessee” in the first paragraph by “spouse of the lessee, a relative”.
- 221.** Article 1990 of the Code is amended by replacing “entitled in a dwelling of the appropriate category or subcategory” in the first paragraph by “entitled to an appropriate dwelling”.
- 222.** Article 2009 of the Code is amended by replacing “for which it is intended” by “consistent with the ship’s normal destination”.
- 223.** Article 2027 of the Code is amended by replacing “general custom” in the second paragraph by “maritime customs”.
- 224.** Article 2041 of the Code is amended by replacing “states” in the first sentence of the second paragraph by “states, in particular,”.
- 225.** Article 2056 of the Code is amended by replacing “as described” in the second paragraph by “of the same nature as that described”.
- 226.** Article 2072 of the Code is amended
- (1) by replacing “or other servants” in paragraph 1 by “or subordinates”;
 - (2) by replacing “act or the fault” in paragraph 2 by “act, omission or fault”;
 - (3) by striking out “natural” in paragraph 5.
- 227.** Article 2085 of the Code is amended by replacing “undertakes for a limited period to do work for remuneration, according to the instructions and” by “undertakes, for a limited time and for remuneration, to do work”.
- 228.** Article 2088 of the Code is amended by replacing “avec loyauté” in the first paragraph in the French text by “avec loyauté et honnêteté”.
- 229.** Article 2101 of the Code is amended by striking out “specifically” and by replacing “employ” by “obtain the assistance of”.
- 230.** Article 2111 of the Code is amended by replacing “deduct” and “or poor workmanship” in the second paragraph by “withhold” and “or apparent poor workmanship”, respectively.
- 231.** Article 2112 of the Code is amended by replacing “deducted” by “withheld”.

- 232.** Article 2119 of the Code is amended by replacing “completed” in the first paragraph by “carried out by him”.
- 233.** Article 2128 of the Code is amended by replacing “qualifications” by “qualities”.
- 234.** Article 2130 of the Code is amended by replacing “are called power” in the second paragraph by “are also called power”.
- 235.** Article 2143 of the Code is amended by replacing “in the same act” in the first paragraph by “for the same act”.
- 236.** Article 2144 of the Code is amended by replacing “in respect of” in the first paragraph by “together for”.
- 237.** Article 2154 of the Code is amended by replacing “is not at fault” by “has not committed any fault”.
- 238.** Article 2174 of the Code is amended by replacing “provision” by “stipulation”.
- 239.** Article 2183 of the Code is amended by replacing “of the death” in the first paragraph by “of the event”.
- 240.** Article 2214 of the Code is amended by replacing “and there is no stipulation dividing it between them nor” by “without it being divided among them and without”.
- 241.** Article 2216 of the Code is amended by replacing “the vote of a majority” in the second paragraph by “a majority vote”.
- 242.** Article 2225 of the Code is amended by striking out “in a civil action”.
- 243.** Article 2254 of the Code is amended by replacing “use” by “service”.
- 244.** Article 2280 of the Code is amended by replacing “keep it” in the first paragraph by “keep custody of it”.
- 245.** Article 2283 of the Code is amended by replacing “the safekeeping” by “his custody”.
- 246.** Article 2302 of the Code is amended by replacing “and services” by “and the services and prestations”.
- 247.** Article 2305 of the Code is amended by replacing “issue” by “contestation”.

248. Article 2317 of the Code is amended by replacing “safekeeping” by “custody”.

249. Article 2344 of the Code is amended by replacing “original action, and” by “first demand and”.

250. Article 2357 of the Code is amended by replacing “resulting enrichment of” by “enrichment retained by”.

251. Article 2361 of the Code is amended by replacing “contrary provision” by “stipulation to the contrary”.

252. Article 2365 of the Code is amended by replacing “the act” by “an act or omission”.

253. Article 2366 of the Code is amended by replacing “capital” by “principal”.

254. Article 2367 of the Code is amended by replacing “in cash or by” in the second paragraph by “all at once or in”.

255. Article 2372 of the Code is amended by replacing “entitlement whatever to” in the first paragraph by “right to”.

256. Article 2386 of the Code is amended

(1) by replacing “debtor, and to require or order” in the first paragraph by “debtor and obtain consent to, or require an order for,”;

(2) by inserting “or omission” after “act” in the second paragraph.

257. Article 2394 of the Code is amended by replacing “accident and sickness insurance” wherever it appears by “accident or sickness insurance”.

258. Article 2396 of the Code is amended by replacing “liability he may incur for damage to a third person by reason of an injurious act” by “obligation he may incur, by reason of an injurious act or omission, to make reparation for the injury caused to another”.

259. The heading of subdivision 3 before article 2408 of the Code is amended by replacing “*of insured*” by “*of the client*”.

260. Articles 2416 and 2417 of the Code are amended by replacing “accident and sickness” in the first paragraph by “accident or sickness”.

261. Article 2419 of the Code is amended by replacing “employees” in the second paragraph by “subordinates”.

262. Article 2420 of the Code is amended by replacing “accident and sickness insurance” in the second paragraph by “accident or sickness insurance”.

263. Article 2422 of the Code is amended by replacing “accident and sickness insurance” in the first paragraph by “accident or sickness insurance”.

264. Article 2426 of the Code is amended by replacing “Accident and sickness insurance” in the first paragraph by “Accident or sickness insurance”.

265. Article 2430 of the Code is amended by replacing “accident and sickness” by “accident or sickness”.

266. Article 2433 of the Code is amended by replacing “accident and sickness insurance contract” in the first paragraph by “accident or sickness insurance contract”.

267. Article 2435 of the Code is amended by replacing “accident and sickness” in the first paragraph by “accident or sickness”.

268. Article 2436 of the Code is amended

(1) by replacing “in the policy” and “the conditions of the policy” in the first paragraph by “in the contract” and “its conditions”, respectively;

(2) by replacing “accident and sickness” and “policy” in the second paragraph by “accident or sickness” and “insurance”, respectively.

269. Article 2439 of the Code is amended

(1) by replacing “accident and sickness insurance” in the first paragraph by “accident or sickness insurance”;

(2) by replacing “policy” wherever it appears in the first paragraph by “contract”.

270. Article 2464 of the Code is amended

(1) by replacing “policy” in the first paragraph by “contract”;

(2) by replacing “acts the insured” in the second paragraph by “acts or omissions the insured”.

271. Article 2465 of the Code is amended by replacing “natural loss” by “shrinkage”.

272. The heading of Division II before article 2466 of the Code is amended by replacing “*Material change*” by “*Increase*”.

- 273.** Article 2467 of the Code is amended by replacing “any material change in the risk” in the first paragraph by “the new circumstances”.
- 274.** Article 2468 of the Code is amended by replacing “second” in the first paragraph by “secondary”.
- 275.** Article 2470 of the Code is amended by replacing “give rise to an indemnity” in the first paragraph by “fall under the coverage”.
- 276.** Article 2471 of the Code is amended by replacing “de celles-ci” in the first paragraph in the French text by “des renseignements fournis”.
- 277.** Article 2474 of the Code is amended by replacing “person responsible for the loss” and “any act” in the first paragraph by “author of the injury” and “an act or omission”, respectively.
- 278.** Article 2481 of the Code is amended by striking out “or deterioration” in the first paragraph.
- 279.** Article 2491 of the Code is amended by replacing “policies” wherever it appears by “contracts”.
- 280.** Article 2494 of the Code is amended by replacing “preferred” by “prior”.
- 281.** Article 2499 of the Code is amended by inserting “and omissions” after “acts”.
- 282.** Article 2502 of the Code is amended by replacing “right of action” by “recursory action”.
- 283.** Article 2514 of the Code is amended by replacing “A contingent or partial insurable interest subject to annulment” by “An insurable interest subject to annulment, or that is contingent or partial.”.
- 284.** Article 2518 of the Code is amended by replacing “policy attaches” in the first paragraph by “contract is formed”.
- 285.** Article 2522 of the Code is amended by replacing “policy” in the first paragraph by “contract”.
- 286.** Article 2523 of the Code is amended by replacing “policy” in the second paragraph by “contract”.
- 287.** Article 2530 of the Code is amended by inserting “in favour of an heir” at the end.

288. Article 2532 of the Code is amended by replacing “admissible in evidence” by “admissible in evidence, in particular”.

289. Article 2543 of the Code is amended by replacing “he had reason” in the second paragraph by “he had good reason”.

290. Articles 2560 and 2561 of the Code are amended by replacing “policy” in the first paragraph by “contract”.

291. Article 2563 of the Code is amended

(1) by replacing “policy” in the second paragraph by “contract”;

(2) by inserting “or movables” after “goods” in the second paragraph.

292. Article 2579 of the Code is amended by replacing “policy” by “contract”.

293. Article 2598 of the Code is amended by replacing “persons acting on his behalf” in the second paragraph by “his mandatary”.

294. Articles 2604 to 2607 and 2617 of the Code are amended by replacing “policy” wherever it appears by “contract”.

295. Article 2620 of the Code is amended

(1) by replacing “pays” and “so paid for” in the first paragraph by “indemnifies the insured” and “so insured”, respectively;

(2) by replacing “pays” in the second paragraph by “indemnifies the insured”.

296. Articles 2623 and 2626 of the Code are amended by replacing “policy” wherever it appears by “contract”.

297. Article 2633 of the Code is amended by replacing “a final judgment (*res judicata*)” in the first paragraph by “*res judicata*”.

298. Article 2636 of the Code is amended by replacing “acquired the authority of a final judgment (*res judicata*)” by “become final”.

299. Article 2646 of the Code is amended by replacing “rank equally” in the second paragraph by “claim together”.

300. Article 2650 of the Code is amended by replacing “A claim to which” and “is a prior claim” in the first paragraph by “A prior claim is a claim to which” and “according to the origin of his claim”, respectively.

- 301.** Article 2654 of the Code is amended by replacing “takes procedures in execution” in the first paragraph by “proceeds by seizure in execution”.
- 302.** Article 2658 of the Code is amended by replacing “, unliquidated or conditional claim” by “or unliquidated claim, or a claim suspended by a condition,”.
- 303.** Article 2664 of the Code is amended by replacing “formalities” in the first paragraph by “forms”.
- 304.** Article 2674 of the Code is amended
- (1) by replacing “on an individual property” in the second paragraph by “that charges certain and determinate property”;
 - (2) by replacing “proceeds” in the third paragraph by “sums of money which are proceeds”.
- 305.** Article 2680 of the Code is amended by replacing “, unliquidated or conditional claim” by “or unliquidated claim, or a claim suspended by a condition,”.
- 306.** Article 2698 of the Code is amended by replacing “its date of registration” by “its registration”.
- 307.** Article 2699 of the Code is amended by replacing “gives value” by “has performed his prestation”.
- 308.** Article 2700 of the Code is amended by replacing “purchaser” wherever it appears by “acquirer”.
- 309.** Article 2701 of the Code is amended by replacing “a purchaser” by “an acquirer”.
- 310.** Article 2704 of the Code is amended by inserting “or omission” after “act”.
- 311.** Article 2708 of the Code is amended by replacing “gives value” by “has performed his prestation”.
- 312.** Article 2713.4 of the Code is amended by inserting “by the grantor” after “money transferred” in subparagraph 1 of the first paragraph.
- 313.** Article 2726 of the Code is amended by replacing “in proportion to the work” and “to the materials” by “for the work” and “for the materials”, respectively.

- 314.** Article 2730 of the Code is amended by replacing “annual Pension Index” in the second paragraph by “basis of indexation”.
- 315.** Article 2735 of the Code is amended by replacing “legal” by “judicial”.
- 316.** The heading of Division II before article 2736 of the Code is amended by replacing “IN POSSESSION OF” by “WHO HOLD”.
- 317.** Article 2739 of the Code is amended by replacing “ageing” by “age”.
- 318.** Article 2757 of the Code is amended by replacing “made” in the second paragraph by “notified”.
- 319.** Article 2759 of the Code is amended by replacing “purchaser” and “hypothecary claims prior to the creditor’s claim” in the second paragraph by “acquirer” and “claims that take precedence over the creditor’s rights”, respectively.
- 320.** Article 2764 of the Code is amended by replacing “attested” in the second paragraph by “recorded”.
- 321.** Article 2766 of the Code is amended by replacing “a surety” by “security”.
- 322.** Article 2767 of the Code is amended by replacing “deteriorate” in the first paragraph by “depreciate”.
- 323.** Article 2780 of the Code is amended by replacing “designated by him” in the second paragraph by “it designates”.
- 324.** Article 2784 of the Code is amended by replacing “public auction” by “auction”.
- 325.** Article 2788 of the Code is amended by replacing “a sale by public auction” in the first paragraph by “an auction sale”.
- 326.** Article 2789 of the Code is amended by replacing “claims prior to” in the first paragraph by “claims that take precedence over”.
- 327.** Article 2791 of the Code is amended by replacing “public auction” in the first paragraph by “auction”.
- 328.** Article 2827 of the Code is amended by replacing “intention” by “consent”.
- 329.** Article 2838 of the Code is amended by replacing “be used to adduce” by “make”.

330. Article 2848 of the Code is amended

(1) by replacing “a final judgment (*res judicata*)” in the first paragraph by “*res judicata*”;

(2) by replacing “a final judgment” in the second paragraph by “*res judicata*”.

331. Article 2853 of the Code is amended by inserting “joined” after “issue”.

332. Article 2865 of the Code is amended by replacing “that gives an indication that the alleged fact may have occurred” by “, where it renders plausible the alleged fact”.

333. Article 2866 of the Code is amended by replacing “an action” in the first paragraph by “judicial proceedings”.

334. Article 2885 of the Code is amended by inserting “or omission” after “act” in the first paragraph.

335. Article 2896 of the Code is amended by replacing “has acquired the authority of a final judgment (*res judicata*)” in the first paragraph by “has become final”.

336. Article 2906 of the Code is amended by replacing “cohabitation” by “their community of life”.

337. Article 2908 of the Code is amended

(1) by replacing “rejetée, annulée ou que le jugement qui y fait droit n’est pas annulé” in the second paragraph in the French text by “rejetée, que le jugement qui y fait droit n’est pas annulé ou que l’autorisation qui est l’objet du jugement n’est pas déclarée caduque”;

(2) by replacing “dismissed or annulled or until the judgment granting the application for leave is set aside” in the second paragraph by “dismissed, the judgment granting the application for leave is set aside or the authorization granted by the judgment is declared lapsed”.

338. Article 2939 of the Code is amended by replacing “clauses” by “rights”.

339. Article 2941 of the Code is amended by replacing “before publication” in the second paragraph by “if they are not published”.

340. Article 2943 of the Code is amended by replacing “appropriate register or” in the second paragraph by “appropriate register and”.

341. Articles 2953 and 2954 of the Code are amended by replacing “registration” by “publication”.

342. Article 2968 of the Code is amended by replacing “acquires the authority of a final judgment (*res judicata*)” in the first paragraph by “becomes final”.

343. The heading of Title Three after article 2968 of the Code is amended by replacing “FORMALITIES” by “MODALITIES”.

344. Article 2994 of the Code is amended by replacing “acquired the authority of *res judicata*” in the second paragraph by “become final”.

345. Article 2999.1 of the Code is amended by replacing “verified” and “verification” in the third paragraph by “certified” and “certification”, respectively.

346. Article 3002 of the Code is amended by replacing “has acquired the authority of a final judgment (*res judicata*)” by “has become final”.

347. Article 3014 of the Code is amended by replacing “the registration of a right” in the first paragraph by “the publication of a right”.

348. Article 3018 of the Code is amended by replacing “owned by a person” in the second paragraph by “held by a person”.

349. Article 3028.1 of the Code is amended by replacing “recorded” and “purchasers” in the second paragraph by “preserved” and “acquirers”, respectively.

350. Article 3031 of the Code is amended by replacing “oil or gas pipelines” in the first paragraph by “petroleum products pipelines”.

351. Article 3035 of the Code is amended

(1) by replacing “pertain to” in the second paragraph by “evidence”;

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

“A real right of State resource development cannot give rise to the opening of a land file under a serial number unless ownership of the right is declared by law to be separate from ownership of the land subject to the right.”

352. Article 3038 of the Code is amended by replacing “oil or gas pipelines” in the portion before subparagraph 1 of the first paragraph by “petroleum products pipelines”.

353. Article 3042 of the Code is amended by replacing “appropriate, without formality or indemnity, a right of superficies above, on or under an immovable, for public use” in the third paragraph by “appropriate for public utility, without formality or indemnity, a right of ownership in superficies as to the surface or the subsoil of an immovable”.

354. Article 3044 of the Code is amended by replacing “registered” in the second paragraph by “published”.

355. Article 3063 of the Code is amended

(1) by replacing “rescinded” in the first paragraph by “resolved”;

(2) by replacing “It may also order cancellation” in the second paragraph by “Cancellation is also ordered”.

356. Article 3068 of the Code is amended

(1) by striking out “the registered amount thereof is” in the first paragraph;

(2) by inserting “or reduced” after “cancelled” in the second and third paragraphs.

357. Article 3073 of the Code is amended by replacing “acquired the authority of a final judgment (*res judicata*)” in the first paragraph by “become final”.

358. Article 3085 of the Code is amended by inserting “there” after “exercised” in the second paragraph.

359. Article 3098 of the Code is amended by replacing “owned” in the second paragraph by “held”.

360. Article 3099 of the Code is amended by replacing “right of succession” in the first paragraph by “successorial right”.

361. Article 3100 of the Code is amended by replacing “outside Québec” by “abroad”.

362. Article 3125 of the Code is amended by replacing “of occurrence of the act from which they derive” by “where the act or omission from which they derive occurred”.

363. Article 3126 of the Code is amended

(1) by replacing “injurious act occurred” and “person who committed the injurious act” in the first paragraph by “act or omission which occasioned the injury occurred” and “author”, respectively;

(2) by replacing “person who committed the injurious act” in the second paragraph by “author”.

364. Article 3136 of the Code is amended by replacing “cannot possibly be instituted outside Québec or where the institution of such proceedings outside Québec” by “abroad prove impossible or the institution of proceedings abroad”.

365. Article 3148 of the Code is amended by inserting “or omission” after “injurious act” in subparagraph 3 of the first paragraph.

366. Article 3155 of the Code is amended by replacing “acquired the authority of a final judgment (*res judicata*)” and “in first instance” in paragraph 4 by “become final” and “first seized of the dispute”, respectively.

367. Article 3167 of the Code is amended

(1) by replacing “has been” in the first paragraph by “would be”;

(2) by replacing “recognizes that institution; where that is the case” in the second paragraph by “provides for that institution; if it does so provide”.

368. Article 3168 of the Code is amended by replacing “injurious act which” in paragraph 3 by “injurious act or omission which”.

369. This Act comes into force on 6 April 2016.

2016, chapter 5

AN ACT TO AMEND THE ACT RESPECTING THE NATIONAL ASSEMBLY TO REFLECT CHANGES MADE TO THE DELIMITATION OF ELECTORAL DIVISIONS IN ACCORDANCE WITH THE NOTICE OF THE ESTABLISHMENT OF THE LIST OF ELECTORAL DIVISIONS DATED 12 OCTOBER 2011

Bill 93

Introduced by Madam Rita Lo de Santis, Minister responsible for Access to Information and the Reform of Democratic Institutions

Introduced 19 April 2016

Passed in principle 27 April 2016

Passed 27 April 2016

Assented to 28 April 2016

Coming into force: 28 April 2016 but has effect from 1 April 2015

Legislation amended:

Act respecting the National Assembly (chapter A-23.1)

Explanatory notes

This Act amends the Act respecting the National Assembly to entitle the Member domiciled within the electoral division of Charlevoix-Côte-de-Beaupré and more than 50 kilometres from the Parliament Building by the shortest road to the reimbursement of expenses for lodgings in the territory of Ville de Québec or in the immediate vicinity even though the Member's domicile is located in an electoral division adjacent to the territory of Ville de Québec. The Act gives effect to an agreement in principle by the members of the Office of the National Assembly.



Chapter 5

AN ACT TO AMEND THE ACT RESPECTING THE NATIONAL ASSEMBLY TO REFLECT CHANGES MADE TO THE DELIMITATION OF ELECTORAL DIVISIONS IN ACCORDANCE WITH THE NOTICE OF THE ESTABLISHMENT OF THE LIST OF ELECTORAL DIVISIONS DATED 12 OCTOBER 2011

[Assented to 28 April 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Section 104 of the Act respecting the National Assembly (chapter A-23.1) is amended by adding “, or of the Member domiciled within the electoral division of Charlevoix–Côte-de-Beaupré and more than 50 kilometres from the Parliament Building by the shortest road” at the end of subparagraph 4 of the first paragraph.
- 2.** This Act comes into force on 28 April 2016 but has effect from 1 April 2015.

2016, chapter 6 APPROPRIATION ACT NO. 2, 2016–2017

Bill 95

Introduced by Mr. Carlos J. Leitão, Minister responsible for Government Administration and Ongoing Program Review and Chair of the Conseil du trésor

Introduced 28 April 2016

Passed in principle 28 April 2016

Passed 28 April 2016

Assented to 28 April 2016

Coming into force: 28 April 2016

Legislation amended: None

Explanatory notes

This Act authorizes the Government to pay out of the general fund of the Consolidated Revenue Fund, for the 2016–2017 fiscal year, a sum not exceeding \$36,332,993,665.00, including \$213,000,000.00 for the payment of expenditures chargeable to the 2017–2018 fiscal year, representing the appropriations to be voted for each of the portfolio programs, less the appropriations already authorized.

Moreover, the Act indicates which programs are covered by a net voted appropriation. It also determines to what extent the Conseil du trésor may authorize the transfer of appropriations between programs or portfolios.

Lastly, the Act approves the balance of the expenditure and investment estimates for the special funds for the 2016–2017 fiscal year, and the excess special fund expenditures and investments for the 2014–2015 fiscal year.



Chapter 6

APPROPRIATION ACT NO. 2, 2016–2017

[Assented to 28 April 2016]

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 \$36,332,993,665.00 to defray part of the Expenditure Budget of Québec tabled in the National Assembly for the 2016–2017 fiscal year, for which provision has not otherwise been made, including an amount of \$213,000,000.00 for the payment of expenditures chargeable to the 2017–2018 fiscal year, being the amount of the appropriations to be voted for each of the programs listed in Schedules 1 and 2, less the amounts totalling \$15,332,397,535.00 of the appropriations voted pursuant to Appropriation Act No. 1, 2016–2017 (2016, chapter 2).

2. In the case of programs for which a net voted appropriation appears in the Expenditure Budget, the amount of the appropriation for the programs concerned may be increased, subject to the stipulated conditions, when the revenues associated with the net voted appropriation exceed revenue forecasts.

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

Furthermore, it may, in cases other than the transfer of a portion of an appropriation referred to in the first paragraph, authorize the transfer of a portion of an appropriation between programs in the same portfolio, insofar as such a transfer does not increase or decrease the amount of the appropriation authorized by law by more than 10%, excluding, where applicable, the portion of the appropriation for which provision has been made.

4. The balance of the expenditure and investment estimates for the special funds listed in Schedule 3 is approved for the 2016–2017 fiscal year.

5. The excess special fund expenditures and investments for the 2014–2015 fiscal year listed in Schedule 4 are approved.

6. This Act comes into force on 28 April 2016.

SCHEDULE 1

GENERAL FUND

AFFAIRES MUNICIPALES ET OCCUPATION DU TERRITOIRE

PROGRAM 1

Territorial Development	86,915,850.00
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PROGRAM 2

Municipal Infrastructure Modernization	288,441,600.00
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PROGRAM 3

Compensation in Lieu of Taxes and Financial Assistance to Municipalities	96,356,175.00
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PROGRAM 4

General Administration	46,773,975.00
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PROGRAM 5

Promotion and Development of the Metropolitan Region	49,071,220.00
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PROGRAM 6

Commission municipale du Québec	2,506,950.00
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PROGRAM 7

Housing	322,845,075.00
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PROGRAM 8

Régie du logement	15,818,400.00
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	908,729,245.00
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AGRICULTURE, PÊCHERIES ET ALIMENTATION

PROGRAM 1

Bio-food Business Development, Training and Food Quality	208,771,650.00
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PROGRAM 2

Government Bodies	336,062,825.00
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	544,834,475.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

PROGRAM 1	
Secrétariat du Conseil du trésor	65,430,975.00
PROGRAM 2	
Government Operations	142,097,475.00
PROGRAM 3	
Commission de la fonction publique	3,161,475.00
PROGRAM 4	
Retirement and Insurance Plans	3,333,375.00
PROGRAM 5	
Contingency Fund	1,016,117,175.00
PROGRAM 6	
Promotion and Development of the Capitale-Nationale	28,205,550.00
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	1,258,346,025.00

CONSEIL EXÉCUTIF

PROGRAM 1	
Lieutenant-Governor's Office	568,800.00
PROGRAM 2	
Support Services for the Premier and the Conseil exécutif	66,763,350.00
PROGRAM 3	
Canadian Intergovernmental Affairs	9,572,475.00
PROGRAM 4	
Aboriginal Affairs	185,183,875.00
PROGRAM 5	
Youth	23,984,875.00
PROGRAM 6	
Access to Information and Reform of Democratic Institutions	6,575,775.00
PROGRAM 7	
Maritime Affairs	395,225.00
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	293,044,375.00

CULTURE ET COMMUNICATIONS

PROGRAM 1

Internal Management, Centre de conservation du Québec and Conseil du patrimoine culturel du Québec	42,278,175.00
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PROGRAM 2

Support for Culture, Communications and Government Corporations	434,981,670.00
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PROGRAM 3

Charter of the French Language	21,967,200.00
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	499,227,045.00

DÉVELOPPEMENT DURABLE, ENVIRONNEMENT ET LUTTE
CONTRE LES CHANGEMENTS CLIMATIQUES

PROGRAM 1

Environmental Protection	122,578,450.00
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PROGRAM 2

Bureau d'audiences publiques sur l'environnement	3,834,825.00
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	126,413,275.00
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ÉCONOMIE, SCIENCE ET INNOVATION

PROGRAM 1	
Economic Development and Development of Innovation and Exports	239,019,425.00
PROGRAM 2	
Economic Development Fund Interventions	214,077,000.00
PROGRAM 3	
Research and Innovation Bodies	141,758,625.00
PROGRAM 4	
Status of Women	6,980,850.00
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	601,835,900.00

ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

PROGRAM 1	
Administration	129,214,125.00
PROGRAM 2	
Support for organizations	53,223,750.00
PROGRAM 3	
Financial Assistance for Education	658,038,525.00
PROGRAM 4	
Preschool, Primary and Secondary Education	6,172,522,375.00
PROGRAM 5	
Higher Education	3,734,136,000.00
PROGRAM 6	
Development of Recreation and Sports	50,890,075.00
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	10,798,024,850.00

ÉNERGIE ET RESSOURCES NATURELLES

PROGRAM 1

Management of Natural Resources	52,860,525.00
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	52,860,525.00

FAMILLE

PROGRAM 1

Planning, Research and Administration	49,349,350.00
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PROGRAM 2

Assistance Measures for Families	1,473,212,600.00
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PROGRAM 3

Condition of Seniors	21,896,925.00
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PROGRAM 4

Public Curator	37,432,875.00
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	1,581,891,750.00
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FINANCES

PROGRAM 1

Department Administration	30,138,975.00
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PROGRAM 2

Budget and Taxation Policies, Economic Analysis and Administration of Government Financial and Accounting Activities	84,261,000.00
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PROGRAM 3

Debt Service	4,500,000.00
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	118,899,975.00
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FORÊTS, FAUNE ET PARCS

PROGRAM 1

Forests	183,047,975.00
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PROGRAM 2

Wildlife and Parks	78,967,050.00
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	262,015,025.00
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IMMIGRATION, DIVERSITÉ ET INCLUSION

PROGRAM 1

Immigration, Diversity and Inclusion	224,768,475.00
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	224,768,475.00

JUSTICE

PROGRAM 1

Judicial Activity	24,569,575.00
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PROGRAM 2

Administration of Justice	200,892,950.00
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PROGRAM 3

Administrative Justice	7,373,850.00
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PROGRAM 4

Justice Accessibility	121,535,050.00
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PROGRAM 5

Bodies Reporting to the Minister	16,536,850.00
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PROGRAM 6

Criminal and Penal Prosecutions	89,581,525.00
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	460,489,800.00
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PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

PROGRAM 1

The Public Protector	11,308,050.00
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PROGRAM 2

The Auditor General	21,473,200.00
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PROGRAM 4

The Lobbyists Commissioner	2,481,750.00
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	35,263,000.00
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RELATIONS INTERNATIONALES ET FRANCOPHONIE

PROGRAM 1

International Affairs

72,761,700.00

72,761,700.00

SANTÉ ET SERVICES SOCIAUX

PROGRAM 1

Coordination Functions	104,985,825.00
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PROGRAM 2

Services to the Public	13,915,815,450.00
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PROGRAM 3

Office des personnes handicapées du Québec	9,500,775.00
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	14,030,302,050.00
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SÉCURITÉ PUBLIQUE

PROGRAM 1

Security, Prevention and Internal Management	493,004,675.00
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PROGRAM 2

Sûreté du Québec	318,932,025.00
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PROGRAM 3

Bodies Reporting to the Minister	36,561,075.00
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	848,497,775.00
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TOURISME

PROGRAM 1

Promotion and Development of
Tourism

103,496,100.00

103,496,100.00

TRANSPORTS, MOBILITÉ DURABLE ET ÉLECTRIFICATION DES
TRANSPORTS

PROGRAM 1

Infrastructures and Transportation Systems	469,099,425.00
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PROGRAM 2

Administration and Corporate Services	41,822,025.00
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510,921,450.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

PROGRAM 1

Employment Assistance Measures	536,607,925.00
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PROGRAM 2

Financial Assistance Measures	2,122,611,525.00
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PROGRAM 3

Administration	330,604,050.00
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PROGRAM 4

Labour	10,547,350.00
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	3,000,370,850.00
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	36,332,993,665.00
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SCHEDULE 2

GENERAL FUND

APPROPRIATIONS TO BE VOTED FOR EXPENDITURES
CHARGEABLE TO THE 2017–2018 FISCAL YEAR

FAMILLE

PROGRAM 2

Assistance Measures for Families	213,000,000.00	
	<hr/>	
	213,000,000.00	
		<hr/>
		213,000,000.00

SCHEDULE 3

SPECIAL FUNDS

AFFAIRES MUNICIPALES ET OCCUPATION DU TERRITOIRE

TERRITORIES DEVELOPMENT FUND

Expenditure budget	90,841,500.00
SUBTOTAL	<hr/>
Expenditure budget	90,841,500.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

NATURAL DISASTER ASSISTANCE
FUND

Expenditure budget	3,075,975.00
Investment budget	195,000.00
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SUBTOTALS	
Expenditure budget	3,075,975.00
Investment budget	195,000.00

CULTURE ET COMMUNICATIONS

AVENIR MÉCÉNAT CULTURE FUND

Expenditure budget	3,750,000.00
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QUÉBEC CULTURAL HERITAGE
FUND

Expenditure budget	13,831,725.00
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SUBTOTAL

Expenditure budget	17,581,725.00
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DÉVELOPPEMENT DURABLE, ENVIRONNEMENT ET LUTTE
CONTRE LES CHANGEMENTS CLIMATIQUES

GREEN FUND

Expenditure budget	650,317,875.00
Investment budget	4,859,925.00

SUBTOTALS

Expenditure budget	650,317,875.00
Investment budget	4,859,925.00

ÉCONOMIE, SCIENCE ET INNOVATION

MINING AND HYDROCARBON
CAPITAL FUND

Expenditure budget	356,250.00
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ECONOMIC DEVELOPMENT FUND

Expenditure budget	309,477,000.00
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SUBTOTAL

Expenditure budget	309,833,250.00
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ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

SPORTS AND PHYSICAL ACTIVITY
DEVELOPMENT FUND

Expenditure budget	50,495,625.00
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UNIVERSITY EXCELLENCE AND
PERFORMANCE FUND

Expenditure budget	18,750,000.00
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SUBTOTAL

Expenditure budget	69,245,625.00
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ÉNERGIE ET RESSOURCES NATURELLES

NATURAL RESOURCES FUND

Expenditure budget	175,758,500.00
Investment budget	573,750.00

TERRITORIAL INFORMATION FUND

Expenditure budget	86,234,475.00
Investment budget	31,208,625.00

SUBTOTALS

Expenditure budget	261,992,975.00
Investment budget	31,782,375.00

FAMILLE

CAREGIVER SUPPORT FUND

Expenditure budget	11,160,000.00
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EDUCATIONAL CHILDCARE
SERVICES FUND

Expenditure budget	1,428,713,200.00
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EARLY CHILDHOOD
DEVELOPMENT FUND

Expenditure budget	11,250,000.00
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SUBTOTAL

Expenditure budget	<hr/> 1,451,123,200.00
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FINANCES

FINANCING FUND

Expenditure budget	1,805,100.00
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FUND OF THE BUREAU DE
DÉCISION ET DE RÉVISION

Expenditure budget	2,041,125.00
Investment budget	26,250.00

NORTHERN PLAN FUND

Expenditure budget	56,071,500.00
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TAX ADMINISTRATION FUND

Expenditure budget	646,836,450.00
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SUBTOTALS

Expenditure budget	706,754,175.00
Investment budget	26,250.00

FORÊTS, FAUNE ET PARCS

NATURAL RESOURCES FUND –
SUSTAINABLE FOREST
DEVELOPMENT SECTION

Expenditure budget	341,354,675.00
Investment budget	7,500,000.00
<hr/>	
SUBTOTALS	
Expenditure budget	341,354,675.00
Investment budget	7,500,000.00

JUSTICE

ACCESS TO JUSTICE FUND

Expenditure budget	11,554,500.00
Investment budget	3,000.00

FONDS D' AIDE AUX VICTIMES
D' ACTES CRIMINELS

Expenditure budget	18,923,925.00
Investment budget	60,000.00

REGISTER FUND OF THE
MINISTÈRE DE LA JUSTICE

Expenditure budget	28,586,850.00
Investment budget	622,500.00

FUND OF THE ADMINISTRATIVE
TRIBUNAL OF QUÉBEC

Expenditure budget	30,170,850.00
Investment budget	874,275.00

PUBLIC CONTRACTS FUND

Expenditure budget	3,123,750.00
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SUBTOTALS

Expenditure budget	92,359,875.00
Investment budget	1,559,775.00

SANTÉ ET SERVICES SOCIAUX

FUND TO FINANCE HEALTH AND
SOCIAL SERVICES INSTITUTIONS

Expenditure budget	1,154,250,000.00
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HEALTH AND SOCIAL SERVICES
INFORMATION RESOURCES FUND

Expenditure budget	157,481,775.00
Investment budget	13,653,300.00

FUND FOR THE PROMOTION OF
A HEALTHY LIFESTYLE

Expenditure budget	30,128,625.00
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SUBTOTALS

Expenditure budget	1,341,860,400.00
Investment budget	13,653,300.00

SÉCURITÉ PUBLIQUE

POLICE SERVICES FUND

Expenditure budget	433,759,350.00
Investment budget	11,456,700.00
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SUBTOTALS	
Expenditure budget	433,759,350.00
Investment budget	11,456,700.00

TOURISME

TOURISM PARTNERSHIP FUND

Expenditure budget	103,087,050.00
Investment budget	337,500.00
	<hr/>
SUBTOTALS	
Expenditure budget	103,087,050.00
Investment budget	337,500.00

TRANSPORTS, MOBILITÉ DURABLE ET ÉLECTRIFICATION DES
TRANSPORTS

AIR SERVICE FUND

Expenditure budget	53,977,500.00
Investment budget	7,500,000.00

ROLLING STOCK MANAGEMENT
FUND

Expenditure budget	86,925,900.00
Investment budget	33,711,675.00

HIGHWAY SAFETY FUND

Expenditure budget	27,300,000.00
Investment budget	14.00

LAND TRANSPORTATION
NETWORK FUND

Expenditure budget	2,456,276,625.00
Investment budget	1,493,100,750.00

SUBTOTALS

Expenditure budget	2,624,480,025.00
Investment budget	1,534,312,439.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

ASSISTANCE FUND FOR INDEPENDENT
COMMUNITY ACTION

Expenditure budget	13,371,581.00
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LABOUR MARKET DEVELOPMENT
FUND

Expenditure budget	774,404,625.00
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GOODS AND SERVICES FUND

Expenditure budget	67,152,975.00
Investment budget	1,927,500.00

INFORMATION TECHNOLOGY FUND
OF THE MINISTÈRE DE L'EMPLOI ET
DE LA SOLIDARITÉ SOCIALE

Expenditure budget	15,844,575.00
Investment budget	16,087,500.00

ADMINISTRATIVE LABOUR TRIBUNAL
FUND

Expenditure budget	63,622,350.00
Investment budget	2,208,750.00

FONDS QUÉBÉCOIS D'INITIATIVES
SOCIALES

Expenditure budget	8,103,150.00
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SUBTOTALS

Expenditure budget	942,499,256.00
Investment budget	20,223,750.00

TOTALS

Expenditure budget	9,440,166,931.00
Investment budget	1,625,907,014.00

SCHEDULE 4

EXCESS SPECIAL FUND EXPENDITURES AND INVESTMENTS FOR
THE 2014–2015 FISCAL YEAR

ÉCONOMIE, SCIENCE ET INNOVATION

ECONOMIC DEVELOPMENT FUND

Expenditure budget	4,984,000.00
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SUBTOTAL	
Expenditure budget	4,984,000.00

ÉNERGIE ET RESSOURCES NATURELLES

NATURAL RESOURCES FUND

Investment budget	651,400.00
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SUBTOTAL	
Investment budget	651,400.00

FINANCES

FUND OF THE BUREAU DE
DÉCISION ET DE RÉVISION

Expenditure budget	46,800.00
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TAX ADMINISTRATION FUND

Expenditure budget	10,826,100.00
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SUBTOTAL

Expenditure budget	10,872,900.00
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JUSTICE

REGISTER FUND OF THE
MINISTÈRE DE LA JUSTICE

Expenditure budget	4,880,100.00
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SUBTOTAL	
Expenditure budget	4,880,100.00

TRANSPORTS, MOBILITÉ DURABLE ET ÉLECTRIFICATION DES
TRANSPORTSROLLING STOCK MANAGEMENT
FUND

Investment budget	8,871,800.00	
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SUBTOTAL		
Investment budget	8,871,800.00	
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TOTALS		
Expenditure budget		20,737,000.00
Investment budget		9,523,200.00

2016, chapter 7
**AN ACT RESPECTING MAINLY THE IMPLEMENTATION
OF CERTAIN PROVISIONS OF THE BUDGET SPEECH
OF 26 MARCH 2015**

Bill 74

Introduced by Mr. Carlos J. Leitão, Minister of Finance

Introduced 12 November 2015

Passed in principle 19 November 2015

Passed 17 May 2016

Assented to 18 May 2016

Coming into force: 18 May 2016, except

(1) sections 161 and 163 to 166, which come into force on 23 June 2016;

(2) sections 171 to 180, which come into force on 18 July 2016;

(3) section 10, which comes into force on 1 April 2017;

(4) the provisions of section 12, which come into force on the date or dates to be set by the Government according to the classes it determines;

(5) sections 13 to 82, 85 to 154 and 167, which come into force on the date or dates to be set by the Government

– 2016-09-01: ss. 85-93
O.C. 563-2016
G.O., 2016, Part 2, p. 2793

– 2017-04-01: ss. 94-153
O.C. 1063-2016
G.O., 2016, Part 2, p. 4203

– 2017-01-11: ss. 154, 167
O.C. 1112-2016
G.O., 2017, Part 2, p. 13

Legislation amended:

Financial Administration Act (chapter A-6.001)

Tax Administration Act (chapter A-6.002)

Public Administration Act (chapter A-6.01)

Deposit Insurance Act (chapter A-26)

Act respecting the Autorité des marchés financiers (chapter A-33.2)

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Legislation amended: (cont'd)

Cinema Act (chapter C-18.1)
Highway Safety Code (chapter C-24.2)
Act respecting financial services cooperatives (chapter C-67.3)
Act to promote workforce skills development and recognition (chapter D-8.3)
Election Act (chapter E-3.3)
Act to establish Fondation, le Fonds de développement de la Confédération des syndicats nationaux pour la coopération et l'emploi (chapter F-3.1.2)
Act to establish the Fonds de solidarité des travailleurs du Québec (F.T.Q.) (chapter F-3.2.1)
Act respecting offences relating to alcoholic beverages (chapter I-8.1)
Derivatives Act (chapter I-14.01)
Act respecting lotteries, publicity contests and amusement machines (chapter L-6)
Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2)
Act respecting the Ministère des Finances (chapter M-24.01)
Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2)
Act respecting the Ministère du Conseil exécutif (chapter M-30)
Act respecting liquor permits (chapter P-9.1)
Public Protector Act (chapter P-32)
Consumer Protection Act (chapter P-40.1)
Act respecting the Régie des alcools, des courses et des jeux (chapter R-6.1)
Act respecting the Société de développement des entreprises culturelles (chapter S-10.002)
Act respecting the Société des alcools du Québec (chapter S-13)
Act respecting the Société des loteries du Québec (chapter S-13.1)
Tobacco Act (chapter T-0.01)
Securities Act (chapter V-1.1)
Auditor General Act (chapter V-5.01)
Act to amend the Securities Act and other legislative provisions (2004, chapter 37)
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)

Legislation enacted:

Act respecting deposits with the Bureau général de dépôts pour le Québec (2016, chapter 7, section 183)

Legislation amended by the legislation enacted:

Sustainable Forest Development Act (chapter A-18.1)
Act respecting reserved designations and added-value claims (chapter A-20.03)
Act respecting commercial aquaculture (chapter A-20.2)
Charter of Ville de Montréal (chapter C-11.4)
Cities and Towns Act (chapter C-19)
Code of Penal Procedure (chapter C-25.1)
Municipal Code of Québec (chapter C-27.1)
General and Vocational Colleges Act (chapter C-29)
Act respecting municipal debts and loans (chapter D-7)
Act respecting explosives (chapter E-22)
Public Infrastructure Act (chapter I-8.3)
Education Act (chapter I-13.3)
Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)
University Investments Act (chapter I-17)
Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2)
Act respecting the marketing of agricultural, food and fish products (chapter M-35.1)

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Legislation amended by the legislation enacted: (cont'd)

Act respecting commercial fishing and commercial harvesting of aquatic plants (chapter P-9.01)
Pesticides Act (chapter P-9.3)
Food Products Act (chapter P-29)
Crop Health Protection Act (chapter P-42.1)
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)
Courts of Justice Act (chapter T-16)

Legislation repealed by the legislation enacted:

Deposit Act (chapter D-5)

Regulations amended:

Regulation respecting the fees for examination and duties payable under the Cinema Act (chapter C-18.1, r. 1)
Regulation respecting licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences (chapter C-18.1, r. 4)
Regulation respecting stamps for films (chapter C-18.1, r. 6)
Regulation respecting road vehicle registration (chapter C-24.2, r. 29)
Regulation respecting the determination of total payroll (chapter D-8.3, r. 4)
Rules respecting video lottery machines (chapter L-6, r. 3)
Regulation respecting the signing of certain deeds, documents and writings of the Ministère de la Culture et des Communications (chapter M-17.1, r. 1)
Regulation respecting duties and costs payable under the Act respecting liquor permits (chapter P-9.1, r. 3)

Explanatory notes

This Act amends and enacts numerous legislative provisions mainly to implement certain provisions of the Budget Speech of 26 March 2015.

The Act respecting the Ministère des Finances is amended to allow the Minister of Finance to set net result targets for certain state-owned enterprises. Those enterprises will be required to report on the achievement of the targets in their annual report. In addition, the Public Administration Act is amended to allow the Chair of the Conseil du trésor, together with the Minister of Finance, to develop and propose a method to the Conseil du trésor for reducing the expenditures of certain bodies and special funds in order to achieve and maintain a balanced budget. For the fiscal year beginning in 2015, the payment of any performance-based additional remuneration to management personnel of certain government bodies continues to be prohibited.

The Act respecting the Ministère de la Santé et des Services sociaux is amended to abolish the Fund to Finance Health and Social Services Institutions as of 1 April 2017, due to the gradual elimination of the health contribution.

To monitor online gambling, the Consumer Protection Act is amended to require Internet service providers to block access to illegal gambling sites entered on a list drawn up by the Société des loteries du Québec, which must report to the Régie des alcools, des courses et des jeux if service providers fail to comply with the Act. The Régie will be responsible for informing service providers of their non-compliance, and the president and chief executive officer of the Société or a person the latter designates is granted investigation powers to ensure compliance.

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Explanatory notes (cont'd)

The Act respecting liquor permits is amended to introduce a single permit per establishment and by class of permit for the sale of alcoholic beverages for consumption on the premises. Public house or “pub”, and tavern permits will be grouped with the “bar permit” class. Provision is also made for a single video lottery machine licence to be issued for each establishment for which the holder has a bar permit. The Act respecting the Société des loteries du Québec is amended to require the Government to approve the socio-economic criteria the Société applies in selecting the establishments where video lottery machines may be installed.

To simplify penalties for certain offences related to alcoholic beverages, provisions are added to the Act respecting liquor permits for the Régie des alcools, des courses et des jeux to allow the Board to impose administrative monetary penalties on permit holders for certain offences instead of automatically cancelling or suspending a permit, and, for other offences, in addition to suspending a permit.

The Act respecting the Société des loteries du Québec and the Act respecting the Ministère du Conseil exécutif are amended to withdraw the Société’s contribution to the Assistance Fund for Independent Community Action.

The Highway Safety Code and the Regulation respecting road vehicle registration are amended to provide for the collection of an acquisition duty on the registration of vehicles with a large engine displacement. A \$30,000,000 amount per fiscal year from the collection of the new acquisition duties and annual additional registration duties on vehicles with a large engine displacement will be paid into the Land Transportation Network Fund.

The Régie du cinéma is abolished and its responsibilities are transferred to the Minister of Culture and Communications. Various measures are introduced to ensure the transition and continuity of functions formerly conferred on the Régie du cinéma, including transferring the persons designated to classify films to the Ministère de la Culture et des Communications, and creating the position of director of classification within the department, under whose authority the designated persons will act. The Act also maintains the recourses against various decisions, including the possibility of applying for the review of a classification decision, in particular through the creation of a classification review committee.

The power of the Autorité des marchés financiers to establish special rules of conduct applicable to its personnel in the Securities Regulation is replaced by an obligation for its personnel’s code of conduct to include special rules and sanctions applicable in the case of transactions on securities governed by the Securities Act. The special rules and sanctions must be sent to the Minister of Finance 30 days before they are to be adopted, and the Minister may require the Authority to amend them. The Act also amends the Securities Act so that certain decisions rendered by a provincial or territorial authority and imposing conditions, restrictions or obligations on a market participant take effect automatically in Québec, and so as to amend the cancellation right of a purchaser of mutual fund shares, to introduce the obligation for dealers having received an order to purchase securities of a fund traded on an exchange to send their client a document providing an overview of the fund, and to add a cancellation right with regard to the purchase of securities of such funds.

Under the Act, the provisions concerning the mining activity management component of the Natural Resources Fund are amended to replace the reference to the financing of activities relating to the application of the Mining Tax Act by a reference to the financing of activities relating to the application of the Act respecting transparency measures in the mining, oil and gas industries.

The Bureau de décision et de révision is renamed the “Financial Markets Administrative Tribunal”. Furthermore, the members of the Financial Markets Administrative Tribunal will henceforth be required to take an oath before taking office.

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Explanatory notes (cont'd)

The concept of “officer” provided for in the constituting Acts of the labour-sponsored funds is clarified.

The Deposit Act is replaced by the Act respecting deposits with the Bureau général de dépôts pour le Québec to harmonize the legislative provisions concerning the administration of deposits with the new Code of Civil Procedure, the Civil Code of Québec and the Financial Administration Act as well as current administrative procedures. The new Act confers more responsibilities regarding judicial deposits on the Minister of Justice and specifies the roles of the Minister of Finance and the Bureau général de dépôts pour le Québec.

The Tax Administration Act is amended to specify that when an amount owed under a fiscal law gives rise to a legal hypothec, the notice of registration of the hypothec may either be served on the debtor, or notified to the debtor by registered mail.

The Act to promote workforce skills development and recognition is amended to increase the sums credited to the Workforce Skills Development and Recognition Fund and requires the Commission des partenaires du marché du travail to submit to the Minister of Employment and Social Solidarity and the Minister of Finance an annual asset allocation plan for the sums transferred to the Fund and a report on the allocation of those sums. In addition, the payroll threshold at which enterprises become subject to the Act is increased to \$2,000,000.

The Act respecting financial services cooperatives and, consequently, the Deposit Insurance Act are amended to replace the current obligation imposed on each individual credit union that is a member of a federation to file financial statements by a new obligation, imposed on the federation, to file combined financial statements that comply with international financial information standards.

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



Chapter 7

AN ACT RESPECTING MAINLY THE IMPLEMENTATION OF CERTAIN PROVISIONS OF THE BUDGET SPEECH OF 26 MARCH 2015

[Assented to 18 May 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

EFFORTS BY PUBLIC BODIES AND CONTROL OF REMUNERATION

ACT RESPECTING THE MINISTÈRE DES FINANCES

1. The Act respecting the Ministère des Finances (chapter M-24.01) is amended by inserting the following sections after section 4:

“4.1. The Minister may, for the preparation and presentation of the Government’s budgetary policies, set net result targets for state-owned enterprises, other than the Caisse de dépôt et placement du Québec, the Commission de la construction du Québec, the Commission des normes, de l’équité, de la santé et de la sécurité du travail and Retraite Québec.

The targets are set jointly with the Chair of the Conseil du trésor if a state-owned enterprise benefits from a transfer, that is, an undertaking under which the Government, a minister or a budget-funded body confers an economic benefit on the enterprise, in the fiscal year in which the target applies, for no consideration in goods or services.

For the purposes of this Act, state-owned enterprises are legal persons the majority of whose members or directors are appointed by the Government, except legal persons qualified as budget-funded bodies, institutions in the health and social services network and institutions in the education network, including Université du Québec and its constituent universities. The Minister shall post a list of the enterprises on the department’s website.

“4.2. The net result target is sent to the minister responsible for the state-owned enterprise. The Minister shall, without delay, communicate the target to the enterprise.

“4.3. A state-owned enterprise to which a net result target has been sent in accordance with section 4.2 shall report on the achievement of the target in its annual report.

“4.4. For the purposes of sections 4.1 to 4.3, the net result of a state-owned enterprise means the result presented in its own financial statements and established in accordance with the accounting standards applicable to it, and which includes the result of any entity it controls according to these standards.”

PUBLIC ADMINISTRATION ACT

2. The Public Administration Act (chapter A-6.01) is amended by inserting the following sections after section 74:

“74.1. The Conseil du trésor may approve the expenditure reduction method proposed by the Chair of the Conseil du trésor, together with the Minister of Finance, under section 77.3.

On being approved, the method is binding on any person responsible for a special fund or any body concerned.

“74.2. A body to which section 74.1 applies shall report on the application of the expenditure reduction method in its annual report whenever it is bound by the method.

“74.3. The expenditure reduction method applicable to a body may provide that any act of the body is, despite any other provision, subject to the authorization or prior approval of the Conseil du trésor, its Chair or a minister designated by the Conseil du trésor.

The Conseil du trésor may, to the extent it determines, authorize the subdelegation of the power of authorization or approval.”

3. The Act is amended by inserting the following section after section 77.2:

“77.3. The Chair of the Conseil du trésor shall, together with the Minister of Finance, develop and propose to the Conseil du trésor a method for reducing expenditures, including operating and compensation expenditures, of special funds within the meaning of section 5.1 of the Financial Administration Act (chapter A-6.001) and of bodies whose results are included in the budget balance defined in section 2 of the Balanced Budget Act (chapter E-12.00001). However, for any such bodies conducting trust transactions, the method applies, with regard to those transactions, only to operating and compensation expenditures.

In addition, the method may be developed in accordance with the first paragraph to apply to the operating and compensation expenditures of the Commission de la construction du Québec, the Commission des normes, de l'équité, de la santé et de la sécurité du travail and Retraite Québec.

When developing an expenditure reduction method, the Chair of the Conseil du trésor and the Minister shall take into account, if applicable, how probable it is that a state-owned enterprise to which the first paragraph of section 4.1 of

the Act respecting the Ministère des Finances (chapter M-24.01) applies will achieve the net result target.

The first paragraph does not apply to departments and budget-funded bodies, Hydro-Québec, the Société des loteries du Québec, the Société des alcools du Québec, Investissement Québec, institutions in the health and social services network and institutions in the education network, including Université du Québec and its constituent universities.”

ELECTION ACT

4. Section 488.2 of the Election Act (chapter E-3.3) is amended by replacing “74, 75 and 78” in the first paragraph by “74 to 75, 77.3 and 78”.

PUBLIC PROTECTOR ACT

5. Section 35.1 of the Public Protector Act (chapter P-32) is amended by replacing “74, 75 and 78” in the first paragraph by “74 to 75, 77.3 and 78”.

AUDITOR GENERAL ACT

6. Section 67 of the Auditor General Act (chapter V-5.01) is amended by replacing “74, 75 and 78” in the first paragraph by “74 to 75, 77.3 and 78”.

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

7. 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 chapter 16 of the statutes of 2013, section 42 of chapter 25 of the statutes of 2013 and section 7 of chapter 8 of the statutes of 2015, is again amended by replacing “and 2014” in the portion before subparagraph 1 of the first paragraph by “, 2014 and 2015”.

8. Section 10.1 of the Act, enacted by section 1 of chapter 2 of the statutes of 2015, is amended by replacing “and 2014” in the first paragraph by “, 2014 and 2015”.

9. Section 18 of the Act, amended by section 9 of chapter 8 of the statutes of 2015, is again amended by inserting “, or a fiscal year referred to in section 8” after “section 7, as applicable” in the first paragraph.

CHAPTER II**ABOLITION OF THE FUND TO FINANCE HEALTH AND SOCIAL SERVICES INSTITUTIONS****ACT RESPECTING THE MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX**

10. Sections 11.2 to 11.7 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2) are repealed.

SPECIAL TRANSITIONAL PROVISION

11. Where section 11.3 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2) applies to the fiscal year 2016–2017, it is to be read

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

“(1.1) the money transferred to it by the Minister of Finance, at the intervals that Minister determines, out of the money credited to the general fund and corresponding to the amount by which the money collected by the Minister of Revenue under the Taxation Act (chapter I-3) exceeds the money that would be so collected if section 750 of that Act were read without reference to its paragraph *d* and if paragraph *c* of that section were read without reference to “the lesser of \$100,000 and”;;”;

(2) by inserting “, 1.1” after “paragraphs 1” in paragraph 5.

CHAPTER III**CONSUMER PROTECTION IN ONLINE GAMBLING****CONSUMER PROTECTION ACT**

12. The Consumer Protection Act (chapter P-40.1) is amended by inserting the following after section 260.32:

“TITLE III.4**“ONLINE GAMBLING**

“260.33. For the purposes of this Title, “online gambling site” means a website on which a person may make wagers and bets through an interactive mechanism.

“260.34. The Société des loteries du Québec shall oversee the accessibility of online gambling. It shall draw up a list of online gambling sites not authorized under the laws of Québec and provide the list to the Régie des

alcools, des courses et des jeux, which shall notify it to Internet service providers.

“260.35. An Internet service provider that receives the list of unauthorized online gambling sites in accordance with section 260.34 shall, within 30 days after receiving the list, block access to those sites.

“260.36. If the Société des loteries du Québec becomes aware that an Internet service provider is not complying with section 260.35, it shall report the non-compliance to the Régie des alcools, des courses et des jeux.

In such a case, the Régie des alcools, des courses et des jeux shall send a notice to the non-compliant Internet service provider and send a copy of the notice to the Société des loteries du Québec.

“260.37. For the purposes of this Title, the Régie des alcools, des courses et des jeux and the Société des loteries du Québec may enter into an agreement on the frequency at which the list of unauthorized online gambling sites is to be updated and sent and on any other terms relating to the carrying out of this Title.”

13. Section 277 of the Act is amended by adding the following paragraph after paragraph *g*:

“(h) contravenes section 260.35.”

14. Section 278 of the Act is amended by replacing “g” in the first paragraph by “h”.

15. Section 292 of the Act is amended by inserting “, except Title III.4,” after “to supervise the application of this Act” in paragraph *a*.

16. Section 305 of the Act is amended by replacing “respecting any Act or regulation the application of which is under the supervision of the Office” in the first paragraph by “under the Office’s jurisdiction”.

17. Section 352 of the Act is amended by adding “, except Title III.4, the application of which is under the responsibility of the Minister of Public Security if it concerns the responsibilities of the Régie des alcools, des courses et des jeux, and under the responsibility of the Minister of Finance if it concerns the responsibilities of the Société des loteries du Québec” at the end.

ACT RESPECTING THE RÉGIE DES ALCOOLS, DES COURSES ET DES JEUX

18. Section 2 of the Act respecting the Régie des alcools, des courses et des jeux (chapter R-6.1) is amended by inserting “Title III.4 of the Consumer Protection Act (chapter P-40.1),” after “the Act respecting liquor permits (chapter P-9.1),” in the first paragraph.

ACT RESPECTING THE SOCIÉTÉ DES LOTERIES DU QUÉBEC

19. Section 16 of the Act respecting the Société des loteries du Québec (chapter S-13.1) is amended

(1) by striking out “also” in the second paragraph;

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

“In addition, the company shall perform the duties conferred on it by Title III.4 of the Consumer Protection Act (chapter P-40.1) in relation to online gambling.”

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

“**17.1.** The president and chief executive officer, or the person the president and chief executive officer designates for that purpose, may investigate any matter relating to the carrying out of Title III.4 of the Consumer Protection Act (chapter P-40.1).

“**17.2.** The person who conducts an investigation under section 17.1 of this Act cannot be prosecuted for acts performed in good faith in the exercise of the functions of office.”

CHAPTER IV

SINGLE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES

ACT RESPECTING LIQUOR PERMITS

21. Section 25 of the Act respecting liquor permits (chapter P-9.1) is amended by striking out “public house or “pub” permit, the tavern,”.

22. Sections 26 and 27 of the Act are repealed.

23. Section 28 of the Act is amended by striking out “, except draught beer,” in the first paragraph.

24. Section 29 of the Act is amended by striking out “, except draught beer and wine on tap,” in the first paragraph.

25. Section 30 of the Act is amended by striking out “, except draught beer and wine on tap,”.

26. Section 33 of the Act is amended by striking out “, except draught beer or wine on tap,”.

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

“35.1. The board shall issue one permit only for each class of permit that may be used in an establishment. Once issued, the permit covers all the rooms and terraces for which it was applied for.”

28. Section 40 of the Act is amended by replacing paragraphs 2 and 2.1 by the following paragraphs:

“(2) provide the address of the establishment and specify each room and terrace where the permit is to be used,

“(2.1) file a detailed floor plan of the rooms and terraces where the permit is to be used, and”.

29. Section 46.1 of the Act is amended by replacing “in a room or on a terrace” by “in each room and on each terrace”.

30. Section 47 of the Act is amended by replacing “in which room or on which terrace” and “to the premises” in the first paragraph by “the rooms and terraces where” and “to each of those places”, respectively.

31. Section 50 of the Act is amended by striking out “public house or “pub” permit or tavern permit,” in the fifth paragraph.

32. Section 63 of the Act is amended by striking out “, a public house or “pub” permit or a tavern permit” in the second paragraph.

33. Section 66 of the Act is replaced by the following section:

“66. The permit must be posted, in public view, at the main entrance of the establishment covered by the permit.

In the case of a permit to sell alcoholic beverages for consumption on the premises, a price list of the alcoholic beverages sold in the establishment covered by the permit must also be posted in each room or on each terrace where the permit is used. However, the holder of a restaurant sales permit may make the price list available to patrons in another manner.

In the case of a grocery permit, a price list of the beer sold in the establishment covered by the permit must be posted in each room where the permit is used.”

34. Section 68 of the Act is amended by replacing “, bar permit, public house or “pub” permit or tavern permit” in the first paragraph by “or bar permit”.

35. The Act is amended by inserting the following section after the heading of subdivision 3 of Division IV of Chapter III:

“69.1. Not more than one permit may be used at the same time in any room or on any terrace.”

36. Section 74 of the Act is amended by replacing “the room or terrace” in the first paragraph by “each room or terrace”.

37. Section 74.1 of the Act is amended by replacing “floor plan of the room or terrace” by “detailed floor plan of the rooms or terraces”.

38. Section 82 of the Act is amended

(1) by replacing “in a place other than that specified in his permit” by “in places other than those specified in his permit”;

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

“A permit holder who applies for the board’s authorization to use his permit in an additional place in his establishment must comply with the conditions provided in sections 39 and 40 that apply to him.”

39. Section 83 of the Act is amended by replacing the first paragraph by the following paragraph:

“83. A permit holder who applies to definitively change one place or all the places where he uses his permit must comply with the conditions provided in sections 39 and 40 that apply to him.”

40. Section 84 of the Act is amended by replacing “of place of use of a permit” in the first paragraph by “of any of the places covered by a permit”.

41. Section 96 of the Act is amended, in the introductory clause of the first paragraph,

(1) by inserting “an application to add a terrace to a permit,” after “application for a permit,”;

(2) by replacing “that place”, wherever it appears, by “one of the places covered by a permit”.

42. Section 97 of the Act is amended by striking out “, public house or “pub” permit or tavern permit” in paragraph 3.

43. Section 102 of the Act is amended by adding “or for the removal of a place from the list of places covered by a permit” at the end of paragraph 2.

CINEMA ACT

44. Section 92 of the Cinema Act (chapter C-18.1) is amended by striking out “pub, tavern,” in paragraph 2.

ACT RESPECTING OFFENCES RELATING TO ALCOHOLIC BEVERAGES

45. Section 83 of the Act respecting offences relating to alcoholic beverages (chapter I-8.1) is amended by replacing “paragraph *i*” in the introductory clause by “paragraphs *i* and *j*”.

46. Section 85 of the Act is amended by replacing “the room or on the terrace designated” by “the rooms or on the terraces designated”.

47. Section 103.2 of the Act is amended

(1) by striking out “public house or “pub” permit, tavern permit or” in the first paragraph;

(2) by replacing “one of these permits” in the introductory clause of the second paragraph by “that permit”.

48. Section 103.5 of the Act is amended

(1) by striking out “public house or “pub”, tavern or”;

(2) by replacing “of one of those establishments” by “of such an establishment”.

49. Section 103.6 of the Act is amended by striking out “of a public house or “pub”, of a tavern or”.

50. Section 103.9 of the Act is amended, in the first paragraph,

(1) by striking out “public house or “pub”, tavern or” in subparagraphs 2 and 3;

(2) by replacing “one of these establishments” in subparagraph 3 by “that establishment”.

51. Section 109 of the Act is amended

(1) by replacing “his permit authorizes him to sell” in paragraph 1 by “those authorized under the permit”;

(2) by replacing paragraph 5 by the following paragraph:

“(5) is the holder of a permit, and that permit is not constantly posted in public view at the main entrance of the establishment covered by the permit;”;

(3) by replacing “in the room or on the terrace where he uses it” in paragraph 6 by “in a room or on a terrace covered by the permit”.

52. Section 110.2 of the Act is repealed.

53. Section 112 of the Act is amended by striking out paragraphs 5 and 6.

54. Section 113.1 of the Act is amended by striking out “, public house or “pub” permit or tavern permit” in the first paragraph.

55. Section 120 of the Act is repealed.

ACT RESPECTING LOTTERIES, PUBLICITY CONTESTS AND AMUSEMENT MACHINES

56. Section 3 of Schedule I to the Act respecting lotteries, publicity contests and amusement machines (chapter L-6) is amended

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

“**3.** The fee for the examination of an application for the issue or the modification of a licence to make video lottery machines available for public use in the establishment for which the licence is issued is \$116.”;

(2) by adding the following sentences at the end of the second paragraph: “An amount corresponding to one-fifth of that amount is added to the duties for each video lottery machine applied for beyond the fifth one. Duties are not refundable if the number of machines installed in the establishment for which the licence is issued is less than the number of machines that the holder applied for.”;

(3) by striking out “, public house or tavern” wherever it appears in the third paragraph;

(4) by replacing the fourth paragraph by the following paragraph:

“The total amount of duties payable under this section is rounded down to the nearest dollar if it includes a dollar fraction that is less than \$0.50, or up to the nearest dollar if it includes a dollar fraction that is equal to or greater than \$0.50.”

ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC

57. Section 33.2 of the Act respecting the Société des alcools du Québec (chapter S-13) is amended

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

“33.2. Where a permit holder sells alcoholic beverages pursuant to subparagraph 1 or 2 of the second paragraph of section 24.1 or pursuant to the third paragraph of section 25, the holder is subject to the same requirements as those imposed on the holder of a permit for the sale of alcoholic beverages by sections 59, 62, 66 to 68, 73, 74.1, 75, 77.1 to 78 and 82 to 84.1 of the Act respecting liquor permits (chapter P-9.1). However, the holder of a small-scale production permit or of a brewer’s permit, as regards the sale of alcoholic beverages for consumption elsewhere than at the place where they are produced, is subject to section 60 of that Act.”;

(2) by replacing “paragraphs 4 and 5” in the second paragraph by “paragraph 5”.

ACT RESPECTING THE SOCIÉTÉ DES LOTERIES DU QUÉBEC

58. The Act respecting the Société des loteries du Québec (chapter S-13.1) is amended by inserting the following section after section 17:

“17.0.1. The Government approves the socio-economic criteria applied by the company in selecting the establishments in which it may install video lottery machines. The establishments are selected from among those for which a licence, issued under the Act respecting lotteries, publicity contests and amusement machines (chapter L-6), authorizes its holder to make such machines available for public use.”

TOBACCO ACT

59. Section 2 of the Tobacco Act (chapter T-0.01) is amended by striking out “public house, tavern or” in paragraph 8.2.

60. Section 17 of the Act is amended by striking out “public house, tavern or” in subparagraph 6 of the first paragraph.

RULES RESPECTING VIDEO LOTTERY MACHINES

61. Section 24 of the Rules respecting video lottery machines (chapter L-6, r. 3) is amended

(1) by replacing “at the disposal of the public, in the establishment for which his licence is delivered, a number of video lottery machines not exceeding the number that the licence authorises” in the first paragraph by “video lottery

machines at the disposal of the public in the establishment for which his licence is delivered”;

(2) by striking out the second paragraph.

62. Section 26 of the Rules is amended

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

“**26.** Video lottery machines may be operated in a bar for which a bar permit issued by the board is in force and not suspended.”;

(2) by replacing the introductory clause of the second paragraph by the following:

“Despite the first paragraph, the holder of a bar permit may not put video lottery machines at the disposal of the public in a room in an establishment if the board has not determined the capacity of the room, in particular in the case of a permit issued for sales or service in a room of a hotel establishment or by vending machine in such an establishment, if the capacity specified on the permit for that room is fewer than 15 people or if one of the following is specified in the section entitled “particularité d’exploitation” or the section entitled “localisation” of the permit.”;

(3) by striking out “or when the board has not determined the capacity on the permit such as minibars or distributors of alcoholic beverages operated in an establishment” in the third paragraph.

63. Sections 29 and 29.1 of the Rules are repealed.

64. Section 31 of the Rules is amended by striking out “, brasserie or tavern” in the introductory clause.

65. Section 35 of the Rules is amended by adding the following paragraph at the end:

“The holder of a site operator’s licence who wishes to modify the number of video lottery machines in his establishment or modify the place where they are installed must also send the Board such a drawing.”

SPECIAL TRANSITIONAL PROVISIONS

66. A person or partnership that, on the date of coming into force of section 21, holds a public house or “pub” permit or a tavern permit is deemed, as of that date, to hold a bar permit.

67. Section 35.1 of the Act respecting liquor permits (chapter P-9.1), enacted by section 27, and section 66 of the Act respecting liquor permits, as amended by section 33, apply from the date of the first renewal of the permit following the coming into force of section 27.

68. A person or partnership that, on the date of coming into force of section 61, holds more than one site operator's licence for the same establishment is deemed, as of that date, to hold a single licence for that establishment.

CHAPTER V

ADMINISTRATIVE MONETARY PENALTIES RELATING TO ALCOHOLIC BEVERAGES

ACT RESPECTING LIQUOR PERMITS

69. Section 53 of the Act respecting liquor permits (chapter P-9.1) is amended

(1) by replacing “and the amount of such duties” in the first paragraph by “, the amount of such duties and, where such is the case, the amount of any administrative monetary penalty owed”;

(2) by adding “and, where applicable, the amount of any administrative monetary penalty claimed” at the end of the second paragraph.

70. Section 55 of the Act is amended

(1) by inserting “or if he fails to pay an administrative monetary penalty imposed under section 86 and for which no proceeding has been brought before the Administrative Tribunal of Québec” after “54” in the first paragraph;

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

“However, the board may decide that the permit is not cancelled if the holder proves, before the board has officially ascertained the permit's cancellation by operation of law, that he had reasonable grounds for not complying with section 53 or 54 or not paying the amount claimed under section 86 and if he pays the annual duties and the administrative monetary penalty.”

71. Section 79 of the Act is amended by replacing “it may impose, as an additional requirement, the payment of additional charge of \$500” in the third paragraph by “an administrative monetary penalty in the amount prescribed by regulation in accordance with section 85.1 is imposed as an additional requirement”.

72. The heading of Division VI of Chapter III of the Act is replaced by the following heading:

“PENALTIES”.

73. The Act is amended by inserting the following sections after section 85:

“**85.1.** The board may impose an administrative monetary penalty in an amount prescribed by regulation if

(1) the permit holder is in contravention of section 72.1 due to a quantity of non-compliant alcoholic beverages not exceeding 3 litres of spirits, 6 litres of wine or 10 litres of beer being found during the same visit;

(2) the permit holder keeps or allows to be kept in his establishment 10 or fewer containers of alcoholic beverages containing an insect, unless that insect is an ingredient used in making those alcoholic beverages;

(3) the permit holder has contravened the second paragraph of section 79 by using a liquor permit without having applied for a temporary authorization to use it despite being required to do so;

(4) the permit holder did not pay the duties payable for the permit within the time limit set out in section 53; or

(5) the permit holder is guilty of a failure to comply referred to in the regulation made under paragraph 15.2 of section 114.

“**85.2.** If an administrative monetary penalty is imposed on a holder for a failure to comply under section 85.1, the board notifies a notice of claim to the holder.

Such a notice must state

(1) the amount claimed and the reasons for it;

(2) the terms of payment of the amount claimed;

(3) the way the notice of claim may be contested; and

(4) that the holder will be convened to a hearing before the board if the holder fails to pay the amount owed and that this failure could result in the cancellation by operation of law of his permit.”

74. Section 86 of the Act is amended

(1) in the first paragraph,

(a) by replacing “sections 70 to 72, 73, section 74.1, 75, the second paragraph of section 76 or section 78, 82 or 84.1, or refuses or neglects to comply with the requirements of the board contemplated in section 110” in subparagraph 8 by “section 75 or 78”;

(b) by adding the following subparagraphs after subparagraph 10:

“(11) the permit holder contravenes section 72.1, except in the case of a failure to comply for which an administrative monetary penalty is prescribed by regulation;

“(12) the permit holder keeps or allows to be kept in the establishment more than 10 containers of alcoholic beverages containing an insect, unless that insect is an ingredient used in making those alcoholic beverages; or

“(13) an administrative monetary penalty was imposed on the permit holder under section 85.1 for the same failure to comply in the preceding three years.”;

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

“The board may, instead of cancelling or suspending a permit for a reason set out in the first paragraph, impose on the permit holder an administrative monetary penalty in an amount not exceeding \$100,000.

In determining the penalty for contravening section 72.1, the board shall consider in particular the following factors:

(1) the quantity of alcoholic beverages or the number of video lottery machines involved;

(2) whether the alcoholic beverages involved are of bad quality or unfit for consumption;

(3) whether the alcoholic beverages involved were made fraudulently or are adulterated;

(4) whether the permit holder involved contravened section 72.1 in the preceding five years;

(5) whether the alcoholic beverages involved are not marketed by the Société des alcools du Québec and are not made, bottled or delivered in accordance with a permit issued under the Act respecting the Société des alcools du Québec (chapter S-13).”;

(3) in the second paragraph,

(a) by striking out “public house or “pub” permit, tavern permit or” in subparagraph 1;

(b) by striking out subparagraph 4;

(c) by adding the following subparagraph after subparagraph 5:

“(6) the permit holder fails to pay the administrative monetary penalty after it is imposed on the holder in accordance with paragraphs 1 to 3 and 5 of section 85.1 and for which the time limit for contesting has expired.”;

(4) by striking out the third paragraph;

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

“The board may add an administrative monetary penalty to a permit suspension for a reason set out in this section. The amount of the penalty may not exceed \$100,000.”

75. Section 86.0.1 of the Act is amended by adding the following paragraph at the end:

“The board may, instead of cancelling or suspending an authorization, impose on the permit holder an administrative monetary penalty in an amount not exceeding \$10,000.”

76. Section 86.3 of the Act is repealed.

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

87. The board may, in addition to imposing an administrative monetary penalty for contravening sections 70 to 73, 74.1, the second paragraph of section 76, section 82 or 84.1 or for refusing or neglecting to comply with the board’s requirements under section 110, or instead of imposing an administrative monetary penalty or cancelling or suspending a permit for contravening section 75 or 78, order the permit holder to take the necessary corrective measures within the time it specifies or to restrict, for the period it determines, the hours during which the permit may be used.

The board may also issue an order relating to the necessary corrective measures instead of imposing an administrative monetary penalty or cancelling or suspending a permit for a reason set out in subparagraph 2, 6 or 7 of the first paragraph of section 86.”

78. Section 87.1 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “such a restriction is imposed” in the introductory clause of the second paragraph by “a restriction on the hours during which a permit may be used is imposed under section 87”.

79. Section 89.1 of the Act is amended by replacing “bar permit, public house or “pub” permit or tavern permit” and “the second” in the first paragraph

by “permit authorizing alcoholic beverages to be sold or served for consumption on the premises” and “subparagraph 8 of the first paragraph or in the fourth”, respectively.

80. Section 114 of the Act is amended

(1) by replacing “a room or a terrace thereof” in paragraph 7 by “each room or on each terrace of the establishment”;

(2) by inserting the following paragraphs before paragraph 16:

“(15.1) determining the amount of the administrative monetary penalty for each failure to comply provided for in paragraphs 1 to 4 of section 85.1 on the basis of the types of alcoholic beverages and the quantities specified per container or otherwise;

“(15.2) determining when failure to comply with this Act, the Act respecting offences relating to alcoholic beverages and the regulations made under them may be subject to an administrative monetary penalty and determining the amount of such penalty on the basis of the types of alcoholic beverages and the quantities specified per container or otherwise; and”.

ACT RESPECTING THE RÉGIE DES ALCOOLS, DES COURSES ET DES JEUX

81. Section 29 of the Act respecting the Régie des alcools, des courses et des jeux (chapter R-6.1) is amended

(1) by adding “and impose an administrative monetary penalty for a failure to comply under section 85.1 of the Act respecting liquor permits” at the end of the second paragraph;

(2) by inserting “except those arising from imposing an administrative monetary penalty under section 85.1 of the Act respecting liquor permits,” after “powers,” in the third paragraph.

REGULATION RESPECTING DUTIES AND COSTS PAYABLE UNDER THE ACT RESPECTING LIQUOR PERMITS

82. Section 6 of the Regulation respecting duties and costs payable under the Act respecting liquor permits (chapter P-9.1, r. 3) is repealed.

CHAPTER VI

MISSION OF LOTO-QUÉBEC

ACT RESPECTING THE MINISTÈRE DU CONSEIL EXÉCUTIF

83. Section 3.33 of the Act respecting the Ministère du Conseil exécutif (chapter M-30) is amended

- (1) by striking out subparagraph 1 of the first paragraph;
- (2) by striking out the second paragraph.

ACT RESPECTING THE SOCIÉTÉ DES LOTERIES DU QUÉBEC

84. Section 22.1 of the Act respecting the Société des loteries du Québec (chapter S-13.1) is repealed.

CHAPTER VII

ACQUISITION DUTY ON ROAD VEHICLES WITH A LARGE ENGINE DISPLACEMENT

HIGHWAY SAFETY CODE

85. Section 21 of the Highway Safety Code (chapter C-24.2) is amended by inserting “and an acquisition duty” after “duty” in subparagraph 6 of the first paragraph.

86. Section 619.5 of the Code is amended by replacing “is payable and fix the amount of the additional duty according to the vehicle’s engine displacement or determine the methods to calculate the additional duty” by “and an acquisition duty are payable and fix the amount of each duty according to the vehicle’s engine displacement or determine the methods to calculate them”.

87. Section 648 of the Code is amended by replacing paragraph 7 by the following paragraph:

“(7) for each fiscal year of the Government, one-half of the additional duties and acquisition duties collected monthly in respect of road vehicles of a class determined by regulation that are equipped with an engine with a displacement determined by regulation, until the sum paid into the Consolidated Revenue Fund reaches \$30,000,000, and the full amount of the duties for the remainder of the fiscal year;”.

88. Section 648.3 of the Code is repealed.

89. Section 648.4 of the Code is amended

(1) in the first paragraph,

(a) by replacing “and 5” in subparagraph 1 by “, 5 and 6”;

(b) by striking out “and the additional duty fixed by regulation in respect of a road vehicle belonging to a class determined by regulation, equipped with an engine with a displacement determined by regulation” in subparagraph 2;

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

“Despite subparagraphs 1 and 2 of the first paragraph, the portion of the duties that is not paid into the Consolidated Revenue Fund under paragraph 7 of section 648 is paid to the Société de financement des infrastructures locales du Québec.”;

(3) by replacing “the first paragraph” in the second paragraph by “this section”.

REGULATION RESPECTING ROAD VEHICLE REGISTRATION

90. Section 2.1.1 of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29) is amended by replacing “is payable” in the first paragraph by “and an acquisition duty are payable”.

91. Section 18.2 of the Regulation is amended by inserting “and the acquisition duty” after “additional duty”.

92. The Regulation is amended by inserting the following section after section 61.2:

“61.3. In respect of a road vehicle in the category of road vehicles referred to in the first paragraph of section 2.1.1, the following acquisition duty, based on engine displacement, is payable to obtain the registration of the vehicle:

(1) \$50 for a vehicle equipped with an engine with a displacement of 4 to 4.9 litres;

(2) \$100 for a vehicle equipped with an engine with a displacement of 5 to 5.9 litres;

(3) \$200 for a vehicle equipped with an engine with a displacement of 6 litres or more.”

93. The Regulation is amended by inserting the following section after section 165.1:

“**165.1.1.** No reimbursement of the acquisition duty provided for in section 61.3 will be made.”

CHAPTER VIII

INTEGRATION OF ACTIVITIES OF THE RÉGIE DU CINÉMA INTO THE MINISTÈRE DE LA CULTURE ET DES COMMUNICATIONS

CINEMA ACT

94. The Cinema Act (chapter C-18.1) is amended by inserting the following after the heading of Division I of Chapter III:

“§1. — *Organization*

“**75.1.** The position of director of classification is created within the Ministère de la Culture et des Communications.

“**75.2.** The director is appointed in accordance with the Public Service Act (chapter F-3.1.1) and exercises the functions assigned by this Act.

The director may also hold consultations on any subject related to film classification and refer to the Minister any matter that, in the director’s opinion, requires the Minister’s intervention.

The director may at any time request a print of a film that has already been classified in order to examine it.

“**75.3.** Decisions relating to film classification, other than decisions under sections 77 and 85, are made under the director’s authority by the members of the personnel of the department designated for that purpose.

The names of the designated persons are published in the *Gazette officielle du Québec*.

“**75.4.** Decisions relating to film classification are rendered in writing, substantiated and immediately sent to the persons concerned. The director may, on request or of the director’s own motion, rectify a clerical error, error in computation or other formal error in any of those decisions.

The director shall establish a directory of film classification decisions and determine their form of publication.

“§2. — *Stamps and classification*”.

95. Section 76.1 of the Act is amended

(1) by replacing “issued by the Régie” in the first paragraph by “issued by the director”;

(2) by inserting “du cinéma” after “the Régie” in the second paragraph.

96. Section 78 of the Act is amended

(1) by replacing “to the Régie in accordance with the procedure it determines by regulation” in the first paragraph by “to the director in accordance with the procedure determined by regulation of the Government”;

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

“Every person applying for a stamp shall provide the information determined by regulation of the Government and pay the amount of duties fixed by the regulation.”;

(3) by striking out “to the Régie” in the third paragraph.

97. Section 79 of the Act is amended, in the first paragraph,

(1) by replacing “with the Régie” by “with the director”;

(2) by replacing “required by the Régie to attest” by “the director requires to attest”.

98. Section 86.2 of the Act is amended by inserting “du cinéma” after “the Régie” in paragraph 4.

99. The Act is amended by inserting the following before Division II of Chapter III:

“§3. — *Review committee*

“**90.1.** A review committee is established to examine and decide review applications sent to it by the director under section 90.11.

“**90.2.** The committee is to be composed of three members appointed by the Government, on the Minister’s recommendation, after consulting with the persons or bodies the Minister considers to be representative of the sectors concerned.

In addition, the Government may, in the same manner, appoint up to three supernumerary members to act in connection with a review file on request by the chair of the committee, in the event that another member is absent or unable to act or when the number of review applications requires it.

“**90.3.** The committee members are appointed for a term of up to five years.

At the end of their term, they shall remain in office until they are reappointed or replaced.

A committee member may be reappointed only once to serve in that capacity. A supernumerary member may be reappointed up to three times.

“90.4. A vacancy on the committee is filled in accordance with the rules of appointment to the committee.

An unexplained absence from a number of consecutive meetings or repeated refusals to accept mandates, in the cases and circumstances set out in the committee’s by-laws, constitutes a vacancy.

“90.5. The Government shall designate a chair and a vice-chair from among the members of the committee.

The chair shall preside at committee meetings and direct proceedings.

The vice-chair shall assist the chair at all times and replace the chair if he is absent or unable to act.

“90.6. If a review application is referred to the committee, three members, including any supernumerary member, as applicable, are a quorum of the committee. Decisions are made by a majority vote.

“90.7. The committee shall meet on the department’s premises or any other place that the director authorizes.

A meeting may be held by remote access using any means of communication that allows each participant to speak simultaneously with the others, according to the procedure set out in the committee’s by-laws.

The Minister shall make available to the committee the resources required to perform its functions, including departmental personnel to provide the administrative support and organize the committee’s proceedings.

“90.8. Subject to this Act and its regulations, the committee shall adopt by-laws to determine, in particular, its framework of operation.

The by-laws and their amendments must be submitted to the Minister, who may approve them with or without amendment.

“90.9. The Government determines the remuneration of the committee members. They are also entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

“90.10. No committee member may be prosecuted by reason of an omission or official act done in good faith in the exercise of his functions.

“§4. — *Review*

“**90.11.** A person who has submitted a film for classification and who is not satisfied with a decision under section 75.3 may, on payment of the examination fee prescribed by government regulation, apply for a review of the decision.

The review application must be made in writing within 30 days after the date of the decision and contain a statement of the reasons invoked. The application must be sent to the director by registered mail.

The director shall send without delay any validly formulated application to the committee.

“**90.12.** Before rendering a decision, the committee shall allow the person concerned an opportunity to submit observations.

It may also require any information or document relevant to the consideration of the application.

“**90.13.** The committee may maintain, quash or amend a classification decision submitted to it for review.

“**90.14.** The committee’s decisions must be rendered in writing, substantiated and sent without delay to the persons concerned. The committee may, on request or of its own motion, rectify a clerical error, error in computation or other formal error in any of its decisions. The second paragraph of section 75.4 applies to committee decisions.”

100. Section 92.1 of the Act is amended

(1) by replacing “shall be issued by the Régie” by “is to be issued by the Minister”;

(2) by replacing “regulation of the Régie and fulfil the other conditions that are prescribed by the Régie” by “regulation of the Government and other regulatory conditions”.

101. Section 97 of the Act is amended

(1) by replacing “to the Régie” in the first paragraph by “to the Minister”;

(2) by replacing the second sentence of the first paragraph by the following sentence: “The report must include any information prescribed by regulation of the Government and must be sent at the intervals fixed in the regulation.”;

(3) by replacing “regulation of the Régie” in subparagraph 7 of the second paragraph by “regulation of the Government”;

(4) by replacing “The Régie” in the third paragraph by “The Minister”, with any necessary grammatical adjustments.

102. Section 99 of the Act is amended by replacing “by the Régie” in the first paragraph by “by the director of classification”.

103. Section 101 of the Act is amended

(1) in the first paragraph,

(a) by replacing the portion before subparagraph 2 by the following:

“**101.** The Minister may refuse to issue or renew an exhibitor’s licence or may suspend or revoke it if the person concerned

(1) or, where the person concerned is a legal person or partnership, any senior executive, director, partner or any stockholder holding more than 10% of the capital stock has been found guilty of an offence under this Act or a regulatory provision referred to in paragraph 11 of section 168 in the last two years, and has not obtained a pardon;

(1.1) or, where the person concerned is a legal person or partnership, any senior executive, director, partner or any stockholder holding more than 10% of the capital stock has been found guilty, in the two years preceding the application for a licence or the renewal of a licence, of an offence or indictable offence under the Copyright Act (Revised Statutes of Canada, 1985, chapter C-42) or the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) relating to the operation of premises where films are exhibited to the public, and has not obtained a pardon;”;

(b) by striking out “if he” in subparagraphs 2 and 4;

(c) by striking out “if he” in subparagraph 3 and by replacing “from the Régie, he” by “from the Minister, the person”;

(2) by replacing “The Régie” in the second paragraph by “The Minister”.

104. Section 106 of the Act is amended by replacing “therefor” and “the regulations of the Régie and the Government” by “to the Minister for a licence” and “the regulation of the Government”, respectively.

105. Section 108 of the Act is amended by replacing “of the Régie and not later than 31 January of each year, transmit to the Régie” in the first paragraph by “of the Government and not later than 31 January of each year, transmit to the Minister”.

106. Section 110 of the Act is amended

(1) in the first paragraph,

(a) by replacing the portion before subparagraph 2 by the following:

“110. The Minister may refuse to issue or renew a distributor’s licence or may suspend or revoke it if the person concerned

(1) or, where that person is a legal person or partnership, any senior executive, director, partner or any stockholder holding more than 10% of the capital stock has been found guilty of an offence under this Act or a regulatory provision referred to in paragraph 11 of section 168 in the last two years, and has not obtained a pardon;

(1.1) or, where that person is a legal person or partnership, any senior executive, director, partner or any stockholder holding more than 10% of the capital stock has been found guilty, in the two years preceding the application for a licence or the renewal of a licence, of an offence or indictable offence under the Copyright Act (Revised Statutes of Canada, 1985, chapter C-42) or the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) relating to the utilization of films, and has not obtained a pardon;”;

(b) by striking out “if he” in subparagraph 2 and by replacing “from the Régie, he” by “from the Minister, the person”;

(c) by striking out “if he” in subparagraph 3;

(2) by replacing “The Régie” in the second paragraph by “The Minister”.

107. Section 118 of the Act is amended, in the first paragraph,

(1) by striking out “before the Régie” in the first sentence;

(2) by replacing the second sentence by the following sentence: “The holder shall file with the Minister any document the Minister requires for that purpose.”

108. Section 122.5 of the Act is amended

(1) in the first paragraph,

(a) by replacing the portion before subparagraph 2 by the following:

“122.5. The Minister may refuse to issue or renew a video material retail dealer’s licence, suspend it or revoke it if the person concerned

(1) or, where the person concerned is a legal person or partnership, any senior executive, director, partner or any stockholder holding more than 10% of the capital stock has been found guilty of an offence under this Act or a regulatory provision referred to in paragraph 11 of section 168 in the last two years, and has not been pardoned;

(1.1) or, where the person concerned is a legal person or partnership, any senior executive, director, partner or any stockholder holding more than 10% of the capital stock has been found guilty, in the two years preceding the application for a licence or the renewal of a licence, of an offence or indictable offence under the Copyright Act (Revised Statutes of Canada, 1985, chapter C-42) or the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) relating to the utilization of video material or the operation of a video material retail outlet, and has not been pardoned;”;

(b) by striking out “if he” in subparagraphs 2 and 3;

(2) by replacing “The Régie” in the second paragraph by “The Minister”.

109. Division V of Chapter III of the Act, comprising sections 123 to 148, is repealed.

110. The Act is amended by inserting the following division after section 148:

“DIVISION V.1

“DECISIONS OF THE MINISTER

“148.1. The Minister’s decisions made under Divisions II and IV of Chapter III must be rendered in writing, substantiated and sent to the persons concerned. The Minister may, on request or of his own motion, rectify a clerical error, error in computation or other formal error in any of the Minister’s decisions.

The Minister shall establish a directory of his decisions and determine their form of publication.”

111. The heading of Division VI of Chapter III of the Act is amended by striking out “REVIEW AND”.

112. Subdivision 1 of Division VI of Chapter III, comprising sections 149 to 152, is repealed.

113. The heading of subdivision 2 of Division VI of Chapter III of the Act is struck out.

114. Section 154 of the Act is amended by replacing “by the Régie, except a decision referred to in any of sections 143, 144 and 149 to 152” by “under Divisions I, II and IV of Chapter III, except a decision under any of sections 75.3 and 90.11 to 90.14”.

115. Section 167 of the Act is amended

(1) by replacing “The Régie” in the introductory clause by “The Government”;

(2) by replacing “under its authority” in paragraph 13 by “under the authority of the Minister, the director of classification or the review committee”.

116. Section 168 of the Act is amended

(1) by replacing “the Régie” in paragraph 1 by “the Minister”, with any necessary grammatical adjustments;

(2) by replacing “the Régie” in paragraph 5 by “the director of classification”;

(3) by striking out “for every regulation made by the Régie under” in paragraph 11.

117. Section 169 of the Act is repealed.

118. Section 170 of the Act is replaced by the following section:

“**170.** Before enacting a regulation under section 167, the Government shall publish it in the *Gazette officielle du Québec*, with a notice that on the expiry of not fewer than 60 days from publication, it can be enacted. In the cases provided for in paragraphs 5, 8, 9 and 10 of that section, the Government shall also consult the associations representing the licence holders concerned.”

119. Section 175 of the Act is amended by replacing “the president or the secretary of the Régie” by “the Minister”.

120. Section 178.1 of the Act is amended

(1) by striking out “to the Régie” in paragraph 1;

(2) by replacing “the Régie” in paragraph 3 by “the director of classification or the Minister, as the case may be”;

(3) by replacing “, and for the use of, the Régie” and “from the Régie” in paragraph 4 by, respectively, “for the use of the director of classification or the Minister” and “from either of them”.

121. Section 179 of the Act is amended by striking out “of the Régie”.

122. Section 183 of the Act is repealed.

123. Section 184 of the Act is amended by striking out “of the Régie”.

124. Sections 195, 197 and 200 to 208 of the Act are repealed, subject to maintaining any remaining effect for persons to whom those sections may still apply.

125. The Act, except the amendments made under sections 96, 100, 101, 104, 105, 115, 116 and 118 of this Act, is amended by replacing every reference

to a regulation of the Régie, wherever it appears, by a reference to a regulation of the Government, with any necessary grammatical adjustments.

126. Division I of Chapter III of the Act, subject to the amendments made under section 125 of this Act and the other amendments made by this Act, is amended by replacing all occurrences of “the Régie”, “The Régie” and “to the Régie” by, respectively, “the director of classification”, “The director of classification” or “to the director of classification”, according to the context and with the necessary grammatical adjustments.

127. Divisions II, IV, VIII and IX of Chapter III of the Act, subject to the amendments made under section 125 of this Act and the other amendments made by this Act, are amended by replacing all occurrences of “The Régie”, “the Régie”, “to the Régie” and “before the Régie” by, respectively, “The Minister”, “the Minister”, “to the Minister” or “before the Minister”, according to the context and with the necessary grammatical adjustments.

FINANCIAL ADMINISTRATION ACT

128. Schedule 2 to the Financial Administration Act (chapter A-6.001) is amended by striking out “Régie du cinéma”.

ACT RESPECTING THE SOCIÉTÉ DE DÉVELOPPEMENT DES ENTREPRISES CULTURELLES

129. Section 35 of the Act respecting the Société de développement des entreprises culturelles (chapter S-10.002) is amended by striking out “or draft by-laws of the Régie du cinéma” in the second paragraph.

REGULATION RESPECTING THE FEES FOR EXAMINATION AND DUTIES PAYABLE UNDER THE CINEMA ACT

130. Section 6 of the Regulation respecting the fees for examination and duties payable under the Cinema Act (chapter C-18.1, r. 1) is amended by striking out “by the Régie du cinéma” in the third paragraph and by replacing “the Régie issues the 51st attestation of that certificate” in that paragraph by “the 51st attestation of that certificate is issued”.

131. Section 9 of the Regulation is amended by striking out “by the Régie du cinéma”.

REGULATION RESPECTING LICENCES TO OPERATE PREMISES WHERE FILMS ARE EXHIBITED TO THE PUBLIC, DISTRIBUTOR’S LICENCES AND VIDEO MATERIAL RETAIL DEALER’S LICENCES

132. Section 6 of the Regulation respecting licences to operate premises where films are exhibited to the public, distributor’s licences and video material retail dealer’s licences (chapter C-18.1, r. 4) is amended by replacing “with the head office of the Régie du cinéma or on the date on which it is posted by

registered or certified mail” by “with the Minister or on the date it is sent by registered mail”.

133. Sections 7 to 13, 36 and 41 and Division VI of the Regulation are repealed.

134. Section 22 of the Regulation is amended by replacing the introductory clause by the following introductory clause:

“**22.** The Minister may require the applicant to provide information, within the time the Minister specifies, when the Minister has reason to believe”.

135. Section 39 of the Regulation is amended by replacing “head office of the Régie” by “Minister”.

136. Sections 17, 18, 26, 31, 32 and 33 of the Regulation are amended by replacing all occurrences of “the Régie” by “the director of classification”.

137. Sections 20, 24, 25, 28, 35, 37 and 40 of the Regulation are amended by replacing all occurrences of “the Régie”, “to the Régie” and “with the Régie” by, respectively, “the Minister”, “to the Minister” and “with the Minister”, according to the context and with the necessary grammatical adjustments.

REGULATION RESPECTING STAMPS FOR FILMS

138. Section 6 of the Regulation respecting stamps for films (chapter C-18.1, r. 6) is amended by replacing “with the head office of the Régie du cinéma or on the date on which it is posted by registered or certified mail” by “with the Minister or on the date it is sent by registered mail”.

139. Sections 7 to 13, 22 and 23 and Division VI of the Regulation are repealed.

140. Section 24 of the Regulation is amended

(1) by replacing “of such a request” by “of an application to review the classification of a film”;

(2) by replacing “the Régie shall proceed in the manner prescribed in sections 8 to 13” by “the director of classification shall send the review application to the review committee in accordance with the third paragraph of section 90.11 of the Act”.

141. Sections 3, 15, 18, 20 and 21 of the Regulation are amended by replacing all occurrences of “by the Régie”, “to the Régie” and “with the Régie” by, respectively, “by the director of classification”, “to the director of classification” and “with the director of classification”.

REGULATION RESPECTING THE SIGNING OF CERTAIN DEEDS,
DOCUMENTS AND WRITINGS OF THE MINISTÈRE DE LA CULTURE
ET DES COMMUNICATIONS

142. Section 14 of the Regulation respecting the signing of certain deeds, documents and writings of the Ministère de la Culture et des Communications (chapter M-17.1, r. 1) is amended by striking out paragraph 6.

SPECIAL TRANSITIONAL PROVISIONS

143. The Minister of Culture and Communications replaces the Régie du cinéma, acquires its rights and assumes its obligations.

144. The term of the members of the Régie du cinéma in office on the date preceding the date of coming into force of this section ends on that date. The term of a member who holds the position of president of the Régie ends without any 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).

145. The activities of the Régie du cinéma are continued, without further formality, by the Minister. The classification and the review of the classification of films are under the responsibility of the director of classification or the review committee, according to their respective jurisdictions.

However, if the Régie has started to examine an application to review the classification of a film but has not rendered a decision before the date preceding the date of coming into force of this section, the review committee must allow the applicant to submit observations again. If the applicant does not wish to submit observations, the notes or minutes taken while examining the application or any recordings of discussions as well as documents and information the applicant provided to the Régie may serve in lieu of observations.

The applications are decided in accordance with the Cinema Act (chapter C-18.1) and the applicable regulatory provisions as amended by this Act.

146. The Attorney General of Québec becomes, without continuance of suit, a party to any proceedings instituted by or against the Régie du cinéma.

147. The personnel members of the Régie du cinéma become, without further formality, employees of the Ministère de la Culture et des Communications, except those who belong to the class of positions of communications officer, who become employees of the Ministère du Conseil exécutif.

148. The personnel members of the Régie du cinéma who were designated under section 136 of the Cinema Act, as it read before the date of coming into force of section 109, to classify films are the first personnel members assigned

to that duty and are deemed to have been designated in accordance with section 75.3 of that Act, enacted by section 94.

149. Unless the context indicates otherwise, in other Acts and regulations and in any other document, a reference to the Régie du cinéma or its president or secretary is a reference to the Minister of Culture and Communications, the director of classification or the review committee, according to their respective jurisdictions. However, this section does not apply to paragraph 2 of Schedule I to the Act respecting the Civil Service Superannuation Plan (chapter R-12).

150. Stamps, licences, certificates, attestations, authorizations or other titles issued or granted by the Régie du cinéma in force on the date preceding the date of coming into force of this section remain fully valid as if they had been issued or granted by the Minister or the director of classification, according to their respective jurisdictions. The same is true for decisions, orders or resolutions made by the Régie.

The Minister, director and review committee are authorized to use any document, including the documents referred to in the previous paragraph as well as forms and any means of identification already drawn up in the name of the Régie, until they are able to replace them by documents and means of identification drawn up for the Minister, director and review committee.

151. Regulations made by the Régie du cinéma are maintained where not inconsistent with the amendments under this chapter and subject to amendments that this chapter makes to such regulations. They become regulations of the Government until they are amended, repealed or replaced.

152. Within one year after the coming into force of section 143, the Government may, by regulation, adopt any other transitional provision or useful measure for the administration of the Cinema Act and its regulations.

Such a regulation is not subject to the publication requirements prescribed by section 8 of the Regulations Act (chapter R-18.1); in addition, once published and if it so provides, it may apply from any date not prior to the date of coming into force of this section.

153. The sums required for the purposes of Chapters III and IV of the Cinema Act, as amended by this Act, during the fiscal year in which section 109 comes into force are to be taken out of the Consolidated Revenue Fund, to the extent determined by the Government.

CHAPTER IX

MISCELLANEOUS PROVISIONS CONCERNING SECURITIES

ACT RESPECTING THE AUTORITÉ DES MARCHÉS FINANCIERS

154. Section 28 of the Act respecting the Autorité des marchés financiers (chapter A-33.2) is amended by inserting the following paragraphs after the first paragraph:

“Such a by-law must prescribe special rules and sanctions applicable to transactions carried out by personnel members on securities governed by the Securities Act (chapter V-1.1).

The special rules and sanctions must be sent to the Minister not later than 30 days before they are to be adopted. The Minister may, before they are adopted, specify the amendments the Authority must make to them.”

SECURITIES ACT

155. Section 29 of the Securities Act (chapter V-1.1) is amended by adding the following paragraph at the end:

“This section does not apply to an order to subscribe for or purchase a security of a mutual fund traded on an exchange or an alternative trading system.”

156. The Act is amended by inserting the following after the heading of Title III.1:

“CHAPTER I

“GENERAL PROVISIONS”.

157. The Act is amended by inserting the following after section 109.6:

“109.6.1. Any document referred to in this Title that is sent by mail is presumed to have been received by the addressee in the ordinary course of mail.

“CHAPTER II

“SENDING OF DOCUMENTS DURING SUBSCRIPTION FOR OR PURCHASE OF CERTAIN SECURITIES

“109.7. A dealer who receives, on behalf of a client, an order to subscribe for or purchase securities of a mutual fund traded on an exchange or an alternative trading system is required to send the document prescribed by regulation to the client within the time set by the regulation.

“CHAPTER III**“RIGHTS OF HOLDERS OF MUTUAL FUND SECURITIES**

“109.8. A holder of mutual fund securities may unilaterally demand the purchase or repurchase of his securities by sending a notice to that effect

(1) to the dealer referred to in section 109.7 who sent the notice of execution prescribed by regulation to the holder; or

(2) to the dealer who sent the notice of execution prescribed by regulation to the holder in any other case.

The notice must be sent to the dealer within two days after receipt of the notice of execution.

This section does not apply to holders who are themselves dealers.

“109.9. The purchase or repurchase of securities under section 109.8 is carried out by operation of law on receipt of the holder’s notice by the dealer.

The dealer shall pay the holder the price paid for the securities at the time of the subscription or purchase or, if it is less, the securities’ net asset value at the time the dealer received the holder’s notice. The dealer shall also reimburse the commissions and subscription fees paid by the holder.”

158. The heading of Chapter I before section 214 of the Act is amended by replacing “OR CIRCULAR” by “, CIRCULAR OR OTHER DOCUMENT”.

159. The Act is amended by inserting the following section after section 214:

“214.1. The holder of mutual fund securities traded on an exchange or an alternative trading system who did not receive the document referred to in section 109.7 may only claim damages from a dealer who is required to send the document to the holder in accordance with that section.”

160. Section 265 of the Act is amended by adding the following paragraph at the end:

“Despite the first paragraph of section 318, the Authority may exercise the power conferred on it by the third paragraph without allowing the person to present observations or submit documents to complete the person’s record.”

161. The heading of Division II before section 308 of the Act is replaced by the following:

**“INCORPORATION BY REFERENCE, RECOGNITION AND
RECIPROCITY OF CERTAIN DECISIONS OR AGREEMENTS**

“§1.—*Incorporation by reference and recognition*”.

162. Section 308.2.1 of the Act is amended by inserting the following paragraph after paragraph 1:

“(1.1) the status of the issuer or a category of issuer as a reporting issuer is deemed to be revoked in accordance with Title III or a regulation made for the purposes of that Title, including where that status is revoked by an extra-provincial securities commission or under extra-provincial securities laws;”.

163. The Act is amended by inserting the following after section 308.2.1:

“§2. — *Reciprocity of certain decisions or agreements*

“**308.2.1.1.** In this subdivision, unless the context indicates otherwise, “securities authority in Canada” means a securities commission or person empowered by law to regulate the securities markets in or to administer and enforce the securities laws of any province or territory of Canada, or a person prescribed by regulation, except a self-regulatory organization, exchange, clearing-house, quotation and trade reporting system or credit rating organization or the body referred to in section 71.1.

“**308.2.1.2.** If it meets the conditions set out in section 308.2.1.3, a decision rendered by a securities authority in Canada and imposing sanctions, conditions, restrictions or obligations on a person entails, by operation of law, an absolute presumption that a decision having the same effect in Québec was rendered in respect of the person by the Authority or the Tribunal, according to their respective jurisdictions.

If it meets the same conditions, an agreement entered into between a securities authority in Canada and a person and imposing sanctions, conditions, restrictions or obligations on that person entails, by operation of law, an absolute presumption that an agreement having the same effect in Québec was entered into in Québec between the person and the Authority or the Tribunal, according to their respective jurisdictions.

“**308.2.1.3.** Section 308.2.1.2 applies to a decision or agreement that

(1) is the result of findings or admissions of contravention of laws governing securities markets or of conduct contrary to the public interest; and

(2) is not based solely on a decision deemed to have been rendered by another securities authority in Canada or an agreement deemed to have been made with such an authority.

“**308.2.1.4.** If the decision or agreement that entailed an absolute presumption under section 308.2.1.2 is amended or ceases to have effect, the decision deemed to have been rendered or the agreement deemed to have been made under that section is deemed, as the case may be, to have been amended in the same way or to cease to have effect.

“308.2.1.5. On an application by a person who is subject to sanctions, conditions, restrictions or obligations imposed by the decision or agreement that entailed an absolute presumption under section 308.2.1.2, the Authority or the Tribunal, according to their respective jurisdictions, may clarify the application of that section to that person and thus bind the person as well as the Authority or the Tribunal, as the case may be.

The Authority may also present the application provided for in the first paragraph to the Tribunal.

“308.2.1.6. No one may be required to pay any amount because of the application of this subdivision.”

164. Section 318.2 of the Act is amended

(1) in the introductory clause of paragraph 1,

(a) by replacing “or section 271 or 272.2 based on a fact referred to in any of paragraphs 1 to 5” by “, section 271, the second paragraph of section 272.1 or section 272.2 based, rather than on any facts referred to in those provisions, on a fact referred to in any of paragraphs 1 to 3”;

(b) by striking out “, unless they are in regard to the following facts”;

(2) by replacing paragraphs 1 to 5 by the following:

“(1) the person was convicted, in Canada or outside Canada, of an indictable offence related to a securities transaction or activity or to conduct involving securities or of an offence under a law governing securities markets;

“(2) the person contravened, according to a court in or outside Canada, a law governing securities markets;

“(3) the person is subject to a decision imposing sanctions, conditions, restrictions or obligations that was rendered by one of the persons referred to below, or made an agreement with one of those persons that imposes sanctions, conditions, restrictions or obligations on the person:

(a) a securities authority in Canada, if the decision or agreement does not meet the conditions set out in paragraph 1 of section 308.2.1.3,

(b) a securities authority outside Canada,

(c) a self-regulatory organization recognized in Canada, or

(d) an exchange in Canada.

However, the Authority may only make a decision under the third paragraph of section 265 in a case of failure to provide disclosure that, had it occurred in Québec, could have been the subject of a decision of the Authority.

For the purposes of the first paragraph, “securities authority outside Canada” means a securities commission, self-regulatory organization, exchange or person or body empowered by law to regulate the securities markets or to administer or enforce securities laws in any jurisdiction outside of Canada.”

165. Section 323.8.1 of the Act is amended by replacing “based on a fact referred to in any of paragraphs 1 to 5” in the first paragraph by “based, rather than on any facts referred to in those provisions, on a fact referred to in any of paragraphs 1 to 3”.

166. The Act is amended by inserting the following section after section 323.8.1:

“323.8.2. The Tribunal sends a copy of any decision rendered under section 323.8.1 to the person concerned.”

167. Section 331 of the Act is amended by striking out subparagraph 8 of the first paragraph.

168. Section 331.1 of the Act is amended

(1) by inserting the following paragraph after paragraph 33.6:

“(33.6.1) determine the cases in and conditions on which the status of an issuer or a category of issuer as a reporting issuer is deemed to be revoked for the purposes of Québec securities laws, including where that status is revoked under extra-provincial securities laws for the purposes of paragraph 1.1 of section 308.2.1;”;

(2) by inserting the following paragraph after paragraph 33.9:

“(33.10) prescribe that a person is a securities authority in Canada for the purposes of the definition of “securities authority in Canada” in section 308.2.1.1;”.

ACT TO AMEND THE SECURITIES ACT AND OTHER LEGISLATIVE PROVISIONS

169. Section 32 of the Act to amend the Securities Act and other legislative provisions (2004, chapter 37) is amended by striking out section 308.1 of the Securities Act, which it enacts.

CHAPTER X**MINING ACTIVITY MANAGEMENT COMPONENT OF THE NATURAL RESOURCES FUND****ACT RESPECTING THE MINISTÈRE DES RESSOURCES NATURELLES ET DE LA FAUNE**

170. Section 17.12.12 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) is amended by replacing “Mining Tax Act (chapter I-0.4)” in subparagraph 6 of the first paragraph by “Act respecting transparency measures in the mining, oil and gas industries (chapter M-11.5)”.

CHAPITRE XI**FINANCIAL MARKETS ADMINISTRATIVE TRIBUNAL****ACT RESPECTING THE AUTORITÉ DES MARCHÉS FINANCIERS**

171. Section 32.2 of the Act respecting the Autorité des marchés financiers (chapter A-33.2) is amended by replacing “the court” by “a court of justice”.

172. Section 92 of the Act is amended by replacing “Bureau de décision et de révision” by “Financial Markets Administrative Tribunal”.

173. The Act is amended by inserting the following section after section 97:

“97.1. Before taking office, every member shall take an oath, solemnly affirming the following: “I (...) swear that I will exercise the powers and fulfill the duties of my office impartially and honestly and to the best of my knowledge and abilities.”

The oath must be taken before the president of the Tribunal. The president shall take the oath before a judge of the Court of Québec.

The writing evidencing the oath must be sent to the Minister.”

174. Section 99 of the Act is amended by replacing “chair” by “president” and “deputy chairs” by “vice-presidents”.

175. Section 104.3 of the Act is amended by replacing “the court” by “a court of justice”.

176. The Act is amended by replacing all occurrences of “chair” and “deputy chair” in sections 100, 101, 103, 104, 104.2, 104.3, 106 and 110 by, respectively, “president” and “vice-president”.

DERIVATIVES ACT

177. Section 119 of the Derivatives Act (chapter I-14.01) is amended by replacing “Board” in paragraph 4 by “Financial Markets Administrative Tribunal”.

178. Section 127 of the Act is amended, in paragraph 5,

(1) by replacing “a court” by “a court of justice”;

(2) by replacing “Board” by “Financial Markets Administrative Tribunal”.

SPECIAL TRANSITIONAL PROVISIONS

179. Unless the context indicates otherwise, in any Act, statutory instrument of such an Act or other document, where the Bureau de décision et de révision is concerned, “Bureau de décision et de révision” is replaced by “Financial Markets Administrative Tribunal”, and “Bureau”, “Board” and “board” are replaced by “Tribunal”.

180. The members of the Bureau de décision et de révision who are in office on 18 July 2016 must, not later than 60 days after that date, take the oath set out in section 97.1 of the Act respecting the Autorité des marchés financiers (chapter A-33.2), as enacted by section 173. If the oath is not taken, the member’s term of office ends on the expiry of that period.

CHAPTER XII

LABOUR-SPONSORED FUNDS

ACT TO ESTABLISH FONDATION, LE FONDS DE DÉVELOPPEMENT DE LA CONFÉDÉRATION DES SYNDICATS NATIONAUX POUR LA COOPÉRATION ET L’EMPLOI

181. Section 4.2 of the Act to establish Fondation, le Fonds de développement de la Confédération des syndicats nationaux pour la coopération et l’emploi (chapter F-3.1.2) is amended, in subparagraph 1 of the second paragraph,

(1) by inserting “or appointed” after “elected” in the introductory clause;

(2) by replacing “, in the latter case, if the person was chosen by the Fund to be a member of the subsidiary’s board of directors” in subparagraph *a* by “if the person is an officer solely because the person is a member of the Fund’s or subsidiary’s board of directors”.

ACT TO ESTABLISH THE FONDS DE SOLIDARITÉ DES
TRAVAILLEURS DU QUÉBEC (F.T.Q.)

182. Section 4.1 of the Act to establish the Fonds de solidarité des travailleurs du Québec (F.T.Q.) (chapter F-3.2.1) is amended, in subparagraph 1 of the second paragraph,

(1) by inserting “or appointed” after “elected” in the introductory clause;

(2) by replacing “, in the latter case, if the person was chosen by the Fund to be a member of the subsidiary’s board of directors” in subparagraph *a* by “if the person is an officer solely because the person is a member of the Fund’s or subsidiary’s board of directors”.

CHAPTER XIII

ACT RESPECTING DEPOSITS WITH THE BUREAU GÉNÉRAL DE
DÉPÔTS POUR LE QUÉBEC

183. The Act respecting deposits with the Bureau général de dépôts pour le Québec, the text of which appears in this chapter, is enacted.

“ACT RESPECTING DEPOSITS WITH THE BUREAU GÉNÉRAL DE
DÉPÔTS POUR LE QUÉBEC

“**CHAPTER I**

“PRELIMINARY PROVISIONS

“**1.** A general deposit office (“the Office”) is established at the Ministère des Finances under the name “Bureau général de dépôts pour le Québec”.

The function of the Office is to administer, in accordance with this Act, the following property:

(1) sums of money, securities or security entitlements deposited with it in accordance with article 1583 of the Civil Code;

(2) money collected by departments and budget-funded bodies in accordance with section 11 of the Financial Administration Act (chapter A-6.001), and the securities and security entitlements where that property constitutes a security or must be remitted to a right-holder other than a minister or a budget-funded body.

The Office carries on trust activities.

“**2.** The administration of property varies according to whether the deposit is extrajudicial or judicial.

“Extrajudicial deposits” are deposits of property referred to in subparagraph 1 of the second paragraph of section 1 or, among the property referred to in subparagraph 2 of that paragraph, deposits of property that constitutes a security of which a minister or a budget-funded body is the holder, deposits of property that are made by a surety of a tutor, a curator or another administrator of the property of others for the purpose of providing sufficient security for the suretyship, and deposits of property that must be remitted to a right-holder to be determined.

“Judicial deposits” are deposits of property referred to in subparagraph 2 of the second paragraph of section 1 if that property is received during a proceeding or in the execution of a judgment or an order.

“CHAPTER II

“EXTRAJUDICIAL DEPOSITS

“DIVISION I

“GENERAL PROVISIONS

“3. A writing, in the form determined by the Minister, stating, among other things, the object of the deposit, the act giving rise to the deposit and, if applicable, who is the right-holder, is attached to the deposit.

“4. The deposit of a security or a security entitlement requires that the Minister obtain control over it.

“5. A receipt, in the form determined by the Minister, is issued to the depositor. A duplicate receipt is issued for a deposit made for the payment of a debt which is published by its entry in a register kept by a registry office.

The receipt states, among other things, the name of the depositor, the value of the deposit, the date and the object of the deposit.

In the absence of any evidence to the contrary, the receipt is evidence of the deposit and the facts it purports to certify.

“6. The other terms governing deposits of property and remittances of property by the Office are determined by the Minister.

“7. The depositor may not withdraw the property deposited if the deposit was made as a tender in a proceeding.

“8. Unless the depositor has requested to withdraw the deposit, the property deposited is remitted, on demand, to the creditor.

Where the deposit concerns a claim that is in dispute, the property is remitted to the claimant, who sends the Office a certified true copy of the judgment

awarding the claimant the right to receive the property and includes a copy of the certificate of no appeal.

“9. A deposit made by a surety to provide sufficient security for the value of the suretyship releases the surety, on filing the receipt, from the payment of the costs of any future proceedings against the surety in relation to the suretyship.

“DIVISION II

“ADMINISTRATION FOR A MINISTER OR A BUDGET-FUNDED BODY

“10. The securities of which a minister or a budget-funded body may be the holder include, in particular, those required to carry on an activity in Québec, such as a suretyship, or to guarantee a tender or the performance of contracts awarded under the Act respecting contracting by public bodies (chapter C-65.1).

Properties to be remitted to a right-holder to be determined are properties received by a department or budget-funded body in cases where a right-holder, which by law may be determined by the Government, a minister or a budget-funded body, has not yet been determined.

“11. The deposits of proceeds from the sale of property authorized by a judge on the application of a person acting under the authority of a minister in the carrying out of a special Act that provides for the deposits to be made with the Office are considered extrajudicial deposits to which this division applies.

“12. On the application of the competent authority, the Office remits the property to the beneficiary identified by the authority.

The Office may also transfer a security or security entitlement for sufficient cash consideration for the value of the security and pay that sum to the authority.

“Competent authority” means a member of the personnel of the department or the budget-funded body for which the Office administers the property.

“13. The Office sends the authorities that so request the list of the active files and the balance for each file. In addition, it sends the authorities, if applicable, the statements regarding the security or security entitlement.

“CHAPTER III

“JUDICIAL DEPOSITS

“14. Voluntary deposits made in accordance with articles 664 to 670 of the Code of Civil Procedure (chapter C-25.01) and deposits of the proceeds of the sale of immovables due to failure to pay municipal or school taxes are considered judicial deposits.

“15. Judicial deposits are received by the clerks or other members of the personnel of the Ministère de la Justice on behalf of the Office.

“16. The Minister of Justice determines the terms for making a judicial deposit and the form the deposit must take, the cases in which a receipt must be remitted to the depositor, the form of the receipt and the information to be entered in the judicial file relating to the deposit.

The receipt states, among other things, the value and date of the deposit and the number of the file relating to the deposit. In the absence of any evidence to the contrary, the receipt is evidence of the deposit and the facts it purports to certify.

“17. The property is remitted to the right-holder in accordance with the prescriptions of law, final judgments, out of court transactions, and schemes or orders of collocation.

The person who remits property to the right-holder must inform the Office, in the form and manner it determines.

“18. The Office may give any administrative instructions relating to judicial deposits and request, each year, a statement of the sums of money received as such.

“CHAPTER IV

“ADMINISTRATION BY THE OFFICE

“19. The Office keeps separate accounts for the property it administers.

“20. The property governed by this Act may be seized in the hands of the Minister.

“21. The sums of money received by the Office are paid into the Consolidated Revenue Fund.

Except where the right-holder is a minister or a budget-funded body, the sums constitute advances and are payable to the right-holder on demand.

The Minister is authorized to take out of the Consolidated Revenue Fund the sums required for the payment to the right-holder, plus any interest payable, if applicable.

“22. The Minister may, subject to the terms the Minister determines, set a tariff of fees for extrajudicial deposits and an interest rate payable on the sums of money received as such.

“23. The sums of money advanced to the Consolidated Revenue Fund do not bear interest, except where determined by the Minister under section 22.

“24. The administration by the Office ends when the property is remitted to the right-holder or on the expiry of three years after the date on which the right-holder, other than a minister or a budget-funded body, can claim it.

In the latter case, the Office sends the Minister of Revenue a statement containing a description of the property and the information needed to identify the right-holder. The Unclaimed Property Act (chapter B-5.1) applies, with the necessary modifications, to that property.

“25. The Office sends the Minister of Revenue, in the form and manner determined by that Minister, the information related to the sums of money, from inactive savings and credit union accounts, remitted to the Minister before 1 July 1999 under section 245 of the Savings and Credit Unions Act (chapter C-4.1). The Unclaimed Property Act applies to those sums, with the necessary modifications.

“CHAPTER V

“AMENDING PROVISIONS

“GENERAL AMENDING PROVISIONS

“26. All occurrences of “Minister of Finance”, “Minister of Finance in accordance with the Deposit Act (chapter D-5)”, “Ministère des Finances”, “Ministère des Finances in accordance with the Deposit Act (chapter D-5)”, “with the Minister of Finance” and “with a financial institution in accordance with the Deposit Act (chapter D-5)” are replaced by “Bureau général de dépôts pour le Québec”, depending on the context and with the necessary grammatical adjustments, in the following provisions:

- (1) section 215 of the Sustainable Forest Development Act (chapter A-18.1);
- (2) section 43 of the Act respecting reserved designations and added-value claims (chapter A-20.03);
- (3) sections 34 and 40 of the Act respecting commercial aquaculture (chapter A-20.2);
- (4) article 130 of the Code of Penal Procedure (chapter C-25.1);
- (5) section 19.1 of the Act respecting explosives (chapter E-22);
- (6) section 307 of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14);
- (7) section 17.12.15 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2);

(8) section 45 of the Act respecting commercial fishing and commercial harvesting of aquatic plants (chapter P-9.01);

(9) section 33.2.1 of the Food Products Act (chapter P-29);

(10) section 17 of the Crop Health Protection Act (chapter P-42.1).

“27. All occurrences of “deposit in the hands of the Minister of Finance, to be managed by him,” “deposit with the Minister of Finance, to be managed by him,” “deposit with the Minister of Finance and the Economy, to be managed by that Minister,” and “entrust to the Minister of Finance, to be managed by him,” are replaced by “entrust to the Minister of Finance the management of”, depending on the context and with the necessary grammatical adjustments, in the following provisions:

(1) sections 28.1 and 28.2 of the General and Vocational Colleges Act (chapter C-29);

(2) section 85 of the Public Infrastructure Act (chapter I-8.3);

(3) sections 476 and 477.1 of the Education Act (chapter I-13.3);

(4) sections 6.1 and 6.2 of the University Investments Act (chapter I-17);

(5) sections 468 and 469 of the Act respecting health services and social services (chapter S-4.2);

(6) sections 178.0.2 and 178.0.3 of the Act respecting health services and social services for Cree Native persons (chapter S-5).

“SPECIAL AMENDING PROVISIONS

“CHARTER OF VILLE DE MONTRÉAL

“28. Section 151 of Schedule C to the Charter of Ville de Montréal (chapter C-11.4) is replaced by the following section:

“151. The deposits to which section 149 applies are considered judicial deposits for the purposes of the Act respecting deposits with the Bureau général de dépôts pour le Québec (2016, chapter 7, section 183).”

“CITIES AND TOWNS ACT

“29. Section 548 of the Cities and Towns Act (chapter C-19) is amended by replacing “to deposit the sinking fund in the office of the Minister of Finance, and the deposit has not been made” in the second paragraph by “to entrust the administration of a sinking fund to the Minister of Finance, but that mandate has not been given”.

“MUNICIPAL CODE OF QUÉBEC

“**30.** Article 963 of the Municipal Code of Québec (chapter C-27.1) is amended by replacing “deposit the same yearly in the office of the Minister of Finance, in the city of Québec” in the second paragraph by “entrust the administration of the same yearly to the Minister of Finance”.

“**31.** Article 1073 of the Code is amended by replacing “deposited yearly in the office of the Minister of Finance” in the second paragraph by “entrusted yearly to the Minister of Finance”.

“ACT RESPECTING MUNICIPAL DEBTS AND LOANS

“**32.** Section 34 of the Act respecting municipal debts and loans (chapter D-7) is amended by replacing the second paragraph by the following paragraphs:

“When such principal is otherwise repayable, the moneys intended for the sinking fund shall be sufficient every year, with the interest accrued thereon, to pay the whole of the capital at maturity. The moneys necessary to make the payments on the dates instalments, if any, fall due are taken out of the fund.

The sinking fund is administered by the Minister of Finance.”

“**33.** Section 35 of the Act is replaced by the following section:

“**35.** On the report of the Minister of Municipal Affairs and Land Occupancy to the effect that it is not in the interest of the municipality that the sinking fund be administered by the Minister of Finance, the Government may authorize that a fund required to redeem bonds issued or repay a loan contracted by that municipality be otherwise invested.”

“**34.** Section 37 of the Act is amended

(1) by replacing “deposited” in the first paragraph by “managed by the Minister of Finance”;

(2) by replacing “Ministère des Finances” in the second paragraph by “Minister of Finance”.

“**35.** Section 38 of the Act is amended by replacing “deposited” in the first paragraph by “managed by the Minister of Finance”.

“**36.** Sections 39 and 40 of the Act are repealed.

“**37.** Section 45 of the Act is amended by replacing “deposited in the office of” in the third paragraph by “entrusted to”.

“PUBLIC INFRASTRUCTURE ACT

“38. Section 57 of the Public Infrastructure Act (chapter I-8.3) is replaced by the following section:

“57. The Société assumes payment of the sums the Government is required to pay annually to municipalities, under sections 254 and 257 of the Act respecting municipal taxation (chapter F-2.1), 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 sums are paid by the Société in the manner prescribed by the regulation made under subparagraph 2 of the first paragraph of section 262 of the Act respecting municipal taxation.”

“EDUCATION ACT FOR CREE, INUIT AND NASKAPI NATIVE PERSONS

“39. Section 220 of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14) is amended by replacing “deposited yearly in the office of the Minister of Finance, at Québec” in subsection 4 by “entrusted yearly to the Minister of Finance”.

“ACT RESPECTING THE MARKETING OF AGRICULTURAL, FOOD AND FISH PRODUCTS

“40. Section 161 of the Act respecting the marketing of agricultural, food and fish products (chapter M-35.1) is amended by replacing “Deposit Act (chapter D-5)” by “Act respecting deposits with the Bureau général de dépôts pour le Québec (2016, chapter 7, section 183)”.

“ACT RESPECTING COMMERCIAL FISHING AND COMMERCIAL HARVESTING OF AQUATIC PLANTS

“41. Section 41 of the Act respecting commercial fishing and commercial harvesting of aquatic plants (chapter P-9.01) is amended by replacing the second paragraph by the following paragraph:

“The proceeds of the sale are deposited with the Bureau général de dépôts pour le Québec.”

“PESTICIDES ACT

“**42.** Section 91 of the Pesticides Act (chapter P-9.3) is amended by replacing the fifth paragraph by the following paragraph:

“The proceeds of the sale are deposited with the Bureau général de dépôts pour le Québec.”

“COURTS OF JUSTICE ACT

“**43.** Section 57 of the Courts of Justice Act (chapter T-16) is repealed.

“CHAPTER VI

“TRANSITIONAL AND FINAL PROVISIONS

“**44.** The Deposit Act (chapter D-5) is repealed.

“**45.** In any Act or statutory instrument and in any other document, a reference to the Deposit Act or any of its provisions is replaced by a reference to this Act or, if applicable, to the corresponding provision of this Act.

“**46.** The Government may, by a regulation made before 18 May 2017, amend any regulation in order to make it consistent with this Act and to modernize the form and the administration of the securities required by departments and public bodies.

“**47.** The Minister of Finance is responsible for the administration of this Act.”

CHAPTER XIV

SERVICE CONCERNING LEGAL HYPOTHECS

TAX ADMINISTRATION ACT

184. The Tax Administration Act (chapter A-6.002) is amended by inserting the following section after section 12:

“**12.0.0.1.** If an amount owed under a fiscal law gives rise to a legal hypothec, the notice of registration of the hypothec may either be served on the debtor, or notified to the debtor by registered mail.”

CHAPTER XV**WORKFORCE TRAINING****ACT TO PROMOTE WORKFORCE SKILLS DEVELOPMENT AND RECOGNITION**

185. Section 27 of the Act to promote workforce skills development and recognition (chapter D-8.3) is amended by inserting the following paragraph after paragraph 1:

“(1.1) the sums determined by the Government, after consulting with the Minister of Finance, transferred by the Minister out of the appropriations granted for that purpose by Parliament;”.

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

“**30.1.** Other than the asset allocation plan provided for in section 30, the Commission shall prepare, each year and in the form and manner determined by the Minister and the Minister of Finance, a plan for the allocation of the sums transferred to the Fund under paragraph 1.1 of section 27.

The plan must be submitted for the Ministers’ joint approval.”

187. The Act is amended by inserting the following section after section 34:

“**34.1.** The Commission shall annually submit to the Minister and the Minister of Finance, in the form and manner determined by the Ministers, a report on the allocation of the sums transferred to the Fund under paragraph 1.1 of section 27.

The report must be sent to the Minister of Education, Recreation and Sports and the Minister of Higher Education, Research, Science and Technology.”

REGULATION RESPECTING THE DETERMINATION OF TOTAL PAYROLL

188. Section 1 of the Regulation respecting the determination of total payroll (chapter D-8.3, r. 4) is amended by replacing “\$1,000,000” by “\$2,000,000”.

CHAPTER XVI**FINANCIAL REPORTS AND AUDIT OF BOOKS AND ACCOUNTS OF CERTAIN FINANCIAL SERVICES COOPERATIVES****ACT RESPECTING FINANCIAL SERVICES COOPERATIVES**

189. Section 133 of the Act respecting financial services cooperatives (chapter C-67.3) is amended by adding the following paragraphs at the end:

“However, if the cooperative is a credit union that is a member of a federation, the cooperative shall keep the books, registers and accounting records necessary to prepare its financial report and the combined financial statements.

The content of a credit union’s financial report is prescribed by a standard of the federation; the combined financial statements present, in a combined form, the financial position of the credit unions that are members of the federation.”

190. Section 139 of the Act is amended by replacing the second paragraph by the following paragraph:

“However, the books and accounts of a cooperative that is a credit union that is a member of a federation are not audited; the combined financial statements must nonetheless be audited.”

191. Section 140 of the Act is repealed.

192. Section 141 of the Act is amended by inserting the following paragraph after the first paragraph:

“The federation auditor is also responsible for auditing the combined financial statements, unless the federation’s board of directors entrusts that audit to another auditor.”

193. Section 142 of the Act is amended by replacing “a financial services cooperative” by “a federation or a credit union that is not a member of a federation”.

194. Section 144 of the Act is amended

(1) by replacing “the auditor is to audit” in the first paragraph by “that appointed the auditor”;

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

“Nor may the auditor responsible for auditing the combined financial statements be an officer, employee or associate of an officer of a credit union that is a member of the federation that appointed the auditor.”

195. Section 149 of the Act is amended by adding the following paragraph at the end:

“The auditor responsible for auditing the combined financial statements may exercise the powers under this section in respect of the board of directors, officers, mandataries and employees of the federation or of a credit union that is a member of the federation.”

196. Section 150 of the Act is amended

(1) by replacing “a report on the audit” by “the report referred to in section 151”;

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

“The auditor responsible for auditing the combined financial statements is not required to prepare such a report for that audit.”

197. Section 152 of the Act is amended

(1) by inserting “; the auditor shall also forward a copy of the written report to the federation, if the auditor is responsible for auditing the combined financial statements” at the end of the first paragraph;

(2) by striking out “, to the federation” in the third paragraph;

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

“The auditor responsible for auditing the combined financial statements is not required to submit the report described in the second paragraph. However, if, in the normal course of the audit, the auditor becomes aware of activities, operations or transactions that otherwise would have been in the report, the auditor must notify, in writing, the Authority, the federation’s board of directors and the board of supervision of the credit union concerned.”

198. Section 154 of the Act is amended by adding the following paragraph at the end:

“The first and second paragraphs do not apply to an auditor responsible for auditing the combined financial statements.”

199. Section 155 of the Act is amended by adding the following paragraph at the end:

“The first paragraph does not apply to an auditor responsible for auditing the combined financial statements.”

200. Section 158 of the Act is amended by replacing the second sentence by the following sentences: “The auditor responsible for auditing the combined financial statements shall submit a report on the audit. They shall transmit their reports to the Authority and, if applicable, to the federation.”**201.** Section 159 of the Act is amended by adding the following paragraph at the end:

“The opinion required under subparagraph 2 of the first paragraph, when given by the auditor responsible for auditing the combined financial statements,

pertains to those financial statements and not to the statements in an annual report. Similarly, rather than setting out the particulars required under subparagraphs 4 and 5 of that paragraph, the auditor shall indicate in the report whether, in the normal course of the audit, the auditor has become aware of operations, situations or transactions which may lead the auditor to believe that a credit union has not adopted adequate management practices as regards insider trading and conflicts of interest or, if such practices have been adopted, that the credit union is not in compliance with them.”

202. Section 160 of the Act is amended

(1) in the first paragraph,

(a) by replacing “financial services cooperative” by “federation or a credit union that is not a member of a federation”;

(b) by inserting “in respect of any financial services cooperative” at the end;

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

“Section 144 applies to an auditor appointed by the Authority as if the auditor had been appointed by the cooperative being audited.”

203. Section 162 of the Act is amended

(1) by inserting “, if applicable” at the end of paragraph 7;

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

“If the cooperative is a credit union that is a member of a federation, the cooperative shall replace the financial statements referred to in subparagraph 4 of the first paragraph by the financial report provided for in the second paragraph of section 133.”

204. Section 163 of the Act is amended by inserting “and the combined financial statements” after “paragraph 4 of section 162” in the first paragraph.

205. Section 253.1 of the Act is amended, in the second paragraph,

(1) by replacing “inspection and audit services” in subparagraph 1 by “inspection service”;

(2) by inserting “or, if the credit union is a member of a federation, the financial report provided for in the second paragraph of section 133” in subparagraph 3 after “audited annual financial statements”.

206. Section 259 of the Act is amended

(1) by replacing “in sections 346 and 347” in the first paragraph by “in section 346”;

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

“The board of supervision shall also adopt rules of ethics and professional conduct setting out the cases in which the auditor appointed by the credit union and the auditor’s partners, if any, may contract with the credit union, and the conditions applying to such contracts.”

207. Section 345 of the Act is amended by replacing “inspection and audit services” in paragraph 1 by “inspection service”.

208. Section 347 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “II” in the second paragraph in the French text by “Le conseil d’éthique et de déontologie”.

209. The Act is amended by inserting the following section after section 366:

“366.1. The federation is required to prepare the credit unions’ financial reports and the combined financial statements provided for in the second paragraph of section 133.

The federation shall determine the procedure for preparing the credit unions’ financial reports; the procedure must be submitted for approval to the Authority.”

210. Section 369 of the Act is amended

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

“(1.1) the content of the financial report provided for in the second paragraph of section 133;”;

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

“The standard adopted under subparagraph 1.1 of the first paragraph must be submitted for approval to the Authority.”

211. Section 386 of the Act is replaced by the following section:

“386. The federation must establish and maintain a credit union inspection service.”

212. Section 387 of the Act is replaced by the following section:

“387. The president of the federation shall appoint, for a term of five years, on the recommendation of the board of ethics and professional conduct, a person to be in charge of inspections. The person appointed shall manage the

inspection service, his or her term of office may be renewed, and he or she may only be removed from office by the president of the federation with the Authority's approval.

The president shall appoint a substitute in case the person in charge of inspections is absent or unable to act."

213. Section 392 of the Act is amended by striking out “, to verify the accuracy of its financial statements”.

214. Section 399 of the Act is amended by inserting the following paragraph after the first paragraph:

“The inspection report provided for in the first paragraph must, in particular, state whether, in the opinion of the person making the inspection, the management practices adopted by the credit union as regards insider trading and conflicts of interest are adequate and if the credit union is in compliance with them.”

215. Section 402 of the Act is repealed.

216. Section 427 of the Act is amended by adding the following paragraph at the end:

“The federation shall also transmit, every year, the combined financial statements provided for in the second paragraph of section 133 to the Authority.”

217. Section 497 of the Act is amended

(1) by striking out “, unless the latter is also responsible for the federation's audits” in subparagraph 1 of the first paragraph;

(2) by striking out the second paragraph.

218. Section 550 of the Act is amended by inserting “, if applicable,” after “the cooperative and” in the second paragraph.

219. Section 556 of the Act is amended by striking out “the person in charge of audits or” in the second paragraph.

220. Section 602 of the Act is amended by replacing “133,” by “the first and second paragraphs of section 133 or section”.

DEPOSIT INSURANCE ACT

221. Section 41 of the Deposit Insurance Act (chapter A-26) is amended

(1) by striking out “; such return shall be accompanied by the financial statements made in the form prescribed by regulation and bearing the certificate of the auditor of the institution”;

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

“The following must be filed with the return:

(1) the most recent financial report provided for in the second paragraph of section 133 of the Act respecting financial services cooperatives (chapter C-67.3), if the registered institution is a credit union that is a member of a federation; or

(2) the financial statements made in the form prescribed by regulation and bearing the certificate of the institution’s auditor, for any other institution.”

SPECIAL TRANSITIONAL PROVISIONS

222. The provisions of the Act respecting financial services cooperatives (chapter C-67.3), amended by sections 189 to 220 and which, under the Act respecting the Mouvement Desjardins (2000, chapter 77), apply to La Caisse centrale Desjardins du Québec, continue to apply to La Caisse centrale Desjardins du Québec as they read on 17 May 2016.

223. Sections 189 to 222 have effect in respect of any fiscal year of a financial services cooperative that begins after 31 December 2015.

CHAPTER XVII

FINAL PROVISIONS

224. Section 188 has effect from 1 January 2015; sections 181 and 182 have effect from 21 April 2015; sections 7 to 9 have effect from 12 November 2015; and sections 170 and 184 have effect from 1 January 2016.

225. This Act comes into force on 18 May 2016, except

(1) sections 161 and 163 to 166, which come into force on 23 June 2016;

(2) sections 171 to 180, which come into force on 18 July 2016;

(3) section 10, which comes into force on 1 April 2017;

(4) the provisions of section 12, which come into force on the date or dates to be set by the Government according to the classes it determines;

(5) sections 13 to 82, 85 to 154 and 167, which come into force on the date or dates to be set by the Government.

ACT RESPECTING MAINLY THE IMPLEMENTATION
OF CERTAIN PROVISIONS OF THE BUDGET SPEECH
OF 26 MARCH 2015

		SECTIONS
CHAPTER I	EFFORTS BY PUBLIC BODIES AND CONTROL OF REMUNERATION	1-9
CHAPTER II	ABOLITION OF THE FUND TO FINANCE HEALTH AND SOCIAL SERVICES INSTITUTIONS	10-11
CHAPTER III	CONSUMER PROTECTION IN ONLINE GAMBLING	12-20
CHAPTER IV	SINGLE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES	21-68
CHAPTER V	ADMINISTRATIVE MONETARY PENALTIES RELATING TO ALCOHOLIC BEVERAGES	69-82
CHAPTER VI	MISSION OF LOTO-QUÉBEC	83-84
CHAPTER VII	ACQUISITION DUTY ON ROAD VEHICLES WITH A LARGE ENGINE DISPLACEMENT	85-93
CHAPTER VIII	INTEGRATION OF ACTIVITIES OF THE RÉGIE DU CINÉMA INTO THE MINISTÈRE DE LA CULTURE ET DES COMMUNICATIONS	94-153
CHAPTER IX	MISCELLANEOUS PROVISIONS CONCERNING SECURITIES	154-169
CHAPTER X	MINING ACTIVITY MANAGEMENT COMPONENT OF THE NATURAL RESOURCES FUND	170
CHAPTER XI	FINANCIAL MARKETS ADMINISTRATIVE TRIBUNAL	171-180
CHAPTER XII	LABOUR-SPONSORED FUNDS	181-182

CHAPTER XIII	ACT RESPECTING DEPOSITS WITH THE BUREAU GÉNÉRAL DE DÉPÔTS POUR LE QUÉBEC	183
CHAPTER XIV	SERVICE CONCERNING LEGAL HYPOTHECS	184
CHAPTER XV	WORKFORCE TRAINING	185-188
CHAPTER XVI	FINANCIAL REPORTS AND AUDIT OF BOOKS AND ACCOUNTS OF CERTAIN FINANCIAL SERVICES COOPERATIVES	189-223
CHAPTER XVII	FINAL PROVISIONS	224-225

2016, chapter 8
**AN ACT TO MODIFY MAINLY THE ORGANIZATION AND
GOVERNANCE OF SHARED TRANSPORTATION IN
THE MONTRÉAL METROPOLITAN AREA**

Bill 76

Introduced by Mr. Robert Poëti, Minister of Transport

Introduced 12 November 2015

Passed in principle 1 December 2015

Passed 19 May 2016

Assented to 20 May 2016

Coming into force: 20 May 2016, except

(1) sections 3, 4, 47 to 50, 59 to 129, 132, 133 and 134, which come into force on the date to be set by the Government; and

(2) sections 51, 53 to 58, 130 and 131, which come into force on the date of coming into force of the first regulation made by the Government under section 214.0.2 of the Highway Safety Code (chapter C-24.2), enacted by section 52

– 2017-06-01: ss. 3, 4, 47-50, 59-129, 132-134
O.C. 1025-2016
G.O., 2016, Part 2, p. 4165

Legislation amended:

Act respecting equal access to employment in public bodies (chapter A-2.01)

Financial Administration Act (chapter A-6.001)

Building Act (chapter B-1.1)

Highway Safety Code (chapter C-24.2)

Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01)

Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001)

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 municipal taxation (chapter F-2.1)

Public Infrastructure Act (chapter I-8.3)

Act respecting the Ministère des Transports (chapter M-28)

Act to ensure the occupancy and vitality of territories (chapter O-1.3)

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 Elected Municipal Officers (chapter R-9.3)

Act respecting the Société de financement des infrastructures locales du Québec (chapter S-11.0102)

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Legislation amended: (cont'd)

Act respecting the Société de l'assurance automobile du Québec (chapter S-11.011)
Act respecting public transit authorities (chapter S-30.01)
Fuel Tax Act (chapter T-1)
Transport Act (chapter T-12)
Act to establish the Administrative Labour Tribunal (chapter T-15.1)

Legislation repealed:

Act respecting the Agence métropolitaine de transport (chapter A-7.02)
Act respecting intermunicipal boards of transport in the area of Montréal (chapter C-60.1)

Legislation enacted:

Act respecting the Autorité régionale de transport métropolitain (2016, chapter 8, section 3)
Act respecting the Réseau de transport métropolitain (2016, chapter 8, section 4)

Regulations amended:

Regulation respecting student transportation (chapter I-13.3, r. 12)
Regulation respecting toll road infrastructures operated under a public-private partnership agreement (chapter P-9.001, r. 3)
Regulation respecting the contribution of motorists to public transit (chapter T-12, r. 3)
Bus Leasing Regulation (chapter T-12, r. 10)
Regulation respecting municipalized public transit services (chapter T-12, r. 13)
Bus Transport Regulation (chapter T-12, r. 16)

Ministerial order repealed:

Ministerial Order concerning access to public roads for low-speed vehicles (chapter C-24.2, r. 0.2.1)

Explanatory notes

This Act makes changes in the organization and governance of shared transportation in the Montréal metropolitan area.

By enacting two new Acts, the Act establishes the Autorité régionale de transport métropolitain (Authority) and the Réseau de transport métropolitain (Network).

The Authority is given responsibility for planning shared transportation services in its area of jurisdiction, that is, in the territories of the Communauté métropolitaine de Montréal, the Kahnawake Indian Reserve and Ville de Saint-Jérôme. The Authority has exclusive jurisdiction to establish the shared transportation fare schedule applicable in those territories and to identify the traffic corridors constituting the metropolitan arterial system in which it may designate reserved lanes. A number of the Authority's decisions, in particular as regards its strategic shared transportation development plan, capital expenditures program and financing policy, are subject to the approval of the Communauté métropolitaine de Montréal.

The Network is given responsibility for operating shared transportation services in all or part of its area of jurisdiction, which coincides with that of the Authority. The Network has exclusive jurisdiction as regards the provision of shared transportation services by suburban train in its area of jurisdiction.

The Act also sets out rules governing the composition of the Authority's and Network's boards of directors, including the obligation to include members who qualify as independent administrators within

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Explanatory notes (*cont'd*)

the meaning of the Act respecting the governance of state-owned enterprises. Other rules are introduced to govern the operation of the Authority and the Network, including by making them subject to the rules governing the awarding of contracts applicable to public transit authorities.

In light of the missions conferred on the Authority and the Network, the Agence métropolitaine de transport is abolished, the functions currently exercised by the Communauté métropolitaine de Montréal and the region's public transit authorities are modified and the intermunicipal boards of transport cease to exist.

The Act also establishes a transition committee which is responsible for seeing to it that the Authority and the Network are set up and is granted various powers to that end.

In addition, the Act contains numerous amending, miscellaneous and transitional provisions required to establish the Authority and the Network.

Lastly, the Act contains amending provisions to regulate the use of low-speed vehicles on public highways, including provisions authorizing the Government to determine the rules applicable to such vehicles and allowing a person who is responsible for the maintenance of a public highway to restrict or prohibit the operation of such vehicles on that highway.



Chapter 8

AN ACT TO MODIFY MAINLY THE ORGANIZATION AND GOVERNANCE OF SHARED TRANSPORTATION IN THE MONTRÉAL METROPOLITAN AREA

[Assented to 20 May 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

PART I

PURPOSE

1. This Act modifies the organization and governance of shared transportation in the Montréal metropolitan area by introducing a new sharing of powers to foster the mobility of persons, in particular through the establishment of two bodies, one devoted to the planning of services, the other to the operation of some of those services.

2. The measures introduced by this Act for the Montréal metropolitan area are aimed, in particular, at

(1) defining a long-term, coherent vision for shared transportation services and for their improvement and development;

(2) ensuring adequate and optimal planning of those services by coordinating them and fostering best practices, in particular by taking into account the principles of sustainable development, in order to increase the efficiency and effectiveness of the various transit systems;

(3) fostering and simplifying access to the various user services, including those for mobility impaired persons, by focusing on transit intermodality and ensuring fare integration;

(4) facilitating collaboration and cohesion between the various shared transportation stakeholders and the local municipalities; and

(5) fostering the reduction of the carbon footprint.

PART IIENACTMENT OF THE ACT RESPECTING THE AUTORITÉ
RÉGIONALE DE TRANSPORT MÉTROPOLITAIN

3. The Act respecting the Autorité régionale de transport métropolitain, of which the text appears in this Part, is enacted.

“ACT RESPECTING THE AUTORITÉ RÉGIONALE DE TRANSPORT
MÉTROPOLITAIN

“CHAPTER I

“ESTABLISHMENT

1. The “Autorité régionale de transport métropolitain” (Authority) is established. The Authority is a legal person established in the public interest.

The Authority may choose to refer to itself by another name or by an acronym by sending a copy of a resolution to that effect to the enterprise registrar.

2. The Authority’s property forms part of the municipal domain but the performance of its obligations may be levied against its property.

The Authority binds none but itself when it acts in its own name.

3. The Authority’s area of jurisdiction comprises the territories of the Communauté métropolitaine de Montréal, the Kahnawake Indian Reserve and Ville de Saint-Jérôme.

4. The Authority’s head office is located in the place it determines within its area of jurisdiction.

The Authority publishes a notice of the location and of any change in location of the head office in the *Gazette officielle du Québec* and, at the same time, posts it on its website.

“CHAPTER II

“MISSION AND RESPONSIBILITIES

“DIVISION I

“MISSION

5. In keeping with the principle of sustainable development and with efforts to reduce the carbon footprint, the Authority’s mission is to ensure, through modes of shared transportation, the mobility of persons in its area of jurisdiction, including mobility impaired persons.

To that end, the Authority plans, develops, supports and promotes shared transportation. It fosters the integration of services between the various modes of transportation and enhances the efficiency of traffic corridors.

The Authority collaborates closely with the Minister and the Communauté métropolitaine de Montréal in developing a comprehensive, integrated vision of mobility in its area of jurisdiction in order to, among other things, identify shared transportation needs.

For the purposes of this Act, the Réseau de transport métropolitain (Network), the Société de transport de Laval, the Société de transport de Longueuil and the Société de transport de Montréal are public transit authorities.

The jurisdiction in shared passenger transportation matters that is conferred by this Act on the Authority in its area of jurisdiction has precedence over any similar jurisdiction that a public transit authority or municipality, whose area of jurisdiction or territory is included in the Authority's area of jurisdiction, may exercise under a general law or special Act.

“6. The Authority must, in particular and taking into account the instructions it receives from the Minister to promote intermodality, shared transportation, and safe, accessible, equitable and efficient public transit,

(1) determine the public transit it will make available to meet the needs of users, including mobility impaired users, through services provided to it by public transit authorities in their respective areas of jurisdiction;

(2) coordinate shared transportation services, in particular bus services with subway and suburban train services, by taking measures designed to improve and integrate those services;

(3) manage fare revenues from shared transportation services in a rigorous and transparent manner;

(4) implement measures to foster traffic mobility in the metropolitan arterial system, disseminate information to users of shared transportation services and provide them with ticketing services, the latter through a single window that provides simplified access to all services in its area of jurisdiction;

(5) study and plan the maintenance, improvement, replacement, addition or demolition of shared transportation equipment and infrastructures;

(6) ensure that the equipment used by the public transit authorities to issue transit tickets and collect revenue is compatible with its integrated system;

(7) promote shared transportation, active transportation and carpooling, in particular by establishing or encouraging incentives to foster the use of those modes of transportation;

(8) study and implement measures promoting the electrification of shared transportation; and

(9) exercise any other function conferred on it by the Government, the Minister or the Communauté métropolitaine de Montréal.

“7. The Minister may, if he or she has reasonable grounds to believe that the public interest requires it in order, among other things, to ensure the mobility of persons, issue directives concerning the objectives and policy directions the Authority must pursue.

Such directives, which must be approved by the Government, come into force on the date they are approved. Once approved, they are binding on the Authority and must be complied with.

The Minister tables the directives in the National Assembly within 15 days after they are approved or, if the Assembly is not sitting, within 15 days after resumption.

“DIVISION II

“CONTRACTUAL POWERS

“8. The Authority enters into an agreement with every public transit authority stipulating the shared transportation services each must provide to the Authority in accordance with the public transit the Authority has determined it will make available to serve the transit authority’s area of jurisdiction.

The agreement must include

(1) a detailed description of the services provided and the remuneration agreed on;

(2) the performance and service quality objectives set by the Authority that the public transit authority must meet;

(3) measures aimed at fostering and simplifying user access to the various shared transportation services; and

(4) provisions allowing public transit authorities to implement innovations and initiatives to improve the efficiency, effectiveness and integration of services.

The Authority may also enter into an agreement

(1) with the public transit authority of its choice in order to offer metropolitan rapid transit service;

(2) with the Réseau de transport métropolitain in order to provide service in the territory of the Kahnawake Indian Reserve or service between at least one local municipality whose territory is included in the Network's area of jurisdiction and places outside that area.

For the purposes of subparagraph 1 of the third paragraph, "metropolitan rapid transit service" means a service provided in the territory of at least one local municipality whose territory is included in the chosen public transit authority's area of jurisdiction and in the territory of at least one local municipality whose territory is included in another public transit authority's area of jurisdiction.

"9. The public transit authorities have all the powers necessary to enter into contracts with the Authority for the purposes of this Act.

"10. The Authority may enter into an agreement with the Government or any of its departments or bodies, with any person, association or partnership, or with any Native community represented by its band council.

"11. The Authority may not, without the Minister's authorization, alienate property having a value greater than \$25,000 for which it has specifically been awarded a grant.

"12. The Authority may give any property having a value that does not exceed \$10,000 to a charity.

"13. Twice a year, the Authority publishes in a newspaper distributed in its area of jurisdiction and posts on its website a notice mentioning any property having a value greater than \$10,000 that it alienated in the previous six months, the person to whom the property was alienated and the price of alienation.

"14. Sections 92.1 to 108.2 of the Act respecting public transit authorities (chapter S-30.01) apply to the Authority, with the necessary modifications, and the Authority is deemed to be a public transit authority for the purposes of any regulation made under section 100 or 103.1 of that Act.

"DIVISION III

"STRATEGIC SHARED TRANSPORTATION DEVELOPMENT PLAN

"15. The Authority has exclusive jurisdiction to establish a strategic plan for the development of shared transportation in its area of jurisdiction, taking into account the metropolitan land use and development plan of the Communauté métropolitaine de Montréal and the land use planning and development plan of Municipalité régionale de comté de la Rivière-du-Nord with regard to the territory of Ville de Saint-Jérôme.

The strategic plan must set out a vision, for at least a 10-year period, for the development of shared transportation and, more generally, for the mobility of persons, including mobility impaired persons, and must specify the equipment, infrastructures and shared transportation services required.

In addition, the plan must specify

- (1) the context in which the Authority acts and the main challenges it faces;
- (2) the Authority’s objectives and strategic directions;
- (3) the results expected over the period covered by the plan and the actions required to achieve them, by field of jurisdiction;
- (4) the priorities and an implementation calendar for the actions to be carried out;
- (5) the terms governing the financing of the operating and capital expenditures required to carry out the proposed actions; and
- (6) the monitoring measures and performance indicators to be used to measure results.

The Community may give the Authority special instructions to hold public hearings in connection with establishing the plan or making any amendment to it.

The plan must be updated yearly and revised every five years.

“16. Within 30 days after adopting its strategic plan or any amendment to it, the Authority sends it to the Communauté métropolitaine de Montréal for approval.

On receiving it, the Community makes it available to all the municipalities and the band council whose territories are referred to in section 3.

The Community may not approve the plan or any amendment to it before receiving, in accordance with section 17, the opinion of the Minister referred to in the first paragraph of that section attesting that the document submitted is consistent with government policy directions or, if an opinion is not received within the time prescribed in that section, before the expiry of that time.

“17. The Authority sends its strategic plan, and any amendment to it, to the Minister designated under section 267 of the Act respecting land use planning and development (chapter A-19.1) for the purposes of the examination of the plan’s consistency with the government policy directions described in section 47.2 of that Act.

The Minister serves his or her opinion on the Authority and the Communauté métropolitaine de Montréal in accordance with section 234 of that Act and not later than the 120th day after receiving the document. To that end, the Minister consults the other ministers concerned, in accordance with section 267 of that Act; in addition, the Minister specifically consults the Minister of Transport on the document's consistency with the government policy directions referred to in the first paragraph that concern transport in general and shared transportation and sustainable mobility in particular.

If the opinion of the Minister referred to in the first paragraph indicates that an element of the content of the document submitted is not consistent with government policy directions, the reasons must be given. The Authority must then replace the document with one that is consistent with those policy directions; the first and second paragraphs apply to such a document.

If the Minister referred to in the first paragraph does not serve an opinion within the time prescribed in the second paragraph, the document submitted is deemed to be consistent with government policy directions.

“18. Once its strategic plan and any amendment to it have been approved by the Communauté métropolitaine de Montréal, the Authority sends them to the public transit authorities within 30 days. The Authority posts the plan or any amendment to it on its website.

“19. The strategic plan creates no obligation as to the calendar and terms for implementing the equipment and infrastructures provided for in the plan.

“DIVISION IV

“CAPITAL EXPENDITURES PROGRAM

“20. Each year, the Authority files a shared transportation capital expenditures program for the next 10 years, in accordance with its strategic plan.

“21. The program must be divided into annual phases and set out, for each phase, the object, amount and mode of financing of the capital expenditures the Authority plans to make or incur. If applicable, the plan also sets out, for each object, any financial assistance granted by the Government or by other contributors.

The program must also specify the capital expenditures that will have to be made beyond the period covered by the program, if such expenditures result from commitments made during that period.

The program must contain an asset maintenance plan that includes actions designed to foster the longevity of the assets and specifies the level of investments required to maintain them.

“22. The Authority sends its capital expenditures program to the Communauté métropolitaine de Montréal, for approval, not later than 31 October preceding the beginning of the first fiscal year covered by the program, together with a copy of the capital expenditures programs of the public transit authorities.

On receiving them, the Community makes them available to all the municipalities and the band council whose territories are referred to in section 3.

“23. The Authority may amend its capital expenditures program. Any amendment must be sent to the Communauté métropolitaine de Montréal, for approval, within 30 days after it is adopted.

On receiving it, the Community makes it available to all the municipalities and the band council whose territories are referred to in section 3.

“24. The Authority sends its capital expenditures program or any amendments to the Minister once they have been approved by the Communauté métropolitaine de Montréal. The Minister must submit to the Conseil du trésor any amendment that affects public infrastructure investment planning.

The Authority posts the program or any amendment to it on its website.

“DIVISION V

“SHARED TRANSPORTATION FARE STRUCTURE

“25. The Authority has exclusive jurisdiction to establish, on the basis of the criteria it determines, the rate schedule applicable in its area of jurisdiction for shared transportation by, among other things, setting fares for transit tickets according to the type of ticket.

Those criteria include

- (1) the various modes of transportation used;
- (2) the rapidity and frequency of trips and the distance travelled;
- (3) the day and time of trips; and
- (4) the classes of users.

If the Authority intends to include, among its classes of users, a specific class for students 18 years of age or older, any person 18 years of age or older must be included in the class if he or she has student status as determined by the Authority.

“26. In accordance with its financing policy adopted under section 72, the Authority adopts the rate schedule and sends it to the Communauté métropolitaine

de Montréal and each public transit authority before 1 October each year. It does likewise whenever the schedule is modified in the course of the year.

The rate schedule comes into force on the following 1 January or, in the case of a modification, on the date determined by the Authority.

“27. The Authority must post its fare prices on its website not later than 1 November each year. Any modification to them in the course of the year must be posted 60 days before it comes into force and not later than 60 days after the Authority makes its decision.

“28. Every public transit authority must give the bearer of a transit ticket access to its public transit services in accordance with the indications on the ticket.

“29. All revenues resulting from the issue of the Authority’s transit tickets and collected by a public transit authority must be remitted to the Authority at the intervals and on the terms determined by the Authority.

“30. Each public transit authority must, within the time set by the Authority, use a system for issuing transit tickets and collecting revenues that has been approved by the Authority.

“DIVISION VI

“METROPOLITAN ARTERIAL SYSTEM

“31. The Authority designates, from among the public highways in its area of jurisdiction, the road corridors constituting the metropolitan arterial system.

The Authority must make a survey of the road network and, before making a decision under section 32, consult the Minister as well as the local municipalities and the public transit authorities concerned.

“32. With regard to the road corridors constituting the metropolitan arterial system, the Authority may prescribe

- (1) preferential measures to facilitate bus traffic;
- (2) restrictions on heavy vehicle traffic;
- (3) measures to foster a metropolitan cycling and pedestrian network; and
- (4) the compatible uses to which the area near or along those road corridors may be put.

The Authority may also

(1) designate lanes reserved for the exclusive use of certain classes of road vehicles, or of road vehicles carrying the minimum number of passengers specified by the Authority; and

(2) with the approval of the person responsible for the maintenance of a public highway or, in the absence of such approval and if that person is not the Minister, of the Communauté métropolitaine de Montréal, signalize the reserved traffic lanes designated by the Authority and take any other steps to ensure their safe use.

The Authority may enter into any contract with the person responsible for the maintenance of a public highway that provides for compensation of all or part of the costs related to the decisions it has made with regard to the metropolitan arterial system.

All traffic signs and signals installed by the Authority are deemed to have been installed by the person responsible for the maintenance of a public highway under paragraph 4 of section 295 of the Highway Safety Code (chapter C-24.2).

33. To obtain the approval of the Communauté métropolitaine de Montréal under subparagraph 2 of the second paragraph of section 32, the Authority must file an application with the Community establishing that it has notified the person responsible for the maintenance of the public highway of its intention to establish a reserved traffic lane on that highway, that it has proposed entering into a contract with that person under the third paragraph of section 32 that provides for compensation of all or part of the costs of establishing, maintaining and operating that lane, and that the person either

(1) contests the establishment of the reserved traffic lane;

(2) contests the amount of money offered;

(3) contests the classes of road vehicles for which the lane is reserved or the minimum number of passengers required for a road vehicle to be authorized to travel in the reserved lane; or

(4) has failed to reply to the Authority within 90 days of the proposal.

The application must be filed with all necessary supporting documents.

The Community sends the application filed under this section and the supporting documents to the person responsible for the maintenance of the public highway concerned and notifies the person that he or she has 30 days to submit to the Community any reasons he or she may have to oppose the application.

“34. The Communauté métropolitaine de Montréal must inform the Authority as soon as possible and within a period not exceeding 60 days of its decision with regard to the application referred to in section 33.

“35. The Authority must prescribe minimum management standards for the metropolitan arterial system, as well as harmonization standards for the rules governing traffic signs and signals and traffic control, applicable in its area of jurisdiction, and must revise those standards every five years.

Before any decision is made under the first paragraph, the Authority must consult the municipalities and public transit authorities in whose territory or area of jurisdiction those standards apply.

For the purposes of this section,

(1) “minimum management standards” means the standards that apply to such things as on-street parking, road network maintenance, activities relating to garbage and recyclable materials collection, roadway snow removal activities and activities required to lessen the impacts of roadwork; and

(2) “harmonization standards for the rules governing traffic signs and signals and traffic control” means the standards that apply to such things as traffic light control, speed limit determination and supervision of traffic in the system and traffic movements.

“36. Any decision made by the Authority under this division must be approved by the Communauté métropolitaine de Montréal unless the decision concerns a public highway whose maintenance is under the Minister’s responsibility. In the latter case, the Minister’s approval is required.

Any decision approved in accordance with the first paragraph has precedence over any decision made by a municipality or public transit authority.

“37. The Authority must post a road map on its website showing the metropolitan arterial system and, more specifically, all designated or planned reserved traffic lanes in its area of jurisdiction.

“DIVISION VII

“EQUIPMENT AND INFRASTRUCTURES OF METROPOLITAN SCOPE

“38. The Authority may acquire or build shared transportation equipment and infrastructures that it designates as being of metropolitan scope.

“39. The Authority may designate which equipment and infrastructures belonging to a local municipality or a public transit authority is of metropolitan scope.

Before doing so, the Authority must consult the Communauté métropolitaine de Montréal and the local municipality or public transit authority concerned.

“40. The Authority must acquire the equipment and infrastructures it has designated in accordance with section 39. The acquisition contract must specify the date and terms of transfer of the property. Only the amount disbursed by the local municipality or the public transit authority, exclusive of any government assistance paid to finance the acquisition, may be reimbursed, compensated or otherwise borne by the Authority.

Despite the first paragraph, the local municipality or public transit authority continues to service any debt relating to the financing of the property of which ownership has been transferred to the Authority. The local municipality or public transit authority remains responsible for the commitments arising out of the securities it has issued and such securities continue to constitute direct and general obligations of the owner. The Authority reimburses the local municipality or public transit authority, in principal and interest, according to the owner’s debt service payment schedule.

In cases of disagreement, the Communauté métropolitaine de Montréal determines that equipment or infrastructures referred to in the first paragraph are to come under the management of the Authority on the date specified by the Community.

The Authority may perform all the acts and exercise all the rights of an owner with regard to property which it does not own but which is under its management. For those purposes, the Authority is vested with the necessary powers and assumes the related obligations.

“41. The Authority may entrust, to a public transit authority, the operation of the equipment or infrastructures of metropolitan scope which it owns or whose management has been entrusted to it under the third paragraph of section 40.

“42. For the purposes of this division, equipment and infrastructures used by more than one public transit authority or the users of more than one such authority, such as a terminal, bus shelter or park-and-ride facility, are among the things that may be designated as being of metropolitan scope.

“DIVISION VIII

“SERVICE STATEMENT

“43. The Authority posts a service statement on its website setting out its objectives with regard to the provision and quality of its services.

The statement must specify the time frame within which services must be provided and provide clear information on their nature and accessibility.

“44. The Authority must

(1) remain informed as to the expectations and level of satisfaction of users of shared transportation services, including mobility impaired users;

(2) simplify service delivery rules and procedures to the greatest extent possible; and

(3) encourage its employees to provide quality services and to collaborate in achieving the results targeted.

“CHAPTER III

“ORGANIZATION AND OPERATION

“45. The Authority’s board of directors is composed of 15 members, including the chair.

At least two-thirds of the board members, including the chair, must, in the opinion of the Government or the Communauté métropolitaine de Montréal, as applicable, qualify as independent directors within the meaning of section 4 of the Act respecting the governance of state-owned enterprises (chapter G-1.02). Sections 5 to 8 of that Act apply, with the necessary modifications.

“46. After consulting with the Communauté métropolitaine de Montréal, the Government appoints the chair of the board for a term of up to five years. The chair may be reappointed twice to serve in that capacity.

“47. The Government appoints six other independent members, taking into account, in particular, the expertise and experience profiles approved by the board.

After consulting Ville de Saint-Jérôme, the Communauté métropolitaine de Montréal appoints eight members, including at least three independent members. The appointment of the independent members must be made taking into account, in particular, the expertise and experience profiles approved by the board.

“48. Board members other than the chair are appointed for a term of up to four years and may be reappointed twice to serve in that capacity.

“49. The composition of the board must tend toward gender parity. The board must also be composed of members whose cultural identity reflects the various components of Québec society as much as possible.

“50. The board members appointed by the Government are remunerated by the Authority on the conditions and to the extent determined by the Government. They are also entitled to be reimbursed for expenses incurred in the exercise

of their functions, on the conditions and to the extent determined by the Government.

The board members appointed by the Communauté métropolitaine de Montréal are remunerated by the Authority on the conditions and to the extent determined by the Community. They are also entitled to be reimbursed for expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Community.

“51. On the expiry of their term, board members remain in office until they are replaced or reappointed.

“52. No person may exercise the functions of board member of the Authority concurrently with those of board member of the Réseau de transport métropolitain, the Société de transport de Laval, the Société de transport de Longueuil or the Société de transport de Montréal.

“53. The chair of the board may not have a direct or indirect interest in a body, enterprise or association that places the chair’s personal interests in conflict with those of the Authority. If such an interest devolves to the chair, including by succession or gift, it must be renounced or disposed of with dispatch.

Subject to the third paragraph, any other board member who has a direct or indirect interest in a body, enterprise or association that places the member’s personal interests in conflict with those of the Authority must disclose it in writing to the chair of the board and abstain from participating in any discussion or decision involving that body, enterprise or association. The member must also withdraw from a meeting while the matter is discussed or voted on.

Sections 304 to 307 of the Act respecting elections and referendums in municipalities (chapter E-2.2) apply, with the necessary modifications, to board members who are council members of a local municipality.

This section does not prevent a board member from expressing an opinion on general measures relating to conditions of employment within the Authority that would also apply to the board member.

“54. A vacancy on the board of directors is filled in accordance with the rules of appointment to the board.

Absence from the number of board meetings determined by the Authority’s by-laws, in the cases and circumstances specified in those by-laws, constitutes a vacancy.

“55. The term of a board member of the Authority who is also a council member of a local municipality ends as soon as he or she ceases to be a council member of that municipality.

“56. The board must establish the following committees:

- (1) a governance, ethics and human resources committee;
- (2) an audit committee; and
- (3) a project monitoring committee.

These committees must be composed solely of independent members.

Sections 22 and 27 of the Act respecting the governance of state-owned enterprises apply to the governance, ethics and human resources committee. Sections 23 to 26 of that Act apply to the audit committee.

“57. The functions of the project monitoring committee include verifying compliance with the contract management policy adopted by the Authority.

“58. In addition to the committees listed in section 56, the board must establish a user services quality committee with regard to shared transportation services.

The functions of this committee include formulating, submitting to the board and following up on policy directions concerning the quality of user services. To that end, the committee must take into account the respective characteristics of the local municipalities whose territory is included in the Authority’s area of jurisdiction.

“59. The Authority may make by-laws for its internal management. Such by-laws must be posted on the Authority’s website.

“60. Board meetings are closed to the public. However, special meetings held to examine tenders in accordance with section 86 must be open to the public.

In addition, the board must hold a public meeting once a year to present the Authority’s activity report to the public. The board posts the place, date and time of the meeting on the Authority’s website at least 30 days before the meeting is held.

This public meeting includes a period during which the persons present may address oral questions to the board members. The board may, by by-law, prescribe how long this question period is to last, when it is to be held and the procedure for asking a question.

“61. The quorum at board meetings is the majority of its members, including the chair or the person designated to replace the chair.

“62. Each member present at a meeting has one vote and is required to vote, unless prevented from doing so under the second paragraph of section 53.

Board decisions are made by a majority vote of the members present. In the case of a tie vote, the person presiding at the meeting has a casting vote.

“63. The minutes of board meetings, approved by the board and certified true by the chair or by any other person authorized to do so under the Authority’s by-laws, are authentic, as are the documents or copies of documents emanating from the Authority or forming part of its records, provided they are so certified.

“64. No document binds the Authority or may be attributed to it unless it is signed by the chair of the board or, to the extent determined in the Authority’s by-laws, by a member of the Authority’s personnel.

The by-laws may allow a facsimile of the signature of a person referred to in the first paragraph to be affixed on the documents specified in the by-laws. Such a facsimile has the same force as the signature itself.

“65. The Authority adopts a policy for examining and dealing with complaints about activities related to its mission.

“CHAPTER IV

“HUMAN RESOURCES

“66. The board designates a director general, a secretary and a treasurer from among the Authority’s employees.

“67. The Authority’s employees are appointed in accordance with the staffing plan it establishes.

Subject to the provisions of a collective agreement, the Authority determines the standards and scales of remuneration, employee benefits and other conditions of employment of its employees in accordance with the conditions defined by the Communauté métropolitaine de Montréal.

“68. The Authority establishes a mode of organization of human resources intended to promote

(1) the Authority’s efficiency and the optimal utilization and development of its human resources;

(2) the exercise of human resource management powers at the least possible hierarchical remove from the persons concerned, and the application of a system under which the person vested with such management powers is accountable for his or her acts, according to the means put at the person’s disposal;

(3) equal opportunity for all citizens for employment with the Authority;

(4) impartiality and fairness in decisions affecting employees;

(5) the competence of persons in recruitment, promotion and evaluation matters; and

(6) optimal contribution of the various components of Québec society.

“69. The board approves the code of ethics and professional conduct applicable to its members and the Authority’s employees.

The Authority must post the code referred to in the first paragraph on its website.

“70. If employees or board members of the Authority are sued by a third person for an act done in the exercise of their functions, the Authority assumes their defence and pays any damages awarded as compensation for the injury resulting from that act, unless they committed a gross fault or a personal fault separable from the exercise of their functions.

In penal or criminal proceedings, however, the Authority pays the defence costs of employees or board members being sued only if they were acquitted, or if it judges that they acted in good faith.

“CHAPTER V

“FINANCIAL PROVISIONS

“71. The Authority’s fiscal year ends on 31 December.

“72. The Authority establishes and adopts a financing policy that includes

(1) targets for financing from fare revenues, including terms governing the financing of any fare-related innovations and initiatives that the Authority determines on the basis of, among other things, the various proposals it receives;

(2) terms governing the contracting out of its shared transportation services;

(3) mechanisms for reviewing sources of financing and for determining the allocation of the sums received by the Authority under paragraphs 1 to 7 of section 79;

(4) terms governing the financing of its capital expenditures;

(5) terms for establishing the financial contributions required under section 81;

(6) if applicable, terms for establishing the financial contributions required under section 83 or 84;

(7) if applicable, special terms governing the apportionment, among the local municipalities of the North Shore or among the local municipalities of

the South Shore, within the meaning of the Act respecting the Réseau de transport métropolitain (2016, chapter 8, section 4), the total amount of the contributions that would be required from them, under section 81 or 83, based on the general terms determined under subparagraphs 5 and 6;

(8) terms for establishing the financial contributions the Réseau de transport métropolitain may require under section 52 of the Act respecting the Réseau de transport métropolitain; and

(9) if applicable, terms governing the provision of a special fund that it establishes to finance the development and improvement of shared transportation services.

The policy must take into account the respective characteristics of the territories of the local municipalities served and strive to serve those territories in an equitable manner.

“73. Before establishing special terms under subparagraph 7 of the first paragraph of section 72, the Authority must consult the local municipalities concerned.

“74. The Authority’s financing policy must be approved by the Communauté métropolitaine de Montréal. Before giving its approval, the Community must consult Ville de Saint-Jérôme.

“75. The Authority adopts its budget estimates for each fiscal year.

The budget estimates, which must be consistent with the Authority’s financing policy, are sent to the Communauté métropolitaine de Montréal and the Minister not later than 15 November each year; at that time, the Authority posts them on its website.

“76. The Authority’s budget estimates may not provide for expenditures exceeding its revenues.

“77. The Authority must include as revenue in its budget estimates any surplus anticipated for the current year and any other surplus at its disposal.

It must also include, as expenditures, any deficit for the preceding year and any deficit anticipated for the current year.

“78. The Authority may establish a special fund to finance the development and improvement of shared transportation services.

“79. To finance its activities, the Authority receives

(1) the revenues collected from sales of shared transportation tickets;

- (2) the other forms of remuneration for the goods and services it provides;
- (3) the share of the contribution of motorists to public transit, determined by a regulation made under section 88.6 of the Transport Act (chapter T-12);
- (4) the amount paid by the Minister of Revenue under section 55.2 of the Fuel Tax Act (chapter T-1);
- (5) the amount payable under section 80 by each local municipality whose territory is included in the Authority's area of jurisdiction;
- (6) the amount of any vehicle registration tax collected by the Société de l'assurance automobile du Québec in accordance with section 96.1 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01);
- (7) any government assistance it may be granted;
- (8) the contribution required under section 81; and
- (9) any contribution required under section 83 or 84.

“80. The local municipalities whose territory is included in the Authority's area of jurisdiction must pay an amount to the Authority that is equal to one cent per \$100 of their standardized property value, within the meaning of section 261.1 of the Act respecting municipal taxation (chapter F-2.1), as established for the year of reference.

In that regard, the Authority may

- (1) identify the year of reference;
- (2) set the date on which the data used to provisionally or definitively establish the standardized property value are to be considered;
- (3) provide for the adjustments that may result from the successive use of provisional and definitive data; and
- (4) determine the terms of payment.

However, the amount referred to in the first paragraph may be established using another criterion determined by the Government or both such a criterion and the criterion provided for in the first paragraph.

“81. The Authority finances all or part of the cost of any agreement entered into under section 8 through a contribution required, in accordance with the terms specified in its financing policy, from one or more local municipalities whose territory is included in the Authority's area of jurisdiction.

The contribution required in the case of contracts related to metropolitan rapid transit services, suburban train services, subway services or any other mode of guided land transport services must be established on the basis of the proportion that the utilization of each service by the residents in the territory of each local municipality whose territory forms part of the area of jurisdiction of a public transit authority is of the utilization of the service by all the residents in the Authority's area of jurisdiction. This contribution may also be apportioned separately by suburban train route, metropolitan rapid transit service or any other type of shared transportation service.

82. The sums referred to in subparagraphs 3, 4, 6 and 7 of the first paragraph of section 79 that the Authority receives in the course of a fiscal year may not be used to reduce the total amount of the financial contributions payable under section 81.

The total amount of the financial contributions payable under section 81 may not be less than the amount paid for the 2016 fiscal year by all the local municipalities whose territory is included in the Authority's area of jurisdiction. The total amount paid in that fiscal year constitutes the reference threshold and is adjusted by operation of law on 1 January of each year by a rate corresponding to the variation in the overall average Québec consumer price index without alcoholic beverages and tobacco products for the 12-month period that ended on 30 September of the year preceding the year for which the reference threshold is to be adjusted. The Authority posts the rate without delay on its website.

83. The Authority may finance all or part of the cost of its expenditures related to equipment or infrastructures designated as being of metropolitan scope through a contribution required, in accordance with the terms specified in its financing policy, from local municipalities whose territory is included in the Authority's area of jurisdiction.

84. The Authority may finance all or part of the cost of its expenditures related to the operation and management of the reserved traffic lanes through a contribution required, in accordance with the terms specified in its financing policy, from public transit authorities that is proportionate to their utilization of those lanes.

85. The Authority may not contract loans unless authorized to do so by the Minister of Municipal Affairs, Regions and Land Occupancy and unless the interest rate and other conditions of the loans are authorized by the Minister of Finance.

The Authority may, however, contract temporary loans to pay expenses incurred for its day-to-day administration without the authorizations required under the first paragraph. It may also, with the sole authorization of the Minister of Municipal Affairs, Regions and Land Occupancy, contract such loans to pay any other expenses.

“86. If the Authority issues bonds, it must sell them by adjudication in accordance with section 554, except the fourth paragraph, of the Cities and Towns Act (chapter C-19) and sections 555 and 555.1 of that Act, unless the Minister of Finance authorizes it to sell them by agreement on the conditions the Minister of Finance considers appropriate.

If the Authority contracts a loan through an issue of notes, it may choose the lender using the adjudication procedure referred to in the first paragraph, with the necessary modifications.

The authorization of the Minister of Finance under the first paragraph of section 85 is not required when the Authority sells its bonds or chooses a lender by adjudication.

“87. Divisions V, VI, VIII to X and XII of the Act respecting municipal debts and loans (chapter D-7) apply to the Authority. The treasurer, or another employee designated for that purpose by the board, must fulfil the obligations mentioned in section 24 of that Act.

Division IX of that Act does not apply to a security that is not subject to registration according to the conditions of its issue.

A loan obtained or security issued by the Authority may be repaid or redeemed in advance, as the Authority sees fit, according to the terms of the contract or security. The date of advance repayment or redeem may be other than a date of payment of interest if the prior notice stipulated in the contract or security is given.

“88. The securities issued by the Authority are investments that are presumed sound as if they were mentioned in paragraph 2 of article 1339 of the Civil Code.

The commitments included in the securities issued by the Authority constitute direct and general obligations of the Authority and of the local municipalities whose territory is included in the Authority’s area of jurisdiction and rank concurrently and *pari passu* with all other general obligations of the Authority and the municipalities.

“89. Any agreement under which the Authority makes a financial commitment for a period exceeding 10 years must, to be binding on the Authority, be authorized by the Minister of Municipal Affairs, Regions and Land Occupancy, except in the case of a work contract.

“90. The Authority must obtain the authorization of the Minister of Municipal Affairs, Regions and Land Occupancy to become surety for an obligation of \$100,000 or more.

“91. No decision of the Authority and no report authorizing or recommending an expenditure has effect before the treasurer produces a certificate attesting

that funds are available for the purposes for which the expenditure is to be used.

“92. The local municipalities whose territory is included in the Authority’s area of jurisdiction are guarantors of the Authority’s obligations and commitments.

“93. Every local municipality whose territory is included in the Authority’s area of jurisdiction may, for the purpose of paying the sums it owes to the Authority, impose a general or special tax based on the assessment of the taxable immovables in its territory.

“94. If a contribution is required from a local municipality whose territory is included in that of an urban agglomeration, the contribution is claimed from the central municipality. In such a case, the payment by the central municipality of the contribution constitutes an expenditure incurred in the exercise of an urban agglomeration power for the purposes of the financing of the expenditure.

“95. The local municipalities of the North Shore may enter into an agreement to divide among themselves, according to the formula and on the conditions stipulated in the agreement, the total amount of the contributions required from them, under section 81 or 83, by the Authority in accordance with its financing policy. This also applies to the local municipalities of the South Shore.

If only some of a shore’s local municipalities are served by a transportation service, they may enter into an agreement similar to that referred to in the first paragraph with regard to the total amount of contributions required from them for the service.

A copy of the agreement must be sent to the Authority not later than 30 September so that the Authority can apply the division formula stipulated in the agreement to the contributions payable for the following fiscal year, and set the individual contribution it must then claim from each local municipality. If the agreement is not sent, the terms and rules set out in the financing policy apply.

“96. No mode of tariffing established by a municipality under sections 244.1 to 244.10 of the Act respecting municipal taxation with regard to its property, services and other activities may be levied against the Authority.

“97. The Act respecting duties on transfers of immovables (chapter D-15.1) does not apply to transfers made to the Authority.

“CHAPTER VI

“REPORTS AND AUDIT

“98. At the end of the fiscal year, the Authority’s treasurer draws up the financial report for that fiscal year and certifies that it is accurate.

The report must be produced on the forms, if any, provided by the Minister of Municipal Affairs, Regions and Land Occupancy. It must include the Authority’s financial statements and any other information required by that Minister.

The treasurer sends a copy of the report to the Communauté métropolitaine de Montréal along with any information the Community requires.

“99. The Authority’s books and accounts must be audited each year by an auditor it designates. The auditor’s report must be attached to the Authority’s annual activity report.

The Authority’s books and accounts must also be audited by the Auditor General whenever the Government so orders.

“100. The treasurer submits the financial report at a board meeting of the Authority.

“101. Not later than 30 April each year, the Authority must submit its activity report for the preceding fiscal year to the Communauté métropolitaine de Montréal, the Minister and the Minister of Municipal Affairs, Regions and Land Occupancy.

The report must include

(1) a summary of the following reports submitted to the board:

(a) the report of the governance, ethics and human resources committee on its activities during the fiscal year, including a summary of its assessment of the performance of the board of directors;

(b) the report of the audit committee on the discharge of its mandate and on the optimal resource utilization plan; and

(c) the report of the project monitoring committee and the user services quality committee on the discharge of their mandate;

(2) concerning the board members,

(a) the dates of appointment and expiry of term of all board members, and the identity of those with independent member status;

(b) the identity of any other board on which a board member sits;

(c) a summary of the expertise and experience profile of each board member and a statement of the board members' attendance at board and committee meetings; and

(d) the code of ethics and rules of professional conduct applicable to board members;

(3) concerning remuneration,

(a) the remuneration and benefits paid to each board member;

(b) the remuneration, including variable pay and other benefits, paid to each of the Authority's five most highly remunerated officers; and

(c) the fees paid to the external auditor;

(4) the results obtained from the benchmarking measures adopted by the board; and

(5) the Authority's financial report for the fiscal year concerned.

At the same time, the Authority posts its activity report on its website.

102. The Authority must provide the Communauté métropolitaine de Montréal, the Minister and the Minister of Municipal Affairs, Regions and Land Occupancy with any other information they require concerning its activities.

CHAPTER VII

INSPECTION

103. The Authority generally or specially authorizes a person from among its employees, or from among the employees of a public transit authority or of a carrier under contract with it, to act as an inspector for the purposes of this Act and the by-laws made under section 106.

104. An inspector may require that any transportation ticket established by the Authority be produced for inspection.

105. An inspector must, on request, produce a certificate of authority.

CHAPTER VIII

REGULATORY AND PENAL PROVISIONS

106. The Authority may, by by-law,

- (1) prescribe conditions regarding the possession and use of the transportation tickets it establishes;
- (2) prescribe standards of conduct to be observed by users of metropolitan equipment and infrastructures;
- (3) prescribe standards of safety and conduct to be observed by users of shared transportation services;
- (4) prohibit or regulate road vehicle parking and traffic on land or in a building it operates or owns; and
- (5) regulate the towing and impounding of vehicles parked in violation of a regulatory provision adopted under subparagraph 4, set the tariff of fees for towing, removal and impoundment, and prescribe who is to pay them.

A by-law made under the first paragraph may determine, among its provisions, those whose violation constitutes an offence entailing a fine in an amount that may, depending on the circumstances, be a set amount or vary between a minimum and a maximum amount.

For a first offence, the set amount or maximum amount may not exceed \$500 if the offender is a natural person and \$1,000 in all other cases. The amounts are doubled for a subsequent offence. The minimum amount may not be less than \$25.

The by-law made under the first paragraph must be posted on the Authority's website. It must also be published in a newspaper circulated in the Authority's area of jurisdiction. It comes into force on the 15th day following its publication or on any later date specified in the by-law.

If a provision of a by-law made under subparagraph 3 of the first paragraph is incompatible with a provision of a by-law adopted by a public transit authority, the former prevails.

“107. A by-law under section 106 applies even when a vehicle of the public transit authority or a carrier under contract with it is used to travel outside the Authority's area of jurisdiction.

An inspector referred to in section 103 has jurisdiction for the purposes of the first paragraph.

“108. Anyone who uses the Authority's name, acronym, emblem or logo without authorization, or hinders or attempts to hinder in any way the exercise of an inspector's functions, misleads an inspector through concealment or misrepresentation, refuses to hand over a document or information an inspector is entitled to require or examine, or conceals or destroys such a document is guilty of an offence and is liable to a fine of not less than \$250 nor more than \$500.

109. The Authority may institute penal proceedings for an offence under this chapter.

110. Any municipal court having jurisdiction in the Authority’s area of jurisdiction has jurisdiction with regard to an offence under this chapter.

In the case of an offence committed outside the Authority’s area of jurisdiction, the municipal court having jurisdiction in the territory where the offence was committed has jurisdiction with regard to the offence.

111. The fine belongs to the Authority if the latter instituted the proceedings.

The costs relating to proceedings instituted before a municipal court belong to the municipality under the jurisdiction of that court, except the part of the costs remitted to another prosecuting party by the collector under article 345.2 of the Code of Penal Procedure (chapter C-25.1) and the costs remitted to the defendant or imposed on that municipality under article 223 of that Code.

CHAPTER IX

TRANSITIONAL PROVISIONS

112. The Authority replaces the Agence métropolitaine de transport with regard to the functions conferred on the Authority by this Act, acquires the Agency’s rights and assumes its obligations.

Despite the first paragraph, the assets and liabilities of the Agence métropolitaine de transport related to the functions conferred on the Authority are transferred to the latter according to the value and on the conditions determined by the Government.

113. Subject to the second paragraph of section 41 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area (2016, chapter 8), the Authority also replaces the Communauté métropolitaine de Montréal, the Société de transport de Laval, the Société de transport de Longueuil and the Société de transport de Montréal with regard to the functions conferred on the Authority by this Act, acquires their rights and assumes their obligations.

114. The Authority becomes, without continuance of suit, a party to all proceedings to which the Agence métropolitaine de transport or a transit authority referred to in section 113 was a party and that relate to the functions conferred on the Authority.

115. Despite any provision to the contrary, expropriation proceedings in progress and begun by the Agence métropolitaine de transport or by the Minister on its behalf that relate to the functions conferred on the Authority by this Act are continued by the Minister on the Authority’s behalf.

This Act also entails the transfer, in favour of the Authority, of the benefit of any reserve established under section 75 of the Expropriation Act (chapter E-24) and held by the Agence métropolitaine de transport on 31 May 2017 in connection with the functions conferred on the Authority by this Act.

116. Rights concerning an immovable that have become the Authority’s rights under this Act are not required to be published in the land register.

However, with regard to an immovable, the Authority may, if it considers it advisable, publish a notice of the transfer or assignment, referring to this Act and containing the description of the immovable.

117. The Authority must offer bus transportation services and paratransit services to every local municipality whose territory is not included in its area of jurisdiction and which, on 31 May 2017, was a party to an agreement with another municipality for the establishment of an intermunicipal board of transport under section 2 of the Act respecting intermunicipal boards of transport in the area of Montréal (chapter C-60.1) or for the provision of paratransit services in its territory. It must also offer such services to every regional county municipality which, on that date, is a party to an agreement for the establishment of a regional public transport board under section 18.13 of that Act.

The amount required by the Authority for the provision of such services must be equitable for the municipality given the costs of the agreements the Authority enters into under section 8.

Local municipalities that were a party to an agreement referred to in the first paragraph may enter into an agreement by which they agree to divide among themselves, according to the formula and on the conditions stipulated in the agreement, the total amount of the contributions required from them for the financing of the services provided for in the first paragraph. The same applies to regional county municipalities that were a party to an agreement for the establishment of a regional public transport board.

The obligation imposed on the Authority under the first paragraph ceases on a decision by the municipality to organize its own public transportation services.

118. The term of the members of the board of directors of the Agence métropolitaine de transport ends on 31 May 2017.

119. The term of the chairman and director general of the Agence métropolitaine de transport ends on 31 May 2017 without compensation other than the allowance provided for in his instrument of appointment.

“120. The personnel members of the Agence métropolitaine de transport and of the transit authorities referred to in section 113 who are assigned to functions related to those conferred on the Authority and who are identified by the chair of the transition committee designated under the second paragraph of section 6 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area become, without further formality, employees of the Authority.

“121. For labour relations purposes, this Act entails the transfer of part of the operation of an undertaking within the meaning of sections 45 and 45.2 of the Labour Code (chapter C-27).

The employer and the certified associations must, before 1 October 2017, agree on the application of those sections, in particular as regards the description of bargaining units, the association designated to represent the employees of a bargaining unit and the collective agreement applicable to the employees of a bargaining unit, and any modifications or adaptations to be made to that agreement.

Only the associations representing the employees of a bargaining unit are responsible for participating in the agreement aimed at determining the association that will represent those employees.

“122. On the expiry of the time limit prescribed in the second paragraph of section 121, the employer refers to the Administrative Labour Tribunal the matters on which there has been agreement and any difficulties yet to be settled to allow the Tribunal to exercise its powers under section 46 of the Labour Code.

The Tribunal is not bound by the identification of difficulties to be settled. It must render its decision not later than 1 February 2018.

“123. No notice of negotiation required under section 52 of the Labour Code may be given before the date of the Administrative Labour Tribunal’s decision under section 122. Despite any contrary provision of the Labour Code, the right to strike or to a lock-out is only acquired 30 days after the Tribunal renders its decision or, if a notice of negotiation is given under section 52.1 of that Code before the expiry of that time, within 30 days following the notice.

No certification may be applied for before the Tribunal renders its decision by an association that, on 31 May 2017, is not certified to represent the employees referred to in section 120. The time limits prescribed in paragraphs *b.1* to *c* of section 22 of the Labour Code must be calculated from the date of that decision.

“124. Despite section 66, the chair of the transition committee designated under the second paragraph of section 6 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area becomes the director general of the Authority.

That person acts as director general until 31 May 2019, unless the Minister decides otherwise, and, after that date, until a director general is appointed in accordance with that Act. For those functions, the person receives the remuneration and allowances determined by the Authority's board of directors.

“125. The metropolitan arterial system identified by the Communauté métropolitaine de Montréal and the metropolitan bus transit system established by the Agence métropolitaine de transport become the metropolitan arterial system of the Authority deemed to have been identified in accordance with section 31.

The traffic lanes designated in the metropolitan bus transit system are also deemed to have been designated by the Authority in accordance with Division VI of Chapter II.

“126. The equipment and infrastructures designated by the Government as being required for the metropolitan transit system of the Agence métropolitaine de transport are deemed to have been designated by the Authority as being of metropolitan scope under section 39 and the Communauté métropolitaine de Montréal is deemed to have entrusted the Authority with their management in accordance with that section, unless the Government decides otherwise.

“127. The By-law concerning standards of conduct on the suburban train system (chapter A-7.02, r. 1) is deemed to have been adopted by the Authority, with the necessary modifications, under section 106.

“128. The Authority must, not later than 1 December 2017, adopt the code of ethics and professional conduct applicable to its board members and employees.

“129. The transit tickets and fares established by the public transit operating authorities referred to in section 5 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area continue to apply until the rate schedule established by the Authority in accordance with section 25 comes into force.

“130. Despite any provision to the contrary, the “SRB-voie réservée Pie IX Montréal” project mentioned in the schedule to the Règlement édictant des mesures transitoires nécessaires à l'application de la Loi sur les infrastructures publiques, enacted by Order in Council 281-2014 dated 26 March 2014 (French only), which has become the Authority's project under this Act, continues in accordance with the directive concerning the management of major public infrastructure projects, approved by Order in Council 96-2014 dated 12 February 2014 (French only), and its amendments.

“CHAPTER X**“MISCELLANEOUS AND FINAL PROVISIONS**

“131. The Authority is a municipal body for the purposes of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

“132. In the event of the dissolution of the Authority, all its assets devolve to the Communauté métropolitaine de Montréal.

“133. The Minister must, not later than five years after this Act comes into force and subsequently at least once every five years, report to the Government on the carrying out of this Act. The report must include recommendations concerning the updating of the Authority’s mission and the composition of its board of directors.

The report must contain an assessment of the effectiveness and performance of the Authority which includes benchmarking measures.

The Minister tables the report in the National Assembly.

“134. The Minister of Transport is responsible for the administration of this Act, except sections 85 to 90, which come under the responsibility of the Minister of Municipal Affairs, Regions and Land Occupancy.”

PART III**ENACTMENT OF THE ACT RESPECTING THE RÉSEAU DE
TRANSPORT MÉTROPOLITAIN**

4. The Act respecting the Réseau de transport métropolitain, of which the text appears in this Part, is enacted.

“ACT RESPECTING THE RÉSEAU DE TRANSPORT MÉTROPOLITAIN**“CHAPTER I****“ESTABLISHMENT**

“1. The “Réseau de transport métropolitain” (Network) is established. The Network is a legal person established in the public interest.

The Network may choose to refer to itself by another name or by an acronym by sending a copy of a resolution to that effect to the enterprise registrar.

“2. The Network’s property forms part of the municipal domain but the performance of its obligations may be levied against its property.

The Network binds only itself when it acts in its own name.

“**3.** The Network’s area of jurisdiction comprises the territories of the Communauté métropolitaine de Montréal, the Kahnawake Indian Reserve and Ville de Saint-Jérôme.

“**4.** The Network’s head office is located in the place it determines within its area of jurisdiction.

The Network publishes a notice of the location and of any change in location of the head office in the *Gazette officielle du Québec* and, at the same time, posts it on its website.

“CHAPTER II

“GENERAL RESPONSIBILITIES

“**5.** The Network operates an enterprise that provides shared transportation services, including paratransit services for handicapped persons.

The Network has exclusive jurisdiction to operate, in its area of jurisdiction, an enterprise that provides shared transportation services by suburban train.

The Network exercises its jurisdiction over all or part of its area of jurisdiction, or outside it, as determined by this Act and any agreement entered into under section 8 of the Act respecting the Autorité régionale de transport métropolitain (2016, chapter 8, section 3).

“**6.** The Network must

(1) collaborate, at the request of the Autorité régionale de transport métropolitain, in the planning, development, support and promotion of shared transportation;

(2) advise the Authority as regards the establishment, modification and removal of lines and routes, and propose to the Authority a transport plan for the Network’s entire area of jurisdiction;

(3) build and maintain the infrastructures and equipment under its responsibility;

(4) advise the Authority as regards prescribing standards of conduct to be observed by passengers in vehicles, train stations and parking areas and on platforms operated by the Network;

(5) ensure the provision of services, taking into account the respective characteristics of the local municipalities of the North Shore and South Shore; and

(6) carry out any other mandate conferred on it by the Authority.

For the purposes of this Act,

(1) “local municipalities of the North Shore” means Ville de Blainville, Ville de Boisbriand, Ville de Bois-Des-Filion, Ville de Charlemagne, Ville de Deux-Montagnes, Ville de L’Assomption, Ville de Lorraine, Ville de Mascouche, Ville de Mirabel, Municipalité d’Oka, Municipalité de Pointe-Calumet, Ville de Repentigny, Ville de Rosemère, Ville de Saint-Eustache, Ville de Saint-Jérôme, Municipalité de Saint-Joseph-du-Lac, Paroisse de Saint-Sulpice, Ville de Sainte-Anne-des-Plaines, Ville de Sainte-Marthe-sur-le-Lac, Ville de Sainte-Thérèse and Ville de Terrebonne; and

(2) “local municipalities of the South Shore” means Ville de Beauharnois, Ville de Belœil, Municipalité de Calixa-Lavallée, Ville de Candiac, Ville de Carignan, Ville de Chambly, Ville de Châteauguay, Ville de Contrecoeur, Ville de Delson, Ville de Hudson, Ville de L’Île-Cadieux, Ville de L’Île-Perrot, Ville de La Prairie, Ville de Léry, Municipalité de Les Cèdres, Municipalité de McMasterville, Ville de Mercier, Ville de Mont-Saint-Hilaire, Ville de Notre-Dame-de-l’Île-Perrot, Ville d’Otterburn Park, Ville de Pincourt, Village de Pointe-des-Cascades, Ville de Richelieu, Municipalité de Saint-Amable, Ville de Saint-Basile-le-Grand, Ville de Saint-Constant, Paroisse de Saint-Isidore, Municipalité de Saint-Jean-Baptiste, Ville de Saint-Lazare, Municipalité de Saint-Mathias-sur-Richelieu, Municipalité de Saint-Mathieu, Municipalité de Saint-Mathieu-de-Belœil, Municipalité de Saint-Philippe, Ville de Sainte-Catherine, Ville de Sainte-Julie, Municipalité de Terrasse-Vaudreuil, Ville de Varennes, Ville de Vaudreuil-Dorion, Village de Vaudreuil-sur-le-Lac and Municipalité de Verchères.

“7. The Network may not, without the authorization of the Minister, alienate property having a value greater than \$25,000 for which it has specifically been awarded a grant.

The Network may give to a charity any property having a value that does not exceed \$10,000.

“8. Twice a year, the Network publishes in a newspaper distributed in its area of jurisdiction and posts on its website a notice mentioning any property having a value greater than \$10,000 that it alienated in the previous six months, the person to whom the property was alienated and the price of alienation.

“9. Sections 92.1 to 108.2 of the Act respecting public transit authorities (chapter S-30.01) apply to the Network, with the necessary modifications, and the Network is deemed to be a public transit authority for the purposes of any regulation made under section 100 or 103.1 of that Act.

“10. For the purpose of providing services to the Autorité régionale de transport métropolitain, the Network may enter into a subcontract with any person operating a shared transportation enterprise providing, in particular, bus transportation, paratransit, carpooling and shared taxi services.

“11. The Network may not transfer all or part of its rights and obligations arising from an agreement entered into with the Autorité régionale de transport métropolitain under section 8 of the Act respecting the Autorité régionale de transport métropolitain.

“CHAPTER III

“SPECIAL RESPONSIBILITIES

“DIVISION I

“PUBLIC BUS TRANSPORTATION

“12. The Network provides the Autorité régionale de transport métropolitain with bus transportation services in accordance with an agreement entered into under the first paragraph of section 8 of the Act respecting the Autorité régionale de transport métropolitain in the territory of the local municipalities of the North Shore and South Shore.

It may also provide the Authority with the bus transportation services provided for in an agreement entered into under the third paragraph of section 8 of that Act.

“13. The Network may enter into an agreement with the person responsible for the maintenance of a public highway to carry out work on that highway to facilitate the operation of the Network’s lines and routes.

The Network may, in particular,

(1) designate lanes reserved for the exclusive use of certain classes of road vehicles or of road vehicles carrying the minimum number of passengers specified by the Network; and

(2) enter into, with the person responsible for the maintenance of a public highway, any contract providing for compensation of all or part of the costs of establishing, maintaining and operating reserved traffic lanes, and take any other steps to ensure their safe use.

“DIVISION II

“SUBURBAN TRAINS

“14. The Network provides the Autorité régionale de transport métropolitain with shared transportation services by suburban train in accordance with an agreement entered into under the first paragraph of section 8 of the Act respecting the Autorité régionale de transport métropolitain.

“15. The Network’s suburban train system may not be expanded at any time without the authorization of the Government.

“16. The Network may, in particular and with the authorization of the *Autorité régionale de transport métropolitain*,

(1) enter into contracts with railway undertakings providing for the procurement of services relating to the operation of such an undertaking that is within the legislative authority of the Parliament of Canada, or present to the federal authority an application for a certificate of fitness for the construction or operation of a railway within the meaning of the *Canada Transportation Act* (*Statutes of Canada*, 1996, chapter 10); and

(2) acquire, lease or alienate property for the purpose of establishing, operating or developing its suburban train system.

“DIVISION III

“SPECIALIZED SERVICES

“17. The Network may provide specialized services, including

- (1) services adapted to the needs of mobility impaired persons;
- (2) services adapted to the needs of elementary and secondary school students;
- (3) services enabling a person to charter a bus or minibus; and
- (4) services enabling a person to carry out a sightseeing tour.

The Network must, in accordance with an agreement entered into under section 8 of the *Act* respecting the *Autorité régionale de transport métropolitain*, provide the services referred to in subparagraph 1 of the first paragraph for handicapped persons whose place of residence is situated elsewhere than in the area of jurisdiction of the *Société de transport de Laval*, the *Société de transport de Longueuil* or the *Société de transport de Montréal*. To that end, the Network may ensure the mobility of persons outside its area of jurisdiction, including in the areas of jurisdiction of those transit authorities.

“DIVISION IV

“ORGANIZATIONAL STRATEGIC PLAN

“18. The Network must adopt an organizational strategic plan that includes

- (1) a description of its mission;

- (2) the context in which it acts and the main challenges it faces;
- (3) the strategic directions, objectives and lines of action selected;
- (4) the results targeted over the period covered by the plan; and
- (5) the performance indicators to be used to measure results.

The Network sends its strategic plan and any amendment to it to the Communauté métropolitaine de Montréal, for approval, within 30 days after it is adopted. The Network posts the plan or any amendment to it on its website.

“DIVISION V

“CAPITAL EXPENDITURES PROGRAM

“19. Each year, the Network files a capital expenditures program for the next 10 years, in accordance with its strategic plan and the strategic shared transportation development plan of the Autorité régionale de transport métropolitain.

“20. The program must be divided into annual phases and set out the object, amount and mode of financing of the capital expenditures the Network plans to make or incur for each phase. If applicable, the plan also sets out, for each object, any financial assistance granted by the Government or by other contributors.

The program must also specify the capital expenditures that will have to be made beyond the period covered by the program, if such expenditures result from commitments made during that period.

The program must contain an asset maintenance plan that includes actions designed to foster the longevity of the assets and specifies the level of investments required to maintain them.

“21. The Network sends its capital expenditures program to the Communauté métropolitaine de Montréal, for approval, not later than 31 October preceding the beginning of the first fiscal year covered by the program. The Community approves the program after consulting the Autorité régionale de transport métropolitain.

“22. The Network may amend its capital expenditures program. Any amendment must be sent to the Communauté métropolitaine de Montréal, for approval, within 30 days after it is adopted. The Community approves the amendment after consulting the Autorité régionale de transport métropolitain.

“23. The Network sends its capital expenditures program or any amendments to the Minister and the Autorité régionale de transport métropolitain once they have been approved by the Communauté métropolitaine de Montréal. The Minister must submit to the Conseil du trésor any amendment that affects public infrastructure investment planning.

The Network posts its capital expenditures program or any amendment to it on its website.

“CHAPTER IV

“ORGANIZATION AND OPERATION

“24. The Network is administered by a board of directors composed of 15 members, designated as follows:

(1) three by Ville de Montréal, acting through its urban agglomeration council;

(2) one by Ville de Laval;

(3) one by Ville de Longueuil, acting through its urban agglomeration council;

(4) four by the local municipalities of the North Shore;

(5) four by the local municipalities of the South Shore;

(6) two users of shared transportation services by the Communauté métropolitaine de Montréal, of whom one must be a user of transportation adapted to meet the needs of mobility impaired persons.

The members designated by the Communauté métropolitaine de Montréal must be users of shared transportation services who reside in its territory.

At least seven members must qualify as independent members. The Communauté métropolitaine de Montréal determines which of the municipalities or groups of municipalities referred to in the first paragraph are required to designate independent members and sets the minimum number of such members that they must designate. The decision of the Community requires a two-thirds majority of the votes cast.

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

Independent members are designated taking into account the expertise and experience profiles approved by the board.

“25. The composition of the board must tend toward gender parity. The board must also be composed of members whose cultural identity reflects the various components of Québec society as much as possible.

“26. Board members are designated by the local municipalities of the North Shore and the South Shore in accordance with the following rules:

(1) the Network’s secretary convenes a meeting of the mayors of the local municipalities of the North Shore and a meeting of the mayors of the local municipalities of the South Shore;

(2) at the beginning of the meeting, the mayors table a resolution of their respective councils giving the names of the candidates proposed by the council for each of the positions concerned;

(3) the mayors may, at the beginning of the meeting, decide on the procedure for breaking a tie vote;

(4) each mayor has a number of votes corresponding to the proportion that the population of the municipality of which he or she is the mayor is of the population of the territory composed of the territories of the municipalities of the group;

(5) the secretary establishes the nomination and voting procedure:

(a) he or she organizes as many ballots as there are members to be elected and may establish rules before beginning the process to ensure that the number of candidates decreases before each ballot;

(b) he or she proclaims the election, after each ballot, of the person who receives the greatest number of votes or, as applicable, who is selected following the application of the procedure for breaking a tie vote.

The secretary draws up the minutes of the meeting and tables them at the next board meeting.

“27. The Communauté métropolitaine de Montréal designates one of the independent members as chair of the board.

“28. The chair of the board is appointed for a term of up to five years and the other board members for a term of up to four years; the chair and the other members may be reappointed twice to serve in those capacities.

The term of a board member of the Network who is also a council member of a local municipality ends as soon as the person ceases to be a council member of that municipality.

“29. Board members are not remunerated except in the cases, on the conditions and to the extent the Communauté métropolitaine de Montréal may determine. However, they are entitled to be reimbursed for expenses incurred in the exercise of their functions, on the conditions and to the extent the Network may determine.

“30. On the expiry of their term, board members remain in office until they are replaced or reappointed.

“31. No person may exercise the functions of board member of the Network concurrently with those of board member of the Communauté métropolitaine de Montréal, the Autorité régionale de transport métropolitain, the Société de transport de Laval, the Société de transport de Longueuil or the Société de transport de Montréal.

“32. The chair of the board may not have a direct or indirect interest in a body, enterprise or association that places the chair’s personal interests in conflict with those of the Network. If such an interest devolves to the chair, including by succession or gift, it must be renounced or disposed of with dispatch.

Subject to the third paragraph, any other board member who has a direct or indirect interest in a body, enterprise or association that places the member’s personal interests in conflict with those of the Network must disclose it in writing to the chair of the board and abstain from participating in any discussion or decision involving that body, enterprise or association. The member must also withdraw from a meeting while the matter is discussed or voted on.

Sections 304 to 307 of the Act respecting elections and referendums in municipalities (chapter E-2.2) apply, with the necessary modifications, to board members who are council members of a local municipality.

This section does not prevent a board member from expressing an opinion on general measures relating to conditions of employment within the Network that would also apply to the board member.

“33. A vacancy on the board of directors is filled in accordance with the rules of appointment to the board.

Absence from the number of board meetings determined by the Network’s by-laws, in the cases and circumstances specified in those by-laws, constitutes a vacancy.

“34. The board must establish the following committees:

- (1) a governance, ethics and human resources committee;
- (2) an audit committee; and
- (3) a project monitoring committee.

These committees must be composed, in the majority, of independent members, including the chair.

Sections 22 and 27 of the Act respecting the governance of state-owned enterprises apply to the governance, ethics and human resources committee. Sections 23 to 36 of that Act apply to the audit committee.

“35. The functions of the project monitoring committee include verifying compliance with the contract management policy adopted by the Network.

“36. In addition to the committees listed in section 34, the board must establish the following committees:

(1) a user services quality committee with regard to shared transportation services, whose functions include formulating, submitting to the board and following up on policy directions concerning the quality of user services, including services for mobility impaired users, taking into account the respective characteristics of the local municipalities of the North Shore and South Shore;

(2) two committees on public bus transportation services and paratransit services for mobility impaired persons, one for the local municipalities of the North Shore and the other for those of the South Shore, whose functions include formulating recommendations to the board with regard to the provision of those services, including the transport plan, in the territory of the municipalities concerned.

Each committee established under subparagraph 2 of the first paragraph is composed exclusively of board members designated by the local municipalities of the North Shore or South Shore, as applicable.

“37. The Network may make by-laws for its internal management. Such by-laws must be posted on the Network’s website.

“38. Board meetings are closed to the public. However, special meetings held to examine tenders in accordance with section 54 must be open to the public.

The board must also hold a public meeting once a year to present the Network's activity report to the public. The board posts the place, date and time of the meeting on the Network's website at least 30 days before the meeting is held.

The public meeting includes a period during which the persons present may address oral questions to the board members. The board may, by by-law, prescribe how long the period is to last, when it is to be held and the procedure for asking a question.

“39. The quorum at board meetings is the majority of its members, including the chair or the person designated to replace the chair.

“40. Each member present at a meeting has one vote and is required to vote, unless prevented from doing so under the second paragraph of section 32. Board decisions are made by a majority vote of the members present. In the case of a tie vote, the person presiding at the meeting has a casting vote.

“41. The minutes of board meetings, approved by the board and certified true by the chair or by any other person authorized to do so under the Network's by-laws, are authentic, as are the documents or copies of documents emanating from the Network or forming part of its records, provided they are so certified.

“42. No document binds the Network or may be attributed to it unless it is signed by a person authorized by the Network's by-laws.

The by-laws may allow that a facsimile of the signature of a person referred to in the first paragraph be affixed on the documents specified in the by-law. Such a facsimile has the same force as the signature itself.

“CHAPTER V

“HUMAN RESOURCES

“43. The board designates a director general, a secretary and a treasurer from among the Network's employees.

“44. The Network's employees are appointed in accordance with the staffing plan it establishes.

Subject to the provisions of a collective agreement, the Network determines the standards and scales of remuneration, employee benefits and other conditions of employment of its employees in accordance with the conditions defined by the Communauté métropolitaine de Montréal.

“45. The Network establishes a mode of organization of human resources intended to promote

(1) the Network’s efficiency and the optimal utilization and development of its human resources;

(2) the exercise of human resource management powers at the least possible hierarchical remove from the persons concerned and the application of a system under which the person vested with such management powers is accountable for his or her acts, according to the means put at the person’s disposal;

(3) equal opportunity for all citizens for employment with the Network;

(4) impartiality and fairness in decisions affecting employees;

(5) the competence of persons in recruitment, promotion and evaluation matters; and

(6) optimal contribution of the various components of Québec society.

“46. The board approves the code of ethics and professional conduct applicable to the board members and the Network’s employees.

The Network must post the code referred to in the first paragraph on its website.

“47. If employees or board members of the Network are sued by a third person for an act done in the exercise of their functions, the Network assumes their defence and pays any damages awarded as compensation for the injury resulting from that act, unless they committed a gross fault or a personal fault separable from the exercise of their functions.

In penal or criminal proceedings, however, the Network pays the defence costs of employees or board members being sued only if they were acquitted, or if it judges that they acted in good faith.

“CHAPTER VI

“FINANCIAL PROVISIONS

“48. The Network’s fiscal year ends on 31 December.

“49. The Network adopts its budget estimates for each fiscal year.

The budget estimates are sent to the Communauté métropolitaine de Montréal, the Autorité régionale de transport métropolitain and the Minister

not later than 15 November each year; at that time, the Network posts them on its website.

“50. The Network’s budget estimates may not provide for expenditures exceeding its revenues.

“51. The Network must include as revenue in its budget estimates any surplus anticipated for the current year and any other surplus at its disposal.

It must also include, as expenditures, any deficit for the preceding year and any deficit anticipated for the current year.

“52. To help finance its activities, the Network may require a contribution from local municipalities whose territory is included in the Network’s area of jurisdiction, in accordance with the terms and conditions provided for in the financing policy of the Autorité régionale de transport métropolitain.

Despite the first paragraph, the Network may not require a contribution from local municipalities other than those of the North Shore and South Shore to finance activities related to the exercise of its jurisdiction under the first paragraph of section 12.

“53. The Network may not contract loans unless authorized to do so by the Minister of Municipal Affairs, Regions and Land Occupancy and unless the interest rate and other conditions of the loans are authorized by the Minister of Finance.

The Network may, however, contract temporary loans to pay expenses incurred for its day-to-day administration without the authorizations required under the first paragraph. It may also, with the sole authorization of the Minister of Municipal Affairs, Regions and Land Occupancy, contract such loans to pay any other expenses.

“54. If the Network issues bonds, it must sell them by adjudication in accordance with section 554, except the fourth paragraph, of the Cities and Towns Act (chapter C-19) and sections 555 and 555.1 of that Act, unless the Minister of Finance authorizes it to sell them by agreement on the conditions the Minister considers appropriate.

If the Network contracts a loan through an issue of notes, it may choose the lender using the adjudication procedure referred to in the first paragraph, with the necessary modifications.

The authorization of the Minister of Finance under the first paragraph of section 53 is not required if the Network sells its bonds or chooses a lender by adjudication.

“55. Divisions V, VI, VIII to X and XII of the Act respecting municipal debts and loans (chapter D-7) apply to the Network. The treasurer, or another

employee designated for that purpose by the board, must fulfil the obligations mentioned in section 24 of that Act.

Division IX of that Act does not apply to a security that is not subject to registration according to the conditions of its issue.

A loan obtained or a security issued by the Network may be repaid or redeemed in advance, as the Network sees fit, according to the terms of the contract or security. The date of advance repayment or redeem may be other than a date of payment of interest if the prior notice stipulated in the contract or security is given.

“56. The securities issued by the Network are investments that are presumed sound as if they were mentioned in paragraph 2 of article 1339 of the Civil Code.

The commitments included in the securities issued by the Network constitute direct and general obligations of the Network and of the local municipalities whose territory is included in the Network’s area of jurisdiction and rank concurrently and *pari passu* with the other general obligations of the Network and the municipalities, except if the commitments included in securities issued are related to the exercise of the Network’s jurisdiction under the first paragraph of section 12. In such a case, the securities issued by the Network constitute direct and general obligations of only the local municipalities of the North Shore and South Shore and rank concurrently and *pari passu* with the other general obligations of the Network and those municipalities.

“57. Any agreement by which the Network makes a financial commitment for a period exceeding 10 years must, to be binding on the Network, be authorized by the Minister of Municipal Affairs, Regions and Land Occupancy, except in the case of a work contract.

“58. The Network must obtain the authorization of the Minister of Municipal Affairs, Regions and Land Occupancy to become surety for an obligation of \$100,000 or more.

“59. No decision of the Network or report authorizing or recommending an expenditure has effect before the treasurer produces a certificate attesting that funds are available for the purposes for which the expenditure is to be used.

“60. The local municipalities whose territory is included in the Network’s area of jurisdiction are guarantors of the Network’s obligations and commitments, except obligations and commitments related to the exercise of its jurisdiction under the first paragraph of section 12. In such a case, only the local municipalities of the North Shore and South Shore are the Network’s guarantors.

“61. Every local municipality whose territory is included in the Network’s area of jurisdiction may, for the purpose of paying the sums it owes to the

Network, impose a general or special tax based on the assessment of the taxable immovables in its territory.

“62. If a contribution is required from a local municipality whose territory is included in that of an urban agglomeration, the contribution is claimed from the central municipality. In such a case, the payment by the central municipality of the contribution constitutes an expenditure incurred in the exercise of an urban agglomeration power for the purposes of the financing of the expenditure.

“63. No mode of tariffing established by a municipality under sections 244.1 to 244.10 of the Act respecting municipal taxation (chapter F-2.1) with regard to its property, services and other activities may be levied against the Network.

“64. The Act respecting duties on transfers of immovables (chapter D-15.1) does not apply to transfers made to the Network.

“CHAPTER VII

“REPORTS AND AUDIT

“65. At the end of the fiscal year, the treasurer draws up the Network’s financial report for the past fiscal year and certifies that it is accurate.

The report must be produced on the forms, if any, provided by the Minister of Municipal Affairs, Regions and Land Occupancy. It must include the Network’s financial statements and any other information required by that Minister and the Communauté métropolitaine de Montréal.

The treasurer sends a copy of the report to the Community along with any other information the latter requires.

“66. The Network’s books and accounts must be audited each year by an auditor it designates. The auditor’s report must be attached to the Network’s annual activity report.

“67. The treasurer tables the financial report at a board meeting of the Network.

“68. Not later than 30 April each year, the Network submits its activity report for the preceding fiscal year to the Minister, the Minister of Municipal Affairs, Regions and Land Occupancy and the Communauté métropolitaine de Montréal.

The report must include

- (1) a summary of the following reports submitted to the board:

(a) the report of the governance, ethics and human resources committee on its activities during the fiscal year, including a summary of its assessment of the board's performance;

(b) the report of the audit committee on the discharge of its mandate and on the optimal resource utilization plan;

(c) the report of the project monitoring committee and the user services quality committee on the discharge of their mandate; and

(d) the reports of the committees on public bus transportation services and paratransit services for mobility impaired persons established for the local municipalities of the North Shore and for those of the South Shore, on the discharge of their mandate;

(2) concerning the board members,

(a) the dates of appointment and expiry of term of all board members, and the identity of those with independent member status;

(b) the identity of any other board on which a board member sits;

(c) a summary of the expertise and experience profile of each board member and a statement of the board members' attendance at board and committee meetings; and

(d) the code of ethics and rules of professional conduct applicable to board members;

(3) concerning remuneration,

(a) the remuneration and benefits paid to each board member;

(b) the remuneration, including variable pay and other benefits, paid to each of the Network's five most highly remunerated officers; and

(c) the fees paid to the external auditor;

(4) the results obtained from the benchmarking measures adopted by the board; and

(5) the Network's financial report for the fiscal year concerned.

At the same time, the Network posts its activity report on its website.

The Network must provide the Community, the Minister and the Minister of Municipal Affairs, Regions and Land Occupancy with any other information they require concerning its activities.

“CHAPTER VIII**“INSPECTION**

“69. The Network generally or specially authorizes a person from among its employees, or from among the employees of a carrier under contract with it, to act as an inspector for the purposes of this Act and the by-laws made under section 72.

“70. An inspector may require that any transportation ticket issued on behalf of the Autorité régionale de transport métropolitain be produced for inspection.

“71. An inspector must, on request, produce a certificate of authority.

“CHAPTER IX**“REGULATORY AND PENAL PROVISIONS**

“72. The Network may, by by-law,

(1) prescribe standards of safety and conduct to be observed by persons in the rolling stock and immovables it operates; and

(2) prescribe conditions regarding the immovables it operates and the persons using them.

A Network by-law must be posted on its website. It must also be published in a newspaper circulated in its area of jurisdiction and may determine, among its provisions, those whose violation constitutes an offence entailing a fine in an amount that may, depending on the circumstances, be a set amount or vary between a minimum and a maximum amount.

For a first offence, the set amount or maximum amount may not exceed \$500 if the offender is a natural person and \$1,000 in all other cases. The amounts are doubled for a subsequent offence. The minimum amount may not be less than \$25.

“73. A by-law made under section 72 applies even when a vehicle of the Network travels outside the Network’s area of jurisdiction. It also applies in an immovable the Network possesses outside its area of jurisdiction. An inspector referred to in section 69 has jurisdiction for the purposes of this section.

“74. Anyone who uses the Network’s name, acronym, emblem or logo without authorization, or hinders or attempts to hinder in any way the exercise of an inspector’s functions, misleads an inspector through concealment or misrepresentation, refuses to hand over a document or information an inspector is entitled to require or examine, or conceals or destroys such a document is guilty of an offence and is liable to a fine of not less than \$250 nor more than \$500.

“75. The Network may institute penal proceedings for an offence under this chapter.

“76. Any municipal court having jurisdiction in the Network’s area of jurisdiction has jurisdiction with regard to an offence under this chapter.

“77. The fine belongs to the Network if the latter instituted the penal proceedings.

The costs relating to proceedings instituted before a municipal court belong to the city under the jurisdiction of that court, except the part of the costs remitted to another prosecuting party by the collector under article 345.2 of the Code of Penal Procedure (chapter C-25.1) and the costs remitted to the defendant or imposed on that city under article 223 of that Code.

“CHAPTER X

“TRANSITIONAL PROVISIONS

“78. The Network replaces the Agence métropolitaine de transport with regard to the functions conferred on the Network by this Act, acquires the Agency’s rights and assumes its obligations.

Despite the first paragraph, the assets and liabilities of the Agence métropolitaine de transport that relate to the functions conferred on the Network are transferred to the Network according to the value and on the conditions determined by the Government.

“79. The Network succeeds to the rights and obligations of the intermunicipal boards of transport and the Conseil régional de transport de Lanaudière, established under the Act respecting intermunicipal boards of transport in the area of Montréal (chapter C-60.1), the Municipalité régionale de comté de L’Assomption, the Municipalité régionale de comté des Moulins and Ville de Sainte-Julie as regards the continuation of their shared transportation contracts until the expiry of those contracts.

“80. The Network becomes, without continuance of suit, a party to all proceedings to which the Agence métropolitaine de transport was a party and that relate to the functions conferred on the Network.

This also applies to any proceedings involving an intermunicipal board of transport, the Conseil régional de transport de Lanaudière, Municipalité régionale de comté de L’Assomption, Municipalité régionale de comté des Moulins or Ville de Sainte-Julie as regards shared transportation contracts.

“81. Despite any incompatible Act, expropriation proceedings in progress and begun by the Agence métropolitaine de transport or by the Minister on its behalf that relate to the functions conferred on the Network by this Act are continued by the Minister on the Network’s behalf.

This Act also entails the transfer, in favour of the Network, of the benefit of any reserve established under section 75 of the Expropriation Act (chapter E-24) and held by the Agence métropolitaine de transport on 31 May 2017 in connection with the functions conferred on the Network by this Act.

“82. Rights concerning an immovable that have become the Network’s rights under this Act are not required to be published in the land register.

However, with regard to an immovable, the Network may, if it considers it advisable, publish a notice of the transfer or assignment, referring to this Act and containing the description of the immovable.

“83. The personnel members of the Agence métropolitaine de transport who are assigned to functions related to those conferred on the Network and who are identified by the chair of the transition committee designated under the second paragraph of section 6 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area (2016, chapter 8) become, without further formality, employees of the Network.

“84. The personnel members of the intermunicipal boards of transport, the Conseil régional de transport de Lanaudière, Municipalité régionale de comté de L’Assomption, Municipalité régionale de comté des Moulins and Ville de Sainte-Julie who are assigned to functions related to those conferred on the Network and who are identified by the chair of the transition committee designated under the second paragraph of section 6 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area become, without further formality, employees of the Network.

“85. For labour relations purposes, this Act entails the transfer of part of the operation of an undertaking within the meaning of sections 45 and 45.2 of the Labour Code (chapter C-27).

The employer and the certified associations must, before 1 October 2017, agree on the application of those sections, in particular as regards the description of bargaining units, the association designated to represent the employees of a bargaining unit and the collective agreement applicable to the employees of a bargaining unit and any modifications or adaptations to be made to that agreement.

Only the associations representing the employees of a bargaining unit are responsible for participating in the agreement aimed at determining the association that will represent those employees.

“86. On the expiry of the time limit prescribed in the second paragraph of section 85, the employer refers to the Administrative Labour Tribunal the matters on which there has been agreement as well as any difficulties yet to be settled to allow the Tribunal to exercise its powers under section 46 of the Labour Code.

The Tribunal is not bound by the identification of difficulties to be settled. It must render its decision not later than 1 February 2018.

“87. No notice of negotiation required under section 52 of the Labour Code may be given before the date of the Administrative Labour Tribunal’s decision under section 86. Despite any contrary provision of the Labour Code, the right to strike or to a lock-out is only acquired 30 days after the Administrative Labour Tribunal’s decision or, if a notice of negotiation is given under section 52.1 of that Code before the expiry of that time, within 30 days following the notice.

No certification may be applied for before the Tribunal renders its decision by an association that, on 31 May 2017, is not certified to represent the employees referred to in sections 83 and 84. The time limits prescribed in paragraphs *b.1* to *c* of section 22 of the Labour Code must be calculated from the date of that decision.

“88. The Network must, not later than 1 December 2017, adopt the code of ethics and professional conduct applicable to its board members and employees.

“89. Despite any provision to the contrary, the following projects mentioned in the schedule to the *Règlement édictant des mesures transitoires nécessaires à l’application de la Loi sur les infrastructures publiques*, enacted by Order in Council 281-2014 dated 26 March 2014 (French only), which become the projects of the Network under this Act, continue in accordance with the directive concerning the management of major public infrastructure projects, approved by Order in Council 96-2014 dated 12 February 2014 (French only), and its amendments:

- (1) the Lachine train maintenance centre;
- (2) the Pointe-St-Charles train maintenance centre;
- (3) the tunnel renovation project (Mont-Royal Tunnel); and
- (4) the Train de l’Est (eastern train) project.

“90. Despite any provision to the contrary, Division IX.3 of the Transport Act (chapter T-12) continues to apply to the following shared transportation infrastructure projects that the Caisse de dépôt et placement du Québec examines in accordance with a decision of the Government:

- (1) Light rail rapid transit on the new St-Laurent bridge;
- (2) Train de l’Ouest (western train).

“CHAPTER XI**“MISCELLANEOUS AND FINAL PROVISIONS**

“91. The Network is a municipal body for the purposes of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

“92. In the event of the dissolution of the Network, all its assets devolve to the Communauté métropolitaine de Montréal.

“93. The Minister must, not later than five years after this Act comes into force and subsequently at least once every five years, report to the Government on the carrying out of this Act. The report must include recommendations concerning the updating of the Network’s mission and the composition of its board of directors.

The report must contain an assessment of the effectiveness and performance of the Network which includes benchmarking measures.

The Minister tables the report in the National Assembly.

“94. The Minister of Transport is responsible for the administration of this Act, except sections 53 to 58, which come under the responsibility of the Minister of Municipal Affairs, Regions and Land Occupancy.”

PART IV**TRANSITION COMMITTEE****CHAPTER I****INTERPRETATION**

5. For the purposes of this Part, a “public transit operating authority” is

- (1) the Agence métropolitaine de transport;
- (2) the Société de transport de Laval, the Société de transport de Longueuil and the Société de transport de Montréal;
- (3) any intermunicipal board of transport established under section 2 or 8 of the Act respecting intermunicipal boards of transport in the area of Montréal (chapter C-60.1);
- (4) the Conseil régional de transport de Lanaudière established under section 18.13 of that Act;

(5) Ville de Sainte-Julie, when acting under section 48.18 of the Transport Act (chapter T-12);

(6) Municipalité régionale de comté de L'Assomption, when acting under section 48.18 of the Transport Act; and

(7) Municipalité régionale de comté des Moulins, when acting under section 48.18 of the Transport Act.

CHAPTER II

COMPOSITION AND ORGANIZATION OF THE TRANSITION COMMITTEE

6. A transition committee composed of five members, of whom three are designated by the Minister and two by the Communauté métropolitaine de Montréal, is constituted, effective 20 May 2016.

The Minister designates one of the committee members as chair.

7. The committee is a legal person and a mandatary of the State.

The committee's property forms part of the domain of the State but the performance of its obligations may be levied against its property.

The committee binds only itself when it acts in its own name.

8. The committee's head office is located at the place determined by the Minister. Notice of the location and of any change in location of the head office must be published in the *Gazette officielle du Québec* and, at the same time, posted on the Minister's website.

9. Each committee member is paid the remuneration and allowances determined by the Minister.

The Minister may determine any other conditions of employment of a member as well as the rules governing the reimbursement of expenses incurred by the member in the exercise of his or her functions.

All sums determined by the Minister that are required for the payment of remuneration, allowances and the reimbursement of expenses are debited from the Land Transportation Network Fund.

10. No deed, document or writing binds the committee unless it is signed by the chair or, to the extent determined in the committee's by-laws, by a member of the committee's personnel.

The committee may allow, on the conditions and on the documents it determines in its by-laws, that a signature be affixed by means of an automatic device or that a facsimile of a signature be engraved, lithographed or printed. However, the facsimile has the same force as the signature itself only if the document is countersigned by a person authorized by the chair.

11. The committee may hire the employees required to exercise its responsibilities and determine their conditions of employment. It may also retain the expert services it considers necessary.

12. No judicial proceedings may be brought against the committee's members or employees for an official act performed in good faith in the exercise of their functions.

Any liability that may be connected with the protection of the members and employees of the committee is assumed by the Government.

13. The Minister may, on the conditions and in accordance with the terms determined by the Minister, grant the committee any sum the Minister considers necessary for its operation. Such sums are debited from the Land Transportation Network Fund.

Any decision made by the committee to borrow money must be approved by the Minister. The rate of interest and other conditions of the loan must be authorized by the Minister of Finance.

14. Unless the Government decides otherwise, the committee's mandate ends on the date set by the Government for the coming into force of section 3 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area (2016, chapter 8).

15. The committee's rights and obligations that do not become those of the Autorité régionale de transport métropolitain or the Réseau de transport métropolitain become those of the Minister, or of the Minister of Finance in the case of rights or debts of a financial institution or relating to a financial instrument or contract designated by the Government.

The Minister or the Minister of Finance, as applicable, becomes, without continuance of suit, a party to any proceeding to which the committee was party with regard to the rights the Minister acquires and the debts and other obligations the Minister assumes.

Assets and liabilities resulting from obligations that become obligations of the Minister become assets and liabilities of the Land Transportation Network Fund.

16. The committee's debts that become debts of the Minister of Finance are debts referred to in section 10 of the Financial Administration Act (chapter A-6.001).

The Minister of Finance may transfer to the general fund, out of the sums credited to the Land Transportation Network Fund, any sum corresponding to a sum taken out of the Consolidated Revenue Fund for the payment of the debts.

CHAPTER III

MISSION OF THE TRANSITION COMMITTEE

17. The mission of the transition committee is

(1) to establish, with the directors and employees of the public transit operating authorities and those of the Communauté métropolitaine de Montréal, conditions to facilitate, for users of transportation systems in the Montréal metropolitan area, the transition to the new organization and governance scheme;

(2) to see to it that the Autorité régionale de transport métropolitain and the Réseau de transport métropolitain are set up;

(3) to foster the implementation of the new shared transportation framework for the Montréal metropolitan area as well as the new governance rules;

(4) to ensure that the Authority and the Network take over the responsibilities currently assumed by the public transit operating authorities; and

(5) to establish, in accordance with section 28, the first expertise and experience profiles for Authority and Network board members.

CHAPTER IV

OPERATION, POWERS AND RESPONSIBILITIES OF THE TRANSITION COMMITTEE

DIVISION I

OPERATION AND POWERS

18. Committee decisions are made at committee meetings.

The quorum at committee meetings is the majority of the committee's members.

19. Subject to the second paragraph of section 24, the committee must, in the course of its mandate, provide the public transit operating authorities with any information it considers relevant to keep them informed on the carrying out of its mission.

The Minister may issue directives to the committee in that respect.

20. The committee may adopt by-laws establishing its rules of operation.

21. The committee may form any sub-committee for the examination of particular matters, determine its mode of operation and designate the members, including the person who is to chair the sub-committee.

A person who is not a member of the committee may also be designated as a member of a sub-committee.

22. The chair of the committee may entrust to one or more members of the committee or, if applicable, of a sub-committee the exercise of certain functions or the examination of any matter the chair specifies.

23. The committee may require a public transit operating authority, the Community métropolitaine de Montréal or any body established by them to provide information or submit documents belonging to them which the committee considers necessary to consult.

The committee may also require a public transit operating authority or the Community or any body established by them to submit a report on a decision or matter that is related to the committee's mission and concerns the organization, financing or operation of shared transportation services or other modes of transportation or the staff of the authority, Community or body, or any person assigned to those functions.

24. Section 23 applies despite the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

Committee and sub-committee members and committee employees are required to ensure the confidentiality of the documents and information obtained under section 23.

25. The committee may, when it considers it necessary for the pursuit of its mission, use the services of an employee of a public transit operating authority, the Communauté métropolitaine de Montréal or any body established by them. The committee may designate the employee whose services are required. The committee and the employer must agree on the costs to be paid by the committee for the use of the services. However, the employer must place the designated

employee at the disposal of the committee as of the time specified by the committee, despite the absence of an agreement respecting the costs to be paid by the committee for the services.

The employees seconded to the committee remain in the employment of the public transit operating authority, the Community or any body established by them, as applicable, are remunerated by their employer and are governed by the same conditions of employment during the secondment.

26. All board members and employees of a public transit operating authority, the Communauté métropolitaine de Montréal or any body established by them must cooperate with committee members or employees acting in the exercise of their functions.

No body referred to in the first paragraph may prohibit or otherwise prevent its employees from cooperating with the committee acting in the pursuit of its mission, or take or threaten to take any disciplinary measure against them for having cooperated with the committee.

Section 123 of the Act respecting labour standards (chapter N-1.1) applies, with the necessary modifications, to any employee who believes he or she has been the victim of a practice prohibited by the second paragraph.

27. Every decision by which a public transit operating authority makes a financial commitment for a period extending beyond the date preceding the date set by the Government for the coming into force of section 3 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area for expenditures related to the functions conferred on the Autorité régionale de transport métropolitain or the Réseau de transport métropolitain must be authorized by the committee.

Any collective agreement or contract of employment entered into or amended by a public transit operating authority must be authorized by the committee if the effect of the agreement or contract is to increase expenditures relating to the employees' remuneration and employee benefits.

The committee may, at all times, adopt rules to wholly or partially exempt a public transit operating authority from the obligation to obtain the authorization required under the first paragraph. Such rules may, in particular, define monetary thresholds, classes of contracts and periods.

The committee may, exceptionally, approve a decision, collective agreement or contract of employment regarding which an authorization is required under the first or second paragraph. The approval of the committee is deemed to constitute such an authorization.

DIVISION II**RESPONSIBILITIES**§1. — *Expertise and experience profiles*

28. The committee establishes the first expertise and experience profiles for board members of the Autorité régionale de transport métropolitain and of the Réseau de transport métropolitain.

The committee ensures, in particular, that the members of each board collectively have suitable expertise and experience in the fields of

- (1) transportation;
- (2) land use planning, urban planning and the environment;
- (3) accounting and financial management;
- (4) strategic planning; and
- (5) law.

§2. — *Reassignment of employees*

29. The committee may examine the circumstances of the hiring, after 12 November 2015, of employees of a public transit operating authority assigned to functions conferred on the Autorité régionale de transport métropolitain or the Réseau de transport métropolitain by one of the Acts enacted by sections 3 and 4. The committee may make any recommendation with regard to such employees to the Minister and the Communauté métropolitaine de Montréal.

30. The committee must come to an agreement, within the time prescribed by the Minister, with all certified associations within the meaning of the Labour Code (chapter C-27) that represent the employees in the employment of a public transit operating authority who are assigned to functions conferred on the Autorité régionale de transport métropolitain or the Réseau de transport métropolitain by one of the Acts enacted by sections 3 and 4, on the procedure for the reassignment of those employees as members of the personnel of the Authority or the Network and on the rights of and remedies available to employees who believe they have been wronged as a consequence of the application of that procedure.

The parties may also agree on conditions of employment incidental to the reassignment of employees.

An agreement entered into under this section may not provide for conditions of employment that entail higher costs than those entailed by the application of the conditions of employment applicable on 20 May 2016, or increase the workforce.

The Minister may grant additional time at the request of the committee or of a certified association.

The provisions for the reassignment of employees are the provisions relating to the application of the assignment process provided for in the applicable conditions of employment or, where there is no such process, the provisions that allow employees to be assigned a position or a place of employment.

31. If no agreement is reached on all the matters referred to in the first and second paragraphs of section 30 within the prescribed time, the Minister informs the Minister of Labour, Employment and Social Solidarity, who then notifies the parties that he or she is submitting the disagreement for mediation-arbitration.

The Minister of Labour, Employment and Social Solidarity may authorize mediation-arbitration for a particular disagreement or a group of disagreements relating to the determination of the reassignment procedure concerning a class of employment or a group of employees, provided the parties apply for such authorization from that Minister within 10 days after receiving the notice.

An application to submit a disagreement to a mediator-arbitrator may also be filed by the parties before the expiry of the time referred to in the first paragraph if they consider it unlikely that they will come to an agreement before that date. In such a case, the Minister of Labour, Employment and Social Solidarity notifies the parties and the Minister that the disagreement is being submitted to a mediator-arbitrator.

Sections 76 and 77 of the Labour Code apply, with the necessary modifications, to the choice of a mediator-arbitrator. The time limit prescribed in section 77 of that Code runs from the date the authorization is given under the second paragraph, if applicable.

32. Before proceeding with arbitration, the mediator-arbitrator must attempt to bring the parties to an agreement on the matters referred to in section 31 on which no agreement has been reached.

The mediator-arbitrator must proceed with arbitration on the matters on which no agreement has been reached before or during the mediation if, in the opinion of the mediator-arbitrator, there is no likelihood of the parties reaching agreement within a reasonable time. In such a case, the mediator-arbitrator informs the parties and the Minister.

33. The first paragraph of sections 79 and 80 and sections 81 to 89, 91, 91.1, 93 and 139 to 140 of the Labour Code apply, with the necessary modifications and subject to sections 31, 32, 34 and 36 to 38 of this Act, to the arbitration.

34. The Regulation respecting the remuneration of arbitrators (chapter C-27, r. 6) applies to the mediation-arbitration as if it were a dispute referred to arbitration under section 75 of the Labour Code, with the necessary modifications.

Among other modifications, the hours spent on mediation are remunerated as if it were a pre-hearing conference.

The certified associations are responsible for determining among themselves the share of the mediator-arbitrator's remuneration they must pay. However, those associations are solidarily liable for paying that share.

35. The mediator-arbitrator proceeds with arbitration on examination of the record. The mediator-arbitrator may hold arbitration hearings if he or she considers it necessary.

36. The parties may agree at any time on any of the matters on which there has been disagreement. The agreement must be consigned in the arbitration award, which may not amend it.

37. The mediator-arbitrator determines the reassignment procedure and the rights of and remedies available to employees who believe they have been wronged as a consequence of that procedure.

The mediator-arbitrator may also decide on any condition of employment that he or she believes is incidental to an employee's reassignment.

The award may not provide conditions of employment that entail higher costs than those entailed by the application of the conditions of employment applicable on 20 May 2016 or increase the staffing levels.

38. The mediator-arbitrator must render the award not later than the date prescribed by the Minister.

If the Minister considers that exceptional circumstances justify it, the Minister may, at the request of the mediator-arbitrator, grant an extension to not later than the date set by the Government for the coming into force of section 3 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area at the latest.

39. The arbitration award is binding on the associations that have been certified to represent the employees of the public transit operating authorities concerned, the committee, the Autorité régionale de transport métropolitain and the Réseau de transport métropolitain.

If a collective agreement is in force, the award operates to amend the agreement. If the renewal of the collective agreement is being negotiated, the provisions of the award are, as of the date on which the award takes effect, deemed to form part of the last collective agreement. If a first collective agreement is being negotiated, the provisions of the award amend the applicable conditions of employment.

40. The committee must also prepare every plan for the reassignment of public transit operating authority employees assigned to functions conferred on the Autorité régionale de transport métropolitain or the Réseau de transport métropolitain by one of the Acts enacted by sections 3 and 4 and not represented by a certified association, and set out the terms governing the rights of and remedies available to employees who believe they have been wronged as a consequence of the application of the reassignment plan.

A plan prepared under the first paragraph applies to the Authority or the Network as of the date set by the Government for the coming into force of section 3 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area.

§3.—*Transfer of assets and liabilities*

41. The committee must identify which of the assets and liabilities of the Agence métropolitaine de transport relating to the functions conferred on the Autorité régionale de transport métropolitain or the Réseau de transport métropolitain by this Act are to be transferred to either of those new bodies. The committee sends its recommendations to the Government to allow the latter to determine the value and conditions of the transfer.

The committee must also identify which of the assets and liabilities of the Communauté métropolitaine de Montréal, the Société de transport de Laval, the Société de transport de Longueuil and the Société de transport de Montréal relating to functions conferred on the Authority by this Act are to be transferred to the Authority. The committee determines the value and conditions of the transfer.

The committee must also identify which of the assets and liabilities of any other public transit operating authority referred to in section 5 relating to functions conferred on the Authority or the Network by this Act are to be transferred to either of those new bodies. The committee determines the value and conditions of the transfer.

§4.—*First financing plan and first budgets*

42. The committee must prepare the first financing policy of the Autorité régionale de transport métropolitain as well as the Authority's budget estimates for the first fiscal year, which must be consistent with that policy.

The committee must also prepare the budget estimates for the first fiscal year of the Réseau de transport métropolitain.

In fulfilling the obligations under the first and second paragraphs, the committee takes into account the services provided to users of shared transportation services by public transit operating authorities for the previous fiscal year.

§5.—Other responsibilities

43. For the purposes of section 26 of the Act respecting the Réseau de transport métropolitain (2016, chapter 8, section 4), the chair of the committee acts in place of the Network’s secretary.

44. The committee must examine any other matter or carry out any other mandate the Minister may entrust to the committee in the pursuit of its mission.

45. The committee must, at the end of its mandate and at any time the Minister requests, report to the Minister on its activities.

46. The committee must also provide the Minister with any information the Minister may require on its activities.

PART V

AMENDING PROVISIONS

ACT RESPECTING EQUAL ACCESS TO EMPLOYMENT IN PUBLIC BODIES

47. Section 2 of the Act respecting equal access to employment in public bodies (chapter A-2.01) is amended by replacing “intermunicipal boards of transport, transit authorities of urban communities” in paragraph 2 of the first paragraph by “public transit authorities, the Autorité régionale de transport métropolitain, the Réseau de transport métropolitain”.

FINANCIAL ADMINISTRATION ACT

48. Schedule 2 to the Financial Administration Act (chapter A-6.001) is amended by striking out “Agence métropolitaine de transport”.

ACT RESPECTING THE AGENCE MÉTROPOLITAINE DE TRANSPORT

49. The Act respecting the Agence métropolitaine de transport (chapter A-7.02) is repealed.

BUILDING ACT

50. Section 65.4 of the Building Act (chapter B-1.1) is amended by replacing “an intermunicipal board of transport” in subparagraph 6 of the first paragraph by “the Autorité régionale de transport métropolitain, the Réseau de transport métropolitain”.

HIGHWAY SAFETY CODE

51. Section 4 of the Highway Safety Code (chapter C-24.2) is amended by inserting the following definition after the definition of “heavy vehicle”:

“**low-speed vehicle**” means a motor vehicle having not more than four seats, belonging to the “low-speed vehicle” class defined in the Motor Vehicle Safety Regulations (C.R.C., c. 1038) and bearing a compliance label required by those Regulations;”.

52. The Code is amended by inserting the following section after section 214.0.1:

“**214.0.2.** The Government may prescribe by regulation any special rules that low-speed vehicles must meet to be driven on public highways.”

53. Section 282 of the Code is amended by adding the following paragraph at the end:

“The owner of a low-speed vehicle that does not meet the requirements of a regulatory provision made under section 214.0.2 is guilty of an offence and liable to a fine of \$100 to \$200.”

54. The Code is amended by inserting the following section after section 293.1:

“**293.2.** The person responsible for the maintenance of a public highway may, by means of proper signs or signals and for safety reasons, restrict or prohibit the operation of low-speed vehicles on the highway. In the case of a municipality, this power is exercised by by-law.

No person may drive a road vehicle referred to in the first paragraph on a public highway on which traffic is restricted or prohibited.”

55. Section 315 of the Code is amended by inserting “the second paragraph of section 293.2 or” after “contravenes”.

56. Section 325 of the Code is amended by inserting “or the driver of a low-speed vehicle” after “traffic” in the second paragraph.

57. The Code is amended by inserting the following after section 492.3:

“DIVISION IV

“LOW-SPEED VEHICLES

“**492.4.** No person may drive a low-speed vehicle on a public highway where the maximum authorized speed limit is over 50 km/h, except to cross it

at an intersection where traffic lights or stop signs are present or at a traffic circle.

Nor may a person drive such a vehicle on a limited access highway or on the entrance or exit ramps of such a highway.

“492.5. The driver of a low-speed vehicle must keep the vehicle’s headlights on at all times unless the vehicle has daytime running lights.

“492.6. The driver of a low-speed vehicle may not use it to tow a trailer or semi-trailer unless a manufacturer’s sticker affixed to the vehicle attests to its towing capability and that capacity is not exceeded.”

58. Section 509 of the Code is amended by inserting “, 492.4 to 492.6” after “492.2”.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL

59. The Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01) is amended by inserting the following section before section 97:

“96.1. For the purposes of the payment, to the Autorité régionale de transport métropolitain, of the amount provided for in paragraph 6 of section 79 of the Act respecting the Autorité régionale de transport métropolitain (2016, chapter 8, section 3), the Communauté métropolitaine de Montréal may, by by-law, levy a tax on the registration of any passenger vehicle in the name of a person whose address in the register held by the Société de l’assurance automobile du Québec under section 10 of the Highway Safety Code (chapter C-24.2) corresponds to a place situated in its territory or in the territory of Ville de Saint-Jérôme. The by-law must set out the amount of the tax.

A tax under the first paragraph may apply only if an agreement for the collection of the tax has been entered into with the Société de l’assurance automobile du Québec. Under such an agreement, the tax is collected by the Société at the time the sums provided for in section 21 or 31.1 of the Highway Safety Code are paid, and the Société must state the origin of the tax in the notice of payment or transaction receipt issued to any person described in the first paragraph.

The rules and procedures applicable to those sums in accordance with that Code apply, with the necessary modifications, to the tax and failure to comply with those rules and procedures results in the sanctions prescribed by the Code. However, the tax is not refundable in the case of a change of address.

“Passenger vehicle” means any such vehicle within the meaning of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29).

The by-law referred to in the first paragraph requires a 2/3 majority of the votes cast.”

60. Section 119 of the Act is amended by striking out “and the metropolitan arterial system” in paragraph 5.

61. The heading of Division VI of Chapter III of the Act is amended by striking out “AND METROPOLITAN ARTERIAL SYSTEM”.

62. Section 158 of the Act is replaced by the following section:

“**158.** The Community supports the Autorité régionale de transport métropolitain (Authority) in its planning of shared transportation.

The Community shall approve

(1) the Authority’s strategic shared transportation development plan, capital expenditures program and financing policy;

(2) the decisions made by the Authority under any of sections 31 to 37 of the Act respecting the Autorité régionale de transport métropolitain (2016, chapter 8, section 3);

(3) the organizational strategic plan of the Réseau de transport métropolitain, the Société de transport de Laval, the Société de transport de Longueuil and the Société de transport de Montréal;

(4) the capital expenditures program of the Réseau de transport métropolitain; and

(5) the part of the capital expenditures program of the Société de transport de Montréal that is specific to the capital expenditures related to the subway network, as well as any loan with a term of more than five years ordered by the Société for the network, when the term of repayment exceeds five years.

The decision to approve the part of the capital expenditures program of the Société de transport de Montréal relating to the subway network, as well as any loan for the subway network, must be made by a two-thirds majority of the votes cast. A proposal for which approval is refused may be resubmitted to the council of the Community after at least 15 days have elapsed; a simple majority then suffices to approve the proposal.”

63. Section 158.1 of the Act is repealed.

ACT RESPECTING INTERMUNICIPAL BOARDS OF TRANSPORT IN THE AREA OF MONTRÉAL

64. The Act respecting intermunicipal boards of transport in the area of Montréal (chapter C-60.1) is repealed.

**ACT RESPECTING THE EXERCISE OF CERTAIN MUNICIPAL
POWERS IN CERTAIN URBAN AGGLOMERATIONS**

65. Section 118.82.2 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001) is repealed.

66. Section 118.95 of the Act is amended by replacing “, 118.81 or 118.82.2” by “or 118.81”.

67. Section 118.96 of the Act is amended by replacing “, 118.81 or 118.82.2” in paragraph 1 by “or 118.81”.

**ACT TO SECURE HANDICAPPED PERSONS IN THE EXERCISE OF
THEIR RIGHTS WITH A VIEW TO ACHIEVING SOCIAL, SCHOOL
AND WORKPLACE INTEGRATION**

68. 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 inserting the following section after section 67:

“**67.1.** The Réseau de transport métropolitain must submit for approval to the Minister of Transport a development program intended to provide, within a reasonable period, public transportation for handicapped persons in the territory served by the Network.

The program may take into account the rate of equipment replacement and the nature of the services offered.

The Minister of Transport may approve the program, or, if necessary, require that it be amended or that a new program be submitted within the time the Minister determines.

After approving a program, the Minister of Transport ensures that it is complied with and carried out. At any time, the Minister may require the implementation of corrective measures or, if necessary, the amendment of a previously approved program and the production of a new program within the time the Minister determines.”

ACT RESPECTING MUNICIPAL TAXATION

69. Section 204 of the Act respecting municipal taxation (chapter F-2.1) is amended by replacing “Agence métropolitaine de transport” in paragraph 2.2 by “Autorité régionale de transport métropolitain or the Réseau de transport métropolitain”.

70. Section 236 of the Act is amended by replacing “Agence métropolitaine de transport” in subparagraph *a* of paragraph 1 by “Autorité régionale de transport métropolitain, the Réseau de transport métropolitain”.

PUBLIC INFRASTRUCTURE ACT

71. Section 3 of the Public Infrastructure Act (chapter I-8.3) is amended by striking out subparagraph 7 of the first paragraph.

72. Section 6 of the Act is amended by striking out “and 7” in the third paragraph.

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

73. Section 11 of the Act respecting the Ministère des Transports (chapter M-28) is amended by striking out the second paragraph.

74. Section 11.1 of the Act is amended by adding the following sentence at the end of the second paragraph: “The Minister may do likewise on behalf of the Autorité régionale de transport métropolitain, the Réseau de transport métropolitain, the Société de transport de Montréal and, as determined by the Government, on behalf of a municipality or another public transit authority, in the case of any property required to carry out a shared transportation infrastructure project.”

75. The Act is amended by inserting the following section after section 11.1.1:

“11.1.2. When construction work is undertaken on a tunnel related to a public works project, including a shared transportation infrastructure project, the Minister or the authority on whose behalf the Minister acquires property under section 11.1 becomes, on commencement of the work, without other formality or indemnity but subject to an action for damages, the owner of the underground volume occupied by the tunnel and of the area extending five metres outward from the interior concrete wall of the tunnel if the upper limit of the tunnel is at least 15 metres underground. In addition, the Minister or the authority, as applicable, is deemed to hold a legal servitude established in favour of the volume occupied by the tunnel and limiting the stress that may be applied to the upper surface of the volume to 250 kilopascals.

However, whoever undertakes such work must, on its commencement, notify the owner of the immovable of the existence of the work and of the provisions of this section. In the year following completion of the work, he shall deposit in his archives a copy of a plan certified by a person he has authorized and showing the horizontal projection of the tunnel. He shall register the plan in the registry office and the registrar must receive the plan and make a notation of it in the land register.”

76. The Act is amended by inserting the following after section 12.21.7:

“CHAPTER I.2

**“SUPPORT FOR SHARED TRANSPORTATION INFRASTRUCTURE
PROJECTS**

“12.21.8. The Minister supports, for consideration, the Autorité régionale de transport métropolitain, the Réseau de transport métropolitain, the Société de transport de Montréal and, as determined by the Government, a municipality or another public transit authority, in managing their shared transportation infrastructure projects that satisfy the criteria determined by the Conseil du trésor under the second paragraph of section 16 of the Public Infrastructure Act (chapter I-8.3).

As a result, a body referred to in the first paragraph must deal with the Minister in carrying out all operations related to such a project in order to ensure rigorous management of each phase of the project.

“12.21.9. A body referred to in section 12.21.8 that works with the Minister for the purposes of the second paragraph of that section remains responsible for its project and retains control of it, subject to an agreement in that regard with the Minister or a decision of the Conseil du trésor which expressly gives the Minister control of and responsibility for the project.

“12.21.10. This chapter does not apply to a shared transportation infrastructure project that is the subject of an agreement entered into under section 88.10 of the Transport Act (chapter T-12), or to a shared transportation infrastructure project of a public body subject to the Public Infrastructure Act (chapter I-8.3).”

77. Section 12.30 of the Act is amended

(1) by inserting the following subparagraph before subparagraph *a* of paragraph 1:

“(0.a) the shared transportation services of the Autorité régionale de transport métropolitain;”;

(2) by striking out subparagraphs *i* and *ii* of subparagraph *e* of paragraph 1.

78. Section 12.32.1 of the Act is amended

(1) by replacing “public transit services referred to in” in the fourth paragraph by “transit services referred to in subparagraph 0.a.”;

(2) by inserting “0.a.” after “subparagraphs” in the fifth paragraph.

79. Section 12.32.1.1 of the Act is amended

(1) by striking out “among those referred to in section 88.7 of the Transport Act (chapter T-12)” in paragraph 1;

(2) by replacing “Agence métropolitaine de transport” in paragraph 2 by “Autorité régionale de transport métropolitain”.

ACT TO ENSURE THE OCCUPANCY AND VITALITY OF
TERRITORIES

80. Section 4 of the Act to ensure the occupancy and vitality of territories (chapter O-1.3) is amended by striking out “the Agence métropolitaine de transport,” in paragraph 2.

ACT RESPECTING THE PROCESS OF NEGOTIATION OF THE
COLLECTIVE AGREEMENTS IN THE PUBLIC AND PARAPUBLIC
SECTORS

81. 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 by striking out “ — The Agence métropolitaine de transport”.

ACT RESPECTING THE PENSION PLAN OF ELECTED MUNICIPAL
OFFICERS

82. Section 18 of the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3) is amended by replacing “intermunicipal transit authority, intermunicipal board of transport,” in paragraph 2 by “or intermunicipal transit authority, the Autorité régionale de transport métropolitain, the Réseau de transport métropolitain,”.

ACT RESPECTING THE SOCIÉTÉ DE FINANCEMENT DES
INFRASTRUCTURES LOCALES DU QUÉBEC

83. Section 6 of the Act respecting the Société de financement des infrastructures locales du Québec (chapter S-11.0102) is amended

(1) by striking out “intermunicipal boards of transport,” in subparagraph 2 of the first paragraph;

(2) by adding the following subparagraph at the end of the first paragraph:

“(4) the Réseau de transport métropolitain.”

**ACT RESPECTING THE SOCIÉTÉ DE L'ASSURANCE AUTOMOBILE
DU QUÉBEC**

84. Section 2 of the Act respecting the Société de l'assurance automobile du Québec (chapter S-11.011) is amended by replacing “Ville de Montréal” in paragraph *g* of subsection 1 by “the Communauté métropolitaine de Montréal”.

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

85. Section 3 of the Act respecting public transit authorities (chapter S-30.01) is amended

(1) by replacing “For that purpose, the transit authority” in the second paragraph by “A transit authority”;

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

“The first paragraph does not apply to the Société de transport de Laval, the Société de transport de Longueuil or the Société de transport de Montréal.”

86. Section 4 of the Act is amended

(1) by replacing “In the pursuit of its objects, a” by “A”;

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

“For the purposes of their mission, the Société de transport de Laval, the Société de transport de Longueuil and the Société de transport de Montréal must provide the Autorité régionale de transport métropolitain with the shared transportation services stipulated in an agreement entered into under section 8 of the Act respecting the Autorité régionale de transport métropolitain (2016, chapter 8, section 3) and collaborate, at its request, in the planning, coordination, development, support and promotion of shared transportation.”

87. Section 5 of the Act is amended by adding the following sentence at the end of the second paragraph: “In the case of the Société de transport de Laval, the Société de transport de Longueuil and the Société de transport de Montréal, the services referred to in subparagraph 1 of the first paragraph must be provided in accordance with the agreement entered into under section 8 of the Act respecting the Autorité régionale de transport métropolitain (2016, chapter 8, section 3).”

88. The Act is amended by inserting the following section after section 16.1:

“**16.2.** For the purposes of sections 8 to 16, the city may designate an independent member rather than a municipal council member.

A member is independent if the city that designates the member is of the opinion that he or she qualifies as an independent director within the meaning

of section 4 of the Act respecting the governance of state-owned enterprises (chapter G-1.02). Sections 5 to 8 of that Act apply, with the necessary modifications.

Independent members are designated taking into account the expertise and experience profiles approved by the city concerned or, if applicable, by its urban agglomeration council.

Section 40 applies to such designations, with the necessary modifications.”

89. Section 64 of the Act is amended by inserting “of a public transit authority, the Autorité régionale de transport métropolitain or the Réseau de transport métropolitain,” after “board of directors” in the first paragraph.

90. Section 65 of the Act is amended by adding the following paragraph at the end:

“The provisions of subparagraph 5 of the first paragraph do not apply to the director general of the Société de transport de Laval, the Société de transport de Longueuil or the Société de transport de Montréal.”

91. Section 78 of the Act is amended by adding the following paragraph at the end:

“In the case of the Société de transport de Laval, the Société de transport de Longueuil and the Société de transport de Montréal, the powers under this section may only be exercised to the extent stipulated in an agreement entered into with the Autorité régionale de transport métropolitain under section 8 of the Act respecting the Autorité régionale de transport métropolitain (2016, chapter 8, section 3). To that end, each of those authorities must advise the Authority as regards the establishment, modification and removal of lines and routes. Each authority must also propose to the Authority a transport plan for its area of jurisdiction.”

92. The Act is amended by inserting the following section after section 78:

“78.1. A transit authority’s transport plan must specify the public transit it offers. It must be developed by the transit authority and meet the service standards and objectives established by the Autorité régionale de transport métropolitain.

The plan must be amended periodically by the transit authority in the manner stipulated in the agreement entered into under section 8 of the Act respecting the Autorité régionale de transport métropolitain (2016, chapter 8, section 3).”

93. Section 87 of the Act is amended by replacing “a city, any of its boroughs or a municipality for” in the first paragraph by “the person responsible for the maintenance of a public highway for”.

94. Section 89.1 of the Act is amended by striking out “within the meaning of section 88.7 of the Transport Act (chapter T-12)” in the first paragraph.

95. Section 90 of the Act is amended by adding the following paragraph at the end:

“This section does not apply to the Société de transport de Laval, the Société de transport de Longueuil or the Société de transport de Montréal.”

96. Section 116 of the Act is amended by adding the following paragraph at the end:

“The obligation to inform the city of the fares and rates that will be effective during the period covered by its next budget, provided for in the first paragraph, does not apply to the Société de transport de Laval, the Société de transport de Longueuil or the Société de transport de Montréal. Those transit authorities must inform the city of any contracts they enter into with the Autorité régionale de transport métropolitain.”

97. Section 130 of the Act is amended by adding the following paragraph at the end:

“This section does not apply to the Société de transport de Laval, the Société de transport de Longueuil or the Société de transport de Montréal.”

98. The Act is amended by inserting the following section after section 130:

“130.1. The Société de transport de Laval, the Société de transport de Longueuil and the Société de transport de Montréal must each adopt an organizational strategic plan that includes

- (1) a description of its mission;
- (2) the context in which it acts and the main challenges it faces;
- (3) the strategic directions, objectives and lines of action selected;
- (4) the results targeted over the period covered by the plan; and
- (5) the performance indicators to be used to measure results.

Each transit authority referred to in the first paragraph sends its strategic plan, and any amendment to it, to the Communauté métropolitaine de Montréal for approval, within 30 days after they are adopted.”

99. Section 131 of the Act is amended by striking out “development” in the first paragraph.

100. Section 132 of the Act is amended

(1) by replacing “following three fiscal years” by “next 10 years in accordance with its strategic plan”;

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

“In the case of the Société de transport de Laval, the Société de transport de Longueuil and the Société de transport de Montréal, the program shall also be produced in accordance with the strategic shared transportation development plan of the Autorité régionale de transport métropolitain.”

101. Section 133 of the Act is amended by adding the following paragraph at the end:

“The program shall contain an asset maintenance plan that includes actions designed to foster the longevity of the assets and provide for the level of investments required for their maintenance.”

102. Section 134 of the Act is amended by inserting “and, for the Société de transport de Laval, the Société de transport de Longueuil and the Société de transport de Montréal, to the Autorité régionale de transport métropolitain” after “Minister”.**103.** Section 135 of the Act is amended by inserting “and, for the Société de transport de Laval, the Société de transport de Longueuil and the Société de transport de Montréal, to the Autorité régionale de transport métropolitain” after “Minister”.**104.** Section 151 of the Act is amended by replacing the third paragraph by the following paragraph:

“The Société de transport de Montréal may also, with the authorization of the Autorité régionale de transport métropolitain, acquire any property required for the subway extension. The subway system may not be expanded at any time without the authorization of the Government.”

105. Section 158 of the Act is amended by replacing “Agence métropolitaine de transport” in the second paragraph by “Autorité régionale de transport métropolitain”.**106.** Section 159 of the Act is repealed.**107.** Sections 161, 162, 168, 169, 171, 176 and 177 of the Act are amended by replacing “Agence métropolitaine de transport” by “Autorité régionale de transport métropolitain”.**108.** Section 178 of the Act is repealed.

FUEL TAX ACT

109. Section 1 of the Fuel Tax Act (chapter T-1) is amended, in the first paragraph,

(1) by replacing subparagraph *r.1* by the following subparagraph:

“(*r.1*) “area of jurisdiction of the Autorité régionale de transport métropolitain”: the area of jurisdiction defined by section 3 of the Act respecting the Autorité régionale de transport métropolitain (2016, chapter 8, section 3);”;

(2) by replacing “Agence métropolitaine de transport” in subparagraph *i* of subparagraph *r.3* by “Autorité régionale de transport métropolitain”.

110. Section 2 of the Act is amended by replacing “Agence métropolitaine de transport” in subparagraph *a* of the third paragraph by “Autorité régionale de transport métropolitain”.

111. Section 10.1 of the Act is amended, in the second paragraph,

(1) by striking out “an intermunicipal board of transport;”;

(2) by replacing “3 of the Act respecting intermunicipal boards of transport in the area of Montréal (chapter C-60.1)” by “8 of the Act respecting the Autorité régionale de transport métropolitain (2016, chapter 8 section 3)”.

112. Section 55.2 of the Act is amended by replacing “the Agence métropolitaine de transport, established by the Act respecting the Agence métropolitaine de transport (chapter A-7.02),” in the first paragraph by “the Autorité régionale de transport métropolitain”.

TRANSPORT ACT

113. Section 48.18 of the Transport Act (chapter T-12) is amended by adding the following paragraph at the end:

“A by-law of a local municipality of the North Shore or South Shore within the meaning of the Act respecting the Réseau de transport métropolitain (2016, chapter 8, section 4) must be approved by the Autorité régionale de transport métropolitain.”

114. Section 48.27 of the Act is amended by adding the following paragraph at the end:

“The power provided for in this section does not apply to a by-law made by a local municipality of the North Shore or South Shore under section 48.18 or 48.24.”

115. Section 48.38 of the Act is amended by adding “, other than a local municipality of the North Shore or South Shore” after “transit”.

116. Section 88.1 of the Act is amended by replacing the definition of “public transit authorities” by the following definition:

“**public transit authorities**” means the Autorité régionale de transport métropolitain, the Société de transport de Québec, the Société de transport de l’Outaouais, the Société de transport de Lévis, the Société de transport de Trois-Rivières, the Société de transport du Saguenay and the Société de transport de Sherbrooke.”

117. Division IX.2 of the Act is repealed.

118. Section 88.14 of the Act is replaced by the following section:

“**88.14.** The Act respecting the Autorité régionale de transport métropolitain (2016, chapter 8, section 3), the Act respecting the Réseau de transport métropolitain (2016, chapter 8, section 4) and the Act respecting public transit authorities (chapter S-30.01) do not apply to a shared transportation infrastructure referred to in section 88.10.”

119. The Act is amended by inserting the following section after section 88.14:

“**88.14.1.** Despite any inconsistent provision, the Government may make this division applicable to a project whose object is a new shared transportation infrastructure of the Autorité régionale de transport métropolitain, the Réseau de transport métropolitain, the Société de transport de Montréal and, as determined by the Government, a municipality or another public transit authority, provided the project satisfies the criteria determined by the Conseil du trésor under the second paragraph of section 16 of the Public Infrastructure Act (chapter I-8.3).”

ACT TO ESTABLISH THE ADMINISTRATIVE LABOUR TRIBUNAL

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

“(31) section 122 of the Act respecting the Autorité régionale de transport métropolitain (2016, chapter 8, section 3);

“(32) section 86 of the Act respecting the Réseau de transport métropolitain (2016, chapter 8, section 4).”

REGULATION RESPECTING STUDENT TRANSPORTATION

121. Section 1 of the Regulation respecting student transportation (chapter I-13.3, r. 12) is amended

(1) by striking out the definition of “intermunicipal board of transport”;

(2) by inserting “, and the Réseau de transport métropolitain” after “(chapter S-30.01)” in the definition of “public transit authority”.

122. Section 2 of the Regulation is amended by striking out paragraph 11.

123. Section 13 of the Regulation is replaced by the following section:

“**13.** A board whose territory coincides with the area of jurisdiction of a public transit authority, or an educational institution situated in the territory of such a board, must offer the authority, at least 10 days before proceeding with negotiations by agreement or with public tenders, the possibility of providing the transportation service required for the students residing in the area of jurisdiction of that public transit authority.”

REGULATION RESPECTING TOLL ROAD INFRASTRUCTURES
OPERATED UNDER A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT

124. Section 3 of the Regulation respecting toll road infrastructures operated under a public-private partnership agreement (chapter P-9.001, r. 3) is amended

(1) by striking out subparagraph *a* of paragraph 1;

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

“(a.1) the Réseau de transport métropolitain;”;

(3) by striking out subparagraphs *c* and *d* of paragraph 1.

125. Section 4 of the Regulation is amended

(1) by striking out subparagraph *a* of paragraph 1;

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

“(a.1) the Réseau de transport métropolitain;”;

(3) by striking out subparagraphs *c* and *d* of paragraph 1.

**REGULATION RESPECTING THE CONTRIBUTION OF MOTORISTS
TO PUBLIC TRANSIT**

126. Section 2 of the Regulation respecting the contribution of motorists to public transit (chapter T-12, r. 3) is replaced by the following section:

“**2.** The sums referred to in section 88.6 of the Act shall be paid to the Autorité régionale de transport métropolitain for all the municipalities included in its area of jurisdiction.”

BUS LEASING REGULATION

127. Section 3 of the Bus Leasing Regulation (chapter T-12, r. 10) is amended by replacing “, all intermunicipal management boards and all intermunicipal boards of transport” by “and all intermunicipal management boards”.

**REGULATION RESPECTING MUNICIPALIZED PUBLIC TRANSIT
SERVICES**

128. Section 1 of the Regulation respecting municipalized public transit services (chapter T-12, r. 13) is amended by striking out “and section 12.1 of the Act respecting intermunicipal boards of transport in the area of Montréal (chapter C-60.1)” in the introductory clause.

BUS TRANSPORT REGULATION

129. Section 3 of the Bus Transport Regulation (chapter T-12, r. 16) is amended by replacing “an intermunicipal board of transport” in subparagraph *b* of paragraph 1 and in paragraph 4 by “the Réseau de transport métropolitain”.

**MINISTERIAL ORDER CONCERNING ACCESS TO PUBLIC ROADS
FOR LOW-SPEED VEHICLES**

130. The Ministerial Order concerning access to public roads for low-speed vehicles (chapter C-24.2, r. 0.2.1) is repealed.

PART VI**TRANSITIONAL, MISCELLANEOUS AND FINAL PROVISIONS**

131. The rules set out in a regulation made under section 214.0.2 of the Highway Safety Code (chapter C-24.2), enacted by section 52, do not apply to a low-speed vehicle of which the driver was registered in the Pilot Project concerning low-speed vehicles (chapter C-24.2, r. 39.2) that ended on 17 July 2013, and which is registered as a passenger vehicle with limited area of operation and has a licence plate bearing the prefix “C” in accordance with the Regulation respecting road vehicle registration (chapter C-24.2, r. 29). Despite section 132, the rules set out in sections 13 to 16 of the Ministerial

Order concerning access to public roads for low-speed vehicles (chapter C-24.2, r. 0.2.1) continue to apply to such vehicles.

132. The development programs adopted under section 67 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) by a municipal, intermunicipal or regional transport company whose territory is included in the area of jurisdiction of the Réseau de transport métropolitain are deemed to be the Network's development program until the coming into force of the one it establishes in accordance with section 67.1 of that Act, enacted by section 68.

133. Despite section 65, the by-law adopted by the urban agglomeration council of Ville de Montréal under section 118.82.2 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001) continues to apply until the coming into force of a by-law adopted by the Communauté métropolitaine de Montréal under section 96.1 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01), enacted by section 59.

In addition, until the coming into force of the by-law adopted by the Communauté métropolitaine de Montréal, subparagraph *g* of paragraph 1 of section 2 of the Act respecting the Société de l'assurance automobile du Québec (chapter S-11.011) must continue to be read as if it were a function of the Société de l'assurance automobile du Québec to carry out any mandate assigned by an agreement with Ville de Montréal.

134. This Act transfers, in favour of the Société de transport de Montréal, the benefit of any reserve established under section 75 of the Expropriation Act (chapter E-24) and held by the Agence métropolitaine de transport on the date preceding the date set by the Government for the coming into force of section 49 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area (2016, chapter 8), in connection with the subway extension project (blue line), which is considered a major project under the second paragraph of section 16 of the Public Infrastructure Act (chapter I-8.3) and becomes the project of the Société under this Act. The rights concerning an immovable are not required to be published in the land register.

The Société de transport de Montréal may, however, with regard to an immovable and if it considers it advisable, publish a notice of the transfer, referring to this section and containing the description of the immovable.

135. For the first appointment of members of the boards of directors of the Autorité régionale de transport métropolitain and the Réseau de transport métropolitain, the expertise and experience profiles established by the transition committee under section 28 of this Act must be taken into account.

136. The board members of the Autorité régionale de transport métropolitain must be appointed not later than on the date that is four months before the date set by the Government for the coming into force of section 3 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area. All sums required, until the date preceding the date set by the Government for the coming into force of section 3 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area, to pay the board members' remuneration and reimburse their expenses are debited from the Land Transportation Network Fund.

The board of the Authority may make any decision on matters that, as of the date set by the Government for the coming into force of section 3 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area, come under its jurisdiction, except decisions which the law assigns to the transition committee.

The board of the Authority must adopt a financing policy and submit it, for approval, to the Communauté métropolitaine de Montréal to allow the latter to approve it before the date that is two months before the date set by the Government for the coming into force of section 3 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area. If the policy is not approved by the Community, it must be submitted to the Minister for approval.

137. The board members of the Réseau de transport métropolitain must be appointed not later than on the date that is four months before the date set by the Government for the coming into force of section 4 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area. All sums required, until the date preceding the date set by the Government for the coming into force of section 4 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area, to pay the board members' remuneration and reimburse their expenses are debited from the Land Transportation Network Fund.

The board of the Network may make any decision on matters that, as of the date set by the Government for the coming into force of section 4 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area, come under its jurisdiction, except decisions which the law assigns to the transition committee.

138. The Minister may, not later than 19 July 2016, cancel any decision of a public transit operating authority, referred to in the first or second paragraph of section 27 and made between 12 November 2015 and 20 May 2016, if the Minister considers the decision to be contrary to the future interests of the Authority and the Network, as applicable.

139. The Government may, by a regulation made before the date set by the Government for the coming into force of section 3 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area, prescribe any measure necessary or useful for carrying out this Act and fully achieving its purpose.

A regulation made under the first paragraph may have a shorter publication period than that required under section 11 of the Regulations Act (chapter R-18.1), but not shorter than 15 days. 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, despite section 17 of that Act.

140. The first regulation made under section 214.0.2 of the Highway Safety Code, enacted by section 52, may have a shorter publication period than that required under section 11 of the Regulations Act, but not shorter than 20 days. The regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date set in the regulation, despite section 17 of that Act.

141. The Minister of Transport is responsible for the administration of this Act.

142. This Act comes into force on 20 May 2016, except

(1) sections 3, 4, 47 to 50, 59 to 129, 132, 133 and 134, which come into force on the date to be set by the Government; and

(2) sections 51, 53 to 58, 130 and 131, which come into force on the date of coming into force of the first regulation made by the Government under section 214.0.2 of the Highway Safety Code, enacted by section 52.

2016, chapter 9

AN ACT RESPECTING DEVELOPMENT OF THE SMALL-SCALE ALCOHOLIC BEVERAGE INDUSTRY

Bill 88

Introduced by Mr. Carlos J. Leitão, Minister of Finance

Introduced 3 December 2015

Passed in principle 12 April 2016

Passed 26 May 2016

Assented to 26 May 2016

Coming into force: on the date or dates to be set by the Government

– 2016-12-14: ss. 1-21
 O.C. 1079-2016
 G.O., 2016, Part 2, p. 4165A

Legislation amended:

Act respecting offences relating to alcoholic beverages (chapter I-8.1)

Act respecting liquor permits (chapter P-9.1)

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

Regulation amended:

Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit (chapter S-13, r. 6)

Regulation enacted:

Regulation respecting use of raw materials by holders of a small-scale wine producer's permit (2016, chapter 9, section 18)

Explanatory notes

This Act authorizes small-scale production permit holders to sell and deliver alcoholic beverages they make, other than alcohol and spirits, to grocery permit holders.

Under the Act, small-scale beer producer's permit holders may sell their products at the place where they are produced, for consumption elsewhere.

An artisan producers cooperative permit is created. The permit authorizes holders to make and bottle, on behalf of small-scale production permit holders who are members of the cooperative, the alcohol and spirits the latter are authorized to make.

(cont'd on next page)

Explanatory notes (*cont'd*)

The Act stipulates that small-scale production permit holders may not offer the alcohol and spirits they make for sale without first having them analyzed by the Société des alcools du Québec or a laboratory recognized by it to confirm their safety and quality and without having sent the analysis report to the Régie des alcools, des courses et des jeux.

The Regulation respecting use of raw materials by holders of a small-scale wine producer's permit is enacted to set out the proportions of the raw materials composing the wine made by such permit holders. In particular, the regulation provides that, from the vintage year 2022, these permit holders must make their wine from grapes that are 100% Québec grown, with at least 50% from the permit holders' own grapes.

Finally, the Act removes the requirement that table wines bottled in Québec under exclusive brand names and sold in grocery stores have no indication of origin or type of grape.



Chapter 9

AN ACT RESPECTING DEVELOPMENT OF THE SMALL-SCALE ALCOHOLIC BEVERAGE INDUSTRY

[Assented to 26 May 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC

1. Section 24 of the Act respecting the Société des alcools du Québec (chapter S-13) is amended by inserting “, an artisan producers cooperative permit” after “small-scale production permit” in the introductory clause of the first paragraph.

2. Section 24.1 of the Act is amended

(1) by adding “and, if the permit authorizes him to make alcohol and spirits, to distil” at the end of subparagraph 1 of the first paragraph;

(2) in the second paragraph,

(a) by replacing “he makes only as follows” in the introductory clause by “referred to in the subparagraphs below, but only as provided for”;

(b) by inserting “the alcoholic beverages he makes,” after “(1)” in subparagraph 1;

(c) by inserting “, other than alcohol and spirits,” after “alcoholic beverages” in subparagraph 2;

(d) by inserting “the alcoholic beverages he makes, other than alcohol and spirits,” after “(3)” in subparagraph 3;

(3) by adding the following sentence at the end of the third paragraph: “He may also sell and deliver the alcoholic beverages he makes to the holder of a grocery permit issued under the Act respecting liquor permits (chapter P-9.1), if the beverages meet the following conditions:

(1) they are not alcohol or spirits;

(2) they are obtained by alcoholic fermentation.”;

(4) by inserting the following paragraphs after the third paragraph:

“The holder of a small-scale production permit may transport the alcoholic beverages he makes to the establishment of the holder of an artisan producers cooperative permit so that the latter may make alcohol or spirits on his behalf; the small-scale production permit holder may transport the alcohol or spirits from that establishment to his own.

The holder of a small-scale production permit may not offer the alcoholic beverages he makes for sale that are ready for marketing without first having them analyzed by the Société or a laboratory recognized by it to confirm their safety and quality and without having sent the analysis report to the Régie des alcools, des courses et des jeux.”;

(5) by replacing “paragraph” in the last paragraph by “and third paragraphs”;

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

“For the application of this section, if alcohol or spirits are made by the holder of an artisan producers cooperative permit for the holder of a small-scale production permit, the latter is deemed to have made them in his establishment.”

3. The Act is amended by inserting the following section after section 24.1:

“24.1.1. The artisan producers cooperative permit authorizes the holder, in accordance with the regulations, to make and bottle, on behalf of members of the cooperative, the alcohol and spirits specified in the respective permits of those members.

The holder of an artisan producers cooperative permit may not sell the alcohol and spirits he makes.

The holder of an artisan producers cooperative permit may transport the alcoholic beverages made by the members of the cooperative from their establishment to his so as to make alcohol or spirits on their behalf; he may transport the alcohol or spirits made from his establishment to theirs.

Only an artisan producers cooperative constituted pursuant to the Cooperatives Act (chapter C-67.2) and composed exclusively of holders of small-scale production permits whose permit authorizes them to make alcohol and spirits may hold an artisan producers cooperative permit.”

4. Section 24.2 of the Act is amended by replacing the second paragraph by the following paragraph:

“Unless he ships them outside Québec, the holder of a small-scale beer producer’s permit may sell the alcoholic beverages he makes only if he sells them at the place where they are produced, for consumption on the premises or for consumption elsewhere, and if he is the holder of a permit, issued under

the Act respecting liquor permits (chapter P-9.1), authorizing alcoholic beverages to be sold for consumption on the premises.”

5. Section 26 of the Act is amended by adding the following paragraph at the end:

“No holder of a distiller’s permit may hold a small-scale production permit authorizing him to make alcohol or spirits.”

6. Section 28 of the Act is amended by striking out “weak” in the last sentence of the second paragraph.

7. Section 33.2 of the Act is amended, in the first paragraph,

(1) by inserting “, pursuant to the second paragraph of section 24.2” after “24.1” in the first sentence;

(2) by inserting “or a small-scale beer producer’s permit” after “small-scale production permit” in the second sentence.

8. Section 34 of the Act is amended by inserting “an artisan producers cooperative permit, a” after “production permit,” in subparagraph 1 of the first paragraph.

9. Section 34.1 of the Act is amended by replacing “Minister of Economic Development, Innovation and Export Trade” by “Minister of Finance”.

10. Section 37 of the Act is amended, in the first paragraph,

(1) by replacing “Minister of Economic Development, Innovation and Export Trade” in the introductory clause by “Minister of Finance”;

(2) by inserting “ small-scale production,” after “brewer’s,” in subparagraph 7.

11. Section 53 of the Act is amended by adding the following paragraph at the end:

“In the case of the holder of an artisan producers cooperative permit, the beverages must be turned over to the members on whose behalf they were made.”

12. Section 61 of the Act is amended

(1) by replacing “30.1 to 35.3” by “30.1 to 34, 35 to 35.3”;

(2) by striking out “, and with the exception of the other provisions of Divisions III and IV which come under the jurisdiction of the Minister of Economic Development, Innovation and Export Trade”.

ACT RESPECTING OFFENCES RELATING TO ALCOHOLIC BEVERAGES

13. Section 83 of the Act respecting offences relating to alcoholic beverages (chapter I-8.1) is amended

(1) by replacing “or from the permit holder” in paragraph 5 by “, from the small-scale production permit holder or from a grocery permit holder”;

(2) by inserting “from the permit holder or” after “directly” in paragraph 6.

14. Section 91 of the Act is amended by inserting “or of an artisan producers cooperative” after “wine or cider maker” in paragraph *h*.

15. Section 93 of the Act is amended by inserting “, a small-scale beer producer’s permit” after “a small-scale production permit” in subparagraph *e* of the first paragraph.

16. Section 108 of the Act is amended by inserting the following subparagraph after subparagraph 3 of the first paragraph:

“(3.1) which is an artisan producers cooperative permit issued under the Act respecting the Société des alcools du Québec (chapter S-13), makes alcohol and spirits other than those he is authorized to make or sells alcoholic beverages;”.

ACT RESPECTING LIQUOR PERMITS

17. Section 72.1 of the Act respecting liquor permits (chapter P-9.1) is amended by replacing subparagraph 2 of the second paragraph by the following subparagraph:

“(2) in the establishment of a reunion permit holder, the presence of alcoholic beverages supplied by the holder of one of the following permits:

(a) a grocery permit or cider seller’s permit;

(b) a small-scale production permit or small-scale beer producer’s permit issued under the Act respecting the Société des alcools du Québec;”.

REGULATION RESPECTING USE OF RAW MATERIALS BY HOLDERS OF A SMALL-SCALE WINE PRODUCER’S PERMIT

18. The Regulation respecting use of raw materials by holders of a small-scale wine producer’s permit, the text of which appears below, is enacted.

“REGULATION RESPECTING USE OF RAW MATERIALS BY HOLDERS OF A SMALL-SCALE WINE PRODUCER’S PERMIT

“1. The proportions of the raw materials composing the wine made by a small-scale production permit holder must be as follows:

- (1) at least 50%: the permit holder’s own grapes, fresh or processed;
- (2) no more than 15%: fresh or processed grapes, grape juice or grape must concentrate that may come from outside Québec;
- (3) the remainder may consist of fresh or processed grapes produced by another Québec farm producer.

However, from the vintage year 2022, the permit holder must make his wine from fresh or processed grapes that are 100% Québec grown, of which at least 50% comes from the permit holder’s own fresh or processed grapes.”

REGULATION RESPECTING THE TERMS OF SALE OF ALCOHOLIC BEVERAGES BY HOLDERS OF A GROCERY PERMIT

19. Section 2 of the Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit (chapter S-13, r. 6) is amended

(1) by striking out “without indication of origin and without indication of the type of grape,” in paragraph 3;

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

“(7) the alcoholic beverages described in the third paragraph of section 24.1 of the Act respecting the Société des alcools du Québec sold and delivered to him by a small-scale production permit holder.”

20. Section 8 of the Regulation is amended by inserting “, other than those referred to in paragraph 7 of section 2,” after “permitted alcoholic beverages”.

TRANSITIONAL AND FINAL PROVISIONS

21. Holders of a distiller’s permit issued under the Act respecting the Société des alcools du Québec (chapter S-13) who, not later than 14 December 2018, abandon their permit to obtain a small-scale production permit authorizing them to make alcohol and spirits may sell off any remaining reserves of alcohol and spirits they had made previously. The rules applicable to the original permit apply to the sale of such alcohol and spirits.

22. This Act comes into force on the date or dates to be set by the Government.

2016, chapter 10

AN ACT TO AUTHORIZE THE MAKING OF COLLECTIVE AGREEMENTS WITH A TERM OF MORE THAN THREE YEARS IN THE PUBLIC AND PARAPUBLIC SECTORS

Bill 94

Introduced by Mr. Carlos J. Leitão, Minister responsible for Government Administration and Ongoing Program Review and Chair of the Conseil du trésor

Introduced 19 April 2016

Passed in principle 27 April 2016

Passed 31 May 2016

Assented to 31 May 2016

Coming into force: 31 May 2016

Legislation amended: None

Explanatory notes

This Act allows collective agreements with a term of more than three years to be made in the public and parapublic sectors, provided they expire no later than 31 March 2020. It also specifies the period during which certification may be applied for regarding a group of employees in those sectors.



Chapter 10

AN ACT TO AUTHORIZE THE MAKING OF COLLECTIVE AGREEMENTS WITH A TERM OF MORE THAN THREE YEARS IN THE PUBLIC AND PARAPUBLIC SECTORS

[Assented to 31 May 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Despite section 111.1 of the Labour Code (chapter C-27), a collective agreement with a term of more than three years may be made in the public and parapublic sectors, provided it expires no later than 31 March 2020.

In such a case, the reference in section 111.3 of the Labour Code to paragraph *d* of section 22 of that Code must be read as a reference to paragraph *e* of that section 22.

2. This Act comes into force on 31 May 2016.

2016, chapter 11

AN ACT TO PROCLAIM MEMORIAL DAY FOR CRIMES AGAINST HUMANITY COMMITTED IN CAMBODIA BETWEEN 1975 AND 1979

Bill 82

Introduced by Madam Kathleen Weil, Minister of Immigration, Diversity and Inclusiveness

Introduced 27 November 2015

Passed in principle 4 December 2015

Passed 2 June 2016

Assented to 2 June 2016

Coming into force: 2 June 2016

Legislation amended: None

Explanatory notes

The purpose of this Act is to proclaim 19 September Memorial Day for Crimes Against Humanity Committed in Cambodia Between 1975 and 1979.



Chapter 11

AN ACT TO PROCLAIM MEMORIAL DAY FOR CRIMES AGAINST HUMANITY COMMITTED IN CAMBODIA BETWEEN 1975 AND 1979

[Assented to 2 June 2016]

AS the Khmer Rouge regime, which ruled Cambodia from 1975 to 1979, was responsible for the deaths of some 1.7 million people;

AS the atrocities committed during this period forced many Cambodians into exile and as over 10,000 of them took refuge in Québec in 1979 and the decade that followed;

AS a Cambodian community is present in Québec;

AS Québec society is committed to promoting human rights and freedoms;

AS commemorating the crimes against humanity perpetrated by the Khmer Rouge seeks to write the horrors experienced by its victims into Quebecers' collective memory;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** The nineteenth day of September is proclaimed Memorial Day for Crimes Against Humanity Committed in Cambodia Between 1975 and 1979.
- 2.** This Act comes into force on 2 June 2016.

2016, chapter 12
**AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS
TO BETTER PROTECT PERSONS**

Bill 59

Introduced by Madam Stéphanie Vallée, Minister of Justice

Introduced 10 June 2015

Passed in principle 19 November 2015

Passed 8 June 2016

Assented to 8 June 2016

Coming into force: 8 June 2016, except sections 1, 2, 3, paragraph 1 of section 6, and sections 8 and 11, which come into force on the date or dates to be set by the Government

Legislation amended:

Civil Code of Québec

Code of Civil Procedure (chapter C-25.01)

General and Vocational Colleges Act (chapter C-29)

Act respecting private education (chapter E-9.1)

Act respecting municipal taxation (chapter F-2.1)

Education Act (chapter I-13.3)

Youth Protection Act (chapter P-34.1)

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

Explanatory notes

This Act introduces various measures to better protect persons.

In that regard, the Act amends a number of rules set out in the Civil Code of Québec regarding the solemnization of marriages and civil unions, in particular by replacing the procedure for publishing a notice of solemnization. Under the Act, notices must be published on the website of the registrar of civil status, the registrar is allowed, except where provided otherwise, to grant a publication exemption, and the court is empowered to authorize the solemnization of a marriage if one of the intended spouses is a minor.

The Act also authorizes the courts of justice to order measures for protecting persons whose life, health or safety is threatened by another person by introducing a new type of injunction, called a protection order, in civil procedure matters.

In the fields of pre-school, primary, secondary and college-level education, any contract allowing the total or partial use of an immovable of a college, school board or private educational institution is deemed to contain a clause stipulating that such entities may cancel the contract if the other contracting party

(cont'd on next page)

Explanatory notes (cont'd)

or any other person exhibits behaviour during such use that could reasonably pose a threat for the physical or psychological safety of the students or the other persons present. In addition, in those sectors, the Minister of Education, Recreation and Sports is granted new powers to inquire into any behaviour that could pose such threats for the students. Tolerance of such behaviour allows the Minister to withhold or cancel all or part of a subsidy intended for a private educational institution, a school board or a general and vocational college. Furthermore, such tolerance constitutes grounds for modifying or revoking the permit of a private educational institution.

The Act also provides that a judge of the Superior Court may, on an application by the Minister of Justice, order the loss of the benefit of an exemption from any municipal or school property tax, for the period that minister determines, for all or some of the immovables included in a unit of assessment entered on the roll in the name of an entity in cases where an officer or director of the entity has been found guilty of a designated criminal offence and where there are reasonable grounds to believe that any of the entity's resources were used to commit the offence.

Lastly, the Act amends the Youth Protection Act to make it clearer that excessive control can constitute psychological ill-treatment. It also further defines the role of the director of youth protection regarding a child and the child's parents, who require assistance, but whose situation does not otherwise warrant the application of the Act. In addition, it provides additional protection, if the situation requires it, of the confidentiality of some information regarding children.



Chapter 12

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS TO BETTER PROTECT PERSONS

[Assented to 8 June 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

1. Article 64 of the Civil Code of Québec is amended by replacing “and to the publication of the application and decision” by “and to the publication of the application”.

2. Article 67 of the Code is amended by replacing “Notice of the change is published in the *Gazette officielle du Québec*” in the second paragraph by “Notice of the decision of the registrar of civil status or of the judicial decision rendered in review of the decision of the registrar is published in accordance with the rules determined by government regulation,”.

3. Article 118 of the Code is replaced by the following article:

118. The declaration of marriage is made to the registrar of civil status by the officiant within 30 days after the solemnization.”

4. Article 120 of the Code is amended by replacing “the authorizations or consents obtained” by “the fact that the court has authorized the solemnization of the marriage”.

5. Article 366 of the Code is amended by replacing “or” after “in places which conform to those rites” in the second paragraph by “and”.

6. Article 368 of the Code is amended

(1) by replacing the first sentence of the first paragraph by the following sentence: “Publication shall be effected by means of a notice posted, for 20 days before the date fixed for the solemnization of the marriage, on the website of the registrar of civil status.”;

(2) by striking out the second paragraph.

7. Article 369 of the Code is amended

(1) by replacing “and the date and place of birth of each” by “the year and place of their birth, the scheduled solemnization date and the name of the officiant”;

(2) by adding the following sentence at the end: “The other rules governing publication of the marriage are determined by the Minister of Justice.”;

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

“On receipt of the notice of publication, the registrar of civil status shall ensure that the officiant is competent.”

8. Article 370 of the Code is replaced by the following article:

“370. The registrar of civil status may, for a serious reason, grant a dispensation from publication on an application by the intended spouses and the officiant.

However, if the life of one of the intended spouses is endangered and the marriage must be solemnized promptly without it being possible to obtain a dispensation from the registrar, the officiant may grant the dispensation. In such a case, when sending the declaration of marriage to the registrar of civil status, the officiant shall include the dispensation, which must specify the grounds for granting it.”

9. Article 372 of the Code is amended by adding “, in particular if, in the person’s opinion, the consent of one of the intended spouses is likely not to be free or enlightened” at the end of the first paragraph.

10. Article 373 of the Code is amended

(1) by replacing “that the person having parental authority or, if applicable, the tutor has consented to the marriage” by “that the court has authorized the solemnization of the marriage”;

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

“The minor may apply alone for the court’s authorization. The person having parental authority or, if applicable, the tutor must be summoned to give his or her advice.”

11. Article 375 of the Code is amended by replacing “without delay” by “within 30 days after the solemnization”.

12. The Code is amended by inserting the following article after article 376:

“**376.1.** The rules governing the solemnization of marriage prescribed by the Minister of Justice apply, to the extent determined by the Minister, to the persons authorized by the Minister to solemnize marriages.”

13. The Code is amended by inserting the following article after article 376.1:

“**376.2.** The measures that may be taken in the event of an officiant’s non-compliance with the rules governing the solemnization of marriages are determined by regulation of the Minister of Justice.”

14. Article 380 of the Code is amended by adding “, in particular if the consent of one of the spouses was not free or enlightened” at the end of the second paragraph.

15. Article 521.4 of the Code is amended by adding “, in particular if, in the person’s opinion, the consent of one of the intended spouses is likely not to be free or enlightened” at the end of the first paragraph.

16. Article 521.10 of the Code is amended by adding “, in particular if the consent of one of the spouses was not free or enlightened” at the end of the second paragraph.

17. Article 3088 of the Code is amended by replacing “or by the law of the State of domicile or of nationality of one of the spouses.” at the end of the second paragraph by “. However, if one of the spouses is domiciled in Québec and is a minor when the marriage is solemnized, the marriage must be authorized by the court.”

CODE OF CIVIL PROCEDURE

18. Article 49 of the Code of Civil Procedure (chapter C-25.01) is amended by inserting “protection orders or” after “or issue” in the second paragraph.

19. Article 58 of the Code is amended by inserting “or protection order” after both occurrences of “injunction” in the second paragraph.

20. Article 458 of the Code is amended

(1) by inserting “to the registrar of civil status and” after “the officiant,” in the first paragraph;

(2) by striking out “and, in the case of a marriage, to any person who must consent to its solemnization” at the end of the first paragraph;

(3) by adding the following sentence at the end of the third paragraph: “The court may also, on an application by the opposer, order that damages be paid

by anyone who takes or threatens to take reprisals against the opposer because of the opposer's opposition."

21. Article 509 of the Code is amended by inserting the following paragraphs after the first paragraph:

"Such an injunction may direct a natural person to refrain from or cease doing something or to perform a specified act in order to protect another natural person whose life, health or safety is threatened. Such an injunction, called a protection order, may be obtained, in particular, in a context of violence, such as violence based on a concept of honour. A protection order may only be issued for the time and on the conditions determined by the court, without however exceeding three years.

A protection order may also be requested by another person or a body if the threatened person consents to it or, failing that, with the authorization of the court."

GENERAL AND VOCATIONAL COLLEGES ACT

22. The General and Vocational Colleges Act (chapter C-29) is amended by inserting the following section after section 6.0.1:

"6.0.2. Any contract that allows the total or partial use of an immovable of a college is deemed to contain a clause allowing the college to cancel the contract if the other contracting party or any person exhibits behaviour during such use that could reasonably pose a threat for the physical or psychological safety of the students or of the other persons present.

A notice of cancellation shall be sent to the other contracting party. The cancellation takes effect on receipt of the notice. No compensation or indemnity may be claimed by the other contracting party."

23. Section 29 of the Act is amended

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

"The Minister may also designate a person to inquire into any behaviour that could reasonably pose a threat for the students' physical or psychological safety.";

(2) by replacing "so designated" in the second paragraph by "designated by the Minister".

24. Section 29.2 of the Act is amended by inserting the following paragraph after paragraph *a*:

"(a.1) where the college does not use the means at its disposal to put an end to behaviour that could reasonably pose a threat for the students' physical or psychological safety;".

25. Section 29.8 of the Act is amended by adding the following sentence at the end: “The same rule applies if the college does not use the means at its disposal to put an end to behaviour that could reasonably pose a threat for the students’ physical or psychological safety.”

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

“43.1. Any contract that allows the total or partial use of an immovable of a regional college is deemed to contain a clause allowing the regional college to cancel the contract if the other contracting party or any person exhibits behaviour during such use that could reasonably pose a threat for the physical or psychological safety of the students or of the other persons present.

A notice of cancellation shall be sent to the other contracting party. The cancellation takes effect on receipt of the notice. No compensation or indemnity may be claimed by the other contracting party.”

ACT RESPECTING PRIVATE EDUCATION

27. The Act respecting private education (chapter E-9.1) is amended by inserting the following section after section 65:

“65.1. Any contract that allows the total or partial use of an immovable of an institution is deemed to contain a clause allowing the institution to cancel the contract if the other contracting party or any person exhibits behaviour during such use that could reasonably pose a threat for the physical or psychological safety of the students or of the other persons present.

A notice of cancellation must be sent to the other contracting party. The cancellation takes effect on receipt of the notice. No compensation or indemnity may be claimed by the other contracting party.”

28. Section 118 of the Act is amended by inserting the following paragraph after the first paragraph:

“The Minister may also designate a person to inquire into any behaviour that could reasonably pose a threat for the students’ physical or psychological safety.”

29. Section 119 of the Act is amended by adding the following paragraph at the end:

“(8) does not use the means at his disposal to put an end to behaviour that could reasonably pose a threat for the students’ physical or psychological safety.”

30. The Act is amended by inserting the following section after section 120:

“120.1. The Minister must, before modifying or revoking the permit of a holder for the reason mentioned in paragraph 8 of section 119, order the holder to apply the corrective measures he indicates within the time limit he fixes.

If the holder does not comply with the order, the Minister may modify or revoke his permit.”

31. Section 125 of the Act is amended by adding the following sentence at the end: “The same applies if the institution does not use the means at its disposal to put an end to behaviour that could reasonably pose a threat for the students’ physical or psychological safety.”

ACT RESPECTING MUNICIPAL TAXATION

32. The Act respecting municipal taxation (chapter F-2.1) is amended by inserting the following section after section 204.0.1:

“204.0.2. On the application of the Minister of Justice or a person he designates, a judge of the Superior Court may, where an officer or director of an entity, other than a legal person established in the public interest, who owns an immovable described in section 204 is found guilty of an offence under Part II.1 or section 59 or 319 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) and there are reasonable grounds to believe that resources, including human resources, of that entity were used directly or indirectly to commit the offence, order, for the period the judge determines, the loss of the benefit of the exemption provided for in section 204, for all or some of the immovables included in a unit of assessment entered on the roll in the name of the entity. A copy of the judgment shall be sent to the clerk or the secretary-treasurer of the municipality concerned.”

EDUCATION ACT

33. The Education Act (chapter I-13.3) is amended by inserting the following section after section 266:

“266.1. Any contract that allows the total or partial use of an immovable of a school board is deemed to contain a clause allowing the school board to cancel the contract if the other contracting party or any person exhibits behaviour during such use that could reasonably pose a threat for the physical or psychological safety of the students or of the other persons present.

A notice of cancellation must be sent to the other contracting party. The cancellation takes effect on receipt of the notice. No compensation or indemnity may be claimed by the other contracting party.”

34. Section 477 of the Act is amended by adding the following sentence at the end of the first paragraph: “The same applies if a school board does not use the means at its disposal to put an end to behaviour that could reasonably pose a threat for the students’ physical or psychological safety.”

35. Section 478.3 of the Act is amended

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

“The Minister may also designate a person to inquire into any behaviour that could reasonably pose a threat for the students’ physical or psychological safety.”;

(2) by replacing “so designated” in the second paragraph by “designated by the Minister”.

YOUTH PROTECTION ACT

36. Section 38 of the Youth Protection Act (chapter P-34.1) is amended by inserting “excessive control,” after “emotional rejection,” in subparagraph *c* of the second paragraph.

37. The Act is amended by inserting the following section after section 38.2:

“**38.3.** No ideological or other consideration, including one based on a concept of honour, can justify any situation described in sections 38 and 38.1.”

38. Section 45.1 of the Act is amended by striking out the second paragraph.

39. The Act is amended by inserting the following section after section 45.1:

“**45.2.** If the director decides not to accept a report but is of the opinion that the child or one or both of the child’s parents require assistance, the director must inform them of the services and resources available in their community. If they consent to it, the director must, in a personalized manner, advise them and direct them to the institutions, bodies or persons best suited to assist them and come to an agreement with the service provider on the terms of access to such service, in particular, on the time limit. In addition, if they consent to it, the director must forward the information relevant to the situation to the service provider.

Information on the services and resources available to them is given to the person requiring assistance and, in the case of a child under 14 years of age, to one or both of the child’s parents. The required consents are also given by the person requiring assistance, except those for a child under 14 years of age, which are given by one of the child’s parents.

Where the child requiring assistance is 14 years of age or older, the director may, if the child consents to it, inform one or both of the child’s parents of the

services and resources available in their community. In addition, where the child is directed to an institution, body or person in accordance with the first paragraph, the director may, if the child consents to it, inform one or both of the parents. Where the director directs the child without informing the parents, the director must meet with the child and the service provider.”

40. Section 46 of the Act is amended by inserting the following subparagraph after subparagraph *e* of the fourth paragraph:

“(e.1) prohibiting the disclosure of specific information to one or both of the parents or any other person designated by the director;”

41. Section 50 of the Act is amended by striking out the second paragraph.

42. The Act is amended by inserting the following section after section 50:

“**50.1.** Where the director establishes that the security or development of the child is not in danger, but the director is of the opinion that the child or one or both of the child’s parents require assistance, the director is subject to the obligations set out in section 45.2.”

43. Section 57.2 of the Act is amended by striking out the second and third paragraphs.

44. The Act is amended by inserting the following section after section 57.2:

“**57.2.1.** If the director puts an end to an intervention, but is of the opinion that the child or one or both of the child’s parents require assistance, the director is subject to the obligations set out in section 45.2.

The director is also subject to those obligations when a child whose security or development is in danger reaches 18 years of age.”

45. Section 70.2 of the Act is amended by replacing “set out in the second paragraph of section 57.2” in the second paragraph by “set out in section 45.2”.

46. Section 91 of the Act is amended by inserting the following subparagraph after subparagraph *l* of the first paragraph:

“(l.1) that specific information not be disclosed to one or both of the parents or any other person designated by the tribunal;”

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

47. Section 21 of the Act respecting health services and social services (chapter S-4.2) is amended by replacing the second paragraph by the following paragraphs:

“However, an institution shall refuse to give the holder of parental authority access to the record of a user under 14 years of age where the user has been the subject of an intervention within the meaning of section 2.3 of the Youth Protection Act (chapter P-34.1) or where a decision concerning him has been made under that Act, and the institution, after consulting the director of youth protection, determines that communication of the user’s record to the holder of parental authority will or could be prejudicial to the user’s health.

An institution shall also refuse to give the holder of parental authority access to the record of a user who is 14 years of age or over where, after being consulted by the institution, the user refuses to allow his record to be communicated to the holder of parental authority and the institution determines that communication of the user’s record to the holder of parental authority will or could be prejudicial to the user’s health. Where the user has been the subject of an intervention within the meaning of section 2.3 of the Youth Protection Act or where a decision concerning him has been made under that Act, the institution must first consult the director of youth protection. However, where the refusal of the user who is 14 years of age or over concerns information referred to in section 45.2, 50.1 or 57.2.1 or the second paragraph of section 70.2 of the Youth Protection Act, the holder of parental authority to whom the user has refused to allow information to be communicated may not receive the information concerned.”

TRANSITIONAL AND FINAL PROVISIONS

48. The rules governing publication of a marriage or civil union or, as applicable, dispensation from publication in force on (*insert the date of coming into force of paragraph 1 of section 6*) continue to apply to marriages and civil unions solemnized within six months after that date.

The marriage of a minor to which the holder of parental authority or the tutor, as applicable, consented before 8 June 2016 continues to be governed by article 373 of the Civil Code as it read before that date provided the marriage is solemnized within six months after that date.

49. A notice regarding an application for a change of name or a tardy declaration of filiation published before (*insert the date of coming into force of section 2*) need not be published again if the application or declaration is sent to the registrar of civil status within six months after that date.

50. This Act comes into force on 8 June 2016, except sections 1, 2, 3, paragraph 1 of section 6, and sections 8 and 11, which come into force on the date or dates to be set by the Government.

2016, chapter 13

AN ACT RESPECTING THE RESTRUCTURING OF UNIVERSITY-SECTOR DEFINED BENEFIT PENSION PLANS AND AMENDING VARIOUS LEGISLATIVE PROVISIONS

Bill 75

Introduced by Mr. Sam Hamad, Minister of Labour, Employment and Social Solidarity

Introduced 11 November 2015

Passed in principle 12 April 2016

Passed 8 June 2016

Assented to 8 June 2016

Coming into force: 8 June 2016

Legislation amended:

Supplemental Pension Plans Act (chapter R-15.1)

Regulation amended:

Regulation respecting the funding of pension plans of the municipal and university sectors
(chapter R-15.1, r. 2)

Explanatory notes

This Act provides that university-sector defined benefit pension plans must be restructured not later than 31 December 2017 in order to facilitate improved risk management and help redress the financial position of some of those plans to ensure their sustainability.

Under the Act, an actuarial valuation must be prepared for all pension plans as at 31 December 2015 in order, in particular, to determine the cost of each plan at that date.

General restructuring measures are set out for the equal sharing of the total contributions for service subsequent to 31 December 2015 by the employer and the active members, effective not later than 1 January 2018. They may also agree on sharing the contributions in a minimum proportion of 45% for the active participants, or on a different apportionment for the various types of contributions.

A stabilization fund must be established on 1 January 2016 for pension plans required to undergo special restructuring measures. Such a fund must be funded by a stabilization contribution, to be paid into the plan not later than 1 January 2018. For the other pension plans, such a contribution must be paid into the plan's general account instead.

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Explanatory notes (cont'd)

Special restructuring measures are to be applied to any pension plan whose cost determined as at 31 December 2015 exceeds 21% of the overall payroll of the active members or that maximum, increased as provided. The Act makes it possible to amend the benefits of active members from 1 January 2016 to reduce the cost of the plan to a percentage equal to or less than 21% or equal to the increased maximum, for service subsequent to 31 December 2015 as well as for service prior to 1 January 2016. The Act also allows the parties to limit the reduction of active members' benefits to 7.5% of their liabilities. Special rules are established for amendments pertaining to the normal pension and to the automatic indexation of pensions at retirement for service prior to 1 January 2016.

An amendment pertaining to the retirement pension's automatic indexation formula may apply to retired members provided the retirement pension's automatic indexation formula with respect to active members is also amended and the value of the amendments is equivalent. Also, the parties to a pension plan that is not subject to special restructuring measures may agree to amend the benefits of the active members in accordance with rules similar to those that apply in a plan subject to such measures. In addition, any surplus assets in a pension plan that is subject to special restructuring measures for service prior to 1 January 2016 must first be used to increase pensions to the level they would have reached if the automatic indexation formula had not been amended.

The Act provides for a one-year negotiation period for the plans concerned. In addition, the parties may turn to conciliation, and if negotiations fail, the dispute is to be submitted to an arbitrator. A plan whose amendments are not subject to negotiations with each employee association may be amended in accordance with the amendment process provided for in the plan. In the case of pension plans not subject to special restructuring measures, the Act provides that the active members must be consulted before an amendment to their benefits can become effective.

The Act also extends the funding relief measure until not later than 31 December 2017 for certain pension plans.

Lastly, the Supplemental Pension Plans Act is amended to allow, among other things, the payment of variable benefits, under the defined-benefit provisions of a municipal- or university-sector pension plan. Technical amendments are also made to the Regulation respecting the funding of pension plans of the municipal and university sectors.



Chapter 13

AN ACT RESPECTING THE RESTRUCTURING OF UNIVERSITY-SECTOR DEFINED BENEFIT PENSION PLANS AND AMENDING VARIOUS LEGISLATIVE PROVISIONS

[Assented to 8 June 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PURPOSE AND APPLICATION

1. The purpose of this Act is the restructuring of the university-sector pension plans to which Chapter X of the Supplemental Pension Plans Act (chapter R-15.1) applies, in order to facilitate improved risk management and help redress the financial position of certain plans to ensure their sustainability.

The Act applies to pension plans where the employer is a university-level educational institution referred to in any of paragraphs 1 to 11 of section 1 of the Act respecting educational institutions at the university level (chapter E-14.1).

2. This Act does not apply to pension plans that have certain defined contribution plan characteristics as well as certain defined benefit plan characteristics and that provide for a minimum retirement income established according to the characteristics of a defined benefit pension plan, including floor plans, nor to the defined contribution-type provisions of a defined benefit plan.

CHAPTER II

RESTRUCTURING OF PENSION PLANS

DIVISION I

GENERAL PROVISIONS

3. All university-sector pension plans must be restructured not later than 31 December 2017.

4. Before a pension plan is restructured, it must be the subject of a complete actuarial valuation as at 31 December 2015.

The report on the actuarial valuation must be sent to Retraite Québec not later than 30 June 2016.

5. For the actuarial valuation as at 31 December 2015, the demographic and economic assumptions from the last complete actuarial valuation of the plan at the end date of a fiscal year and for which the report has been sent to Retraite Québec must be used. The discount rate may however be modified up to a maximum of 6%.

6. The following rules apply with respect to the actuarial valuation as at 31 December 2015:

(1) the provision for adverse deviation referred to in the second paragraph of section 13 of the Regulation respecting the funding of pension plans of the municipal and university sectors (chapter R-15.1, r. 2) is established at zero;

(2) the monthly payments relating to funding deficiencies determined in an actuarial valuation prior to 31 December 2015 are eliminated;

(3) a single deficiency, to be known as a “technical actuarial funding deficiency”, is determined and corresponds to the amount by which the liabilities determined on a funding basis exceed the assets determined on a funding basis, to which the special amortization payment is added;

(4) the assets and liabilities relating to defined contribution-type provisions must not be taken into consideration in the assets and liabilities of the pension plan to determine the technical actuarial funding deficiency.

7. If the actuarial valuation as at 31 December 2015 shows that the cost of a pension plan established under section 19 is equal to or less than 21% of the overall payroll, sections 4, 5 and 6 do not apply for the purposes of its funding.

8. When a pension plan must be restructured to reduce its cost under section 19, the actuarial valuation as at 31 December 2015 must establish the portion of the technical actuarial funding deficiency attributable to retired members at that date.

To establish that portion, the assets of the pension plan must be distributed in proportion to the liabilities of the retired members and to those of the active members. For the purposes of this distribution, the special amortization payment made as payment for an amendment to the plan that applies only to active members within the meaning of section 36 of the Supplemental Pension Plans Act is not considered in the assets of the plan. The value of the obligations arising from that amendment considered for the first time in the actuarial valuation as at 31 December 2015 is not included in the liabilities of the plan.

9. For the purposes of this Act, the members and beneficiaries who are receiving a pension under the pension plan on 31 December 2014 are considered retired members. All other members are considered active members.

DIVISION II

GENERAL RESTRUCTURING MEASURES

§1. — Sharing contributions

10. The total contributions for service subsequent to 31 December 2015 must, beginning 1 January 2018, be assumed equally by the employer and the active members or, if both agree, in another proportion, provided it complies with the parameters set out in the second paragraph. In addition, the employer and the active members may agree to share contributions beginning on an earlier date. They may also agree on a different apportionment for the various types of contributions, provided the total contributions are shared equally or in a proportion that complies with the parameters set out in the second paragraph.

The employer and the active members may agree to share the total contributions in a minimum proportion of 45% for the active members. In no case may the active members assume more than 50% of the total contributions.

The contributions to be taken into consideration for the purposes of the first paragraph for a fiscal year of the pension plan are the current service contribution, the amortization payment relating to any unfunded actuarial liability determined for service subsequent to 31 December 2015 and the stabilization contribution provided for in the second paragraph of section 13.

11. If the active members contribute 35% or less of the total contributions for service subsequent to 31 December 2015, the pension plan may provide that the proportion they assume from 1 January 2018 or from an earlier date agreed on by them and the employer is at least equal to the proportion they assumed before that date increased by at least half of the difference between that proportion and 50% of the total required contributions or the proportion determined under the second paragraph of section 10.

The proportion provided for in the first or second paragraph, as applicable, of section 10 must be reached not later than 1 January 2021.

§2. — Stabilization fund

12. A stabilization fund, aimed at protecting the plan from adverse deviation likely to affect the plan in the future, must be established on 1 January 2016 for service subsequent to 31 December 2015.

13. The stabilization fund is to be funded by

- (1) a stabilization contribution;
- (2) actuarial gains; and
- (3) interest accrued.

The stabilization contribution that must be paid into the plan must represent 10% of the current service contribution, or a higher proportion of that contribution if the employer and the active members so agree. The amount of the stabilization contribution is determined without taking into account any margin for adverse deviation provided for by the Canadian Institute of Actuaries.

14. The stabilization contribution must be paid from 1 January 2018, or from an earlier date if the employer and the active members so agree.

15. The required value of the stabilization fund must be calculated in the same manner as the provision for adverse deviation established for service prior to 1 January 2016.

16. The employer and the active members may cease to pay the stabilization contribution once the stabilization fund reaches the value calculated under section 15.

17. The obligation under section 12 to establish a stabilization fund does not apply to a pension plan that does not have to be restructured under section 19.

A stabilization contribution established in accordance with the rules set out in the second paragraph of section 13 must nevertheless be paid into the general account of the pension plan from 1 January 2018, or from an earlier date if the employer and the active members so agree.

The employer and the active members may cease to pay the stabilization contribution once the provision for adverse deviation reaches the amount established under section 60.3 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6).

§3.—*Additional pension benefit*

18. The additional pension benefit provided for in section 60.1 of the Supplemental Pension Plans Act is abolished on 1 January 2016 with respect to members who are active on that date.

DIVISION III**SPECIAL RESTRUCTURING MEASURES**

19. Any pension plan whose cost determined in the actuarial valuation as at 31 December 2015 exceeds 21% of the overall payroll of the active members or that maximum increased in accordance with the third paragraph must be restructured to reduce its cost, at that date, to a percentage equal to or less than 21% or than the maximum thus increased. The overall payroll must be established using the same method as the one used to determine the current service contribution in the last complete actuarial valuation of the plan at the end date of a fiscal year and for which the report has been sent to Retraite Québec.

The cost of the plan at 31 December 2015 is equal to the sum of the current service contribution and the amortization payment relating to any technical actuarial funding deficiency identified in the actuarial valuation as at 31 December 2015. For the purpose of establishing the cost, the technical actuarial funding deficiency may, if the parties so agree, be reduced by the value of a stabilization fund established before 1 January 2016.

If the average age of the active members within the meaning of section 36 of the Supplemental Pension Plans Act is over 45 on 31 December 2015, the maximum established under the first paragraph can be increased by 0.6% for each full year of deviation. In addition, a maximum increase of 0.5% is allowed if women make up more than 50% of the active members on that date. In the latter case, the report required under the second paragraph of section 4 must show that the increase is necessary to allow the payment of benefits equivalent to those that would have been paid had it not been for that characteristic.

20. The restructuring of a pension plan may be carried out with respect to active members by amending, suspending or abolishing, from 1 January 2016, any benefits other than the normal pension payable under the pension plan in addition to the minimum benefits provided for by the Supplemental Pension Plans Act.

Amendments to the definition of the salary or wages on which the normal pension is based may pertain to service prior to 1 January 2016 and service subsequent to 31 December 2015. However, the accrual rate for the normal pension may only be amended for service subsequent to 31 December 2015.

Despite the first paragraph, amendments pertaining to the automatic indexation of the retirement pension for service prior to 1 January 2016 may only apply to the retirement pensions's automatic indexation formula. The indexation may be established at zero.

21. An amendment to the retirement pension's automatic indexation formula for service prior to 1 January 2016 may apply to members who are retired on 31 December 2015 if the retirement pension's automatic indexation formula with respect to active members is amended. Furthermore, the value of the

amendment must be equivalent to the value of the amendment concerning the automatic indexation of the retirement pension of the active members when calculated in proportion to the respective liabilities of each of the groups.

The employer and the active members may however agree to an additional reduction pertaining to the automatic indexation formula for the retirement pension of active members.

22. The active members may not assume more than 50% of the technical actuarial funding deficiency identified in the actuarial valuation as at 31 December 2015, reduced, if applicable, by the portion of that deficiency assumed by the retired members.

Members who are retired on 31 December 2015 may not assume more than 50% of the portion of the technical actuarial funding deficiency attributable to them at that date and established in accordance with section 8.

23. The part of the technical actuarial funding deficiency assumed by the employer and that corresponds to the lesser of the following amounts may not be consolidated:

(1) the amount of the deficiency assumed by the active members and retired members under sections 20 and 21; and

(2) the amount of the technical actuarial funding deficiency to be assumed by the employer under the first paragraph of section 22.

For the purposes of the first paragraph, the amount of the deficiency assumed by the active members under sections 20 and 21 must be determined without reference to the limit agreed on by the employer and the active members under section 25.

The employer must repay, over a maximum period of 15 years, the part of the technical actuarial funding deficiency that may not be consolidated.

The employer may, with respect to a fiscal year of the pension plan, pay an additional amount to accelerate repayment of that part of the technical actuarial funding deficiency.

24. The employer must inform the retired members of any planned amendment to the automatic indexation formula for their pension at least 60 days before the agreement to be made under Chapter V.

To that end, the pension committee must convene the retired members to an information meeting during which the employer must report on the pension plan's financial position set out in the actuarial valuation as at 31 December 2015, on the effort the retired members are being asked to make and on the reasons for the amendment. The pension committee must convene the retired members at least 30 days before the date of the information meeting and enclose with

the notice of meeting a copy of the planned amendment and the notice required under the first paragraph of section 113.1 of the Supplemental Pension Plans Act.

At that time, retired members must be allowed to present comments to the employer on the planned amendment and submit any proposal on their pension's automatic indexation formula.

The employer must send Retraite Québec the planned amendment and a summary of the meeting for information purposes.

25. When the amount of benefits amended, suspended or abolished under section 20 exceeds 7.5% of the liabilities of the active members established at 31 December 2015, the employer and the active members may agree to limit the restructuring of the plan with respect to those members to 7.5% of their liabilities or to a higher percentage agreed on by the parties.

26. If the portion of the technical actuarial funding deficiency assumed by the active members is limited to 7.5% of their liabilities or a higher percentage under section 25, the employer must assume the difference between the technical actuarial funding deficiency the active members would have assumed under sections 20 and 21 had it not been for that limit and the portion they assume.

The part of the deficiency assumed by the employer under the first paragraph must be repaid over a maximum period of 25 years and may be consolidated.

27. The parties to a pension plan that does not have to be restructured under section 19 may, before 1 January 2018, agree to amend the benefits of the active members in accordance with the rules set out in section 20.

28. Sections 20 and 21 of the Supplemental Pension Plans Act do not apply to an amendment made under this division.

CHAPTER III

FUNDING OF THE AMENDMENTS TO THE PENSION PLANS

29. For any amendment made on or after or effective from 1 January 2016, a special amortization payment must be paid in full into the pension fund on the day following the date of the actuarial valuation determining the value of the additional obligations arising from that amendment. This value is the higher of the value calculated on a solvency basis and that calculated on a funding basis. Any surplus assets of the pension plan may be allocated to the payment of such obligations.

30. The surplus assets correspond, for service subsequent to 31 December 2015, to the difference between the plan's assets determined on a funding basis and the sum of its liabilities determined on the same basis and the amount corresponding to the required value of the stabilization fund, reduced

by the value of the additional obligations arising from any amendment to the plan considered for the first time in the actuarial valuation.

The surplus assets correspond, for service prior to 1 January 2016, to the difference between the plan's assets determined on a funding basis and the sum of its liabilities determined on the same basis and the provision for adverse deviation, reduced by the value of the additional obligations arising from any amendment to the plan considered for the first time in the actuarial valuation.

The present value of amortization payments relating to the part of the technical funding deficiency assumed by the employer under the first paragraph of section 23 must be included in the plan's assets for service prior to 1 January 2016.

Despite paragraph 1 of section 6, the surplus assets as at 31 December 2015 must be determined without establishing the provision for adverse deviation at zero.

31. The surplus assets of a pension plan that does not have to be restructured under section 19 are determined in accordance with the rules set out in the second paragraph of section 30, regardless of the period of service.

CHAPTER IV

APPROPRIATION OF SURPLUS ASSETS

32. Surplus assets may not be appropriated to the payment of contributions, unless a fiscal rule so requires.

The surplus assets identified in the actuarial valuation as at 31 December 2015 or in an actuarial valuation subsequent to that date must be appropriated to the purposes and in the order agreed on by the employer and the active members. The surplus assets may be used to reimburse the debts contracted by the pension plan toward the employer.

33. When a pension plan must be restructured under section 19, the surplus assets for service prior to 1 January 2016 and those for service subsequent to 31 December 2015 must be used in relation to the service to which they relate.

The surplus assets for service prior to 1 January 2016 that are identified in an actuarial valuation subsequent to 31 December 2015 must first be appropriated, in the year following the actuarial valuation, to resuming, if applicable, indexation of the pensions accrued at 31 December 2015 and that are in payment on the date of the indexation provided for in the pension plan.

A pension referred to in the second paragraph must be increased to the level it would have reached, since the last actuarial valuation, had it not been for the amendment to the retirement pension's automatic indexation formula under the first paragraph of section 21. If the surplus assets are insufficient to cover

the whole increase, the indexation is to be made on the basis of the surplus available to finance the increase.

If any surplus assets remain, the pension re-established under the third paragraph must be increased to the level it would have reached, since the last actuarial valuation, had it not been for the additional reduction in the retirement pension's automatic indexation formula under the second paragraph of section 21.

Furthermore, if the pension plan has surplus assets after the third and fourth paragraphs, as applicable, have been applied and unless the employer and the active members have agreed on a different apportionment and a different order, the surplus assets must be used for the following purposes in the following order:

- (1) reimbursing the debts contracted by the pension plan toward the employer;
- (2) funding improvements to the pension plan.

In no case may the increased pensions be higher than the pensions that would have been paid under the plan had the retirement pension's automatic indexation formula not been amended.

34. However, despite the second paragraph of section 33, the text of the plan may provide that the surplus assets identified in an actuarial valuation subsequent to 31 December 2015 and established in accordance with the second paragraph of section 30 may not be appropriated unless the plan's assets on a funding basis are equal to or greater than its liabilities, increased by the provision for adverse deviation plus an amount that corresponds to a rate of not more than 3% of the total solvency liabilities, reduced by the value of the additional obligations arising from any amendment to the plan considered for the first time on the date of the actuarial valuation.

35. In the case of a pension plan that must be restructured under section 19, the surplus assets for service subsequent to 31 December 2015 must be appropriated for the purposes and in the order agreed on by the employer and the active members.

CHAPTER V

RESTRUCTURING PROCESS FOR PENSION PLANS

DIVISION I

NEGOTIATIONS

36. When a pension plan must be restructured under section 19, negotiations between the employer and the active members must be undertaken not later

than 30 June 2016 for the purpose of entering into an agreement to amend the pension plan in accordance with this Act.

Not later than 15 June 2016, the employer sends every association representing active members who are covered by the plan a written notice not less than eight days beforehand stating the date, time and place its representatives will be ready to meet the association's representatives.

A copy of the notice must be sent to the Minister. Failing such a notice, negotiations are deemed to have begun on 30 June 2016.

37. If the active members of a plan are represented by more than one association, negotiations are conducted separately or jointly by those associations in accordance with the usual rules.

38. Negotiations must begin and continue diligently and in good faith in order for an agreement to be reached not later than 31 March 2017.

39. If the parties reach an agreement, they send the Minister a notice of agreement.

Likewise, the parties inform the Minister if they are unable to reach an agreement, unless a conciliator has been appointed, in which case the notice must be sent to the conciliator.

DIVISION II

CONCILIATION

40. Either of the parties may, at any time during the negotiation period, ask the Minister to designate a conciliator to help them reach an agreement.

Notice of such a request must be given to the other party on the same day.

The Minister designates the conciliator on receiving the parties' request.

41. The conciliation process does not alter the negotiation period.

42. The parties are required to attend all meetings to which they are convened by the conciliator.

43. If an agreement is reached on all the matters submitted to the conciliator, the conciliator reports on the agreement to the Minister and to the parties.

44. At the expiry of the negotiation period or as soon as it is clear to the conciliator that conciliation will not enable the parties to reach an agreement, the conciliator submits to the parties a report stating the matters on which they agree, those still in dispute and any recommendation the parties failed to implement.

At the same time, the conciliator forwards a copy of the report to the Minister.

DIVISION III

ARBITRATION

45. At the expiry of the negotiation period, an arbitrator is appointed to settle the dispute if no agreement has been sent to the Minister.

An arbitrator may also be appointed before the end of such a period at the joint request of the parties or as soon as they receive the conciliator's report provided for in section 44.

46. The Minister notifies the parties that the Minister is referring the dispute to arbitration. Within 10 days after the notice, the parties must jointly choose the arbitrator from the list drawn up under section 77 of the Labour Code (chapter C-27). If the parties cannot agree, the Minister appoints the arbitrator from that list.

The Minister determines the arbitrators' costs and fees, which are borne by the parties.

An arbitrator must not have any pecuniary interest in the dispute submitted to him or her or have acted as an attorney, adviser or representative of any of the parties.

47. The arbitrator is assisted by assessors unless the parties reach an agreement to the contrary within 15 days of the arbitrator's appointment.

Within 15 days of the arbitrator's appointment, each party designates an assessor to assist it. If a party does not designate an assessor within the prescribed time, the arbitrator may proceed in the absence of that party's assessor.

The arbitrator may proceed in the absence of an assessor who does not attend after having been convened.

48. Each party pays its assessor's costs and fees.

49. Each party pays the costs and fees of its expert witnesses.

The costs and fees of expert witnesses summoned on the initiative of the arbitrator are borne by the parties.

50. The arbitrator must render a decision not later than 31 December 2017.

51. No legal proceedings may be brought against an arbitrator for an act performed in good faith while carrying out the functions of office.

52. The parties may come to an agreement at any time on any of the matters in dispute.

The agreement is recorded in the arbitration award, which may not amend it.

53. The arbitrator renders a decision in accordance with the rules of law.

The arbitrator must take into account, among other considerations, intergenerational equity, the sustainability of the pension plan, compliance with cost-sharing principles and the objectives set out in this Act, contribution holidays and any improvements made to the plan.

In addition, the arbitrator must take into account the past concessions granted by the members with respect to other elements of the overall remuneration.

The arbitrator's decision is binding on the parties from the time it is rendered. No appeal lies from the arbitrator's decision.

54. The arbitrator sends a copy of the decision to the Minister.

55. Chapters III and V of Title II of Book VII of the Code of Civil Procedure (chapter C-25.01), except the third and fourth paragraphs of article 632, the third paragraph of article 642, the second and third paragraphs of article 643, and articles 282, 283 and 289 apply, with the necessary modifications, to arbitration under this Act.

56. Except on a question of jurisdiction, no application for judicial review under the Code of Civil Procedure may be filed nor any injunction granted against an arbitrator acting in his or her official capacity.

DIVISION IV

MISCELLANEOUS PROVISIONS

57. The existence of a collective agreement or any other valid agreement does not preclude the application of this Act.

58. The signing of an agreement may take place only after being authorized by secret ballot by a majority vote of the members of the association representing the active members who exercise their right to vote.

If the negotiations are conducted jointly by two or more associations, the ballot is held in accordance with the usual rules. In the absence of such rules, the signing must be authorized, by secret ballot, by a vote in which the majority is calculated taking into account all the active members, regardless of which group they belong to.

59. The employer must take measures to allow active members who are covered by a pension plan established by a collective agreement, but who are

not represented by an association, as well as active members who are covered by a plan established otherwise than by a collective agreement, to submit observations on the proposed amendments to the plan.

If 30% or more of those active members object to the amendments, the amendments cannot be applied, unless a decision of the arbitrator so authorizes.

60. If a collective agreement is in force, any agreement reached or any decision made by the arbitrator under Chapter V that amends the terms of the collective agreement has the effect of amending the collective agreement. If negotiations are in progress to renew the collective agreement, the agreement or the decision is, from the date it becomes effective, deemed to be part of the most recent collective agreement.

61. When the rules set out in a pension plan before 11 November 2015 do not require that the amendments to the plan be negotiated with each association representing active members, the amendments to a pension plan to which this chapter applies are decided on by the authority that has the power to do so and under the conditions set out in the pension plan.

Divisions I to III of this chapter apply, with the necessary modifications. The amendments decided on in accordance with the rules set out in the pension plan are considered to be an agreement made under this chapter.

62. As soon as an agreement that provides for amending the automatic indexation formula of the retired members' pension is entered into or as soon as a decision is rendered by an arbitrator under this chapter, the pension committee must notify each retired member and each beneficiary in writing that the automatic indexation of their pension is amended from the date of the agreement or the arbitrator's decision.

Such a notice replaces the notice required under section 26 of the Supplemental Pension Plans Act with respect to retired members. A copy of the notice must be sent to Retraite Québec with the application to register the amendment to the pension plan resulting from the agreement or the arbitrator's decision.

63. To make possible an amendment to restructure a pension plan that does not have to be restructured under section 19, the employer must take measures to allow active members who are covered by a pension plan established by a collective agreement, but who are not represented by an association, as well as active members who are covered by a plan established otherwise than by a collective agreement, to submit observations. If 30% or more of those members object to the amendment, it cannot be applied.

Section 58 applies with respect to active members represented by an association.

If the active members do not agree to the amendment regarding the sharing of contributions and the establishment of the contribution to the stabilization fund before 1 January 2018, the rules set out in the first paragraph of section 10 and the second paragraph of section 13 apply.

CHAPTER VI

REGISTRATION OF AMENDMENTS

64. The provisions of every pension plan must be amended to set out

- (1) the rules governing the sharing of contributions;
- (2) the rate of the contribution to the stabilization fund; and
- (3) any benefits that have been amended.

65. The amendments resulting from the restructuring of a pension plan described in section 19 must be communicated to Retraite Québec as soon as a notice of agreement is sent to the minister responsible for the administration of the Labour Code under the first paragraph of section 39 or as soon as an arbitrator's decision is sent to that minister under section 54. The amendments to a pension plan not described in section 19 must be submitted to Retraite Québec not later than 31 January 2018.

66. The application to register the amendments must be filed with a complete actuarial valuation of the pension plan as at 31 December 2015 that takes the amendments to the plan into account.

The actuarial valuation must be established on the basis of the same demographic and economic assumptions and the same discount rate as those used in the actuarial valuation referred to in section 5. However, the demographic assumption with respect to retirement may be adjusted to take the amendments to the pension plan into account.

67. If Retraite Québec is unable to register an amendment to the plan because of its non-compliance with this Act or the Supplemental Pension Plans Act, Retraite Québec must inform the pension committee.

If the amendment results from an agreement under Chapter V, the pension committee notifies the parties to the agreement of Retraite Québec's decision and asks them to amend the agreement within 30 days. If the parties fail to come to an agreement, the minister responsible for the administration of the Labour Code appoints an arbitrator whose name appears on the list drawn up under the first paragraph of section 46. The arbitrator must render a decision within three months after being seized of the matter. The second and third paragraphs of section 46 and sections 48, 51 to 54 and 56 apply.

If the amendment results from an arbitrator's decision under Chapter V, the pension committee notifies the arbitrator who rendered the decision of Retraite Québec's decision and asks the arbitrator to amend his or her decision within 30 days.

CHAPTER VII

AMENDING PROVISIONS

SUPPLEMENTAL PENSION PLANS ACT

68. Section 128 of the Supplemental Pension Plans Act (chapter R-15.1) is amended by replacing “by adding the plan stabilization provision target level less five percentage points” in the second paragraph by “taking into account the plan stabilization provision target level less five percentage points”.

69. Section 318.5 of the Act is amended by replacing the second paragraph by the following paragraphs:

“Sections 90.1, 142.5 and 237 apply, however, to a plan referred to in the first paragraph.

Sections 60, 119.1, 143 and 146 apply to pension plans that are subject to the Regulation respecting the funding of pension plans of the municipal and university sectors (chapter R-15.1, r. 2). Those sections do not apply, however, to a pension plan referred to in Division I or I.1 of the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act (chapter R-15.1, r. 8).

For the purposes of section 119.1, the actuarial valuation required is the one referred to in subparagraph 2 of section 118, as replaced by section 7 of the Regulation respecting the funding of pension plans of the municipal and university sectors.”

REGULATION RESPECTING THE FUNDING OF PENSION PLANS OF THE MUNICIPAL AND UNIVERSITY SECTORS

70. The Regulation respecting the funding of pension plans of the municipal and university sectors (chapter R-15.1, r. 2) is amended by inserting the following section after section 6:

“**6.1.** For the purposes of the first paragraph of section 60 of the Act, the member contributions paid by a member are the current service contribution described in section 38 of the Act, as it read before 1 January 2016, and the stabilization contribution the member is required to pay under the Act to foster the financial health and sustainability of municipal defined benefit pension plans (chapter S-2.1.1) or the Act respecting the restructuring of university-sector defined benefit pension plans and amending various legislative provisions (2016, chapter 13).”

71. The Regulation is amended by replacing section 38.2 by the following section:

“38.2. The components of the plan are governed by the Act and this Regulation with regard to funding, asset investment, appropriation of any surplus assets, division and merger, and payment of members’ and beneficiaries’ benefits, as though they were two separate pension plans.

However, for the purposes of section 60 of the Act, the plan must be considered as a single pension plan.

Member contributions above the limit set by section 60 of the Act must be apportioned in proportion to the value of the benefits accrued in each component of the pension plan.”

72. The Regulation is amended by striking out sections 38.11 and 38.12.

73. Section 38.13 of the Regulation is amended by striking out “once the payment referred to in section 38.11 has been made and” in the second paragraph.

74. Section 38.14 of the Regulation is amended by striking out the second paragraph.

75. Section 38.15 of the Regulation is amended by striking out subparagraph 2 of the first paragraph.

76. The Regulation is amended by inserting the following section after section 58:

“58.1. Excluding the amount that must be recorded as an actuarial gain in the reserve under section 14 of the Act to foster the financial health and sustainability of municipal defined benefit pension plans (chapter S-2.1.1), the amount determined under the first paragraph of section 15 of this Regulation must not be transferred from the general account to the reserve for the purposes of the actuarial valuation as at 31 December 2013 referred to in section 51 of that Act nor for the purposes of any actuarial valuation as at a date subsequent to that valuation but prior to 1 January 2016. The balance of actuarial gains that is referred to in the second paragraph of that section 15 must be determined assuming that the gains referred to in the first paragraph of that section have been transferred to the reserve.

Section 53.1 of this Regulation does not apply to an actuarial valuation referred to in the first paragraph. However, if an amount was appropriated under that section 53.1 in an actuarial valuation referred to in section 4 or 26 of the Act to foster the financial health and sustainability of municipal defined benefit pension plans, the same appropriation must be made in the actuarial valuation referred to in section 51 of that Act.”

CHAPTER VIII**MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS**

77. In the case of a pension plan that must be restructured under section 19, if the pension committee was instructed to reduce the monthly payments due by 50% before 11 November 2015 under section 39.2 of the Regulation respecting the funding of pension plans of the municipal and university sectors (chapter R-15.1, r. 2), the funding relief measure set out in that section is extended until the date of the agreement or the arbitrator's decision under Chapter V, but not later than 31 December 2017.

In the case of a pension plan that does not have to be restructured under section 19 and in order for the funding relief measure referred to in the first paragraph to apply, the employer must post, in a conspicuous place within the establishment and in an area usually frequented by the active members, a notice indicating that the parties that have the power to amend the plan have agreed to restructure the benefits of the active members for service prior to 1 January 2016 and service subsequent to 31 December 2015 and that, consequently, the funding relief measure set out in section 39.2 of the Regulation respecting the funding of pension plans of the municipal and university sectors continues to apply until the date of the agreement on the amendments, but not later than 31 December 2017.

The provisions of the Regulation apply with the necessary modifications.

The pension committee must immediately inform Retraite Québec if the funding relief measure referred to in the first paragraph ceases to apply before 31 December 2017.

78. Only the provisions of a pension plan that concern the appropriation of the plan's surplus assets and are effective before 11 November 2015 are to be taken into account for the reimbursement, under the second paragraph of section 32 and subparagraph 1 of the fifth paragraph of section 33, of the debts contracted by the pension plan toward the employer.

79. For the purposes of this Act, members and beneficiaries who began receiving a pension during the period beginning after 31 December 2014 and ending before 11 November 2015 and members who entered into a retirement agreement with their employer before the latter date providing for the payment of their pension within 12 months after that date are considered members who are retired on 31 December 2014.

Active members who entered into a phased departure agreement with their employer before 11 November 2015 that has a maximum term of five years after that date and provides for the reduction of their work time by at least 20% for the duration of the agreement and their retirement at the end of the agreement are also considered members who are retired on 31 December 2014.

However, members referred to in subparagraph 2 of the first paragraph of section 67.3 of the Supplemental Pension Plans Act (chapter R-15.1) who, on 31 December 2014, are receiving phased retirement benefits under subdivision 0.1 of Division III of Chapter VI of that Act are not considered members who are retired on that date unless the agreement to that effect entered into with the employer before 11 November 2015 includes the conditions set out in the second paragraph.

80. A member's benefits that were transferred or refunded before 11 November 2015 or for which an application for transfer or refund was filed before that date are established without taking the pension plan's restructuring measures into account.

Likewise, the death benefit provided for in section 86 of the Supplemental Pension Plans Act to which the spouse or successors of a deceased member are entitled before 11 November 2015 must be established without taking the pension plan's restructuring measures into account.

81. When sections 19 and 27 apply, only part of the benefits the payment of which began on or after 11 November 2015 may be paid by the pension committee during the restructuring period.

Subject to the first paragraph of section 80, when sections 19 and 27 apply, only part of the member's benefits that were paid on or after 11 November 2015 and of the death benefits to which the spouse or successors of a member deceased on or after 11 November 2015 may be paid by the pension plan during the restructuring period.

82. Contributions paid into the pension plan by the employer and the active members and established in the actuarial valuation referred to in section 4 are deemed to have been validly paid despite the pension plan restructuring measures that apply from 1 January 2016.

83. Contributions paid by the employer in addition to the contributions required under the Supplemental Pension Plans Act for service subsequent to 31 December 2015 are not taken into consideration in the sharing of total contributions under section 10.

84. When a stabilization fund is established in a pension plan under section 38.6 of the Regulation respecting the funding of pension plans of the municipal and university sectors, the stabilization fund referred to in section 13 is deemed to be established. The provisions of this Act apply with respect to the fund from 1 January 2018 or from any earlier date agreed on by the employer and active members.

Service prior to the establishment of the fund is deemed to be the service prior to the plan for the purposes of this Act.

85. The indexation of pensions paid after 31 December 2014 to members who are retired on that date and until the date of an agreement or an arbitrator's decision under Chapter V, using the indexation formula set out in the pension plan before an amendment to the plan under the first paragraph of section 21, is deemed to have been validly paid.

86. This Act does not prohibit the sharing, by the employer and the active members, of the deficiencies identified in an actuarial valuation subsequent to 31 December 2015 for service prior to 1 January 2016 in a maximum proportion of 50% for the active members.

When a pension plan must be restructured under section 19, contributions may be paid by the active members after 31 December 2015 for service prior to the date the stabilization fund referred to in section 13 is established.

87. Any redemption of service on or after 1 January 2016 that is entirely paid by the member must be revised by the pension committee following the date of the agreement or the arbitrator's decision under Chapter V in order to ensure that the member benefits from the conditions set at the time of the transaction. The same applies to any agreement for a transfer of service entered into during the same period.

The first paragraph also applies when the benefits of active members are amended under section 27.

88. Any new pension plan established by an employer referred to in the second paragraph of section 1 must comply with Division II of Chapter II.

89. Any pension plan that is the object of a division or merger under Chapter XII of the Supplemental Pension Plans Act is subject to this Act.

90. Retraite Québec may issue technical directives relating to the administration of this Act.

91. For the exercise of the functions assigned to it under this Act, Retraite Québec may, in addition to the other powers conferred on it by this Act, the Act respecting the Québec Pension Plan (chapter R-9) and the Supplemental Pension Plans Act, require any document or information it considers necessary for the purposes of this Act from a pension committee or an employer.

In addition, sections 183 to 193, 246, 247 and 248 of the Supplemental Pension Plans Act apply to this Act, with the necessary modifications.

92. When a pension plan's fiscal year ends on a date other than 31 December, an actuarial valuation under section 4 is required.

Despite section 142 of the Supplemental Pension Plans Act, the amortization period for the part of the technical actuarial funding deficiency assumed by the employer that may not be consolidated under the first paragraph of section 23

may expire on a date other than the date corresponding to the end of the fiscal year of the pension plan.

93. Except in the case of a pension plan to which section 7 applies, the report on the actuarial valuation required under section 4 is deemed to be the report mentioned in section 8 of the Regulation respecting the funding of pension plans of the municipal and university sectors, when such a report on an actuarial valuation of the plan as at 31 December 2015 is required. If the latter report was sent to Retraite Québec, an amended version of it must be sent to Retraite Québec not later than 30 June 2016.

94. In a case of failure to produce the report required under section 4 and the amended report provided for in section 93, fees equal to 20% of the fees calculated in the manner prescribed by section 13.0.1 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6), taking into account the number of members and beneficiaries indicated in the annual information return for the last fiscal year of the plan ended on the date of the actuarial valuation, must be paid to Retraite Québec for each full month of delay, up to the amount of those fees.

95. For the calculation of the technical actuarial deficiency, the value of the amortization payments yet to be paid by the employer with respect to the part of the technical actuarial funding deficiency that may not be consolidated under the first paragraph of section 23 must, for the purposes of actuarial valuations subsequent to 31 December 2015, be included in the general account.

96. This Act applies despite any provision to the contrary.

97. The minister responsible for the administration of the Supplemental Pension Plans Act is responsible for the administration of this Act, except Divisions I, II and III of Chapter V, which are administered by the minister responsible for the administration of the Labour Code.

98. Section 38.2 of the Regulation respecting the funding of pension plans of the municipal and university sectors, enacted by section 71 of this Act, has effect from 31 December 2015 with regard to any actuarial valuation of university sector plans as at a date subsequent to 30 December 2015. With regard to municipal sector pension plans, section 38.2 applies to any actuarial valuation as at a date subsequent to 31 December 2013 and to the actuarial valuation established as at that date under section 51 of the Act to foster the financial health and sustainability of municipal defined benefit pension plans (chapter S-2.1.1).

99. Section 77 has effect from 1 January 2016.

100. This Act comes into force on 8 June 2016.

2016, chapter 14

AN ACT TO AMEND CERTAIN ACTS ESTABLISHING PENSION PLANS APPLICABLE TO PUBLIC SECTOR EMPLOYEES

Bill 97

Introduced by Mr. Carlos J. Leitão, Minister responsible for Government Administration and Ongoing Program Review and Chair of the Conseil du trésor

Introduced 11 May 2016

Passed in principle 18 May 2016

Passed 8 June 2016

Assented to 8 June 2016

Coming into force: Sections 4, 5, 10 to 22, 25 to 27, 29, 36, 38, 40, 51 and 52 come into force on 8 June 2016.

Sections 1 to 3, 6, 8, 23, 24, 28, 30 to 35, 37, 39, 41 and 44 come into force on 1 January 2017.

Sections 7, 42, 45, 46 and the first paragraph of sections 49 and 50 come into force on 1 July 2019.

Sections 9, 43, 47, 48 and the second paragraph of sections 49 and 50 come into force on 1 July 2020.

Legislation amended:

Act respecting the Pension Plan of Certain Teachers (chapter R-9.1)

Act respecting the Government and Public Employees Retirement Plan (chapter R-10)

Act respecting the Teachers Pension Plan (chapter R-11)

Act respecting the Civil Service Superannuation Plan (chapter R-12)

Act respecting the Pension Plan of Management Personnel (chapter R-12.1)

Explanatory notes

The Act amends certain Acts establishing public sector pension plans to allow plan members to accumulate, for each year of service completed as of 2017, additional years of service credited over and above the 38 years of service used to calculate the pension, up to a maximum of 40 years.

It also allows employees to use all or part of their accumulated sick leave, if provided for in their conditions of employment, to pay the cost of redeeming years of service.

In addition, the Act respecting the Government and Public Employees Retirement Plan is amended to allow employees who are at least 60 years of age to retire without actuarial reduction if the sum of their age and their years of service is 90 or more, to establish an eligibility criterion for retirement without

(cont'd on next page)

Explanatory notes *(cont'd)*

actuarial reduction at 61 years of age, and to increase the actuarial reduction applicable to the pension of employees who retire at 55 years of age without having met an eligibility criterion for retiring without actuarial reduction.

Lastly, the Act makes consequential amendments and includes transitional and various provisions.



Chapter 14

AN ACT TO AMEND CERTAIN ACTS ESTABLISHING PENSION PLANS APPLICABLE TO PUBLIC SECTOR EMPLOYEES

[Assented to 8 June 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE PENSION PLAN OF CERTAIN TEACHERS

1. Section 22 of the Act respecting the Pension Plan of Certain Teachers (chapter R-9.1) is amended by replacing all occurrences of “76%” in the first paragraph by “80%”.

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

2. Section 19 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended by replacing “38” in the first paragraph by “40”.

3. Section 23 of the Act is amended by replacing “38” by “40”.

4. Section 26 of the Act is amended by inserting “or, if provided for in the employee’s conditions of employment, by using all or part of his accumulated sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by Retraite Québec” after “Retraite Québec” in the first paragraph.

5. Section 28 of the Act is amended by inserting “or, if provided for in the employee’s conditions of employment, by using all or part of her accumulated sick leave. In the latter case, her employer shall pay all or part of the amount according to the terms determined by Retraite Québec” after “determined by Retraite Québec” in the fourth paragraph.

6. Section 29 of the Act is amended by replacing “38” in the third paragraph by “40”.

7. Section 33 of the Act is amended, in the first paragraph,

(1) by replacing “60” in subparagraph 1 by “61”;

(2) by inserting the following subparagraph after subparagraph 2:

“(2.1) has a combined total of age and service of 90 or more and is at least 60 years of age;”.

8. Section 34.2 of the Act is amended by replacing “38” in the second paragraph by “40”.

9. Section 38 of the Act is amended by replacing “1/3” in the first paragraph by “1/2”.

10. Section 59.5 of the Act is amended by inserting “or, if provided for in the employee’s conditions of employment, by using all or part of his accumulated sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by Retraite Québec” after “determined by Retraite Québec” in the second paragraph.

11. Section 59.6 of the Act is amended by inserting “or, if provided for in the employee’s conditions of employment, by using all or part of his accumulated sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by Retraite Québec” after “determined by Retraite Québec” in the second paragraph.

12. Section 59.6.0.1 of the Act is amended by inserting “or, if provided for in the employee’s conditions of employment, by using all or part of his accumulated sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by Retraite Québec” after “determined by Retraite Québec” in the second paragraph.

13. Section 59.6.0.2 of the Act is amended by inserting “or, if provided for in the employee’s conditions of employment, by using all or part of his accumulated sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by Retraite Québec” after “determined by Retraite Québec” in the second paragraph.

14. Section 85.3 of the Act is amended by inserting “or, if provided for in the employee’s conditions of employment, by using all or part of her accumulated sick leave. In the latter case, her employer shall pay all or part of the amount according to the terms determined by Retraite Québec” after “determined by Retraite Québec” in the fourth paragraph.

15. Section 109.4 of the Act is amended by replacing “in a lump sum” in the fifth paragraph by “in a lump sum or, if provided for in the employee’s conditions of employment, by using all or part of his accumulated sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by Retraite Québec”.

16. Section 109.9 of the Act is amended by inserting “or, if provided for in the employee’s conditions of employment, by using all or part of his accumulated

sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by *Retraite Québec*” after “determined by *Retraite Québec*” in the fourth paragraph.

17. Section 114.1 of the Act is amended by inserting “or, if provided for in the employee’s conditions of employment, by using all or part of his accumulated sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by *Retraite Québec*” after “*Retraite Québec*” in the third paragraph.

18. Section 115 of the Act is amended by inserting the following paragraph after the second paragraph:

“The amount established under the second paragraph is payable in a lump sum or, if provided for in the employee’s conditions of employment, by using all or part of his accumulated sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by *Retraite Québec*.”

19. Section 115.2 of the Act is amended by inserting “or, if provided for in the employee’s conditions of employment, by using all or part of his accumulated sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by *Retraite Québec*” after “determined by *Retraite Québec*”.

20. Section 115.10.2 of the Act is amended by inserting “or, if provided for in the employee’s conditions of employment, by using all or part of his accumulated sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by *Retraite Québec*” after “determined by *Retraite Québec*”.

21. Section 115.10.5 of the Act is amended by inserting “or, if provided for in the employee’s conditions of employment, by using all or part of his accumulated sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by *Retraite Québec*” after “determined by *Retraite Québec*”.

22. Section 115.10.7 of the Act is amended by inserting “or, if provided for in the employee’s conditions of employment, by using all or part of his accumulated sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by *Retraite Québec*” after “determined by *Retraite Québec*”.

ACT RESPECTING THE TEACHERS PENSION PLAN

23. Section 16 of the Act respecting the Teachers Pension Plan (chapter R-11) is amended by replacing “38” in the first paragraph by “40”.

24. Section 20 of the Act is amended by replacing “38” by “40”.

25. Section 22 of the Act is amended by adding the following sentences at the end of the third paragraph: “The teacher may also, if provided for in his conditions of employment, use all or part of his accumulated sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by Retraite Québec.”

26. Section 23 of the Act is amended by inserting “or, if provided for in the teacher’s conditions of employment, by using all or part of her accumulated sick leave. In the latter case, her employer shall pay all or part of the amount according to the terms determined by Retraite Québec” after “determined by Retraite Québec” in the third paragraph.

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

“A teacher may pay the amount required for the redemption of years during which he was a Member in a lump sum or, if provided for in the teacher’s conditions of employment, by using all or part of his accumulated sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by Retraite Québec.”

28. Section 28.2 of the Act is amended by replacing “38” by “40”.

29. Section 28.3 of the Act is amended by inserting “or, if provided for in the teacher’s conditions of employment, by using all or part of her accumulated sick leave. In the latter case, her employer shall pay all or part of the amount according to the terms determined by Retraite Québec” after “determined by Retraite Québec” in the third paragraph.

30. Section 28.5 of the Act is amended by replacing “38” by “40”.

31. Section 29 of the Act is amended by replacing “38” in the second paragraph by “40”.

32. Section 33.2 of the Act is amended by replacing “38” in the second paragraph by “40”.

ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

33. Section 58 of the Act respecting the Civil Service Superannuation Plan (chapter R-12) is amended by replacing “38” in the first paragraph by “40”.

34. Section 60.1 of the Act is amended by replacing “38” by “40”.

35. Section 62.4 of the Act is amended by replacing “38” in the second paragraph by “40”.

36. Section 66.2 of the Act is amended by adding the following sentences at the end of the third paragraph: “The officer may also, if provided for in his conditions of employment, use all or part of his accumulated sick leave. In the latter case, the officer’s employer shall pay all or part of the amount according to the terms determined by Retraite Québec.”

37. Section 69 of the Act is amended by replacing “38” in the second paragraph by “40”.

38. Section 90 of the Act is amended by inserting the following paragraph after the third paragraph:

“The amount established under the second or third paragraph is payable in a lump sum or, if provided for in the officer’s conditions of employment, by using all or part of his accumulated sick leave. In the latter case, his employer shall pay all or part of the amount according to the terms determined by Retraite Québec.”

39. Section 99.6 of the Act is amended by replacing “38” by “40”.

40. Section 99.7 of the Act is amended by inserting “or, if provided for in the officer’s conditions of employment, by using all or part of her accumulated sick leave. In the latter case, her employer shall pay all or part of the amount according to the terms determined by Retraite Québec” after “determined by Retraite Québec” in the third paragraph.

41. Section 99.9 of the Act is amended by replacing “38” by “40”.

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

42. Section 49 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended, in the second paragraph,

(1) by replacing “60” in subparagraph 1 by “61”;

(2) by inserting the following subparagraph after subparagraph 2:

“(2.1) has attained 60 years of age and has a combined total of age and service of 90 or more;”.

43. Section 56 of the Act is amended

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

“Where an employee is entitled to a pension under subparagraph 4 of the first paragraph of section 49, the employee’s pension is reduced for its duration by 1/3 of 1% per month, computed for each month comprised between the date on which the pension is granted and the nearest date on which the pension would have otherwise been granted to the employee without actuarial reduction,

at the time the employee ceased to be a member of the plan, under the first paragraph.

Where an employee is entitled to a pension under subparagraph 3 of the second paragraph of that section, the employee's pension is reduced for its duration by 1/2 of 1% per month, computed for each month comprised between the date on which the pension is granted and the nearest date on which the pension would have otherwise been granted to the employee without actuarial reduction, at the time the employee ceased to be a member of the plan, under the second paragraph.”;

(2) by replacing “under the first paragraph” in the second paragraph by “under the first or second paragraph”.

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

44. For the purposes of the provision amended by section 1 of this Act, the percentage that exceeds 76% must be in relation to the years of service credited that are subsequent to 2016 and over and above 38 years of service used to compute the pension.

For the purposes of the provisions amended by sections 2, 3, 6, 8, 23, 24, 28, 30 to 35, 37, 39 and 41 of this Act, the years of service credited over and above 38 years of service used to compute the pension must be subsequent to 2016.

45. Sections 33 and 38 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), as they read on 30 June 2019, continue to apply to employees who are parties to a progressive retirement agreement referred to in section 85.5.1 of that Act, provided the application period of that agreement began before 11 May 2016.

Those provisions also continue to apply to employees who are parties to a progressive retirement agreement referred to in section 85.5.1 of that Act, provided the application period of that agreement began after 10 May 2016 but before 8 September 2016 and provided the agreement stipulates a reduction of their working time of at least 20% of the regular service of full-time employees in such employment.

This section also applies to a person described in the last paragraph of that section 85.5.1.

46. The second paragraph of section 49 and section 56 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1), as they read on 30 June 2019, continue to apply to employees referred to in the fourth paragraph of section 10 of that Act who did not complete the additional 60-month period of membership in the Pension Plan of Management Personnel and who are parties to a progressive retirement agreement referred to in section 133 of that Act, provided the application period of that agreement began before 11 May 2016.

Those provisions also continue to apply to such employees who are parties to a progressive retirement agreement referred to in section 133 of that Act, provided the application period of that agreement began after 10 May 2016 but before 8 September 2016 and provided the agreement stipulates a reduction of their working time of at least 20% of the regular service of full-time employees in such employment.

This section also applies to a person described in the last paragraph of that section 133.

47. Section 38 of the Act respecting the Government and Public Employees Retirement Plan, as it reads on 30 June 2020, continues to apply to employees who cease to participate in the Government and Public Employees Retirement Plan before 1 July 2020, except if such employees are referred to in section 49 of this Act.

48. Section 56 of the Act respecting the Pension Plan of Management Personnel, as it reads on 30 June 2020, continues to apply to employees referred to in the fourth paragraph of section 10 of that Act who did not complete the additional 60-month period of membership in the Pension Plan of Management Personnel and who cease to participate in that plan before 1 July 2020, except if such employees are referred to in section 50 of this Act.

49. Section 33 of the Act respecting the Government and Public Employees Retirement Plan, as it reads on 30 June 2019, continues to apply to employees referred to in the second paragraph of section 3.1 of that Act if their last day of pensionable employment under the Government and Public Employees Retirement Plan is before 1 July 2019.

Section 38 of that Act, as it reads on 30 June 2020, continues to apply to employees referred to in the second paragraph of section 3.1 of that Act if their last day of pensionable employment under the Government and Public Employees Retirement Plan is before 1 July 2020.

50. The second paragraph of section 49 of the Act respecting the Pension Plan of Management Personnel, as it reads on 30 June 2019, continues to apply to employees referred to in the first paragraph of section 9 of that Act, who are also referred to in the fourth paragraph of section 10 of that Act and did not complete the additional 60-month period of membership in the Pension Plan of Management Personnel, if their last day of pensionable employment under that plan is before 1 July 2019.

Section 56 of that Act, as it reads on 30 June 2020, continues to apply to employees referred to in the first paragraph of section 9 of that Act, who are also referred to in the fourth paragraph of section 10 of that Act and did not complete the additional 60-month period of membership in the Pension Plan of Management Personnel, if their last day of pensionable employment under that plan is before 1 July 2020.

51. After 16 September 2003 and until the date of coming into force of the first amendment made by the Government after 8 June 2016 to the Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 2), the amount of the benefit payable to persons who have never belonged to a class referred to in paragraphs 1 to 11 of Schedule II to those special provisions and for whom the Government and Public Employees Retirement Plan was the last pension plan of which they were members before becoming subject to these special provisions is valid provided the amount is calculated considering the Government and Public Employees Retirement Plan as the former pension plan for the purposes of sections 13, 16, 17, 19, 26, 27 and 28 of those special provisions.

52. Sections 4, 5, 10 to 22, 25 to 27, 29, 36, 38, 40, 51 and 52 come into force on 8 June 2016.

Sections 1 to 3, 6, 8, 23, 24, 28, 30 to 35, 37, 39, 41 and 44 come into force on 1 January 2017.

Sections 7, 42, 45, 46 and the first paragraph of sections 49 and 50 come into force on 1 July 2019.

Sections 9, 43, 47, 48 and the second paragraph of sections 49 and 50 come into force on 1 July 2020.

2016, chapter 15 FIREARMS REGISTRATION ACT

Bill 64

Introduced by Mr. Pierre Moreau, Acting Minister of Public Security

Introduced 3 December 2015

Passed in principle 10 May 2016

Passed 9 June 2016

Assented to 10 June 2016

Coming into force: on the date or dates to be set by the Government

Legislation amended:

Act respecting the conservation and development of wildlife (chapter C-61.1)

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)

Explanatory notes

This Act provides that all non-restricted firearms present in Québec must be registered, determines the rules for filing a registration application and provides that the Minister of Public Security is to register firearms by recording the information prescribed by government regulation in a file the Minister keeps for that purpose. The Minister will assign a unique number to each firearm not previously registered and a registration number for each firearm the Minister registers.

The Act introduces a new requirement for firearms businesses to keep a table to monitor all operations relating to firearms they own or have in their possession. Powers of inspection are also granted in connection with that requirement.

Lastly, penal provisions are introduced for offences under these new provisions.



Chapter 15

FIREARMS REGISTRATION ACT

[Assented to 10 June 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

PURPOSE AND SCOPE

1. The purpose of this Act is to establish rules to govern firearms registration. A further purpose of the Act is to enable public authorities to know where firearms are present in the territory of Québec with a view to supporting peace officers in their investigations and interventions, including their preventive interventions. It is also intended to ensure the effective enforcement of court orders prohibiting the possession of firearms.

For the purposes of this Act, “firearm” means a non-restricted firearm within the meaning assigned to that expression by subsection 84(1) of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46).

The Government may, by regulation and in the cases and under the conditions it determines, exempt certain firearms and firearm owners from the application of all or part of this Act.

DIVISION II

REGISTRATION

2. All firearms present in the territory of Québec must be registered.

The first paragraph does not apply to a firearm that is present in the territory of Québec for 45 days or less or that is entrusted to a firearms business for the purpose of having it repaired, restored, maintained or altered if the firearm owner does not have a residence or business establishment in Québec.

For the purposes of this Act, “firearms business” means any person, partnership or other group of persons that engages in the manufacture, assembly, purchase, sale, rental, display, repair, restoration, maintenance, alteration, storage, pawnbroking or consignment sale of firearms in Québec.

3. A firearm owner must apply to the Minister for its registration, subject to the conditions and according to the procedure prescribed by government regulation.

The registration application must be filed on taking possession of the firearm or as soon as the firearm is present in the territory of Québec. However, a firearm owner who settles in Québec has 45 days after settling there to file the application.

4. The Minister registers a firearm by recording, in a file the Minister keeps for that purpose, the information prescribed by government regulation. The Minister puts measures in place to ensure the integrity of the information in the file.

The registration remains valid as long as it is for the same firearm and the same firearm owner.

5. The Minister assigns a unique firearm number to each firearm not previously registered and a registration number for each firearm the Minister registers.

6. Within 90 days after a firearm has been assigned a unique firearm number, the owner must, if the number is not already inscribed indelibly and legibly on the firearm, affix it to the firearm in the manner prescribed by government regulation.

The firearm owner must ensure that the unique firearm number remains inscribed or affixed indelibly and legibly on the firearm.

7. The owner of a registered firearm must, within the time and in the manner prescribed by government regulation, notify the Minister of any change in the information provided for registration purposes or of the loss of the unique firearm number or the registration number.

As soon as the owner of a registered firearm transfers ownership of the firearm, he or she must notify the Minister in the manner prescribed by government regulation. The regulation must also prescribe the terms for transferring ownership of a firearm.

8. A person who has a firearm in his or her possession must be able to provide the firearm's registration number on request.

9. A peace officer may require a person who has a firearm in his or her possession to provide the firearm's registration number. The peace officer may require the person to make the firearm available so the peace officer can verify its compliance. The peace officer may also require the person to provide any other information conducive to identifying the firearm and its owner.

DIVISION III

POWER OF SEIZURE

10. A peace officer who has reasonable grounds to believe that an offence has been committed under section 2 may seize the firearm concerned.

11. A seized firearm must be returned to its owner if 90 days have elapsed since the seizure and no penal proceedings have been instituted or if, before that period has elapsed, the seizer is of the opinion that no offence was committed under section 2 or that the owner of the firearm has complied with this Act since the seizure.

The period of seizure may be extended in accordance with the applicable provisions of the Code of Penal Procedure (chapter C-25.1).

12. The provisions of the Code of Penal Procedure regarding the custody, detention and disposition of things seized that are not incompatible with this Act apply, with the necessary modifications.

If a seized firearm must be returned to its owner under any provision of the Code of Penal Procedure, the firearm is returned provided the owner has complied with this Act.

DIVISION IV

OPERATIONS OF FIREARMS BUSINESSES

13. A firearms business must establish and keep up to date a table to monitor all operations relating to firearms it owns or has in its possession in any of its establishments in the territory of Québec.

The firearms business must send the table to the Minister on request.

The information that must be included in such a table is prescribed by government regulation.

14. A peace officer or any person the Minister authorizes to carry out an inspection may enter any establishment of a firearms business at any reasonable hour to verify whether the business is complying with its obligations under section 13.

The person carrying out the inspection may examine or copy the operations monitoring table and require any relevant document or information. The person may also examine the firearms, open any container on the premises or require any person to open any container to examine the firearms and verify the accuracy of the information in the operations monitoring table.

A person having custody, possession or control of the firearms, containers, documents or information referred to in the second paragraph must make them available to the person carrying out the inspection and facilitate their examination.

15. A person authorized to carry out an inspection must, on request, produce identification and show the document issued by the Minister attesting the person's capacity.

DIVISION V**PENAL PROVISIONS**

16. Whoever contravenes any of sections 2, 3, 6, 7 and 13 is guilty of an offence and is liable to a fine of

- (1) \$500 to \$5,000 in the case of a natural person; and
- (2) \$1,500 to \$15,000 in all other cases.

17. Whoever contravenes section 8 is guilty of an offence and is liable to a fine of \$50 to \$100.

18. Whoever makes a false declaration, hinders or attempts to hinder a peace officer in the performance of his or her duties under this Act or a person authorized to carry out an inspection, in particular by misleading the peace officer or person by means of false statements or by concealing, destroying or refusing to provide information or documents the peace officer or person is authorized to demand or examine, is guilty of an offence and is liable to a fine of

- (1) \$500 to \$5,000 in the case of a natural person; and
- (2) \$1,500 to \$15,000 in all other cases.

19. In the case of a subsequent offence, the fines under this division are doubled.

20. In any proceedings instituted under this Act, an excerpt from the Firearms Reference Table (FRT) established by the Royal Canadian Mounted Police is proof, in the absence of any evidence to the contrary, that the firearm concerned by the proceedings is subject to this Act.

21. On a finding of guilty for an offence under section 2, a judge may order the confiscation of the firearm concerned if it is still unregistered.

The Minister prescribes the manner in which a confiscated firearm is to be disposed of.

DIVISION VI

AMENDING PROVISIONS

ACT RESPECTING THE CONSERVATION AND DEVELOPMENT OF WILDLIFE

22. Section 5 of the Act respecting the conservation and development of wildlife (chapter C-61.1) is amended by adding the following subparagraph after subparagraph 9 of the first paragraph:

“(10) section 9 of the Firearms Registration Act (2016, chapter 15).”

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

23. Section 57.2 of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001) is amended by inserting the following paragraph after the first paragraph:

“In addition, the registrar of civil status may exercise the powers delegated to the registrar by the Minister of Public Security under the Firearms Registration Act (2016, chapter 15). However, the registrar does not exercise those powers as a public officer.”

DIVISION VII

TRANSITIONAL AND FINAL PROVISIONS

24. A person who owns a firearm on the date of coming into force of section 2 has one year after that date to apply for its registration.

25. The Minister may, in writing, generally or specially delegate to any person the exercise of the powers conferred on the Minister by this Act.

26. No tariff may be set for the purposes of this Act.

27. The Minister of Public Security is responsible for the administration of this Act.

28. The provisions of this Act come into force on the date or dates to be set by the Government.

2016, chapter 16

AN ACT TO REDUCE THE COST OF CERTAIN MEDICATIONS COVERED BY THE BASIC PRESCRIPTION DRUG INSURANCE PLAN BY ALLOWING CALLS FOR TENDERS

Bill 81

Introduced by Mr. Gaétan Barrette, Minister of Health and Social Services

Introduced 24 November 2015

Passed in principle 17 May 2016

Passed 9 June 2016

Assented to 10 June 2016

Coming into force: 10 June 2016

Legislation amended:

Act respecting prescription drug insurance (chapter A-29.01)

Explanatory notes

This Act amends the Act respecting prescription drug insurance to allow the Minister of Health and Social Services to issue a call for tenders in order to enter into a contract with an accredited drug manufacturer for the purpose of establishing the price of a medication or supply and the conditions for its entry on the list of medications.

The Act also allows the Minister to issue a call for tenders in order to enter with an accredited wholesaler into a contract establishing the conditions for the supply of the medication or supply to owner pharmacists and the wholesaler's profit margin.

Such contracts will grant the selected manufacturer and the selected wholesaler exclusivity as regards the medication or supply.

Under the Act, calls for tenders must be issued in accordance with the conditions and mechanics determined by ministerial regulation.



Chapter 16

AN ACT TO REDUCE THE COST OF CERTAIN MEDICATIONS COVERED BY THE BASIC PRESCRIPTION DRUG INSURANCE PLAN BY ALLOWING CALLS FOR TENDERS

[Assented to 10 June 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Act respecting prescription drug insurance (chapter A-29.01) is amended by inserting the following sections after section 60:

“60.0.0.1. The Minister may, for the purposes of the list of medications, issue a call for tenders to enter with an accredited manufacturer into a contract establishing the price of a medication or supply and the conditions for its entry on the list. The medication or supply that is the subject of such a contract is entered on the list and all other medications or supplies covered by the call for tenders are excluded from the list. However, the Minister may, where applicable, include the brand-name medication in the list, in which case it is entered as an exceptional medication.

“60.0.0.2. The Minister may, for the purposes of the supply to owner pharmacists of a medication or supply that is the subject of a contract referred to in section 60.0.0.1, issue a call for tenders to enter with an accredited wholesaler into a contract establishing the supply conditions and the profit margin. Such a contract grants the wholesaler exclusivity for the supply of the medication or supply to owner pharmacists, who may procure it from the wholesaler only.

“60.0.0.3. A call for tenders under sections 60.0.0.1 and 60.0.0.2 is issued in accordance with the conditions and mechanics the Minister determines by regulation.”

2. Section 80 of the Act is amended by inserting “, 60.0.0.3” after “60” in the introductory clause.

3. This Act comes into force on 10 June 2016.

2016, chapter 17

AN ACT TO AMEND VARIOUS MUNICIPAL-RELATED LEGISLATIVE PROVISIONS CONCERNING SUCH MATTERS AS POLITICAL FINANCING

Bill 83

Introduced by Mr. Pierre Moreau, Minister of Municipal Affairs and Land Occupancy

Introduced 1 December 2015

Passed in principle 15 March 2016

Passed 10 June 2016

Assented to 10 June 2016

Coming into force: 10 June 2016, except

(1) section 57, paragraph 2 of section 58, paragraph 2 of section 59, section 75, paragraphs 1 and 2, subparagraph *a* of paragraph 3, paragraph 5, paragraph 8, subparagraph *b* of paragraph 11, subparagraph *b* of paragraph 12, subparagraphs *a*, *d* and *e* of paragraph 15 and paragraph 21 of section 100 and sections 103 to 105, which come into force on 30 September 2016;

(2) sections 11 and 54 to 56, paragraph 1 of section 58, sections 60 to 67, 69 to 73, 76 to 80, 82, 85, 87 to 91, 93 and 95, paragraph 2 of section 97, subparagraph *b* of paragraph 3, paragraphs 4, 6, 7 and 10, subparagraph *a* of paragraph 11, subparagraph *a* of paragraph 12, paragraphs 13 and 14, subparagraphs *b*, *c* and *f* of paragraph 15, paragraphs 16 to 20 and paragraphs 22 to 24 of section 100 and sections 111, 130 and 145, which come into force on 1 January 2017;

(3) section 116, which comes into force on 30 June 2017;

(4) section 68, which comes into force on 1 January 2018

Legislation amended:

Act respecting land use planning and development (chapter A-19.1)

Charter of Ville de Montréal (chapter C-11.4)

Cities and Towns Act (chapter C-19)

Municipal Code of Québec (chapter C-27.1)

Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01)

Act respecting the Communauté métropolitaine de Québec (chapter C-37.02)

Act respecting intermunicipal boards of transport in the area of Montréal (chapter C-60.1)

Act respecting contracting by public bodies (chapter C-65.1)

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

Municipal Ethics and Good Conduct Act (chapter E-15.1.0.1)

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Legislation amended: (cont'd)

Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001)
Taxation Act (chapter I-3)
Act respecting retirement plans for the mayors and councillors of municipalities (chapter R-16)
Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)
Act respecting the Société d'habitation du Québec (chapter S-8)
Act respecting public transit authorities (chapter S-30.01)
Act respecting the remuneration of elected municipal officers (chapter T-11.001)
Transport Act (chapter T-12)
Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1)
Act respecting Municipalité de Pointe-à-la-Croix (2006, chapter 61)
Act respecting Ville de Percé, Ville d'Amos and Ville de Rouyn-Noranda (2009, chapter 73)

Explanatory notes

This Act makes various amendments relating to municipal affairs.

Municipalities are empowered to require applicants to pay a financial contribution for the issue of certain permits or certificates.

Amendments are made to the Act respecting elections and referendums in municipalities with regard to the electoral process. It is amended to expressly require that polling stations be accessible to handicapped persons on polling day. Provisions about partisan activity by public servants and municipal employees are revised and those relating to eligibility for a position as council member of a municipality are clarified. Moreover, the requirement that a person found guilty of an offence punishable by a term of imprisonment of two years or more must have been sentenced to a term of imprisonment in order to be disqualified from holding office as a member of the council of a municipality is abolished. In addition, a member of the council of a municipality who fails to attend sittings due to the member's pregnancy or the birth or adoption of the member's child is no longer disqualified from holding office, provided that failure does not exceed 18 consecutive weeks.

Amendments are also made with regard to the municipal political financing regime applicable to municipalities with a population of 5,000 or more. The total amount of contributions that may be paid by a single elector in a given fiscal year is decreased from \$300 to \$100, and another contribution of up to \$100 is permitted during a general election or a by-election. The limits on cash contributions and on the additional contribution that a candidate may make for his or her own benefit or that of his or her party are revised. Certain other rules are also revised, in particular those relating to independent candidates' term of authorization and the reimbursement of electoral debts by authorized independent candidates. Supplemental public financing rules are introduced for municipalities with a population of 20,000 or more to ensure the payment of amounts to authorized parties and independent candidates on the basis of the amounts they receive as contributions. The obligation to include an appropriation to provide for payment of an allowance as reimbursement for expenses incurred for the day-to-day administration of an authorized party is extended to cover such municipalities, and the minimum amount of the appropriation is increased. An advance equal to half of the election expenses and the supplemental public financing is to be paid by the municipality on the filing of a return.

The political financing regime applicable to municipalities with a population of under 5,000 is amended by lowering the limit on gifts and introducing new provisions to promote transparency and tighten control of election expenses and income.

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Explanatory notes (cont'd)

A number of the recommendations made by the Commission of Inquiry on the Awarding and Management of Public Contracts in the Construction Industry on the subject of elections are implemented. Representatives and official agents of authorized parties and independent candidates are now required to undergo training on political financing and election expenses. The amount an elector may grant as a loan or the loan amount for which an elector may stand surety is reduced and the elector is required to make a declaration stating, among other things, that the elector is not acting as a prête-nom. An elector who grants a loan must do so by cheque or other order of payment signed by the elector. In the case of electors who are undivided co-owners of an immovable or co-occupants of a business establishment and who are not domiciled in the territory of a municipality, only the co-owner or co-occupant designated by power of attorney may make a contribution to an authorized party or independent candidate. The financial reports and returns of election expenses filed by representatives and official agents must be accompanied by a declaration made and signed by the party leaders or authorized candidates. The prescriptive period for penal proceedings that may be instituted for an offence under the Act respecting elections and referendums in municipalities is increased to seven years.

The Municipal Ethics and Good Conduct Act is amended to provide that the codes of ethics and conduct of elected municipal officers and municipal employees must prohibit certain announcements during political financing activities.

A number of the recommendations made by the Commission of Inquiry on the Awarding and Management of Public Contracts in the Construction Industry on the subject of contracts are implemented. Tenderers must be given seven days to consider any amendment to public tender documents that could affect the prices tendered. It is now prohibited to disclose any information allowing a person to be identified as a member of a selection committee established for a reason other than to determine the winner of a competition. The establishment of such a committee must be delegated to an employee and a penal provision is introduced to punish any person who communicates or attempts to communicate with a member of a selection committee in order to influence the member. Municipalities must also make their by-laws on contract management available.

Elected municipal officers who resign are entitled to a transition allowance only if, in the opinion of the Commission municipale du Québec, they resign due to a serious family matter or a major health issue affecting them or a member of their immediate family.

The maintenance, renovation, repair and alteration work done by municipalities and metropolitan communities may be performed by their own employees.

The Commission municipale du Québec, rather than the Minister of Municipal Affairs and Land Occupancy, is to carry out a preliminary examination of complaints regarding potential violations by elected officers of the applicable code of ethics and conduct. A single member of the Commission, rather than two members, is to conduct an inquiry and render a decision in ethics- and conduct-related matters.

The regime for reimbursing councillors' research and support expenses is now applicable to municipalities with a population of 20,000 or more under the Act respecting the remuneration of elected municipal officers.

Intermunicipal boards of transport and municipalities organizing a public transit service are from now on subject to the rules for awarding contracts applicable to municipal bodies.

The percentages of compensation standing in lieu of taxes provided for by the Act respecting municipal taxation and paid to the municipalities by the Government for immovables in the elementary or secondary education network, the higher education network and health and social services network are increased for certain fiscal years.

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Explanatory notes (cont'd)

The obligation for municipalities and certain municipal bodies to send their budget to the Minister of Municipal Affairs and Land Occupancy is abolished, and provision is made for certain rules to be applicable in the execution of a judgment rendered in favour of a municipality.

The Government is given the power to establish a supplementary pension plan to ensure the payment of benefits accrued by participants in retirement plans for the mayors and councillors of municipalities.

The urban agglomeration of Îles-de-la-Madeleine may be designated as “Communauté maritime des Îles-de-la-Madeleine”. The division of the territory of Municipalité des Îles-de-la-Madeleine into electoral districts, for the purposes of the 2017 general election and any by-election held before the 2021 general election, is that which applied for the purposes of the 2013 general election.

The Act respecting the Société d’habitation du Québec is amended to allow the Government to constitute a regional housing bureau in the territory of any regional county municipality it designates or a municipal housing bureau resulting from the amalgamation of existing municipal bureaus. Measures are also provided concerning the administration and use of the contributions required from bodies receiving financial assistance under certain housing programs, and the Société d’habitation du Québec may, in certain cases, designate a person to manage major repair or improvement work to low-rental housing immovables.

The composition of the 19 borough councils of Ville de Montréal established by sections 4 to 13 of Order in Council 645-2005 is renewed for the purposes of any general election and by-election.

Jurisdiction over airports ceases to be an urban agglomeration power in the urban agglomeration of Longueuil.

Lastly, various technical and transitional provisions are introduced.



Chapter 17

AN ACT TO AMEND VARIOUS MUNICIPAL-RELATED LEGISLATIVE PROVISIONS CONCERNING SUCH MATTERS AS POLITICAL FINANCING

[Assented to 10 June 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

1. The heading of Division IX of Chapter IV of Title I of the Act respecting land use planning and development (chapter A-19.1) is replaced by the following heading:

“CERTAIN CONTRIBUTIONS TO MUNICIPAL WORKS AND SERVICES”.

2. Section 145.21 of the Act is replaced by the following section:

“145.21. The council of a municipality may, by by-law, subordinate the issue of a building or subdivision permit or a certificate of authorization or occupancy to

(1) the making of an agreement between the applicant and the municipality on the carrying out of work relating to municipal infrastructures or equipment and on the payment or sharing of the costs related to such work;

(2) the payment by the applicant of a contribution to finance all or part of an expense related to any addition to or enlargement or alteration of municipal infrastructures or equipment required to ensure the increased provision of municipal services necessary as a result of the intervention authorized under the permit or certificate.

The municipal equipment referred to in subparagraph 2 of the first paragraph does not include rolling stock with an expected useful life of less than seven years or computer systems.

The requirement to pay a contribution under subparagraph 2 of the first paragraph is not applicable to a public body within the meaning of 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) or to a childcare centre within the meaning of the Educational Childcare Act (chapter S-4.1.1).”

3. Section 145.22 of the Act is amended

(1) by inserting “or to the payment of a contribution” after “agreement” in subparagraph 2 of the first paragraph;

(2) by replacing “expenditures incurred in respect of the work which is” in subparagraph 4 of the first paragraph by “costs related to the work”;

(3) by replacing “expenditures incurred in respect of the work” in subparagraph 5 of the first paragraph by “costs related to the work”;

(4) by adding the following subparagraphs after subparagraph 5 of the first paragraph:

“(6) where applicable, any infrastructure or equipment for which an addition, enlargement or alteration is planned or any class of such infrastructure or equipment that may be financed in whole or in part by the payment of a contribution, and specify, where applicable, that the contribution may be used to finance infrastructures or equipment, regardless of location, if they are required for serving not only immovables to which the permit or certificate applies, including their occupants and users, but also other immovables in the territory of the municipality, including their occupants and users;

“(7) the rules, where applicable, for setting the amount of the contribution that the applicant must pay according to the classes of structure, land, work, infrastructure or equipment specified in the by-law.”;

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

“If the payment of a contribution is required under subparagraph 2 of the first paragraph of section 145.21, the by-law must provide for the creation of a fund intended exclusively to receive the contribution and to be used for the purposes for which the contribution is required. If the municipality has a surplus that cannot be used for such purposes, the residual balance of the fund must be apportioned by the municipality among the owners of the immovables for which the issue of the permit or certificate was subordinated to the payment of the contribution, in proportion to the amounts paid for each immovable. That apportionment must be completed not later than 31 December of the fiscal year following that in which the surplus is recorded.

For the purposes of subparagraphs 6 and 7 of the first paragraph, the municipality must establish an estimate of the cost of any addition, enlargement or alteration to be financed in whole or in part by means of a contribution, which estimate may pertain to a class of infrastructure or equipment. The amount of the contribution, set in accordance with the rules referred to in subparagraph 7 of the first paragraph, must be based on that estimate, which must be published at the same time as the notice described in section 126.”

4. Section 145.23 of the Act is amended

(1) by replacing “expenditures incurred in respect of the work which must” in paragraph 4 by “costs related to the work to”;

(2) by replacing “expenditures incurred in respect of” in paragraph 6 by “costs related to”;

(3) by replacing “expenditures incurred for the work paid” in paragraph 7 by “costs related to the work payable”.

5. Section 145.29 of the Act is amended by replacing “or 5” by “, 5 or 7”.

6. Section 145.30 of the Act is amended by inserting “or the payment of a contribution” after “agreement” in the first paragraph.

CHARTER OF VILLE DE MONTRÉAL

7. Section 34.1 of the Charter of Ville de Montréal (chapter C-11.4) is amended by striking out the second paragraph.

CITIES AND TOWNS ACT

8. Section 108 of the Cities and Towns Act (chapter C-19) is amended by striking out the second paragraph.

9. Section 468.36.1 of the Act is repealed.

10. Section 474 of the Act is amended

(1) by adding “and transmitted to the Minister within 60 days of the municipality adopting the budget” at the end of the second paragraph of subsection 2;

(2) by striking out the first two paragraphs of subsection 3;

(3) by striking out the last sentence of the fourth paragraph of subsection 3.

11. Sections 474.0.1 to 474.0.5 of the Act are repealed.

12. Section 474.3.1 of the Act is amended by striking out the second paragraph.

13. The Act is amended by inserting the following after section 510:

“V.1.—*Execution of a judgment rendered in favour of the municipality*

“510.1. The execution of a judgment rendered following an action brought under section 509 or any other judgment rendered in the municipality’s favour is to proceed in accordance with the rules of Book VIII of the Code of Civil Procedure (chapter C-25.01), subject to the following rules:

(1) the municipality may make an agreement with the debtor to spread the payment of the amount owed in instalments over the period the municipality determines;

(2) the municipality is responsible for the collection of the amount owed and acts as seizing creditor; the municipality prepares the notice of execution and files it with the court office; the notice is valid only for the execution of a judgment rendered in the municipality’s favour and does not prevent the filing of a notice for the execution of another judgment;

(3) the municipality proceeds with the seizure of a sum of money or of income in the hands of a third person in the same manner as a bailiff, but entrusts the administration of subsequent steps, including the receipt and distribution of the sum or income, to the clerk of the court seized; the municipality serves the notice of execution on the defendant and the garnishee, but is not required to inform the defendant’s creditors or deal with their claims, or to join in a seizure in the hands of a third person already undertaken by a bailiff in another case if the seizure to be made by the municipality is for other sums or income than the sums or income specified in the notice of execution filed by the bailiff;

(4) the municipality is required to hire the services of a bailiff for the seizure of movable or immovable property, to give the bailiff instructions and to amend the notice of execution accordingly; in such a case, if a notice for the execution of a judgment was filed by a bailiff in another case prior to the municipality’s request, the bailiff hired by the municipality joins in the seizure already under way.

The municipality is not required to pay an advance to cover execution-related costs.”

14. Section 573 of the Act is amended by adding the following paragraph after the second paragraph of subsection 2:

“If the tender documents are amended in such a way as to affect the prices, the amendment must be sent, at least seven days before the expiry of the time limit for the receipt of tenders, to the persons who requested a copy of the call for tenders, a document it refers to or a related document. If the seven-day period cannot be complied with, the time limit for the receipt of tenders shall be extended by the number of days needed to ensure compliance with that minimum period.”

15. Section 573.1.0.1.1 of the Act is amended

(1) by striking out the fifth paragraph;

(2) by replacing “third, fourth and fifth” in the sixth paragraph by “third and fourth”.

16. The Act is amended by inserting the following section after section 573.1.0.12:

“573.1.0.13. The council must, by by-law, delegate to any public servant or employee the power to establish a selection committee under this subdivision or a regulation made under section 573.3.0.1. The council may set the conditions and procedures for exercising the delegation.

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 member of a council, public servant or municipal employee may disclose information allowing a person to be identified as a member of a selection committee.

The first two paragraphs do not apply to a selection committee established to determine the winner of a competition, but the council may delegate to any public servant or employee the power to establish the committee.”

17. Section 573.3.1.2 of the Act is amended

(1) by striking out subparagraph 1 of the third paragraph;

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

“It must also make available, in the same manner, any municipal by-law regarding contract management, in particular any by-law delegating the power to incur an expense or make a contract on behalf of the municipality.”

18. The Act is amended by inserting the following section after section 573.3.3.3:

“573.3.3.4. Every person who communicates or attempts to communicate, directly or indirectly, with a member of a selection committee in order to influence the member concerning a call for tenders before a contract is awarded is guilty of an offence and liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in all other cases.

For a second or subsequent offence, the minimum and maximum fines are doubled.”

MUNICIPAL CODE OF QUÉBEC

19. Article 605.1 of the Municipal Code of Québec (chapter C-27.1) is repealed.

20. Article 935 of the Code is amended by adding the following paragraph after the second paragraph of subarticle 2:

“If the tender documents are amended in such a way as to affect the prices, the amendment must be sent, at least seven days before the expiry of the time limit for the receipt of tenders, to the persons who requested a copy of the call for tenders, a document it refers to or a related document. If the seven-day period cannot be complied with, the time limit for the receipt of tenders shall be extended by the number of days needed to ensure compliance with that minimum period.”

21. Article 936.0.1.1 of the Code is amended

(1) by striking out the fifth paragraph;

(2) by replacing “third, fourth and fifth” in the sixth paragraph by “third and fourth”.

22. The Code is amended by inserting the following article after article 936.0.12:

“936.0.13. The council must, by by-law, delegate to any public servant or employee the power to establish a selection committee under this title or a regulation made under article 938.0.1. The council may set the conditions and procedures for exercising the delegation.

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 member of a council, public servant or municipal employee may disclose information allowing a person to be identified as a member of a selection committee.

The first two paragraphs do not apply to a selection committee established to determine the winner of a competition, but the council may delegate to any public servant or employee the power to establish the committee.”

23. Article 938.1.2 of the Code is amended

(1) by striking out subparagraph 1 of the third paragraph;

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

“It must also make available, in the same manner, any municipal by-law regarding contract management, in particular any by-law delegating the power to incur an expense or make a contract in the name of the municipality.”

24. The Code is amended by inserting the following article after article 938.3.3:

“938.3.4. Every person who communicates or attempts to communicate, directly or indirectly, with a member of a selection committee in order to influence the member concerning a call for tenders before a contract is awarded is guilty of an offence and liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in all other cases.

For a second or subsequent offence, the minimum and maximum fines are doubled.”

25. Article 954 of the Code is amended

(1) by adding “and transmitted to the Minister within 60 days of the municipality adopting the budget” at the end of the second paragraph of subsection 2;

(2) by striking out the first two paragraphs of subsection 3;

(3) by striking out the last sentence of the fourth paragraph of subsection 3.

26. Article 966 of the Code is amended by striking out the second paragraph.

27. Article 975 of the Code is amended by striking out the fourth, fifth and sixth paragraphs.

28. The Code is amended by inserting the following after article 1021:

“DIVISION IV

“EXECUTION OF A JUDGMENT RENDERED IN FAVOUR OF THE MUNICIPALITY

“1021.1. The execution of a judgment rendered following an action instituted under article 1019 or any other judgment rendered in the municipality’s favour is to proceed in accordance with the rules of Book VIII of the Code of Civil Procedure (chapter C-25.01), subject to the following rules:

(1) the municipality may make an agreement with the debtor to spread the payment of the amount owed in instalments over the period the municipality determines;

(2) the municipality is responsible for the collection of the amount owed and acts as seizing creditor; the municipality prepares the notice of execution and files it with the court office; the notice is valid only for the execution of a judgment rendered in the municipality’s favour and does not prevent the filing of a notice for the execution of another judgment;

(3) the municipality proceeds with the seizure of a sum of money or of income in the hands of a third person in the same manner as a bailiff, but entrusts the administration of subsequent steps, including the receipt and

distribution of the sum or income, to the clerk of the court seized; the municipality serves the notice of execution on the defendant and the garnishee, but is not required to inform the defendant’s creditors or deal with their claims, or to join in a seizure in the hands of a third person already undertaken by a bailiff in another case if the seizure to be made by the municipality is for other sums or income than the sums or income specified in the notice of execution filed by the bailiff;

(4) the municipality is required to hire the services of a bailiff for the seizure of movable or immovable property, to give the bailiff instructions and to amend the notice of execution accordingly; in such a case, if a notice for the execution of a judgment was filed by a bailiff in another case prior to the municipality’s request, the bailiff hired by the municipality joins in the seizure already under way.

The municipality is not required to pay an advance to cover execution-related costs.”

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL

29. Section 108 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01) is amended by adding the following sentences at the end of the fourth paragraph: “If the tender documents are amended in such a way as to affect the prices, the amendment must be sent, at least seven days before the expiry of the time limit for the receipt of tenders, to the persons who requested a copy of the call for tenders, a document it refers to or a related document. If the seven-day period cannot be complied with, the time limit for the receipt of tenders shall be extended by the number of days needed to ensure compliance with that minimum period.”

30. Section 109.1 of the Act is amended

(1) by striking out the fifth paragraph;

(2) by replacing “third, fourth and fifth” in the sixth paragraph by “third and fourth”.

31. The Act is amended by inserting the following section after section 112:

“112.0.1. The Community must, by by-law, delegate to any employee the power to establish a selection committee under this chapter or a regulation made under section 112.1. The Community may set the conditions and procedures for exercising the delegation.

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 member of a council or employee of the Community may disclose information allowing a person to be identified as a member of a selection committee.

The first two paragraphs do not apply to a selection committee established to determine the winner of a competition, but the council may delegate to any employee the power to establish the committee.”

32. Section 113.2 of the Act is amended

- (1) by striking out subparagraph 1 of the third paragraph;
- (2) by inserting the following paragraph after the fourth paragraph:

“It must also make available, in the same manner, any by-law regarding contract management, in particular any by-law delegating the power to incur an expense or make a contract.”

33. The Act is amended by inserting the following section after section 118.1.2:

“118.1.3. Every person who communicates or attempts to communicate, directly or indirectly, with a member of a selection committee in order to influence the member concerning a call for tenders before a contract is awarded is guilty of an offence and liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in all other cases.

For a second or subsequent offence, the minimum and maximum fines are doubled.”

34. Section 167 of the Act is amended by striking out the tenth and eleventh paragraphs.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE QUÉBEC

35. Section 101 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02) is amended by adding the following sentences at the end of the fourth paragraph: “If the tender documents are amended in such a way as to affect the prices, the amendment must be sent, at least seven days before the expiry of the time limit for the receipt of tenders, to the persons who requested a copy of the call for tenders, a document it refers to or a related document. If the seven-day period cannot be complied with, the time limit for the receipt of tenders shall be extended by the number of days needed to ensure compliance with that minimum period.”

36. Section 102.1 of the Act is amended

- (1) by striking out the fifth paragraph;
- (2) by replacing “third, fourth and fifth” in the sixth paragraph by “third and fourth”.

37. The Act is amended by inserting the following section after section 105:

“105.0.1. The Community must, by by-law, delegate to any employee the power to establish a selection committee under this chapter or a regulation made under section 105.1. The Community may set the conditions and procedures for exercising the delegation.

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 member of a council or employee of the Community may disclose information allowing a person to be identified as a member of a selection committee.

The first two paragraphs do not apply to a selection committee established to determine the winner of a competition, but the council may delegate to any employee the power to establish the committee.”

38. Section 106.2 of the Act is amended

- (1) by striking out subparagraph 1 of the third paragraph;
- (2) by inserting the following paragraph after the fourth paragraph:

“It must also make available, in the same manner, any by-law regarding contract management, in particular any by-law delegating the power to incur an expense or make a contract.”

39. The Act is amended by inserting the following section after section 111.1.2:

“111.1.3. Every person who communicates or attempts to communicate, directly or indirectly, with a member of a selection committee in order to influence the member concerning a call for tenders before a contract is awarded is guilty of an offence and liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in all other cases.

For a second or subsequent offence, the minimum and maximum fines are doubled.”

40. Section 158 of the Act is amended by striking out the tenth and eleventh paragraphs.

ACT RESPECTING INTERMUNICIPAL BOARDS OF TRANSPORT IN THE AREA OF MONTRÉAL

41. Section 4 of the Act respecting intermunicipal boards of transport in the area of Montréal (chapter C-60.1) is amended

- (1) by striking out the first paragraph;
- (2) by inserting “referred to in section 3” after “contract” in the second paragraph.

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

“Sections 92.1 to 108.2 of the Act respecting public transit authorities (chapter S-30.01) apply to a board, with the necessary modifications, and the board is deemed to be a public transit authority for the purposes of the regulations made under sections 100 and 103.1 of that Act.”

43. Sections 12.1 to 12.3 of the Act are repealed.

ACT RESPECTING CONTRACTING BY PUBLIC BODIES

44. Schedule I to the Act respecting contracting by public bodies (chapter C-65.1) is amended by inserting the following Acts and regulations in alphanumerical order:

“Cities and Towns Act (chapter C-19)	573.3.3.4	Communicate or attempt to communicate with a member of a selection committee
“Municipal Code of Québec (chapter C-27.1)	938.3.4	Communicate or attempt to communicate with a member of a selection committee
“Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01)	118.1.3	Communicate or attempt to communicate with a member of a selection committee
“Act respecting the Communauté métropolitaine de Québec (chapter C-37.02)	111.1.3	Communicate or attempt to communicate with a member of a selection committee
“Act respecting public transit authorities (chapter S-30.01)	108.1.3	Communicate or attempt to communicate with a member of a selection committee”.

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

45. Section 61 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by replacing “12” by “the last 12”.

46. Section 86 of the Act is replaced by the following section:

“**86.** An election officer may not engage in partisan activity on the days on which the officer is to perform his or her duties.”

47. Section 188 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: “It must also be accessible to handicapped persons.”;

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

“In addition, if unable to establish a polling station in a place accessible to handicapped persons, the returning officer shall inform the council of that fact at the first sitting after polling day by filing a document stating the reasons for the decision to establish it elsewhere than in such a place and showing that the returning officer had no other options.”

48. The heading of Division II of Chapter VII of Title I of the Act is amended by replacing “PARTISAN WORK” by “PARTISAN ACTIVITY”.

49. Section 284 of the Act is replaced by the following section:

“284. For the sake of maintaining public trust in municipal election proceedings and ensuring respect for the principles of loyalty and political neutrality, an officer or employee of a municipality or of a mandatory body of a municipality referred to in paragraph 1 or 2 of section 307 may engage in partisan activity in connection with an election to an office on the council of the municipality only if the activity is not likely to interfere with the officer’s or employee’s ability to perform his or her duties loyally and impartially.

Despite the first paragraph, the following persons may not engage in any such activity:

(1) the director general and the assistant director general;

(2) the secretary-treasurer and the deputy secretary-treasurer;

(3) the treasurer and the deputy treasurer;

(4) the clerk and the deputy clerk;

(5) the chief auditor;

(6) the inspector general of Ville de Montréal;

(7) the officer or employee having the highest authority within a mandatory body of a municipality referred to in paragraph 1 or 2 of section 307.”

50. Section 285 of the Act is amended by replacing “work” in the first paragraph by “activity”.

51. Section 302 of the Act is amended

(1) by striking out “and for which he is sentenced to imprisonment for 30 days or more, whether or not he serves the sentence,” in the first paragraph;

(2) by inserting “the longer of five years or” after “equal to” in the second paragraph.

52. Section 317 of the Act is amended by adding the following sentence at the end of the fourth paragraph: “Nor do they apply where the member’s failure to attend sittings is due to the member’s pregnancy or the birth or adoption of the member’s child, provided that failure does not exceed a period of 18 consecutive weeks.”

53. Section 318 of the Act is amended by striking out “and has been imposed a penalty contemplated therein” in the third paragraph.

54. The Act is amended by inserting the following section after section 387:

“387.1. An authorized party’s official representative and his delegate must, within 30 days after being appointed, undergo training given by the Chief Electoral Officer on the rules governing political financing and election expenses. In the case of an authorized independent candidate’s official representative, that time limit is 10 days.

If the official agent and the official representative are not the same person, the official agent and the deputy must, within 10 days after being appointed, undergo training given by the Chief Electoral Officer on the rules governing election expenses.

In addition, those persons must undergo any refresher training given by the Chief Electoral Officer.

The Chief Electoral Officer shall determine, by directive, the other particulars regarding all such training.”

55. Section 392 of the Act is amended by replacing “within 30 days” in the first paragraph by “without delay”.

56. Section 393 of the Act is amended by replacing “within 30 days” in the first paragraph by “without delay”.

57. Section 400.1 of the Act is amended by replacing “during” in the first paragraph by “preceding the year in”.

58. Section 402 of the Act is amended

(1) by replacing “the calendar year” in the first paragraph by “the second calendar year”;

(2) by replacing “discharged all the debts arising from his election expenses by that date” in the second paragraph by “, by that date, discharged all the debts contracted during the term of his authorization”.

59. Section 403 of the Act is amended

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

“In the case of a party, the application must be accompanied with

(1) a copy of the resolution passed in conformity with the by-laws of the party and certified by two or more officers of the party;

(2) a closing financial report, containing the same information as the annual financial report under section 479, for the period running from the date of authorization or the end of the period covered by the preceding financial report, as the case may be, to the date of the application for withdrawal;

(3) the preceding financial report, where it has not been filed with the treasurer, and the auditor’s report pertaining to it.”;

(2) by replacing “arising from his election expenses” in the third paragraph by “contracted during the term of his authorization”.

60. Section 424 of the Act is amended by adding “and an entry indicating whether or not those persons have undergone the training required under the first or second paragraph of section 387.1” at the end of paragraph 4.

61. Section 429 of the Act is amended by adding the following paragraph after the second paragraph:

“However, an undivided co-owner of an immovable or a co-occupant of a business establishment may only make such a contribution if he is the person designated in accordance with section 429.1.”

62. The Act is amended by inserting the following section after section 429:

“429.1. Undivided co-owners of an immovable or co-occupants of a business establishment who are electors may designate, from among themselves, if necessary, by means of a power of attorney signed by a majority of them, a person who would not otherwise be entitled under section 58 to be entered on the list of electors in a higher ranking capacity if that person had been entered on the list on the date of signature of the power of attorney.

In order for a designated person to be authorized to make a contribution, the municipality must have received the power of attorney.

The power of attorney takes effect upon its receipt by the municipality and remains valid until it is withdrawn or replaced.”

63. Section 431 of the Act is replaced by the following section:

“431. The total amount of contributions, other than a contribution described in section 499.7, by the same elector for the same fiscal year may not exceed \$100 to each of the authorized parties and independent candidates.

During a fiscal year in which a general election is held, an elector may also make contributions the total of which may not exceed \$100 to each of the authorized parties and independent candidates. In the case of a by-election, such contributions exceeding the maximum prescribed in the first paragraph may however only be paid as of the date on which notice of the vacancy is given up to the 30th day after polling day.

In the case of undivided co-owners of an immovable or co-occupants of a business establishment, the maximum amounts set out in the first and second paragraphs apply as if the co-owners or co-occupants were a single elector.

In addition to the contributions described in the first and second paragraphs, a candidate of an authorized party or an authorized independent candidate may, after the nomination papers have been accepted, 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 \$800.”

64. Section 436 of the Act is amended

(1) by replacing “\$100 or more” in the first paragraph by “more than \$50”;

(2) by striking out “or a transfer of funds to an account held by the official representative of the authorized party or independent candidate for which or whom the contribution is intended” in the second paragraph.

65. The Act is amended by inserting the following after section 442:

“§1.1. — *Supplemental public financing*

“442.1. Subject to sections 442.2 and 442.3, a municipality with a population of 20,000 or over shall pay each authorized party or independent candidate \$2.50 per dollar received as a contribution as of 1 January of the year in which a general election is held until polling day or, for a by-election, during the election period.

For the purposes of the first paragraph, contributions made by a candidate for the candidate’s own benefit or that of the party for which the candidate is running are excluded from the computation of the amount of contributions received.

“442.2. Subject to section 442.3, the maximum amount to which an authorized independent candidate for the office of mayor or borough mayor is entitled or to which a party is entitled for its candidate for the office of mayor or borough mayor is

- (1) \$1,000 in the case of a borough having a population of under 20,000 or a municipality or borough having a population of 20,000 or over but under 50,000;
- (2) \$2,000 in the case of a municipality or borough having a population of 50,000 or over but under 100,000;
- (3) \$3,000 in the case of a municipality or borough having a population of 100,000 or over but under 200,000;
- (4) \$3,500 in the case of a municipality or borough having a population of 200,000 or over but under 300,000;
- (5) \$4,000 in the case of a municipality or borough having a population of 300,000 or over but under 400,000;
- (6) \$4,500 in the case of a municipality or borough having a population of 400,000 or over but under 500,000;
- (7) \$5,000 in the case of a municipality or borough having a population of 500,000 or over but under 1,000,000;
- (8) \$10,000 in other cases.

Subject to section 442.3, the maximum amount to which an authorized independent candidate for the office of councillor is entitled or to which a party is entitled for each of its candidates for the office of councillor is

- (1) \$500 in the case of a borough having a population of under 20,000 or a municipality or borough having a population of 20,000 or over but under 50,000;
- (2) \$750 in the case of a municipality or borough having a population of 50,000 or over but under 500,000;
- (3) \$1,000 in other cases.

“442.3. The amount to which a party is entitled may not exceed the amount of the election expenses incurred and paid in accordance with Division V of this chapter for its candidate for the office of mayor or borough mayor and for each of its candidates for the office of councillor and reported in its return of election expenses.

The amount to which an independent candidate is entitled may not exceed the total obtained by adding the amount of the debts arising from the election expenses incurred and paid by the candidate in accordance with Division V of this chapter and reported in the candidate’s return of election expenses and the amount of the candidate’s personal contribution attested by a receipt referred to in the second paragraph of section 484.

“**442.4.** The treasurer pays the amounts provided for in sections 442.1 to 442.3 at the same time as the reimbursement of election expenses is made. Sections 477 and 478 apply with the necessary modifications.

“**442.5.** When this subdivision has begun to apply to a municipality, it continues to apply even if its population falls below 20,000.

Except on 1 January of the year in which a general election is held until polling day or, for a by-election, during the election period, the council of the municipality may, however, by a resolution adopted by a two-thirds majority vote of its members, exempt itself from the application of this subdivision.”

66. The Act is amended by inserting the following section after section 446:

“**446.1.** Any loan granted by an elector shall be made by cheque or other order of payment signed by the elector and drawn on the elector’s account in a financial institution having an office in Québec.”

67. Section 447 of the Act is amended by adding the following paragraph at the end:

“The deed of loan or contract of suretyship shall also include a declaration by the elector stating that the loan is being granted or the suretyship contracted out of the elector’s own property, voluntarily, without compensation and for no consideration, and that it will not be reimbursed in any other way than as stipulated in the deed or contract.”

68. Section 447.1 of the Act is amended by replacing “\$10,000” by “\$5,000”.

69. The Act is amended by inserting the following after section 449:

“§3. — *Allowance to authorized parties*

“**449.1.** The budget of a municipality having a population of 20,000 or over must include an appropriation to provide for payment of an allowance as reimbursement for expenses incurred and paid for the day-to-day administration of an authorized party, the propagation of its political program and support for its members’ political activities. The allowance may not be used to pay election expenses or repay the principal of or pay the interest on a loan which has been paid into an electoral fund.

The appropriation must be equal to the product obtained by multiplying the following amount by the number of electors whose names are entered on the list of electors prepared for the last general election:

(1) \$0.60 in the case of a municipality having a population of 20,000 or over but under 500,000;

(2) \$0.85 in the case of a municipality having a population of 500,000 or over.

The appropriation is apportioned among the authorized parties that obtained at least 1% of the votes cast at the last general election.

One quarter of the appropriation is apportioned in proportion to the number of votes validly obtained by the candidate for the office of mayor of each authorized party at the last general election, expressed as a percentage of the total number of votes validly obtained by all the candidates for the office of mayor of all the authorized parties.

Three quarters of the appropriation is apportioned in proportion to the number of votes validly obtained by the candidate for the office of councillor of each authorized party at the last general election, expressed as a percentage of the total number of votes validly obtained by all the candidates for the office of councillor of all the authorized parties. If a candidate for such an office is elected by acclamation, the number of votes deemed validly obtained is equal to the average elector participation rate in each electoral district where a poll was held multiplied by the number of electors whose names are entered on the list of electors in the electoral district in which the candidate was elected, and that number is taken into consideration for the purpose of computing the total number of votes obtained by all the candidates. If all the candidates for the office of councillor of all the authorized parties are elected by acclamation, three quarters of the appropriation is apportioned in proportion to the number of electors whose names are entered on the list of electors of each candidate's electoral district, expressed as a percentage of the total number of electors whose names are entered on the lists of electors of all the candidates' electoral districts.

The amounts provided for in subparagraphs 1 and 2 of the second paragraph are adjusted on 1 January each year according to the change in the average Consumer Price Index for the preceding year, based on the index established for the whole of Québec by Statistics Canada. The second decimal of the amount computed on the basis of the index is rounded off to the higher digit when the third decimal is equal to or greater than 5 and, if not, to the lower digit. The Chief Electoral Officer shall publish the results of the adjustment in the *Gazette officielle du Québec*.

“449.2. The allowance is paid by the treasurer to the official representative of the authorized party, at the rate of 1/12 of the allowance per month, on presentation of vouchers the minimum content of which may be determined by the Chief Electoral Officer.

The treasurer shall keep the vouchers for seven years after they are received.

“449.3. When this subdivision has begun to apply to a municipality, it continues to apply even if its population falls below 20,000.

However, the council of the municipality may, by a resolution adopted by a two-thirds majority vote of its members, exempt itself from the application of this subdivision. The decision takes effect as of 1 January of the year following the year in which it is adopted.”

70. The Act is amended by inserting the following after section 474:

“§3.1.—*Advance on supplemental public financing and on the reimbursement of election expenses*

“474.1. On receipt of a return in the form prescribed by a directive of the Chief Electoral Officer from an official agent of an authorized party or independent candidate indicating the amount of the contributions received and of the election expenses for which invoices were received, the treasurer shall pay without delay to the party or candidate entitled to payment of an amount provided for in sections 442.1 to 442.3 an advance equal to 50% of the amount and, if the party or candidate is entitled to a reimbursement under section 475 or 476, an advance equal to 50% of the amount to which the party or candidate would be entitled under that section.

The return may only be filed as of the fifth day following polling day. It must include a statement by the official agent attesting the accuracy of the return.

The advance is made, in the case of a party, to its official representative and, in the case of an independent candidate, jointly to the candidate and to the candidate’s official representative.

“474.2. On receipt of the return of election expenses of the official agent of an authorized party or independent candidate to which or whom an advance has been paid under section 474.1, the treasurer shall verify whether the amount of the advance exceeds the amount to which the party or candidate is entitled under sections 442.1 to 442.3 and 475 or 476.

If the advance exceeds the amount to which the party or candidate is entitled, the treasurer shall forward a claim for the difference between the amounts, by registered or certified mail, to the official representative to which the advance was granted.

The amount of the claim must be paid within 30 days of its receipt by the official representative.”

71. Section 475 of the Act is amended by adding the following paragraph at the end:

“When computing the reimbursement, the treasurer shall subtract from the amount of the election expenses reported in the return the amount to which a party is entitled under sections 442.1 to 442.3 for its candidate for the office of mayor or borough mayor and for each of its candidates for the office of councillor.”

72. Section 476 of the Act is amended

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

“When computing the reimbursement, the treasurer shall subtract from the amount of the election expenses reported in the return the amount to which an independent candidate is entitled under sections 442.1 to 442.3.”;

(2) by inserting “amount obtained by adding the amount paid under sections 442.1 to 442.3 and the” after “However, the” in the second paragraph.

73. The Act is amended by inserting the following section after section 481:

“481.1. The financial report of an authorized party must be signed by the leader of the party and accompanied by a declaration by the party leader in the form prescribed by the Chief Electoral Officer.

The declaration must state, in particular, that the party leader has been informed of the financing rules, that he has reminded the persons authorized to solicit contributions of their obligation to comply with those rules, that he has been informed of the party’s solicitation practices and considers that they comply with the law, that he has read the report and that he has obtained any clarification he wished to receive regarding its content.

The report must also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.”

74. Section 483 of the Act is amended

(1) by replacing “five” in the first paragraph by “seven”;

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

“The official representative of the party shall also keep the invoices, evidences of payment and other vouchers relating to the preparation of the financial report for seven years.”

75. The Act is amended by inserting the following section after section 483:

“483.1. The official representative of an independent candidate who was authorized in the year preceding the year of the general election shall, not later than 1 April of the election year, file with the treasurer a financial report that must contain the same information, with the necessary modifications, as the financial report of a party, except the balance sheet and cash flow statement, and that must be accompanied by a copy of each receipt issued for the contributions collected during the period covered by the report.”

76. The Act is amended by inserting the following section after section 484:

“484.1. The financial report of an authorized independent candidate must be signed by the candidate and accompanied by a declaration by the candidate in the form prescribed by the Chief Electoral Officer.

The declaration must state, in particular, that the independent candidate has been informed of the financing rules, that he has reminded the persons authorized to solicit contributions of their obligation to comply with those rules, that he has been informed of his official representative’s solicitation practices and considers that they comply with the law, that he has read the report and that he has obtained any clarification he wished to receive regarding its content.

The report must also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.”

77. Section 490 of the Act is amended

- (1) by replacing “\$1,000” in paragraph 1 by “\$1,900”;
- (2) by replacing “\$1,500” in paragraph 2 by “\$2,800”;
- (3) by replacing “\$3,000” in paragraph 3 by “\$5,600”;
- (4) by adding the following paragraphs at the end:

“The amounts prescribed in the first paragraph are adjusted on 1 January each year according to the amendment in the average Consumer Price Index for the preceding year, based on the index established for the whole of Québec by Statistics Canada.

Those amounts are rounded down to the nearest dollar if they include a fraction that is less than \$0.50, or up to the nearest dollar if they include a fraction that is equal to or greater than \$0.50. The Minister of Municipal Affairs, Regions and Land Occupancy shall publish the results of the adjustment in the *Gazette officielle du Québec*.”

78. The Act is amended by inserting the following section after section 492:

“492.1. The return of election expenses must be signed by the leader of the party or the authorized independent candidate, as the case may be, and accompanied by a declaration by the party leader or the independent candidate in the form prescribed by the Chief Electoral Officer.

The declaration must state, in particular, that the party leader or the independent candidate has been informed of the rules regarding election expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.”

79. Section 498 of the Act is amended by striking out the first sentence of the third paragraph.

80. Section 499.7 of the Act is amended

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

“However, an undivided co-owner of an immovable or a co-occupant of a business establishment may only make such a contribution if the co-owner or co-occupant is the person designated in accordance with section 429.1.”;

(2) by replacing “\$300” and “\$700” in the third paragraph by “\$200” and “\$800”, respectively;

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

“In the case of undivided co-owners of an immovable or co-occupants of a business establishment, the maximum amount prescribed in the fourth paragraph applies as if the co-owners or co-occupants were a single elector.”

81. Section 499.16 of the Act is amended by replacing “five” in the second paragraph by “seven”.

82. The Act is amended by inserting the following section after section 499.16:

“499.16.1. The return of the leadership campaign income and expenses must be signed by the candidate and accompanied by a declaration by the candidate in the form prescribed by the Chief Electoral Officer.

The declaration must state, in particular, that the candidate has been informed of the rules regarding financing and campaign expenses, that he has reminded the persons authorized to solicit contributions or to incur or authorize expenses of their obligation to comply with those rules, that he has been informed of the solicitation practices and considers that they comply with the law, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.

The return must also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.”

83. Section 499.17 of the Act is amended by replacing “five” in the second paragraph by “seven”.

84. Section 499.19 of the Act is amended by replacing “five” in the third paragraph by “seven”.

85. The Act is amended by inserting the following section after section 499.19:

“499.19.1. The return of leadership campaign expenses of the party must be signed by the person holding the office of leader of the party or interim leader on polling day and accompanied by a declaration by that person in the form prescribed by the Chief Electoral Officer.

The declaration must state, in particular, that the person has been informed of the rules regarding campaign expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.

The return must also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.”

86. Section 501 of the Act is amended by replacing “five” in the first and second paragraphs by “seven”.

87. The heading of Chapter XIV of Title I of the Act is replaced by the following heading:

“DISCLOSURE OF CERTAIN GIFTS AND RETURNS OF ELECTION EXPENSES”.

88. Section 513.1 of the Act is amended

(1) by replacing the first two occurrences of “\$100 or more” and “any amount of \$100 or more” in the first paragraph by “more than \$50” and “any amount that is more than \$50”, respectively;

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

“The person who is a candidate shall also, within the same period, transmit to the treasurer a return of election expenses relating to that person’s election in the form prescribed by the Chief Electoral Officer.”;

(3) by replacing “referred to in the first paragraph” in the second paragraph by “and the return referred to in the first and second paragraphs”;

(4) by replacing “received” in the third paragraph by “and returns received”.

89. The Act is amended by inserting the following section after section 513.1:

“513.1.0.1. Every person described in the first paragraph of section 513.1 who has not received or collected a gift of money or incurred an expense relating to his or her election shall, within 90 days after polling day, transmit to the treasurer a declaration, in the form prescribed by the Chief Electoral Officer, stating that he or she did not receive or collect any gifts or incur any election expenses.

The treasurer shall send the declarations received in accordance with this section to the Chief Electoral Officer, in the manner prescribed by the latter.”

90. Section 513.1.1 of the Act is amended by replacing “\$300” and “\$700” by “\$200” and “\$800”, respectively.

91. Section 513.2 of the Act is amended by replacing “transmitted pursuant to section 513.1” by “and the return transmitted under section 513.1 or the declaration transmitted under section 513.1.0.1”.

92. Section 594 of the Act is replaced by the following section:

“594. The following persons are guilty of an offence:

(1) an election officer who engages in partisan activity on a day on which the officer is to perform his or her duties;

(2) a person who performs duties under Chapter IV of Title II and who engages in partisan activity on a day on which the person is to perform his or her duties;

(3) an officer or employee who engages in partisan activity prohibited by section 284.”

93. The Act is amended by inserting the following section after section 605:

“605.1. Every treasurer who pays an allowance to the authorized parties otherwise than in circumstances described in sections 449.1 and 449.2 is guilty of an offence.”

94. Section 606 of the Act is amended

(1) by replacing “five” by “seven”;

(2) by inserting “invoices, evidences of payment and” after “as well as the”.

95. Section 628.1 of the Act is replaced by the following section:

“628.1. Every person is guilty of an offence who does not transmit within the prescribed time

(1) the list or return required under section 513.1; or

(2) the declaration required under section 513.1.0.1.”

96. Section 636 of the Act is replaced by the following section:

“636. Every person who uses intimidation, threats or sanctions to incite an officer or employee to commit the offence contemplated in section 594 or

to punish the officer or employee for refusing to commit it is guilty of an offence.”

97. Section 645 of the Act is amended

(1) by replacing “589 to 598” in the first paragraph by “589 to 593, paragraphs 1 and 2 of section 594, sections 595 to 598”;

(2) by replacing both occurrences of “and 4” in the first paragraph by “, 4 and 5”.

98. The Act is amended by inserting the following section after section 645:

“645.1. A person found guilty of an offence that is a corrupt electoral practice loses the right to engage in partisan work for a period of five years from the judgment.”

99. Section 648 of the Act is amended by replacing “five” by “seven”.

100. The Act is consequentially amended as follows:

(1) section 64 is amended by inserting “483.1,” after “479,” in the first paragraph;

(2) section 65 is amended by replacing “arising from his election expenses” in the first paragraph by “contracted during the term of his authorization”;

(3) section 401 is amended

(a) by replacing “arising from his election expenses” in the second and third paragraphs by “contracted during the term of his authorization”;

(b) by replacing “for political, religious, scientific or charitable purposes or for other” in the second paragraph by “for the”;

(4) the heading of Division IV of Chapter XIII of Title I is amended by inserting “FINANCING,” after “CONTRIBUTIONS,”;

(5) section 474 is amended by replacing “the calendar year” and “arising from his election expenses” by “the second calendar year” and “contracted during the term of his authorization”, respectively;

(6) section 480 is amended

(a) by replacing “less than \$100” in paragraph 2 by “\$50 or less”;

(b) by replacing “\$100 or more” in paragraph 5 by “more than \$50”;

(7) section 481 is amended by replacing “\$100 or more” in subparagraph 3 of the first paragraph by “more than \$50”;

(8) section 485 is amended

(a) by replacing “arising from his election expenses” in the first paragraph by “contracted during the term of his authorization”;

(b) by replacing “arising from the candidate’s election expenses” in the third paragraph by “contracted during the term of his authorization”;

(9) section 487 is amended by adding “as well as any invoices, evidences of payment and vouchers he has in his possession” at the end of the first paragraph;

(10) section 500 is amended by replacing “less than \$100” by “\$50 or less”;

(11) section 509 is amended

(a) by replacing “the calendar year” in the first paragraph by “the second calendar year”;

(b) by replacing “arising from his election expenses” in the first paragraph by “contracted during the term of his authorization”;

(12) section 510 is amended

(a) by replacing “the calendar year” in the second paragraph by “the second calendar year”;

(b) by replacing “arising from his election expenses” in the second paragraph by “contracted during the term of his authorization”;

(13) section 513.1.2 is amended by replacing “\$100 or more” by “more than \$50”;

(14) section 605 is amended

(a) by inserting “474.1 or” after “sections” in paragraph 1;

(b) by inserting “the return referred to in section 474.1 or” after “before” in paragraph 2;

(15) section 607 is amended

(a) by replacing “resulting from election expenses then incurred” in paragraph 1 by “contracted during the term of the independent candidate’s authorization”;

(b) by replacing “political, religious, scientific or charitable purposes or purposes” in paragraph 2 by “those”;

(c) by striking out “political, religious, scientific or charitable purposes or” in paragraph 3;

(d) by replacing “resulting from election expenses then incurred” in paragraph 3 by “contracted during the term of the independent candidate’s authorization”;

(e) by replacing “resulting from election expenses then incurred” in paragraph 4 by “contracted during the term of the independent candidate’s authorization”;

(f) by striking out “political, religious, scientific or charitable purposes or” in paragraph 4;

(16) section 610 is amended

(a) by adding “or is not an elector designated by the undivided co-owners of an immovable or the co-occupants of a business establishment, when such a designation is required” at the end of subparagraph *a* of paragraph 1;

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

“(5) every elector who falsely declares that a loan is being granted or a suretyship contracted out of the elector’s own property, voluntarily, without compensation and for no consideration, and that it will not be reimbursed in any way other than as stipulated in the deed of loan.”;

(17) section 612 is amended

(a) by replacing “\$100 or more” in paragraph 2 by “more than \$50”;

(b) by striking out “transfer of funds,” in paragraph 2;

(c) by striking out “or a transfer of funds” in paragraph 2.1;

(d) by striking out paragraph 2.2;

(18) section 612.1 is amended by replacing “\$100 or more” by “more than \$50”;

(19) section 618 is amended

(a) by inserting the following subparagraph before subparagraph 1 of the first paragraph:

“(0.1) contracts a loan with an elector in a manner that is not in accordance with section 446.1;”;

(b) by inserting “in a manner that is not in accordance with section 446.1 or grants a loan” after “loan” in the second paragraph;

(20) section 625.1 is amended by replacing “second” in paragraph 1 by “third”;

(21) section 626 is amended by inserting “483.1,” after “479,”;

(22) the following section is inserted after section 626:

“626.0.1. Every official representative who fails to pay a claim made by the treasurer under section 474.2 within the time prescribed is guilty of an offence.”;

(23) section 642 is amended by striking out “in transmitting the document contemplated in the section”;

(24) section 659 is amended by replacing “less than \$100” in the second paragraph by “\$50 or less”.

MUNICIPAL ETHICS AND GOOD CONDUCT ACT

101. The Municipal Ethics and Good Conduct Act (chapter E-15.1.0.1) is amended by inserting the following section after section 7:

“7.1. The code of ethics and conduct must prohibit a member of a council of the municipality from announcing, during a political financing activity, the carrying out of a project, the making of a contract or the granting of a subsidy by the municipality, unless a final decision regarding the project, contract or subsidy has already been made by the competent authority of the municipality.

A council member who employs office personnel must ensure that those employees comply with the prohibition under the first paragraph. If an employee fails to comply with that prohibition, the council member is accountable and subject to the sanctions set out in section 31.”

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

“16.1. The code of ethics and conduct must include the prohibition imposed by section 7.1, with the necessary modifications.”

103. Section 20 of the Act is amended

(1) by replacing “the Minister” in the first paragraph by “the Commission municipale du Québec”;

(2) by replacing both occurrences of “the Minister” in the third paragraph by “the Commission”.

104. Section 21 of the Act is amended

(1) by replacing “The Minister may dismiss a request if the Minister” in the first paragraph by “The Commission may dismiss a request if the Commission”;

(2) by replacing “provide the Minister” and “the Minister requires” in the first paragraph by “provide the Commission” and “the Commission requires”, respectively;

(3) by replacing “If the Minister dismisses the request, the Minister” in the second paragraph by “If the Commission dismisses the request, the Commission”.

105. Section 22 of the Act is amended

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

“If the Commission municipale du Québec does not dismiss the request, it conducts an inquiry.”;

(2) by replacing “The Minister” in the second paragraph by “The Commission”.

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

“**23.** A member, advocate or notary designated by the president of the Commission conducts an inquiry into the request.”

107. Section 24 of the Act is amended by striking out “holds its inquiry in camera. It” in the first paragraph.

108. Section 35 of the Act is amended

(1) by replacing “The Minister” in the first paragraph by “The Commission”;

(2) by replacing “the website of the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire” in the third paragraph by “the Commission’s website”.

ACT RESPECTING THE EXERCISE OF CERTAIN MUNICIPAL POWERS IN CERTAIN URBAN AGGLOMERATIONS

109. Section 9 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001) is amended by adding the following paragraph at the end:

“The urban agglomeration of Îles-de-la-Madeleine, because of its unique insular nature, isolated location and special restrictions, is designated by the name “Communauté maritime des Îles-de-la-Madeleine”. In any document, a

reference to the Communauté maritime des Îles-de-la-Madeleine is a reference to the urban agglomeration of Îles-de-la-Madeleine.”

110. Section 118.7 of the Act is amended by inserting the following paragraph after paragraph 2:

“(2.1) by replacing subparagraph *d* of paragraph 11 by the following subparagraph:

“(d) convention centres and ports;”;

TAXATION ACT

111. Section 776 of the Taxation Act (chapter I-3) is amended

(1) by replacing “a party or” in the first paragraph by “an authorized party or” and by inserting “entitled” before “to receive”;

(2) by replacing “party leadership candidate authorized” in the first paragraph by “leadership candidate of an authorized party”;

(3) by inserting “except any contribution made by a candidate of an authorized party, an authorized independent candidate or a leadership candidate of an authorized party for the candidate’s own benefit or for that of the party for which the candidate is running,” after “(chapter E-2.2),” in the first paragraph.

ACT RESPECTING RETIREMENT PLANS FOR THE MAYORS AND COUNCILLORS OF MUNICIPALITIES

112. The Act respecting retirement plans for the mayors and councillors of municipalities (chapter R-16) is amended by inserting the following after section 42:

“DIVISION IX.1

“SUPPLEMENTARY BENEFITS PLAN

“**42.0.1.** If the general plan fund is exhausted, the payments provided for in the plan shall be made out of a supplementary benefits plan established by the Government.

All the benefits payable under the general plan become benefits payable under the supplementary benefits plan according to the same terms of payment. The benefits accrued during a marriage or civil union under the general plan shall be paid by the supplementary benefits plan as if they were paid out of the general plan fund.

The sums required to make payments under the supplementary benefits plan shall be borne by the municipalities determined by the Government, which shall establish their annual contribution to the supplementary benefits plan, the time limit within which any payment is to be made and the rate of interest payable on an outstanding payment. The Government may also determine a threshold below which a municipality ceases to contribute to the supplementary benefits plan.

The sums paid under the supplementary benefits plan shall be unassignable and unseizable. However, such sums shall be unseizable only up to 50% in the case of partition of the family patrimony between married or civil union spouses or payment of support or of a compensatory allowance.

An order made under the first paragraph may have effect on any date not prior to 1 October 2016. Any other order made under the third paragraph may have effect 12 months or less before its adoption.

“42.0.2. Retraite Québec is responsible for the administration of the supplementary benefits plan.”

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING AND WORKFORCE MANAGEMENT IN THE CONSTRUCTION INDUSTRY

113. Section 19 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) is amended by inserting “by permanent employees engaged directly by metropolitan communities and municipalities,” after “work done” in subparagraph 8 of the first paragraph.

ACT RESPECTING THE SOCIÉTÉ D’HABITATION DU QUÉBEC

114. Section 1 of the Act respecting the Société d’habitation du Québec (chapter S-8) is amended by replacing “under section 57” in paragraph *b* by “under this Act”.

115. Section 52 of the Act is amended by replacing “organization constituted under section 57” by “bureau”.

116. The Act is amended by inserting the following sections after section 58.1:

“58.1.1. The Government may, by order, constitute a regional housing bureau in the territory of any regional county municipality it designates.

Such a bureau succeeds, on the date fixed in the order, the municipal bureaus existing in the territory of the regional county municipality specified in the order. The municipal bureaus are dissolved on that date. The new bureau is vested with all their rights, property and privileges and is bound by their obligations. Any disposition of property made in favour of a dissolved bureau

is deemed to be made to the new bureau succeeding it and all proceedings commenced by or against a dissolved bureau may validly be continued by or against the new bureau succeeding it, without continuance of suit.

Subsections 3 to 6 of section 57 and sections 57.1 and 58 apply to the new bureau, with the necessary modifications.

The transmission of the immovables of the dissolved bureaus to the new bureau resulting from this Act does not require publication in the land register.

The new bureau is the agent of the regional county municipality. The latter is deemed to have affirmed, on the date fixed in the order, its jurisdiction with respect to the management of social housing under article 678.0.2.1 of the Municipal Code of Québec (chapter C-27.1) as regards the municipalities determined by the order.

“58.1.2. The Government may, by order, constitute a municipal housing bureau resulting from the amalgamation of existing municipal bureaus.

The second, third and fourth paragraphs of section 58.1.1 apply, with the necessary modifications, to a bureau constituted under the first paragraph.

The new bureau is the agent of each of the municipalities of which the dissolved bureaus were agents.

“58.1.3. The Government may, in the order made under section 58.1.1 or 58.1.2, provide any rule it considers useful or necessary for the constitution of the new housing bureau and its succeeding to any existing municipal housing bureau.

The Government may also, in the order made under section 58.1.1, provide any rule it considers useful or necessary for the transfer, from the local municipalities to the regional county municipality, of jurisdiction with respect to the management of social housing.

Such rules may depart from sections 205 and 205.1 of the Act respecting land use planning and development (chapter A-19.1), as the case may be.”

117. Section 58.6 of the Act is amended by inserting the following sentence after the first sentence of the first paragraph: “A bureau that administers 2,000 or fewer dwellings must also, if the Société so requires, establish such committees.”

118. Section 61 of the Act is amended by replacing “constituted under section 57 or acting” by “that is its agent or that acts”.

119. Section 62 of the Act is amended by striking out “constituted under section 57”.

120. Section 68.12 of the Act is replaced by the following:

“68.12. Any contribution that, under a provision of a housing program of the Société, an operating agreement entered into pursuant to such a program or any other document pertaining to such a program or operating agreement, must be paid by a body receiving financial assistance to a community housing fund, a social housing fund or the Fonds québécois d’habitation communautaire must, despite that provision, be paid to the Société.

Despite any provision of such a program, agreement or document, the contribution of a body may not be reduced or cancelled unless the body demonstrates, to the satisfaction of the Société, that the financial viability of its project is compromised.

“68.13. The Société shall administer and distribute the contributions paid to it under section 68.12 in accordance with the conditions determined by the Government. The order made under this section shall determine the purposes for which the contributions are to be used and the procedures for joint management with the representatives of the contributors designated by the Government.

“§9. — Major repair or improvement work

“68.14. The Société may require that major repair or improvement work to low-rental housing immovables be carried out within the time limit it determines, by sending a notice to the body in charge of operating them. The body has 45 days after receiving the notice to inform the Société that it undertakes to carry out all the work required within the specified time limit or, if not, to present its observations in writing. If the undertaking required is not received within the specified time limit, the Société may designate a person to manage all or part of the work on behalf and in the name of that body and at the latter’s expense. The decision of the Société must contain reasons and be sent with dispatch to the directors of the housing agency.

Subject to the conditions that may be imposed by the Société, the person so designated has all the powers required to manage that work, in particular the power to grant contracts on behalf and in the name of the body. If the person designated is a bureau, it may exercise those powers elsewhere than in the territory of the municipality whose agent it is. The designated person may, in addition, for the sole purpose of managing the work, act in the name of the body as the lessor of the immovable affected by that work in order to do such things as send the notices required by law, have access to the dwellings, carry out the procedures related to the temporary evacuation of the lessees or institute proceedings before the court.

No proceedings may be brought against the person so designated acting in the exercise of the powers and duties conferred on the person under this section in respect of an act performed in good faith while exercising those powers and duties. No recourse under article 407 of the Code of Civil Procedure

(chapter C-25.01) may be exercised or application for judicial review under that Code presented or any injunction granted against that person to the extent that the person is acting in the exercise of the powers and duties conferred on the person under this section. A judge of the Court of Appeal may, on an application, summarily quash any judgment or decision rendered, any order made or any injunction granted contrary to this section.”

121. Section 92 of the Act is amended by replacing “The” by “Subject to section 68.13, the”.

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

122. Section 95 of the Act respecting public transit authorities (chapter S-30.01) is amended by adding the following sentences at the end of the fourth paragraph: “If the tender documents are amended in such a way as to affect the prices, the amendment must be sent, at least seven days before the expiry of the time limit for the receipt of tenders, to the persons who requested a copy of the call for tenders, a document it refers to or a related document. If the seven-day period cannot be complied with, the time limit for the receipt of tenders shall be extended by the number of days needed to ensure compliance with that minimum period.”

123. Section 96.1 of the Act is amended

(1) by striking out the fifth paragraph;

(2) by replacing “third, fourth and fifth” in the sixth paragraph by “third and fourth”.

124. The Act is amended by inserting the following section after section 99:

“99.1. A transit authority must, by by-law, delegate to any employee the power to establish a selection committee under this division or a regulation made under section 100. The transit authority may set the conditions and procedures for exercising the delegation.

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 member of the board of directors or employee of the transit authority may disclose information allowing a person to be identified as a member of a selection committee.

The first two paragraphs do not apply to a selection committee established to determine the winner of a competition, but the board may delegate to any employee the power to establish the committee.”

125. Section 103.2 of the Act is amended

(1) by striking out subparagraph 1 of the third paragraph;

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

“It must also make available, in the same manner, any by-law regarding contract management, in particular any by-law delegating the power to incur an expense or make a contract.”

126. The Act is amended by inserting the following section after section 108.1.2:

“108.1.3. Every person who communicates or attempts to communicate, directly or indirectly, with a member of a selection committee in order to influence the member concerning a call for tenders before a contract is awarded is guilty of an offence and liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in all other cases.

For a second or subsequent offence, the minimum and maximum fines are doubled.”

127. Section 119 of the Act is amended by striking out the second sentence of the first paragraph.

ACT RESPECTING THE REMUNERATION OF ELECTED MUNICIPAL OFFICERS

128. Section 31 of the Act respecting the remuneration of elected municipal officers (chapter T-11.001) is amended

(1) by inserting “Subject to sections 31.0.1 and 31.0.2,” before “The council” in the first paragraph;

(2) by inserting “Subject to sections 31.0.1 and 31.0.2,” before “The council” in the second paragraph;

(3) by adding the following sentence at the end of the third paragraph: “In the case of a resigning person who obtained a favourable decision under section 31.0.1, the amount paid must however be reduced by an amount equal to the employment, professional, business or retirement income or the disability insurance benefits the person receives or is entitled to receive during the period defined in section 31.0.2.”

129. The Act is amended by inserting the following sections after section 31:

“31.0.1. A person who resigns during his term of office is entitled to the transition allowance provided for in the by-law made by the council of the municipality under section 31 on condition that his resignation is due to a serious family matter or a major health issue affecting him or a member of his immediate family.

At the resigning person's request made to the Commission municipale not later than the 30th day after his resignation, the Commission, acting through a single member designated by the president of the Commission in accordance with section 6 of the Act respecting the Commission municipale (chapter C-35), shall determine whether one of the conditions set out in the first paragraph has been met.

Before rendering a decision, the member designated by the president of the Commission shall give the resigning person an opportunity to present observations and be heard in camera.

The Commission shall render its decision not later than the 30th day after the day on which it received the request. It shall send its decision in writing to the resigning person and the municipality. The Commission shall not disclose the reasons for the decision, except to the resigning person.

If the decision is favourable, the allowance is paid retroactively from the date the resigning person's term ended.

“31.0.2. If the resigning person who obtained a favourable decision under section 31.0.1 received or was entitled to receive employment, professional, business or retirement income or disability insurance benefits during the period immediately after the end of his term and equal to the period corresponding to the number of months of salary to which he is entitled as a transition allowance, the resigning person must file a written statement with the municipality, on or before the 60th day after the end of that period, stating the nature and total amount of such income or benefits.

If the total amounts paid as a transition allowance exceed what the resigning person was entitled to, given the income or benefits referred to in the first paragraph, the person shall reimburse the overpayment to the municipality.

If the resigning person fails to file the required statement with the municipality within the time prescribed in the first paragraph, the municipality shall demand the full reimbursement of the transition allowance, unless the person subsequently files the required information with the municipality within a reasonable time.

“31.0.3. The council may, by by-law, provide that a resigning person entitled to a transition allowance pursuant to a decision of the Commission municipale continues, despite section 31.0.2, to be entitled to the full amount of that allowance if it is established, to the Commission's satisfaction and based on evidence it considers relevant, that the total annual remuneration to which the person was entitled as an elected municipal officer for the 24 months immediately preceding his resignation represents more than 20% of the person's total annual income for that period. In such a case, the allowance to which the person is entitled may not, however, exceed the total remuneration to which he was entitled as an elected municipal officer during the portion of his term that remains before the next general municipal election. If applicable, the

Commission determines the amount of the allowance to which the person is entitled.”

130. The Act is amended by inserting the following after section 31.5:

“CHAPTER IV.1

“REIMBURSEMENT OF COUNCILLORS’ RESEARCH AND SUPPORT EXPENSES

“31.5.1. The budget of any municipality having a population of 20,000 or more must include an appropriation to provide for payment of sums to councillors as reimbursement for their research and support expenses.

Subject to the third paragraph, the appropriation must be equal to or greater than 1/15 of 1% of the total of all other appropriations provided for in the budget, except in the case of Ville de Montréal where such an appropriation must be equal to or greater than 1/30 of 1% of the total of all other appropriations provided for in the budget.

Where the budget of the municipality provides for appropriations for expenses related to the operation of a system of production, transmission or distribution of electric power, only 50% of those appropriations shall be taken into account in establishing the total of the appropriations referred to in the second paragraph.

A regulation of the Minister of Municipal Affairs, Regions and Land Occupancy determines which research and support expenses are covered under the first paragraph.

“31.5.2. The amount of the sums referred to in the first paragraph of section 31.5.1 is established by dividing the appropriation equally among all the councillors.

However, in the case of a municipality where borough councillors are elected, the appropriation shall be divided into a number of shares corresponding to the total obtained by adding twice the number of city councillors to the number of borough councillors. Two shares shall be assigned to each city councillor and one share to each borough councillor.

“31.5.3. In the case of the urban agglomeration of Montréal, the part of the central municipality’s budget under the responsibility of the urban agglomeration council must include an appropriation to provide for payment of sums to the members of that council, except the mayor of the central municipality, as reimbursement for research and support expenses that comply with the regulation made under section 31.5.1.

The appropriation must be equal to or greater than 1/60 of 1% of the total of all other appropriations provided for in that part of the budget.

The amount of the sums referred to in the first paragraph is established by dividing the appropriation equally among all the members of the urban agglomeration council, except the mayor of the central municipality.

The sums established under section 31.5.2 for a councillor of the regular council of the central municipality who is a member of the urban agglomeration council must be reduced by the sums established for the member under this section, and the budget of the central municipality must be adjusted to reflect that reduction.

“31.5.4. The maximum reimbursement to which a councillor is entitled for a fiscal year in which a general election is held in the municipality is,

(1) for a councillor in office before the election, five sixths of the maximum reimbursement to which the councillor would otherwise have been entitled for the full fiscal year; and

(2) for a councillor in office after the election, one sixth of the maximum reimbursement to which the councillor would otherwise have been entitled for the full fiscal year.

In the case of a by-election, the maximum reimbursement to which the councillor elected in the by-election is entitled is equal to the quotient obtained when the product obtained by multiplying the number of full months between the date on which the councillor’s term begins and the end of the current fiscal year and the maximum reimbursement to which the councillor would have been entitled for the full fiscal year is divided by 12.

“31.5.5. To be entitled to a reimbursement, the councillor or member of the urban agglomeration council must, in support of the application, present vouchers the minimum content of which is determined by the council.

The Minister may, by regulation, prescribe rules relating to the content of such vouchers.

Not later than 31 March each year, a list of the reimbursements authorized by the municipality in the preceding fiscal year must be tabled before the council or, as the case may be, before the urban agglomeration council of Ville de Montréal. For each reimbursement, the list specifies the information required by the regulation referred to in the second paragraph and the information provided in support of the application.

“31.5.6. When this chapter has begun to apply to a municipality, it continues to apply even though its population falls below 20,000.

However, the council of the municipality may, by a resolution adopted by a two-thirds majority vote of its members, end the application of this chapter. Entitlement to the reimbursement of research and support expenses ceases on 31 December of the fiscal year in which the decision is made.

This chapter becomes again applicable when the population of the municipality again reaches 20,000.”

TRANSPORT ACT

131. Section 48.19 of the Transport Act (chapter T-12) is amended by striking out the second paragraph.

132. Sections 48.20 to 48.22 of the Act are repealed.

133. Section 48.30 of the Act is amended by striking out “and without calling for tenders”.

134. Section 48.39 of the Act is amended by striking out the third paragraph.

ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK REGIONAL GOVERNMENT

135. Section 209 of the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1) is amended by striking out the second paragraph.

136. Section 383 of the Act is amended by striking out the second paragraph.

ACT RESPECTING MUNICIPALITÉ DE POINTE-À-LA-CROIX

137. Section 1 of the Act respecting Municipalité de Pointe-à-la-Croix (2006, chapter 61) is amended by replacing “2010” in the fourth paragraph by “2020”.

ACT RESPECTING VILLE DE PERCÉ, VILLE D’AMOS AND VILLE DE ROUYN-NORANDA

138. Section 3 of the Act respecting Ville de Percé, Ville d’Amos and Ville de Rouyn-Noranda (2009, chapter 73) is amended by adding “, except in the case of the program of Ville d’Amos, for which the eligibility period may not extend beyond 31 December 2020” at the end.

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

139. For the purposes of the second and third paragraphs of section 255 of the Act respecting municipal taxation (chapter F-2.1), for the purpose of computing the amount payable for the municipal fiscal year 2018 or 2019, the multiplier “80%” specified in those paragraphs is replaced by

(a) “82.5%” for the fiscal year 2018; and

(b) “84.5%” for the fiscal year 2019.

For the purposes of the fourth paragraph of that section, for the purpose of computing the amount payable for any of the municipal fiscal years 2016 to 2019, the multiplier “25%” specified in that paragraph is replaced by

- (a) “65%” for the fiscal years 2016 and 2017;
- (b) “69.5%” for the fiscal year 2018; and
- (c) “71.5%” for the fiscal year 2019.

140. For the purpose of establishing the standardized property value of a local municipality for any of the municipal fiscal years 2017 to 2020, paragraph 7 of section 261.1 of the Act respecting municipal taxation is to read as follows:

“(7) in the case of immovables referred to in the second, third or fourth paragraph of section 255, that part of their standardized non-taxable values which corresponds to the percentage applicable under that section or, as the case may be, section 139 of the Act to amend various municipal-related legislative provisions concerning such matters as political financing (2016, chapter 17) for the fiscal year prior to that for which the standardized property value is computed;”.

Section 261.3.1 of the Act respecting municipal taxation does not apply for the municipal fiscal years 2016 to 2019.

141. Sections 9, 10, 12, 19, 25, 27, 34, 40, 127, 135 and 136 have effect for the purposes of the budget of any municipal fiscal year as of the municipal fiscal year 2017.

142. Section 188 of the Act respecting elections and referendums in municipalities (chapter E-2.2), as amended by section 47, has effect for the purposes of any municipal election as of the 2017 municipal general election.

143. Section 302 of the Act respecting elections and referendums in municipalities, as amended by section 51, applies to any person who is convicted after 30 November 2015 of an offence described in that section or whose sentence for such an offence is pronounced after that date. If the conviction was rendered before the date of assent to this Act, the disqualification under the second paragraph of that section begins to run as of the day on which this Act is assented to, the day on which the judgment convicting the person becomes final or the day the final sentence is pronounced, whichever is later. The term of a member of the council of a municipality who is disqualified because the member is convicted of such an offence ends at that time.

144. An authorized party’s official representative and his delegate, an authorized independent candidate’s official representative and, if the official representative and the official agent are not the same person, the official agent and his deputy in office on 1 January 2017 must, within 30 days after that date,

undergo the training required under section 387.1 of the Act respecting elections and referendums in municipalities, enacted by section 54.

145. In any Act or regulation, a reference to section 474.0.1, 474.0.3 or 474.0.4.1 of the Cities and Towns Act (chapter C-19) is a reference to the equivalent provision of Chapter IV.1 of the Act respecting the remuneration of elected municipal officers (chapter T-11.001), enacted by section 130.

146. Any contribution referred to in section 68.12 of the Act respecting the Société d'habitation du Québec (chapter S-8), as replaced by section 120, that was paid to the Société before 10 June 2016 for subsequent remittance to the Fonds québécois d'habitation communautaire need no longer be remitted to the Fonds. It is deemed to have been paid to the Société in accordance with section 68.12.

147. The second paragraph of section 68.12 of the Act respecting the Société d'habitation du Québec, as replaced by section 120, does not apply to a body whose required contribution under a provision of a housing program, an operating agreement entered into pursuant to such a program or any other document pertaining to such a program was reduced, reimbursed or cancelled before 10 June 2016.

148. No recourse may be exercised or continued against the Société d'habitation du Québec to require it to remit to the Fonds québécois d'habitation communautaire the contributions it holds and that were paid to it under a provision of one of its housing programs, an operating agreement entered into under such a program or any other document pertaining to such a program or operating agreement.

The first paragraph has effect from 1 December 2015.

149. Sections 4 to 13 of Order in Council 645-2005 (2005, G.O. 2, 2303), amended by sections 24 and 25 of chapter 19 of the statutes of 2008, apply for the purposes of any general election and by-election held in the territory of Ville de Montréal.

150. For the purposes of the division of the territory of Ville de Montréal into electoral districts for the 2017 general election, the date mentioned in the first paragraph of section 21 of the Act respecting elections and referendums in municipalities is replaced by 31 December 2016 and the date in section 30 of that Act is replaced by 31 March 2017.

151. The division of the territory of Municipalité des Îles-de-la-Madeleine into electoral districts, for the purposes of the 2017 general election and any by-election held before the 2021 general election, is that which applied for the purposes of the 2013 general election.

152. Ville de Longueuil is declared the owner of lots 4 758 949, 4 758 950 and 4 758 951 of the cadastre of Québec.

The Act respecting duties on transfers of immovables (chapter D-15.1) does not apply to transfers made under the first paragraph.

Section 39 of Order in Council 1214-2005 (2005, G.O. 2, 5159A) applies to those lots, with the necessary modifications, as if Ville de Longueuil had continued to own them on 1 January 2006.

A declaration by Ville de Longueuil in an application for registration in the land register, stating that it is the holder of the rights that are the subject of the application and that were formerly registered in favour of Ville de Brossard, is sufficient to establish with the registrar that Ville de Longueuil is the holder of those rights. The application for registration in the land register is made in the form of a notice. In addition to what is specified in this section and what is required by 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.

153. Sections 128 and 129 have effect from 24 May 2016.

However, the 30-day period provided for in the second paragraph of section 31.0.1 of the Act respecting the remuneration of elected municipal officers, enacted by section 129, begins to run as of the date of assent to this Act for a resignation that occurs before that date.

154. Sections 137 and 138 have effect from 1 January 2016.

155. The prohibition referred to in sections 7.1 and 16.1 of the Municipal Ethics and Good Conduct Act (chapter E-15.1.0.1), enacted by sections 101 and 102, must be integrated in the code of ethics and conduct of the elected municipal officers and municipal employees not later than 30 September 2016.

156. This Act comes into force on 10 June 2016, except

(1) section 57, paragraph 2 of section 58, paragraph 2 of section 59, section 75, paragraphs 1 and 2, subparagraph *a* of paragraph 3, paragraph 5, paragraph 8, subparagraph *b* of paragraph 11, subparagraph *b* of paragraph 12, subparagraphs *a*, *d* and *e* of paragraph 15 and paragraph 21 of section 100 and sections 103 to 105, which come into force on 30 September 2016;

(2) sections 11 and 54 to 56, paragraph 1 of section 58, sections 60 to 67, 69 to 73, 76 to 80, 82, 85, 87 to 91, 93 and 95, paragraph 2 of section 97, subparagraph *b* of paragraph 3, paragraphs 4, 6, 7 and 10, subparagraph *a* of paragraph 11, subparagraph *a* of paragraph 12, paragraphs 13 and 14, subparagraphs *b*, *c* and *f* of paragraph 15, paragraphs 16 to 20 and paragraphs 22

to 24 of section 100 and sections 111, 130 and 145, which come into force on 1 January 2017;

(3) section 116, which comes into force on 30 June 2017;

(4) section 68, which comes into force on 1 January 2018.

2016, chapter 18

AN ACT TO GIVE EFFECT TO THE CHARBONNEAU COMMISSION RECOMMENDATIONS ON POLITICAL FINANCING

Bill 101

Introduced by Madam Rita Laferrière, Minister responsible for Access to Information and the Reform of Democratic Institutions

Introduced 12 May 2016

Passed in principle 24 May 2016

Passed 10 June 2016

Assented to 10 June 2016

Coming into force: 10 June 2016, except sections 2 and 3, paragraphs 2 to 4 of section 4, sections 7 to 9, 11 and 12, sections 14 and 15 except insofar as they concern the sending of a list of designations made under section 92, and sections 17 to 21, 23, 24, 35 and 39 to 41, which come into force on 1 January 2017

Legislation amended:

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)

Explanatory notes

This Act amends the Election Act in order to give effect to the recommendations of the Commission of Inquiry on the Awarding and Management of Public Contracts in the Construction Industry mainly regarding political financing.

Under this Act, volunteer work for an authorized entity must be performed personally, voluntarily, without compensation and for no consideration.

The provisions of the Election Act regarding loans and suretyships are strengthened through the introduction of a new declaration intended to prevent name-lending and of a \$25,000 ceiling on loans granted and suretyships contracted by an elector.

Under this Act, official representatives, delegates, official agents and deputies must undergo training prepared by the Chief Electoral Officer. Moreover, financial reports and expense returns must be signed by the party leader, candidate, Member or, as applicable, the highest ranking official designated by the authorized party authority and must be accompanied by a declaration regarding the rules on financing

(cont'd on next page)

Explanatory notes (cont'd)

and election expenses. The same obligations apply in the case of reports and returns in the context of a party leadership campaign. In addition, financial reports must be accompanied by a list of persons authorized to solicit contributions.

The Chief Electoral Officer must make public on the Chief Electoral Officer's website any request made to an authorized entity to remit a contribution or part of a contribution made contrary to the law.

The Chief Electoral Officer must prepare an annual report on the application of the financing rules set out in the Election Act, the Act respecting elections and referendums in municipalities and the Act respecting school elections and on the advisability of modifying those rules.

This Act makes various amendments to the Chief Electoral Officer's delegation, inspection and inquiry powers, makes some of those amendments declaratory, and extends the application of the subdivisions concerning inspections and inquiries to other election Acts and regulations.

This Act allows the Chief Electoral Officer and any person designated in accordance with the law to use the information contained in the list of electors for inspections, inquiries and proceedings.

This Act introduces a penal offence for electors who make a false declaration regarding a loan or suretyship and makes that offence a corrupt electoral practice. It also introduces an offence applicable to anyone who contravenes the provisions relating to the Chief Electoral Officer's access powers or fails to comply with a formal demand, as well as a general offence applicable to anyone who hinders the Chief Electoral Officer or the persons designated in accordance with the law. A daily fine is introduced for delays in providing certain financial information.

The prescription period for penal proceedings, and consequently the retention period for documents, is increased from five to seven years. Furthermore, the Act withdraws the time limit after which a contributor is no longer required to remit to the Chief Electoral Officer a contribution or part of a contribution made contrary to the Election Act and provides that all such contributions must from now on be paid to the Minister of Finance. The Act also provides that the Chief Electoral Officer may request an order from the competent court to have a contribution made contrary to the law remitted to the Chief Electoral Officer. In addition, the Chief Electoral Officer may inform an authorized entity in writing that it is holding such a contribution for which the prescription period for claiming it has expired.

Lastly, consequential amendments are made to the Act respecting elections and referendums in municipalities and the Act respecting school elections.



Chapter 18

AN ACT TO GIVE EFFECT TO THE CHARBONNEAU COMMISSION RECOMMENDATIONS ON POLITICAL FINANCING

[Assented to 10 June 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ELECTION ACT

1. The Election Act (chapter E-3.3) is amended by inserting the following section before section 40.39:

“**40.38.4.** The Chief Electoral Officer or any person designated by him in accordance with the law may use any information contained in the permanent list of electors for an inspection, inquiry and proceedings related to the application of this Act or the regulations or any other Act or regulation partly or wholly under his administration.”

2. The Act is amended by inserting the following section after section 45:

“**45.1.** Within 30 days after being appointed, official representatives and delegates shall undergo training given by the Chief Electoral Officer on political financing rules.

Official representatives and delegates shall also undergo any refresher training given by the Chief Electoral Officer.

The Chief Electoral Officer shall, by directive, determine the other particulars regarding all such training.”

3. Section 65 of the Act is amended by adding the following sentences at the end of the first paragraph: “The name, address and telephone number of the official agent of each authorized party and candidate and, if applicable, the official agent’s deputies shall also be set out in the registers. In addition, an entry shall be made in the registers to indicate whether or not the persons subject to section 45.1 or 408.1 have undergone the training required under the first paragraph of those sections.”

4. Section 88 of the Act is amended

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

“(1) volunteer work performed personally and voluntarily, the result of such work and the use of a personal vehicle for that purpose, provided they are performed or provided without compensation and for no consideration;”;

(2) by inserting “, in accordance with sections 105 and 105.1,” after “by an elector” in subparagraph 4 of the second paragraph;

(3) by striking out “, or a guarantee granted by an elector as surety” in subparagraph 4 of the second paragraph;

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

“(4.1) a suretyship contracted by an elector in accordance with sections 105 and 105.1;”.

5. Section 100 of the Act is amended

(1) by replacing the first two paragraphs by the following paragraphs:

“If a contribution or part of a contribution was made contrary to this division, the authorized entity shall, as soon as the fact is known, remit such a contribution to the Chief Electoral Officer.

The sums remitted must be paid to the Minister of Finance.

The Chief Electoral Officer may, after notifying the official representative of the authorized entity of his intention, apply to the competent court for an order to comply with the first paragraph.”;

(2) by striking out the third paragraph.

6. The Act is amended by inserting the following section after section 100:

“**100.0.1.** The Chief Electoral Officer may inform an authorized entity in writing that it is holding a contribution or part of a contribution made contrary to this division and whose prescription period has expired.”

7. The Act is amended by inserting the following section after section 104:

“**104.1.** Any loan granted by an elector shall be made by cheque or other order of payment signed by the elector and drawn on the elector’s account in a bank, trust company or financial services cooperative having an office in Québec.”

8. Section 105 of the Act is amended by inserting the following paragraph after the second paragraph:

“The deed of loan or of suretyship shall also include a declaration by the elector stating that the loan is granted or the suretyship contracted out of the elector’s own property, voluntarily, without compensation and for no consideration, and that it has not been nor will be reimbursed in any other way than as stipulated in the deed.”

9. The Act is amended by inserting the following section after section 105:

“**105.1.** For the same elector, the total of the following amounts may not exceed \$25,000:

(1) the outstanding principal of any loan granted for the benefit of one or more authorized entities; and

(2) any sum for which the elector remains surety in connection with loans contracted by one or more authorized entities.”

10. Section 106 of the Act is amended by replacing “comply with section 100, adapted as required” in the second paragraph by “remit them to the Chief Electoral Officer, who shall pay them over to the Minister of Finance”.

11. Section 115 of the Act is amended by inserting “in accordance with subparagraph 4.1 of the second paragraph of section 88” after “who became surety” in subparagraph 4 of the first paragraph.

12. The Act is amended by inserting the following section after section 115:

“**115.1.** The financial report of an authorized party shall be signed by the leader of the party and accompanied by a declaration by the party leader in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the party leader has been informed of the financing rules, that he has reminded the persons authorized to solicit contributions of their obligation to comply with those rules, that he has been informed of the party’s solicitation practices and considers that they comply with the law, that he has read the report and that he has obtained any clarification he wished to receive regarding its content.

The report shall also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.”

13. The Act is amended by inserting the following section after section 116:

“**116.1.** The annual financial report contemplated in section 113 must be accompanied by a list of the designations made under section 92 during the fiscal year covered by the report, drawn up in the form prescribed by the Chief Electoral Officer.”

14. Section 117 of the Act is amended by replacing the second paragraph by the following paragraphs:

“The financial report shall contain

(1) an income statement made in accordance with section 114;

(2) the information prescribed in section 115; and

(3) the signature of the authorized independent Member, the Member or, failing that in the latter case, the highest ranking official designated in writing by the authorized party authority.

The report must be accompanied by a declaration by the person referred to in subparagraph 3 of the second paragraph that is made in accordance with section 115.1, applied with the necessary modifications, and by a declaration by the official representative that is made in the form prescribed by the Chief Electoral Officer. In addition, a list of the designations made under section 92 during the fiscal year covered by the report must accompany the report. This list must be drawn up in the form prescribed by the Chief Electoral Officer.”

15. Section 122 of the Act is amended, in the second paragraph,

(1) by replacing “, and the information provided for in section 115” by “, the information prescribed in section 115 and the candidate’s signature”;

(2) by inserting “, as well as a list of the designations made under section 92 during the fiscal year covered by the report, drawn up in the form prescribed by the Chief Electoral Officer” at the end of the second sentence;

(3) by adding the following sentence at the end: “The report must also be accompanied by a declaration by the candidate that is made in accordance with section 115.1, applied with the necessary modifications, and by a declaration by the official representative that is made in the form prescribed by the Chief Electoral Officer.”

16. Section 126 of the Act is amended by inserting “the list of designations made under section 92,” after “public information, except” in the first paragraph.

17. Section 127.8 of the Act is amended by inserting “the reference to section 105.1 in subparagraphs 4 and 4.1 and” after “except” in the first paragraph.

18. The Act is amended by inserting the following section after section 127.16:

“127.16.1. The return of leadership campaign income and expenses shall be signed by the candidate and accompanied by a declaration by the candidate in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the candidate has been informed of the rules regarding financing and campaign expenses, that he has reminded the persons authorized to solicit contributions and those authorized to incur or authorize expenses of their obligation to comply with those rules, that he has been informed of the solicitation practices and considers that they comply with the law, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.

The return shall also be accompanied by a declaration by the financial representative in the form prescribed by the Chief Electoral Officer.”

19. Section 127.17 of the Act is amended by adding the following sentence at the end of the first paragraph: “Section 127.16.1 applies, with the necessary modifications, to the latter return.”

20. The Act is amended by inserting the following section after section 127.19:

“127.19.1. The return of leadership campaign expenses shall be signed by the person holding the office of leader of the party or interim leader on the day of the vote and accompanied by a declaration by that person in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the person has been informed of the rules regarding campaign expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.

The return shall also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.”

21. The Act is amended by inserting the following section after section 408:

“408.1. Within 10 days of being appointed, official agents and their deputies shall undergo training given by the Chief Electoral Officer on the control of election expenses.

Official agents and deputies shall also undergo any refresher training given by the Chief Electoral Officer.

The Chief Electoral Officer shall, by directive, determine the other particulars regarding all such training.”

22. Section 417 of the Act is amended by replacing the second paragraph by the following paragraph:

“A person may nevertheless personally and voluntarily, without compensation and for no consideration, do volunteer work and provide the use of his personal vehicle for that purpose.”

23. The Act is amended by inserting the following section after section 432:

“432.1. The return of election expenses of the official agent of a candidate shall be signed by the candidate and accompanied by a declaration by the candidate in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the candidate has been informed of the rules regarding campaign expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.”

24. The Act is amended by inserting the following section after section 434:

“434.1. The return of election expenses of the official agent of an authorized party shall be signed by the leader of the party and accompanied by a declaration by the party leader in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the party leader has been informed of the rules regarding election expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.”

25. The Act is amended by inserting the following before section 485:

“§1. — *Role of the Chief Electoral Officer*”.

26. Section 485 of the Act is amended by inserting “and the regulations” after “of this Act” in the first paragraph.

27. Section 486 of the Act is amended

(1) by inserting “and the regulations” after “of this Act” in the introductory clause of the first paragraph;

(2) by inserting “or the regulations” after “of this Act” in subparagraph 3 of the first paragraph;

(3) by replacing “complaints and make inquiries where he considers it necessary” in subparagraph 4 of the first paragraph by “and process complaints”;

(4) by inserting “or the regulations” after “of this Act” in the second paragraph.

28. Section 488 of the Act is amended by inserting the following after paragraph 2:

“(2.1) make public the fact that he requested that an authorized entity remit to him a contribution or part of a contribution, pursuant to section 100, by publishing the request on his website 30 days after it was made, along with the name of the authorized entity, the number of contributors, the number and amount of the contributions or parts of contributions concerned, the period they cover, and whether or not they were prescribed;”.

29. The Act is amended by inserting the following after section 490:

“§2.—*Inspections*

“**490.1.** The Chief Electoral Officer may carry out inspections to verify compliance with this Act or the regulations.

The provisions of this subdivision apply, with the necessary modifications, to inspections carried out for the purposes of Chapters XIII and XIV of Title I of the Act respecting elections and referendums in municipalities (chapter E-2.2), Chapter XI of the Act respecting school elections (chapter E-2.3), and the regulations concerning matters related to those provisions.

“**490.2.** An inspector may

(1) enter, at any reasonable hour, premises where books, registers, accounts, records and other documents are or should be kept that are relevant for verifying compliance with this Act or the regulations, or where an activity is carried on in a field governed by this Act or the regulations;

(2) inspect the premises, take photographs and verify or examine anything that is relevant for the purposes of this Act or the regulations;

(3) use any computer, equipment or other thing that is on the premises in order to access data that is relevant to the inspection and contained in an electronic device, computer system or other medium or to audit, examine, process, copy or print out such data;

(4) require any information, the communication of any relevant document to examine it or make a copy of it, and the production of any book, register, account, record or other relevant document, in order to verify compliance with this Act or the regulations;

(5) use or cause to be used any copying equipment on the premises; and

(6) be accompanied by a person or persons of his or her choice when carrying out inspection duties.

A person having custody, possession or control of the documents or things referred to in this section shall, on request, communicate them to the inspector and facilitate their examination.

However, the inspector shall not enter a residence without the occupant's consent.

“490.3. An inspector may, by a formal demand notified by registered mail or personal service, require that any person, whether subject to this Act or not, file by registered mail or personal service, within a reasonable time specified in the demand, any information or documents useful for verifying compliance with this Act or the regulations.

The person to whom the demand is made shall comply with it within the specified time regardless of whether the person has already filed such information or documents pursuant to a similar demand or pursuant to an obligation under this Act or the regulations.

“490.4. If a person does not provide access, assistance, information, documents or things as required under section 490.2 or 490.3, the Chief Electoral Officer may apply to a judge of the Court of Québec acting in chambers and that judge may order the person to provide such access, assistance, information, documents or things to the Chief Electoral Officer, or may make any order to remedy the failure that is the subject of the application, if the judge is satisfied

(1) that the person was required under section 490.2 or 490.3 to provide such access, assistance, information, documents or things and did not do so; and

(2) that the professional secrecy to which lawyers and notaries are bound cannot be invoked.

A notice must be served on the person concerned at least five days before the application is heard.

The order must be notified to the person concerned by registered mail or personal service, unless it is made from the bench in the person's presence.

The order may be appealed to the Court of Appeal, with leave of a judge of that court. However, an appeal does not suspend the enforcement of the order, unless the judge seized of the appeal decides otherwise. The judgment cannot be appealed.

“§3. — *Inquiries*”.

30. Section 491 of the Act is amended

(1) by adding “or the regulations” at the end of the first sentence;

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

“This subdivision applies, with the necessary modifications, to inquiries made for the purposes of the Act respecting elections and referendums in municipalities (chapter E-2.2), the Act respecting school elections (chapter E-2.3) and the regulations under those Acts.”

31. Section 492 of the Act is amended by replacing “where he considers the request” by “where the request is”.

32. The Act is amended by inserting the following section after section 493:

“493.1. In the course of an inquiry into an offence under this Act or the regulations, a judge of the Court of Québec may, on an *ex parte* application following an information laid in writing and under oath by the Chief Electoral Officer or a person he designates, order a person, other than the person under inquiry,

(1) to communicate information, or to produce documents, or copies of them certified by affidavit to be true copies; or

(2) to prepare and communicate a document that is based on existing documents or information.

The order shall require the documents or information to be communicated within the time, at the place and in the form specified and given to the person named in the order.

Before making an order, the judge must be satisfied that there are reasonable grounds to believe

(1) that an offence under this Act or the regulations is being or has been committed;

(2) that the documents or information will afford evidence respecting the commission of the offence; and

(3) that the person who is the subject of the order has possession or control of the documents or information.

The order may contain any terms and conditions that the judge considers appropriate, including terms and conditions to protect lawyers’ and notaries’ professional secrecy.

Where the judge who makes the order or any other judge having jurisdiction to make such an order is satisfied, on an *ex parte* application made on the basis of an affidavit submitted by the Chief Electoral Officer in support of the application or by any person he designates, that the interests of justice warrant the granting of the application, the judge may vary or revoke the order or set a new time limit.

Every copy of a document communicated under this section, on proof by affidavit that it is a true copy, is admissible in evidence in any proceeding and has the same probative force as the original document would have if it had been proved in the ordinary way.”

33. The Act is amended by inserting the following section after section 495:

“**495.1.** Subject to the first paragraph of section 488.1, sections 489, 489.1, 490, 516, 525, 542 and 542.2 and the first paragraph of section 550, the Chief Electoral Officer may entrust the exercise of any power or function conferred on him by this Act or the regulations to a member of his personnel.

The Chief Electoral officer or a member of his personnel authorized under the first paragraph may also designate any person to make inquiries or carry out inspections with regard to any matter relating to the application of this Act or the regulations. In such a case, the designated person may exercise any inspection or inquiry powers or functions conferred on the Chief Electoral Officer. Such a person must, on request, identify himself and produce a document attesting his authority.

The first paragraph does not prevent the Chief Electoral Officer from entrusting to any person the functions referred to in the first paragraph of section 59, the third paragraph of section 335.2, section 370.4, the second paragraph of section 370.11, the first paragraph of section 494, or sections 499 and 509.”

34. Section 496 of the Act is amended by striking out the second paragraph.

35. Section 542 of the Act is amended by striking out “or new rules regarding the financing of political parties” at the end of the second paragraph.

36. The Act is amended by inserting the following section after section 542.1:

“**542.2.** The Chief Electoral Officer shall prepare a report on the application of the financing rules set out in Title III and Chapter VI of Title IV of this Act, Chapters XIII and XIV of Title I of the Act respecting elections and referendums in municipalities (chapter E-2.2) and Chapter XI of the Act respecting school elections (chapter E-2.3) and on the advisability of modifying them.

The report shall be submitted before 1 April to the President of the National Assembly, who shall table it in the Assembly within 15 days or, if the Assembly is not sitting, within 15 days of resumption. The competent committee of the National Assembly shall subsequently examine the report.”

37. The Act is amended by inserting the following sections after section 559.1:

“559.1.1. Every person who contravenes section 490.2 or 490.3 is guilty of an offence and is liable to a fine of \$1,000 to \$10,000 in the case of a natural person and \$2,000 to \$20,000 in other cases.

The fines are doubled for a subsequent offence.

“559.1.2. Every person who hinders or attempts to hinder the actions of the Chief Electoral Officer or any person he designates in accordance with the law, while the Chief Electoral Officer or designated person is performing the functions of office and where no other penalty is prescribed, is guilty of an offence and is liable to a fine of \$500 to \$10,000 in the case of a natural person and \$1,000 to \$20,000 in other cases.

The fines are doubled for a subsequent offence.”

38. Section 563 of the Act is amended by adding the following paragraph at the end:

“In addition, every person who does not provide information or documents required in accordance with section 112.1 within the prescribed time is liable to a fine of \$50 for each day of delay.”

39. Section 564 of the Act is amended by replacing “102 to 106” by “102 to 104.1, the first and second paragraphs of section 105, sections 105.1, 106”.

40. The Act is amended by inserting the following section after section 564.1:

“564.1.1. An elector who falsely declares that a loan is granted or a suretyship contracted out of the elector’s own property, voluntarily, without compensation and for no consideration, and that it has not been nor will be reimbursed in any way other than as stipulated in the deed of loan is liable to a fine of \$5,000 to \$20,000 for a first offence and of \$10,000 to \$30,000 for every subsequent offence within 10 years.”

41. Section 567 of the Act is amended by inserting “, in section 564.1.1” after “in section 564.1” in the first paragraph.

42. Section 572.1 of the Act is amended by replacing “neither the Chief Electoral Officer nor his employees may” by “the Chief Electoral Officer, his employees, and any other person designated by the Chief Electoral Officer to carry out an inspection or inquiry may not”.

43. Section 572.2 of the Act is amended by replacing “or his employees” by “, his employees, or any other person designated by the Chief Electoral Officer to carry out an inspection or inquiry”.

44. Section 573 of the Act is amended by inserting “any person designated by him to carry out an inspection or inquiry,” after “Chief Electoral Officer,” in the first paragraph.

45. Sections 118, 127.16, 127.17, 127.19, 436 and 569 of the Act are amended by replacing all occurrences of “five years” by “seven years”.

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

46. Section 90.6 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended

(1) by replacing “may” by “shall”;

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

“(1.1) make public the fact that he requested that a party or an independent candidate remit to him a contribution or part of a contribution, under section 440, by publishing the request on his website 30 days after it was made, along with the name of the party or independent candidate, the number of contributors, the number and amount of the contributions or parts of contributions concerned, the period they cover, and whether or not they were prescribed;”.

47. Section 428 of the Act is amended by replacing paragraph 1 by the following paragraph:

“(1) volunteer work performed personally and voluntarily and the result of such work, without compensation and for no consideration;”.

48. Section 440 of the Act is amended

(1) by replacing the first two paragraphs by the following paragraphs:

“If a contribution or part of a contribution was made contrary to this chapter, the party or independent candidate shall, as soon as the fact is known, remit such a contribution to the treasurer.

The sums remitted must be paid into the municipality’s general fund.

The Chief Electoral Officer may, after notifying the official representative of a party or of an independent candidate of his intention, apply to the competent court for an order to comply with the first paragraph.”;

(2) by striking out the third paragraph.

49. The Act is amended by inserting the following section after section 440:

“440.0.1. The Chief Electoral Officer may inform a party or independent candidate in writing that the party or candidate is holding a contribution or part of a contribution made contrary to this chapter and whose prescription period has expired.”

50. Section 614 of the Act is replaced by the following section:

“614. Every person holding a contribution made contrary to Chapter XIII of Title I who fails to remit the amount of the contribution or the amount at which the contribution is evaluated to the treasurer immediately on becoming aware of the fact is guilty of an offence.”

ACT RESPECTING SCHOOL ELECTIONS

51. Section 30.9 of the Act respecting school elections (chapter E-2.3) is amended

(1) by replacing “may” by “shall”;

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

“(1.1) make public the fact that he requested that an authorized candidate remit to him a contribution or part of a contribution, under section 206.26, by publishing the request on his website 30 days after it was made, along with the name of the authorized candidate, the number of contributors, the number and amount of the contributions or parts of contributions concerned, the period they cover, and whether or not they were prescribed;”.

52. Section 206.26 of the Act is amended

(1) by replacing the first two paragraphs by the following paragraphs:

“If a contribution or part of a contribution was made contrary to this chapter, the authorized candidate must, as soon as the fact is known, remit such a contribution to the director general of the school board.

The sums remitted must be paid into the school board’s general fund.

The Chief Electoral Officer may, after notifying the authorized candidate of his intention, apply to the competent court for an order to comply with the first paragraph.”;

(2) by striking out the third paragraph.

53. The Act is amended by inserting the following section after section 206.26:

“206.26.0.1. The Chief Electoral Officer may inform an authorized candidate in writing that the authorized candidate is holding a contribution or part of a contribution made contrary to this chapter and whose prescription period has expired.”

TRANSITIONAL AND FINAL PROVISIONS

54. The official representatives, delegates, financial representatives, official agents and deputies in office on 1 January 2017 must take the training required under section 2 or 21, as applicable, before 1 January 2018.

55. Paragraph 2 of each of sections 5, 48 and 52 has effect from 10 December 2010.

56. Sections 40.38.4, 490.1 and 495.1 of the Election Act (chapter E-3.3), enacted by sections 1, 29 and 33, and the new provisions of sections 485, 486, 491, 492, 572.1, 572.2 and 573 of the Election Act, enacted by sections 26, 27, 30, 31 and 42 to 44, are declaratory.

57. This Act comes into force on 10 June 2016, except sections 2 and 3, paragraphs 2 to 4 of section 4, sections 7 to 9, 11 and 12, sections 14 and 15 except insofar as they concern the sending of a list of designations made under section 92, and sections 17 to 21, 23, 24, 35 and 39 to 41, which come into force on 1 January 2017.

2016, chapter 19

AN ACT TO STRENGTHEN THE FIGHT AGAINST TRANSPHOBIA AND IMPROVE THE SITUATION OF TRANSGENDER MINORS IN PARTICULAR

Bill 103

Introduced by Madam Stéphanie Vallée, Minister of Justice

Introduced 31 May 2016

Passed in principle 8 June 2016

Passed 10 June 2016

Assented to 10 June 2016

Coming into force: 10 June 2016

Legislation amended:

Civil Code of Québec

Charter of human rights and freedoms (chapter C-12)

Code of Civil Procedure (chapter C-25.01)

Regulation amended:

Regulation respecting change of name and of other particulars of civil status (chapter CCQ, r. 4)

Explanatory notes

This Act amends the Civil Code to provide that a minor child 14 years of age or over may act alone in applying for a change of name to the registrar of civil status and that, in such a case, the application will not be granted, except for a compelling reason, if both the minor child's parents, as legal tutors, or the tutor, if any, have not been notified of the application or if one of them objects to it.

The Civil Code is amended to allow a parent who is aware that the minor child's other parent intends to object to a change of name for the minor child to submit an application for a change of name to the court rather than to the registrar of civil status.

The Civil Code is also amended to allow a minor child to obtain from the registrar of civil status a change of designation of sex as it appears in the act of birth. More specifically, the Act provides that an application for a change of designation of sex for a minor child under 14 years of age may be made by the child's tutor and that the change will not be granted, except for a compelling reason, if the other tutor has not been notified of the application or objects to it. In addition, a tutor who is aware that the other tutor intends to object to the change of designation of sex of a minor child under 14 years of age may submit

(cont'd on next page)

Explanatory notes *(cont'd)*

an application to the court rather than to the registrar of civil status. An application for a minor child who is 14 years of age or over may be made by the child alone or by the child's tutor, with the child's consent.

The Charter of human rights and freedoms is amended to provide for an explicit protection against discrimination based on gender identity or expression.

The Code of Civil Procedure is also amended to provide that when a court is seized of an application for a change of designation of sex for a minor child, the hearing is held in camera, access to the court record is restricted and the anonymity of the parties is protected.

Lastly, the Regulation respecting change of name and of other particulars of civil status is amended to prescribe the conditions that a minor child will be required to meet to obtain a change of designation of sex as it appears in the child's act of birth and also to ensure consistency with the amendments made to the Civil Code.



Chapter 19

AN ACT TO STRENGTHEN THE FIGHT AGAINST TRANSPHOBIA AND IMPROVE THE SITUATION OF TRANSGENDER MINORS IN PARTICULAR

[Assented to 10 June 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

1. Article 59 of the Civil Code of Québec is amended

(1) in the first paragraph,

(a) by replacing “A person of full age” by “A person”;

(b) by replacing “est domicilié” in the French text by “est domiciliée”;

(c) by replacing “apply for a change of name” by “be the subject of an application for a change of name”;

(d) by striking out the last sentence;

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

“A child under one year of age, born and domiciled in Québec, is considered to have been domiciled in Québec for at least one year.”

2. Article 60 of the Code is replaced by the following article:

“**60.** An application for a change of name for a minor child may be made by the child’s tutor or by the minor child alone if the child is 14 years of age or over.

An application for a change of the surname of the father or mother as declared in the act of birth of a minor child is also valid for the minor child if the child bears the same surname or part of that surname.”

3. Article 61 of the Code is amended, in the first paragraph,

(1) by replacing “ses motifs” in the French text by “les motifs au soutien de la demande”;

(2) by replacing “of his or her father and mother” by “of the father and mother of the person who is the subject of the application and, if applicable”;

(3) by replacing “his or her married or civil union spouse” by “that person’s married or civil union spouse”.

4. Article 62 of the Code is amended

(1) in the first paragraph,

(a) by replacing “the tutor” by “, as the case may be, the father and mother of the minor child as legal tutors, the tutor, if any,”;

(b) by replacing “has not been notified of the application or objects to it” by “have not been notified of the application or if any of those persons object to it”;

(2) in the second paragraph,

(a) by replacing “However,” by “The same applies”;

(b) by replacing “only the minor has the right to object” by “except with respect to the right to object reserved to the tutor of a minor under 14 years of age or to the minor 14 years of age or over”.

5. Article 63 of the Code is amended by replacing “sexual identity” in subparagraph 2 of the first paragraph by “gender identity”.

6. The Code is amended by inserting the following article after article 66:

“66.1. A person who wishes to file an application for a change of name for a minor child by way of administrative process may, if an objection is made, as the case may be, by the father and mother as legal tutors, by the tutor, if any, or by the minor 14 years of age or over, submit the application to the court before it is filed with the registrar of civil status.”

7. Article 67 of the Code is amended by replacing “sexual identity” in subparagraph 2 of the second paragraph by “gender identity”.

8. Article 71 of the Code is amended

(1) by replacing “sexual identity” in the first paragraph by “gender identity”;

(2) by replacing “only a person of full age who has been domiciled” in the third paragraph by “only a person who has been domiciled”;

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

“A child under one year of age, born and domiciled in Québec, is considered to have been domiciled in Québec for at least one year.

The conditions prescribed by government regulation that must be met to obtain such changes may vary, in particular according to the age of the person who is the subject of the application.”

9. The Code is amended by inserting the following article after article 71:

“**71.1.** An application for a change of designation of sex for a minor child may be made by the minor alone if the minor is 14 years of age or over or by the minor’s tutor with the minor’s consent. If the minor is under 14 years of age, the application must be made by the minor’s tutor.

In the latter case, the change of designation of sex is not granted, except for a compelling reason, if the other tutor has not been notified of the application or objects to it.”

10. The Code is amended by inserting the following article after article 73:

“**73.1.** A tutor who wishes to file an application for a change of designation of sex for a minor under 14 years of age may, if the other tutor objects to it, submit the application to the court before an application to obtain such a change is filed with the registrar of civil status.”

CHARTER OF HUMAN RIGHTS AND FREEDOMS

11. Section 10 of the Charter of human rights and freedoms (chapter C-12) is amended by inserting “gender identity or expression,” after “sex,” in the first paragraph.

CODE OF CIVIL PROCEDURE

12. Article 15 of the Code of Civil Procedure (chapter C-25.01) is amended

(1) by inserting “or in matters regarding a change of designation of sex as it appears in a minor child’s act of birth” after “In family matters” in the first paragraph;

(2) by replacing “cette matière” in the second paragraph in the French text by “ces matières”.

13. Article 16 of the Code is amended by inserting “or in matters regarding a change of designation of sex as it appears in a minor child’s act of birth” after “In family matters” in the first paragraph and by inserting “or in a matter regarding a change of designation of sex as it appears in a minor child’s act of birth” after “in a family matter” in the last paragraph.

REGULATION RESPECTING CHANGE OF NAME AND OF OTHER PARTICULARS OF CIVIL STATUS

14. Section 2 of the Regulation respecting change of name and of other particulars of civil status (chapter CCQ, r. 4) is amended

(1) by striking out “to change the name of a person of full age only” in the introductory clause and by inserting “on the person who is the subject of the application” after “information” in the same clause;

(2) by replacing the second and third occurrences of “qu’il” in paragraph 1 in the French text by “qu’elle”;

(3) by replacing “il est domicilié” in paragraph 4 in the French text by “elle est domiciliée”;

(4) by replacing “il est devenu citoyen canadien, s’il est né” in paragraph 5 in the French text by “elle est devenue citoyenne canadienne, si elle est née”;

(5) by replacing “the applicant’s marital status and, if the applicant is married,” in paragraph 7 by “the person’s civil status and, if the person is married or in a civil union,” and by inserting “or civil union” after “marriage” in the same paragraph;

(6) by replacing “s’il en a” in paragraph 8 in the French text by “si elle en a”;

(7) by replacing “s’il a” and “qu’il” in paragraph 9 in the French text by “si elle a” and “qu’elle”, respectively;

(8) by replacing “il” in paragraph 10 in the French text by “elle”;

(9) by replacing “applicant” and “applicant’s” wherever they appear by “person” and “person’s”, respectively.

15. Section 3 of the Regulation is replaced by the following section:

“3. An application concerning a minor child must include the following information, in addition to the information required under section 2:

(1) the domiciliary address of the child’s father and mother on the date on which the application is filed;

(2) if the child’s father or mother has been deprived of parental authority by a judicial decision, an indication of that fact;

(3) if the child’s filiation has been changed by a judicial decision, an indication of that fact; and

(4) if the child has a tutor, a statement that a tutor has been appointed to the child, either by a judicial decision, or by will or by a declaration filed with the Public Curator in accordance with article 200 of the Civil Code, the tutor's name, the tutor's domiciliary address, the mode of appointment of the tutor and the effective date of the tutorship.

The application must also include the following information on the tutor who is making the application for the minor child:

- (1) the tutor's name, as stated in the tutor's act of birth;
- (2) the tutor's domiciliary address on the date on which the application is filed; and
- (3) the tutor's capacity in relation to that child."

16. Section 6 of the Regulation is replaced by the following section:

"6. The notice of application for a change of name must include the following information on the person who is the subject of the application:

- (1) the person's name, as stated in the person's act of birth;
- (2) the person's domiciliary address;
- (3) the name applied for with the registrar of civil status; and
- (4) the place and date of the notice.

Where the application is to change the name of a minor child, the notice of application must also include the name of the person making the application for the minor child, that person's domiciliary address and his or her capacity in relation to the child.

The notice of application must include the signature of the person making the application."

17. Section 23 of the Regulation is amended by replacing "Sections 1, 2, 4 and 16" by "Divisions I and III and sections 12".

18. Section 23.1 of the Regulation is amended

- (1) by inserting "made by a person 14 years of age or over" after "application" in the introductory clause;
- (2) by replacing "sexual identity" in paragraphs 1 and 2 by "gender identity";
- (3) by adding the following paragraph at the end:

“If a tutor’s affidavit is in support of an application made by the tutor for a minor child, the affidavit must also attest that

(1) the designation of sex requested for the minor child is the designation that best corresponds to the child’s gender identity;

(2) the minor child assumes that gender identity;

(3) the tutor understands the seriousness of the minor child’s undertaking; and

(4) the tutor’s undertaking for the minor child is voluntary and his or her consent is given in a free and enlightened manner.”

19. Section 23.2 of the Regulation is amended

(1) by inserting “of a person of full age” after “act of birth”;

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

“An application for a change of the designation of sex for a minor child must be accompanied by, in addition to the documents referred to in section 4, a letter from a physician, a psychologist, a psychiatrist, a sexologist or a social worker authorized to practise in Canada or in the State in which the child is domiciled who declares having evaluated or followed the child and is of the opinion that the change of designation is appropriate.”

20. Section 23.3 of the Regulation is amended by replacing “or a sexologist” by “, a sexologist or a social worker”.

21. This Act comes into force on 10 June 2016.

2016, chapter 20

AN ACT TO ENSURE RESUMPTION OF THE REGULAR MARITIME TRANSPORT SERVICES PROVIDED BY RELAIS NORDIK INC. AND TO SETTLE THE DISPUTE BETWEEN THAT COMPANY AND SOME OF ITS EMPLOYEES

Bill 111

Introduced by Madam Dominique Vien, Minister responsible for Labour

Introduced 9 June 2016

Passed in principle 10 June 2016

Passed 10 June 2016

Assented to 10 June 2016

Coming into force: 10 June 2016

Legislation amended: None

Explanatory notes

This Act is to put an end to the ongoing strike in the North Shore region and ensure resumption of regular maritime transport services there.

The Act provides for the resumption of the activities interrupted by the strike and sets out the obligations and prohibitions imposed on the employees, their certified association and the employer for that purpose.

A further purpose of the Act is to ensure the renewal of the collective agreement binding the employer and certified association concerned by providing for a mediation period, followed by arbitration in the event that mediation fails.

Penal sanctions are prescribed for failure to fulfill the obligations or comply with the prohibitions imposed by the Act.

Lastly, the Act provides that the Government may make an order before 30 September 2016 to make subject to this Act a certified association that represents other employees of the employer concerned and that has sent a strike notice to the Minister.



Chapter 20

AN ACT TO ENSURE RESUMPTION OF THE REGULAR MARITIME TRANSPORT SERVICES PROVIDED BY RELAIS NORDIK INC. AND TO SETTLE THE DISPUTE BETWEEN THAT COMPANY AND SOME OF ITS EMPLOYEES

[Assented to 10 June 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

PURPOSE

1. The purpose of this Act is to ensure the resumption of the regular maritime transport services provided by Relais Nordik inc. in the North Shore region.

A further purpose of the Act is to settle the dispute over the renewal of the collective agreement binding the employer, Relais Nordik inc., and the Syndicat des Métallos, Local 9599 (AQ-1004-2670), an association certified to represent some of the employees.

DIVISION II

OBLIGATIONS AND PROHIBITIONS CONCERNING THE RESUMPTION OF REGULAR SERVICES

2. Employees included in the bargaining unit for which the association referred to in section 1 was certified must, as of the day following the coming into force of this Act, report for work according to their regular work schedule and other applicable conditions of employment.

3. Employees to whom section 2 applies must perform all the duties attached to their respective functions, in accordance with the applicable conditions of employment, without any stoppage, slowdown, reduction or degradation of their normal activities.

Employees may not, as part of a concerted action, refuse to provide services to their employer.

Any employee who contravenes this section receives no remuneration for the contravention period.

- 4.** The employer and its officers and representatives must, as of the day following the coming into force of this Act, take the appropriate measures to ensure that regular maritime transport services are provided.
- 5.** The certified association is prohibited from calling or continuing a strike or participating in any other form of concerted action that prevents the employees from returning to work.
- 6.** The certified association must take the appropriate measures to induce the employees it represents to comply with sections 2 and 3.

It must, in particular and before the scheduled return to work, communicate the content of this Act and the date and terms of the return to work to the employees it represents and send the Minister an attestation that it has done so.

- 7.** No one may, by omission or otherwise, in any manner prevent or impede the employees' return to work or the performance of work by employees, or directly or indirectly contribute to slowing down, degrading or delaying the performance of such work.

DIVISION III

MEDIATION

- 8.** A mediator is appointed by the Minister to help the parties settle their dispute.
- 9.** The mediation period lasts for 120 days after the mediator is appointed.

However, the Minister may extend the mediation period for up to 60 days at the request of the parties or the mediator.

The mediator puts an end to the mediation period as soon as the parties inform the mediator that they would like the dispute to be submitted to arbitration.

- 10.** If there is no agreement at the expiry of the mediation period, the mediator gives the parties a report specifying the matters on which there has been agreement and the matters which are still in dispute.

At the same time, the mediator gives a copy of the report with comments to the Minister.

DIVISION IV**ARBITRATION ON THE RENEWAL OF COLLECTIVE AGREEMENT**

11. On receiving the mediator's report stating the absence of agreement on the renewal of the collective agreement, the Minister refers the dispute to arbitration and notifies the parties.

12. Within 15 days after receiving the Minister's notice under section 11, the parties must consult each other as to the choice of an arbitrator and inform the Minister of the name of the arbitrator chosen. The Minister then appoints that arbitrator.

Failing agreement between the parties within the time prescribed, the Minister appoints an arbitrator from the list drawn up annually by the Minister under the second paragraph of section 77 of the Labour Code (chapter C-27) and informs the parties.

13. The Minister sends the arbitrator a copy of the mediator's report. Only matters not identified as having been the subject of an agreement between the parties may be referred to arbitration.

Despite the end of the mediation process and even after sending the report, the mediator may continue to act at the request of the parties. However, the mediator may not continue to act once the arbitration hearings have begun.

Any agreement entered into after the mediator's report has been sent must be included in an additional report that is sent to the parties and the Minister without delay. The Minister then sends the report to the arbitrator.

14. The arbitrator hears the dispute with diligence and according to the procedure and the method of proof the arbitrator considers appropriate.

15. Arbitration expenses and fees are shared equally by the employer and the certified association.

The arbitrator's expenses and fees are those prescribed in the Regulation respecting the remuneration of arbitrators (chapter C-27, r. 6); the tariff of remuneration is that declared in accordance with section 12 of that regulation, if applicable.

16. Sections 76 and 79, the first paragraph of section 80, sections 82 to 89, 91, 91.1, 93 and 139 to 140 of the Labour Code apply, with the necessary modifications, to the arbitration and regarding the arbitrator.

17. The arbitrator must render an award within six months after the date the dispute was referred to the arbitrator. However, the Minister may grant an extension at the arbitrator's request.

18. In the award, the arbitrator records the stipulations relating to the matters that have been agreed on, as evidenced in the mediator's report.

The parties may, at any time, come to an agreement on a matter in dispute and the corresponding stipulations must also be recorded in the arbitration award.

The arbitrator may not amend such stipulations except for the purpose of making modifications that are necessary to make the stipulations consistent with a clause of the award.

19. The award is binding on the parties for not less than one year nor more than three years from the date the award is filed with the Minister, and has effect from the expiry of the previous collective agreement, unless the parties agree on another period of time or effective date.

DIVISION V

PENAL PROVISIONS

20. Anyone who contravenes a provision of sections 2 to 7 is guilty of an offence and is liable, for each day or part of a day during which the offence continues, to a fine

(1) of \$100 to \$250 in the case of an employee or of a person not mentioned in paragraph 2 or 3;

(2) of \$1,000 to \$10,000 in the case of an officer, representative or employee of the certified association, or of an officer or representative of the employer; and

(3) of \$5,000 to \$50,000 in the case of the employer, the certified association or a union, federation or confederation with which the certified association is affiliated or to which it belongs.

21. Any person who, by an act or an omission, aids the commission of an offence or, by encouragement, advice, consent or order, induces another person to commit an offence is a party to the offence and is liable to the same penalty as that prescribed for the offender.

When the offence is committed by a legal person or an association, any officer or representative who in any manner approves of the act constituting the offence or acquiesces to the commission of the offence is guilty of the offence.

DIVISION VI**MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS**

22. The conditions of employment contained in the expired collective agreement apply, with the necessary modifications, until a new collective agreement replacing it comes into effect.

23. The Government may, by an order made before 30 September 2016, make subject to this Act an association that is certified to represent employees from another bargaining unit of the company of the employer Relais Nordik inc. and that has sent a strike notice in accordance with section 111.0.23 of the Labour Code (chapter C-27). In such a case, the obligations and prohibitions imposed by this Act on the employer Relais Nordik inc. apply with the necessary modifications, and sections 2 and 4 must be read as if the reference to the coming into force of this Act were replaced by a reference to the making of the order.

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

25. This Act comes into force on 10 June 2016.

2016, chapter 21

AN ACT TO AMEND THE CIVIL CODE TO PROTECT SENIORS' RIGHTS AS LESSEES

Bill 492

Introduced by Madam Françoise David, Member for Gouin

Introduced 21 May 2015

Passed in principle 4 June 2015

Passed 10 June 2016

Assented to 10 June 2016

Coming into force: 10 June 2016

Legislation amended:

Civil Code of Québec

Explanatory notes

The purpose of this Act is to protect seniors' rights by amending the conditions for repossessing dwellings or evicting lessees under the Civil Code.



Chapter 21

AN ACT TO AMEND THE CIVIL CODE TO PROTECT SENIORS' RIGHTS AS LESSEES

[Assented to 10 June 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Civil Code of Québec is amended by inserting the following article after article 1959:

“1959.1. The lessor may not repossess a dwelling or evict a lessee if the lessee or the lessee’s spouse, at the time of repossession or eviction, is 70 years of age or over, has occupied the dwelling for at least 10 years and has income equal to or less than the maximum threshold qualifying the lessee or spouse for a dwelling in low-rental housing according to the By-law respecting the allocation of dwellings in low rental housing (chapter S-8, r. 1).

However, the lessor may repossess the dwelling if

- (1) the lessor is 70 years of age or over and wishes to repossess the dwelling as a residence for himself;
- (2) the beneficiary of the repossession is 70 years of age or over;
- (3) the lessor is an owner-occupant 70 years of age or over and wishes to have a beneficiary less than 70 years of age reside in the same immovable as himself.

The Société d’habitation du Québec shall publish the maximum income thresholds qualifying a lessee for a dwelling in low-rental housing on its website.”

2. Article 1961 of the Code is amended

- (1) by inserting the following paragraph after the second paragraph:

“These notices shall reproduce the content of article 1959.1.”;

- (2) by replacing the third paragraph by the following paragraph:

“Repossession or eviction may take effect after the date set forth in the notice, upon application by the lessee and with the authorization of the court.”

3. This Act comes into force on 10 June 2016.

2016, chapter 22

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS RESPECTING MAINLY TRANSPORTATION SERVICES BY TAXI

Bill 100

Introduced by Mr. Jacques Daoust, Minister of Transport, Sustainable Mobility and
Transport Electrification

Introduced 12 May 2016

Passed in principle 8 June 2016

Passed 10 June 2016

Assented to 10 June 2016

Coming into force: 8 September 2016 or any earlier date or dates the Government may set, except

(1) section 34 and sections 44 to 46, which come into force on 10 June 2016; and

(2) section 14, paragraph 1 of section 15, section 18 to the extent that it concerns section 59.3 of the Act respecting transportation services by taxi (chapter S-6.01), and section 38 to the extent that it concerns paragraph 2 of section 112.1 of that Act, which come into force on the later date or dates to be set by the Government

Legislation amended:

Highway Safety Code (chapter C-24.2)

Act respecting the Ministère des Transports (chapter M-28)

Act respecting transportation services by taxi (chapter S-6.01)

Transport Act (chapter T-12)

Regulation amended:

Regulation respecting safety standards for road vehicles (chapter C-24.2, r. 32)

Explanatory notes

This Act modifies the framework for regulating transportation services by taxi in Québec but maintains the principle of a single legal regime for such services.

The Act specifies the remunerated passenger transportation services that are not taxi transportation services subject to the Act respecting transportation services by taxi.

The Government is granted the power to determine the number of servicing areas and the territory of each one, as well as the maximum number of taxi owner's permits that the Commission des transports du Québec may issue in each area. The Government may also set the additional annual duties payable

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Explanatory notes (cont'd)

to obtain, maintain or renew the taxi owner's permits it specifies. Those duties are paid into the Land Transportation Network Fund and are allocated to financing the modernization of transportation services by taxi.

Holders of a taxi transportation service intermediary's permit have new obligations. They must, at all times, provide taxi transportation service request distribution services throughout the territory of each servicing area they serve. They must also provide all persons having requested a trip with a means enabling them to assess the quality of the services rendered by the holder of a taxi driver's permit. Lastly, the holder of a taxi transportation service intermediary's permit must make a by-law on the standards of conduct and ethics which the holder must uphold and with which the holders of a taxi owner's permit and holders of a taxi driver's permit to whom the holder provides services must also comply.

The Commission des transports du Québec is required to set the basic rate structure that applies for all servicing areas and is given the power to set special rates which may vary depending on the servicing area and the categories of transportation services. The rate structure set by the Commission may also vary based on the day or time of day when the transportation service is provided. In addition, a fare may differ from the rates set by the Commission according to the technological means used to request the taxi transportation service, to the extent and on the conditions prescribed by government regulation.

The Act grants new inspection and inquiry powers to persons responsible for ascertaining compliance with the Act and the regulations. Provision is also made for new penal and administrative penalties for non-compliance with the Act, such as suspending the driver's licence of a person providing taxi transportation services without holding the appropriate licence or permit, and seizing the automobile the person is driving.

The Taxi Industry Advisory Panel is abolished.

The Act alters the scope of pilot projects that may be authorized by ministerial order in particular to provide that any such project may apply to holders of a taxi transportation services intermediary's permit, may have different standards and rules than those prescribed by the laws or regulations under the Minister's administration and must comply with the principle of equity toward holders operating under any permit at the time the pilot project is implemented.

The Act also contains safety measures for cyclists. The Highway Safety Code is amended to increase fines for dooring, and the minimum distance that a motor vehicle must keep when passing a bicycle is specified.

Lastly, consequential amendments and transitional measures are made.



Chapter 22

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS RESPECTING MAINLY TRANSPORTATION SERVICES BY TAXI

[Assented to 10 June 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING TRANSPORTATION SERVICES BY TAXI

1. Section 1 of the Act respecting transportation services by taxi (chapter S-6.01) is amended

(1) by replacing “to passenger transportation, for remuneration, by automobile and more particularly establishes a framework for” by “to”;

(2) by inserting “, ensure supply management of taxi transportation services that takes into consideration the public’s needs” after “services offered”.

2. Section 2 of the Act is amended by replacing paragraph 2 by the following:

“(2) “taxi transportation service intermediary” means any person who provides, by any means, publicity, taxi transportation service request distribution or other similar services to holders of a taxi owner’s permit or holders of a taxi driver’s permit;

“(3) “transportation services by taxi” or “taxi transportation services” means any passenger transportation service by automobile, for remuneration, except

(a) carpooling provided on a portion or all of a same route, provided that

i. the automobile used is a passenger vehicle within the meaning of section 4 of the Highway Safety Code (chapter C-24.2),

ii. the driver decides on the final destination, and taking passengers on board is incidental to the driver’s reason for making the trip, and

iii. the transportation is offered for a financial contribution limited, regardless of the number of passengers on board, to the expenses incurred in using the automobile, the total amount of which may not exceed the allowance granted to an employee of a department or body whose personnel is appointed in accordance with the Public Service Act (chapter F-3.1.1) for use of the employee’s personal vehicle;

(b) school transportation provided for in the Education Act (chapter I-13.3), the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14), the Act respecting private education (chapter E-9.1) or the General and Vocational Colleges Act (chapter C-29) and transportation of students of an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1);

(c) transportation provided by a volunteer driver under the control of a humanitarian organization recognized by the Ministère de la Santé et des Services sociaux as part of one of its support or assistance programs, provided that

i. the transportation is offered for a financial contribution limited, regardless of the number of passengers on board, to the expenses incurred in using the automobile as set by the organization's board of directors, the total amount of which may not exceed the amount determined by government regulation, and

ii. the organization keeps a permanent register of trips which, for each trip provided, identifies the driver, the client and any accompanying person, and indicates the date, the pick-up point, the distance travelled and the destination;

(d) transportation provided by a social economy enterprise funded by a government program to offer assistance services to clients such as seniors, persons who are handicapped or ill or persons with decreasing independence, provided that the enterprise keeps a permanent register of trips which, for each trip provided, identifies the driver, the client and any accompanying person, and indicates the date, the pick-up point, the distance travelled and the destination;

(e) transportation provided to an impaired person by a volunteer driver under the control of a non-profit organization or legal person or by a driver remunerated by an enterprise, provided that

i. the impaired person's automobile is also driven to the destination,

ii. the transportation is provided by the volunteer driver without any intent of deriving pecuniary gain, and

iii. the non-profit organization or legal person or enterprise concerned keeps a permanent register of trips which, for each trip provided, identifies the driver, the customer and the accompanying person, and indicates the date, the pick-up point, the distance travelled and the destination;

(f) courtesy transportation provided by a driver remunerated by an enterprise, and offered free of charge to its customers;

(g) transportation provided for the purpose of community assistance to help or accompany a person, provided that the transportation is offered for a financial contribution limited, regardless of the number of passengers on board, to the

expenses incurred in using the automobile, the total amount of which may not exceed the amount determined by government regulation;

(h) passenger transportation for baptisms, weddings or funerals or passenger transportation in antique automobiles over 30 years old; and

(i) transportation by ambulance or hearse.

The Minister shall publish on the department's website the amount of the allowance granted to an employee of a department or body whose personnel is appointed in accordance with the Public Service Act for use of the employee's personal vehicle and the amount determined by government regulation."

3. Section 3 of the Act is repealed.

4. Section 4 of the Act is amended by replacing “, for remuneration, passenger transportation by automobile,” by “taxi transportation services”.

5. Section 5 of the Act is amended

(1) by striking out the second paragraph;

(2) by inserting “, or two or more customers in accordance with section 6.1,” after “that customer” in the third paragraph;

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

“Despite the first paragraph, if the automobile used for taxi transportation is completely electrically propelled, the Commission des transports du Québec may authorize the holder of the taxi owner's permit to own the number of additional completely electrically propelled automobiles that the Commission determines to ensure that the permit holder can continue to offer services while the batteries are being recharged.”

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

5.1. The Government shall determine the number of servicing areas and the territory of each one.

The Minister shall publish the decision on the department's website.

5.2. The taxi owner's permit issued to serve a servicing area is deemed, on the effective date of a decision by the Government under section 5.1, to have been issued to serve the servicing area determined by the Government that covers all of the territory of the servicing area indicated in the permit on that date.

If the servicing area determined by the Government covers only a portion of that territory, the taxi owner's permit is deemed to have been issued to serve the servicing area that the Government determines."

7. Section 6 of the Act is amended by replacing "delimited by the Commission" in the first paragraph by "determined by the Government".

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

"6.1. The holder of a taxi owner's permit may offer to transport two or more passengers who have separately requested a trip to the same destination or to several destinations on the same route, provided that the trip was requested by a technological means allowing each customer to agree in advance to share the cost of the trip."

9. Section 10 of the Act is amended by replacing "that may be issued under section 10.1" in the first paragraph by "set under section 10.1".

10. Section 10.1 of the Act is replaced by the following section:

"10.1. The Government may, for each servicing area it specifies, set the maximum number of taxi owner's permits that may be issued by the Commission according to any categories of services the Government identifies and on any conditions it determines."

11. Section 32 of the Act is amended by replacing "order" in the first and second paragraphs by "ministerial order".

12. Section 33 of the Act is replaced by the following section:

"33. A taxi transportation service intermediary's permit shall be issued for a maximum period of five years and may not be assigned or transferred. It may be renewed on the expiry of the period for which it was issued.

Section 21 applies to a taxi transportation service intermediary's permit.

For the purposes of the second paragraph, joining a cooperative does not constitute an acquisition of interest."

13. Section 34 of the Act is amended by replacing the first paragraph by the following paragraph:

"Only a holder of a taxi transportation service intermediary's permit may, by any means, provide holders of a taxi owner's permit and holders of a taxi driver's permit with publicity, taxi transportation service request distribution or other similar services in a servicing area covered by a ministerial order made under section 32."

14. Section 34.1 of the Act is replaced by the following section:

“34.1. The holder of a taxi transportation service intermediary’s permit must, within six months after the date the permit is issued, make a by-law on the standards of conduct and ethics which the holder must uphold and with which the holders of a taxi owner’s permit and holders of a taxi driver’s permit to whom the holder provides services must also comply. The by-law must include the minimum standards prescribed by government regulation.

If the Government makes amendments to its regulation, the holder of a taxi transportation service intermediary’s permit must, within six months after those amendments come into force, make any necessary amendments to the by-law.

The holder of a taxi transportation service intermediary’s permit must publish the by-law on the holder’s website and transmit a copy to the Commission without delay. The same applies for any amendment to the by-law.”

15. Section 34.2 of the Act is amended, in the second paragraph,

(1) by replacing subparagraph 2 by the following subparagraphs:

“(2) fails to make the by-law referred to in section 34.1 or the necessary amendments to it, to publish the by-law or any such amendments on the intermediary’s website or to transmit the by-law or any such amendments to the Commission within the prescribed time;

“(2.1) fails to apply the by-law the intermediary made under section 34.1;”;

(2) by replacing “data collection and conservation” in subparagraph 3 by “the collection, keeping and transmission of information” and by striking out “, conduct and ethics,” in that subparagraph.

16. Section 50 of the Act is amended by replacing “call” by “taxi transportation service request”.**17.** Section 55 of the Act is amended by replacing “an inspector appointed under section 66” by “a person authorized to act as an inspector or investigator”.**18.** The Act is amended by inserting the following sections after section 59:

“59.1. The holder of a taxi transportation service intermediary’s permit must, at all times, provide taxi transportation service request distribution services throughout the territory of any servicing area served by the holder.

“59.2. The holder of a taxi transportation service intermediary’s permit is required, on the conditions prescribed by regulation, to collect and keep information on the hours of work performed by the holders of a taxi driver’s permit to whom the holder provides services, the type, number, duration and

distance of trips, the zones served and taxi stands, and any other similar matter determined by regulation.

The holder must, at the Commission's request, transmit the information to the Commission.

“59.3. The holder of a taxi transportation service intermediary's permit is required to provide all persons having requested a trip with a means enabling them to assess the quality of the services rendered by the holder of a taxi driver's permit.”

19. Section 60 of the Act is amended

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

“The Commission shall set the applicable rates for transportation services by taxi after a public hearing.

The Commission shall set the basic rate structure that applies for all servicing areas. It may also set special rates, which may vary from one area to another or according to the category of services provided.

Any rate structure referred to in the second paragraph may vary according to the day or time of day when the service is provided.

After a special hearing, the Commission may also set, for specialized transportation services by taxi, rates that may vary according to requests made by certain holders of taxi owner's permits providing specialized services.”;

(2) by inserting “and on the Commission's website” at the end of the second paragraph.

20. Section 62 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “A fare agreed upon with a customer, even if it differs from the rates fixed by the Commission, shall not be regarded as a discount” in the second paragraph by “A fare may be agreed upon with a customer, even if it differs from the rates set by the Commission”;

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

“A fare may also differ from the rates set by the Commission according to the technological means used to make the taxi transportation service request, to the extent and on the conditions determined by government regulation.”

21. The heading of Chapter VIII of the Act is replaced by the following heading:

“INSPECTION, INQUIRY, SEIZURE AND SUSPENSION”.

22. Section 66 of the Act is amended by replacing “and any employee of a municipal or supramunicipal authority responsible for” by “or any employee authorized by a municipal or supramunicipal authority entrusted with”.

23. Section 67 of the Act is amended, in the first paragraph,

(1) by striking out “, any person specially authorized by the Minister and any peace officer” in the introductory clause;

(2) by replacing “of a non-profit organization or legal person that transports persons who are intoxicated or of a humanitarian organization organizing volunteer passenger transportation by automobile,” in subparagraph 1 by “ of an organization, of a non-profit legal person or of an enterprise referred to in section 2”;

(3) by replacing “and providing” in subparagraph 3 by “if the person has reasonable grounds to believe that the automobile is being used to provide”.

24. The Act is amended by inserting the following sections after section 67:

“**67.1.** Any peace officer, any person specially authorized by the Minister or any employee authorized by a municipal or supramunicipal authority entrusted with the administration of this Act may act as an investigator for the purposes of this Act and the regulations.

“**67.2.** A person authorized to act as an inspector or investigator may not be prosecuted for acts in good faith in the exercise of inspection or inquiry functions.”

25. Section 71 of the Act is amended

(1) by replacing “Any peace officer may, in the course of an inspection under section 67, immediately seize an automobile if the peace officer” in the introductory clause of the first paragraph by “Any person authorized to act as an inspector or investigator, as the case may be, may immediately seize an automobile if the person”;

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

“The security required under subparagraphs 1 and 2 of the first paragraph is equal to the amount of the fine prescribed for the offence.”;

(3) by replacing “A peace officer” in the second paragraph by “A person”;

(4) by replacing “minimum period of 60 days” in the third paragraph by “period of 30 days for a second offence and 90 days for a subsequent offence”.

26. The Act is amended by inserting the following sections after section 71:

“71.1. A peace officer or an employee authorized for that purpose by a municipal or supramunicipal authority entrusted with the administration of this Act who has reasonable grounds to believe that a person is contravening paragraph 2 of section 117 shall immediately suspend, on behalf of the Société, for a period of seven days,

(1) the licence referred to in section 61 of the Highway Safety Code (chapter C-24.2) that the person holds; or

(2) if the person does not hold such a licence, the person’s right to obtain one.

The suspension period is increased to 30 days for a second offence and 90 days for a subsequent offence in the case of a person who was convicted of an offence under paragraph 2 of section 117 during the 10 years before the suspension.

“71.2. A person whose licence or right to obtain a licence has been suspended in accordance with section 71.1 may have the suspension lifted by a judge of the Court of Québec acting in chambers in civil matters after the person establishes that he or she did not contravene paragraph 2 of section 117.

“71.3. Sections 202.6.1 and 202.7, the second paragraph of section 209.11 and section 209.12 of the Highway Safety Code (chapter C-24.2) apply in the case of a licence suspension under section 71.1, with the necessary modifications.

“71.4. In the case of a person whose licence or right to obtain a licence has been suspended in accordance with section 71.1, the peace officer or authorized employee shall immediately seize the automobile and impound it on behalf of the Société and at the owner’s expense for a period equivalent to the period of the licence suspension.

“71.5. Sections 209.3 and 209.10 of the Highway Safety Code (chapter C-24.2) apply to a seizure under section 71.4, with the necessary modifications.

“71.6. The owner of the seized automobile may, on the authorization of a judge of the Court of Québec acting in chambers in civil matters, recover the automobile

(1) if the owner was not the driver of the automobile and could not reasonably have foreseen that the driver of the automobile would contravene paragraph 2 of section 117; or

(2) if the owner was the driver of the automobile and establishes that he or she did not contravene paragraph 2 of section 117.

If the person concerned in subparagraph 2 of the first paragraph obtains release from seizure, the Société shall lift the suspension of the licence or of the right to obtain a licence imposed under section 71.1.

The second paragraph of section 209.11 and sections 209.11.1 to 209.17 of the Highway Safety Code (chapter C-24.2) apply with the necessary modifications.

“71.7. The suspension of a driver’s licence or of the right to obtain one under section 71.1 constitutes a penalty for the purposes of sections 105 and 106 of the Highway Safety Code (chapter C-24.2).”

27. Chapter IX of the Act is repealed.

28. Section 79 of the Act is amended by striking out subparagraphs 4 and 8 of the first paragraph.

29. Section 80 of the Act is amended by striking out the second sentence of the first paragraph.

30. Section 82 of the Act is amended by adding the following paragraph at the end:

“The Commission may, on its own initiative or on request, order the Société to withdraw, from a person who has offered or provided a taxi transportation service without holding the permit or licence required under this Act, the right to maintain in operation the automobile used for that purpose. The procedure established under section 35 of the Transport Act applies.”

31. The Act is amended by inserting the following section after section 83:

“83.1. The Société and any municipal or supramunicipal authority entrusted with the administration of this Act shall make available to the Commission any information the Commission requires in order to make a decision in a matter that is before the Commission or that is referred to the Commission under this Act.”

32. Section 88 of the Act is amended, in the first paragraph,

(1) by striking out subparagraph 1;

(2) by inserting the following subparagraphs after subparagraph 1:

“(1.01) determining the maximum amount of the financial contribution that may be required for remunerated passenger transportation services by automobile

under subparagraph i of subparagraph c of paragraph 3 of section 2 and subparagraph g of paragraph 3 of section 2;

“(1.1) setting, for each servicing area the regulation specifies, the maximum number of permits that may be issued by the Commission, identifying categories of services and prescribing conditions;”;

(3) by adding “, including the obligation for the holder of a taxi driver’s permit to comply with the assessment measures prescribed by regulation” at the end of subparagraph 2;

(4) by striking out subparagraph 2.1;

(5) by inserting the following subparagraphs after subparagraph 2.1:

“(2.2) fixing, for any period the Government determines, the additional annual duties payable to obtain, maintain or renew the taxi owner’s permits it specifies, the amount of which may vary according to the servicing area, the categories of services identified and the conditions prescribed under subparagraph 1.1 or the number of permits held by a same holder;

“(2.3) prescribing conditions relating to the collection, keeping and transmission of information under section 59.2 and conditions relating to the making of internal by-laws as well as standards for services rendered to handicapped persons;”;

(6) by replacing subparagraph 15 by the following subparagraphs:

“(15) determining the conditions that a permit holder must comply with when entering into a contract that is referred to in the first paragraph of section 62 and that allows the holder to disregard the rates set by the Commission;

“(15.1) prescribing in which cases and on what conditions a fare may differ from the rate structure set by the Commission according to the technological means used to request taxi transportation services;”;

(7) by inserting the following subparagraph after subparagraph 16:

“(16.1) determining the cases in which the holder of a taxi owner’s permit must equip the holder’s automobile with an electronic payment terminal, for debit or credit cards, which issues a transaction receipt and prescribing the obligations of the holder and of holders of a taxi driver’s permit with respect to the use of such a terminal;”.

33. Section 89 of the Act is amended by replacing “15 to 17” in the first paragraph by “15 and 16 to 17”.

34. Section 89.1 of the Act is amended

(1) by replacing “that is a holder of a taxi owner’s permit issued under this Act or a business partner of such a holder to offer” in the first paragraph by “that is a holder of a taxi owner’s permit or a taxi transportation service intermediary’s permit issued under this Act, or a business partner of such a holder, to offer or provide”;

(2) by inserting “or any other Act or regulation whose administration falls under the Minister’s responsibility” after “in this Act and the regulations” in the first paragraph;

(3) by replacing “or fostering the development of the taxi transportation services industry, all in compliance with the applicable privacy protection rules” in the first paragraph by “, ensuring supply management of taxi transportation services that takes into consideration the public’s needs or fostering the development of the taxi transportation services industry, all in compliance with the principle of equity toward holders operating under any permit at the time the pilot project is implemented and with the applicable privacy protection rules”;

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

“The details of the pilot project must be published on the department’s and the Commission’s websites at least 20 days before its implementation.”

35. The Act is amended by inserting the following section after section 89.1:

“**89.2.** A decision or regulation made by the Government under section 5.1 or 10.1 must be the subject of a prior public consultation by the Commission des transports du Québec at the Minister’s request.”

36. Section 107 of the Act is amended by striking out “the second paragraph of” in paragraph 2.

37. Section 112 of the Act is amended by adding the following paragraph at the end:

“(3) fails to collect or keep information as required under section 59.2 or to transmit such information to the Commission at the Commission’s request.”

38. The Act is amended by inserting the following section after section 112:

“**112.1.** Every holder of a taxi transportation service intermediary’s permit is guilty of an offence and liable to a fine of \$500 to \$1,500 who

(1) fails to provide, at all times, taxi transportation service request distribution services throughout the territory of each servicing area the holder serves; or

(2) fails to provide all persons having requested a trip with a means enabling them to assess the quality of the services rendered by the holder of a taxi driver's permit."

39. Section 117 of the Act is replaced by the following section:

"117. The following are guilty of an offence and liable to a fine of \$2,500 to \$25,000 in the case of a natural person and \$5,000 to \$50,000 in other cases:

(1) anyone who offers taxi transportation services without holding a taxi owner's permit;

(2) anyone who offers or provides taxi transportation services without holding a driver's licence of the appropriate class and a taxi driver's permit;

(3) despite the suspension of his or her driver's licence or of the right to obtain one under section 71.1, anyone who operates an automobile while under a penalty as provided by section 71.7;

(4) anyone who offers to lease an automobile with the services of a driver who does not hold a taxi driver's permit; and

(5) anyone who fails to return his or her taxi driver's permit to the Société or the municipal or supramunicipal authority that issued it, or refuses to immediately hand over the permit to a peace officer who demands it, when the permit has been suspended or revoked."

40. Section 118 of the Act is replaced by the following sections:

"118. Anyone who, without holding a taxi transportation service intermediary's permit, provides publicity, taxi transportation service request distribution or other similar services in a servicing area covered by an order made under section 32 is guilty of an offence and liable to a fine of \$5,000 to \$50,000 in the case of a natural person and \$10,000 to \$100,000 in other cases.

"118.1. For the purposes of sections 117 and 118, when determining the amount of the fine, the judge shall take into consideration such factors as

(1) the seriousness of the harm or the risk of harm to human safety;

(2) the duration of the offence;

(3) the repetitive nature of the offence;

(4) the foreseeable character of the offence or the failure to follow recommendations or warnings to prevent it;

(5) whether the offender acted intentionally or was reckless or negligent;

- (6) the revenues and other benefits derived by the offender from the offence;
and
- (7) the offender's past conduct.

A judge who, despite the presence of an aggravating factor, decides to impose the minimum fine must give reasons for the decision.

“118.2. Division III of Chapter XIII of the Code of Penal Procedure (chapter C-25.1) applies, with the necessary modifications, to the recovery of an amount payable by a person found guilty of an offence under section 117 or 118.”

41. The Act is amended by inserting the following section after section 120:

“120.1. The minimum and maximum amounts of fines under Chapter XIII are doubled for a second offence and tripled for any subsequent offence.”

42. The Act is amended by inserting the following after section 127:

“CHAPTER XIII.1

“GENERAL PROVISION

“127.1. The Commission shall pay the additional annual duties referred to in subparagraph 2.2 of the first paragraph of section 88 into the Land Transportation Network Fund established under paragraph 1 of section 12.30 of the Act respecting the Ministère des Transports (chapter M-28).”

AMENDING PROVISIONS

HIGHWAY SAFETY CODE

43. Section 189 of the Highway Safety Code (chapter C-24.2) is amended by replacing subparagraph 1 of the first paragraph by the following subparagraph:

“(1) the Commission des transports du Québec, pursuant to section 35 or 40 of the Transport Act (chapter T-12) or the second or fifth paragraph of section 82 of the Act respecting transportation services by taxi (chapter S-6.01), orders the Société to withdraw a person's right to maintain a road vehicle in operation;”.

44. Section 341 of the Code is replaced by the following section:

“341. No driver of a road vehicle may pass a bicycle within the same traffic lane unless the driver may do so safely, after reducing the vehicle's speed and ensuring that a reasonable distance can be kept between the vehicle and the bicycle during the manoeuvre.

A reasonable distance is 1.5 metres on a road where the maximum authorized speed limit is more than 50 km/h or 1 metre on a road where the maximum authorized speed limit is 50 km/h or less.”

45. Section 506 of the Code is amended by replacing “428 to 432” by “428, 429, 431, 432”.

46. Section 510 of the Code is amended by inserting “430,” after “427,” in the first paragraph.

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

47. Section 12.30 of the Act respecting the Ministère des Transports (chapter M-28) is amended by adding the following subparagraph after subparagraph *h* of paragraph 1:

“(i) the modernization of transportation services by taxi;”.

48. Section 12.32 of the Act is amended by inserting the following paragraph after paragraph 2.11:

“(2.12) the sums paid by the Commission des transports du Québec under section 127.1 of the Act respecting transportation services by taxi (chapter S-6.01); and”.

49. Section 12.32.1 of the Act is amended

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

“The sums referred to in paragraph 2.12 of section 12.32 are allocated to financing the modernization of transportation services by taxi referred to in subparagraph *i* of paragraph 1 of section 12.30.”;

(2) by replacing “third and fourth” in the fifth paragraph by “third, fourth and fifth”.

TRANSPORT ACT

50. Section 36 of the Transport Act (chapter T-12) is amended by replacing the third paragraph by the following paragraph:

“Nor does the first paragraph apply to a person who provides carpooling within the meaning of subparagraph *a* of paragraph 3 of section 2 of the Act respecting transportation services by taxi (chapter S-6.01).”

REGULATION RESPECTING SAFETY STANDARDS FOR ROAD VEHICLES

51. Section 6 of the Regulation respecting safety standards for road vehicles (chapter C-24.2, r. 32) is amended by adding the following paragraph at the end:

“(5) taxis.”

52. Section 7 of the Regulation is amended by striking out “taxis,” in paragraph 2.

TRANSITIONAL AND FINAL PROVISIONS

53. The servicing areas delimited by the Commission des transports du Québec under section 6 of the Act respecting transportation services by taxi (chapter S-6.01), as it read on 9 June 2016, are deemed to be determined by the Government under section 5.1 of that Act, enacted by section 6 of this Act.

54. The territories determined by the Government for issuing taxi transportation service intermediary’s permits under section 32 of the Act respecting transportation services by taxi, as it read on 9 June 2016, are deemed to be determined by the Minister under section 32 of that Act, as amended by section 11 of this Act.

55. The holder of a taxi transportation service intermediary’s permit on the date preceding the date of coming into force of section 14 of this Act must, 180 days after that date, meet the obligation under section 34.1 of the Act respecting transportation services by taxi, enacted by section 14 of this Act.

56. The Regulation respecting the maximum number of taxi owner’s permits per taxi servicing area and certain conditions of operation (chapter S-6.01, r. 2) is deemed to be a regulation made by the Government under section 10.1 of the Act respecting transportation services by taxi, enacted by section 10 of this Act.

57. The first regulation made by the Government under section 10.1 of the Act respecting transportation services by taxi, enacted by section 10 of this Act, is not subject to the publication requirement or to the date of coming into force set out in sections 8 and 17 of the Regulations Act (chapter R-18.1).

58. The Government may, by regulation, prescribe any measure to give permanent scope to the Pilot project to promote taxi transportation services using electric taxis (chapter S-6.01, r. 2.1), including any necessary amendment to the Act respecting transportation services by taxi.

59. The provisions of this Act come into force on 8 September 2016 or any earlier date or dates the Government may set, except

(1) section 34 and sections 44 to 46, which come into force on 10 June 2016; and

(2) section 14, paragraph 1 of section 15, section 18 to the extent that it concerns section 59.3 of the Act respecting transportation services by taxi, and section 38 to the extent that it concerns paragraph 2 of section 112.1 of that Act, which come into force on the later date or dates to be set by the Government.

2016, chapter 23

AN ACT TO INCREASE THE NUMBER OF ZERO-EMISSION MOTOR VEHICLES IN QUÉBEC IN ORDER TO REDUCE GREENHOUSE GAS AND OTHER POLLUTANT EMISSIONS

Bill 104

Introduced by Mr. David Heurtel, Minister of Sustainable Development, the Environment and the Fight Against Climate Change

Introduced 2 June 2016

Passed in principle 22 September 2016

Passed 26 October 2016

Assented to 26 October 2016

Coming into force: on the date of coming into force of the first regulation made under this Act

Legislation amended:

Act respecting administrative justice (chapter J-3)

Explanatory notes

This Act establishes a system of credits and charges applicable to the sale or lease in Québec, by motor vehicle manufacturers, of new or reconditioned motor vehicles as defined. The motor vehicle manufacturers concerned must accumulate a number of credits determined by regulation. Credits may be accumulated by selling or leasing new or reconditioned motor vehicles that are propelled, either solely or in conjunction with another means of propulsion, by an electric motor, a hydrogen internal combustion engine or another means of propulsion that emits no pollutants. They may also be accumulated by acquiring credits from another motor vehicle manufacturer. Under the Act, motor vehicle manufacturers that have not accumulated the required number of credits must pay a charge to the Minister of Sustainable Development, the Environment and the Fight Against Climate Change.

The Act also provides that the Minister is to keep a register in which the information that motor vehicle manufacturers must report annually and the credits they accumulate are entered.

The Minister is granted the necessary powers to administer the Act, in addition to powers of investigation. Monetary administrative penalties are set and penal provisions are introduced.

(cont'd on next page)

Explanatory notes (*cont'd*)

Furthermore, under the Act, a motor vehicle manufacturer may contest before the Administrative Tribunal of Québec the number of credits entered for it in the register by the Minister or the Minister's refusal to register information it has reported.

Lastly, the Act contains transitional and final provisions necessary for its application.



Chapter 23

AN ACT TO INCREASE THE NUMBER OF ZERO-EMISSION MOTOR VEHICLES IN QUÉBEC IN ORDER TO REDUCE GREENHOUSE GAS AND OTHER POLLUTANT EMISSIONS

[Assented to 26 October 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

GENERAL PROVISIONS

1. The purpose of this Act is to reduce the quantity of greenhouse gases and other pollutants emitted into the atmosphere by motor vehicles travelling on Québec roads and so reduce their adverse environmental effects.

2. In this Act,

“gross vehicle weight rating” means the value specified by the motor vehicle manufacturer as the weight of a single loaded vehicle;

“model year” means the year used by a motor vehicle manufacturer to designate a particular vehicle model irrespective of the year in which the vehicle was produced; and

“motor vehicle” means a motor vehicle that is used to carry up to nine persons at a time or property on a public highway and whose gross vehicle weight rating is less than 4,500 kg.

Mopeds and motorcycles as defined in section 4 of the Highway Safety Code (chapter C-24.2) are not motor vehicles within the meaning of the first paragraph.

CHAPTER II

CREDITS AND CHARGES

3. When, on average, for three consecutive model years, more than 4,500 new motor vehicles are sold or leased in Québec by a motor vehicle manufacturer, that manufacturer must, for the model year that immediately follows the last of those three consecutive model years, accumulate credits whose number is determined according to the parameters, calculation method and conditions determined by government regulation.

If the average number of new motor vehicles referred to in the first paragraph is equal to or less than 4,500, a motor vehicle manufacturer may, even if not required to do so, accumulate credits according to the same parameters, calculation method and conditions as those provided for in this chapter.

4. The Government may, by regulation, classify motor vehicle manufacturers by category. The parameters, calculation method and conditions referred to in section 3 may then vary according to the category of manufacturer to which they apply.

5. Each year, the Minister must draw up a list, by model year, of the new or reconditioned motor vehicles whose sale or lease enables a motor vehicle manufacturer to accumulate credits. The Minister must publish the list in the *Gazette officielle du Québec* and post it on the website of the Minister's department not later than 1 May of each year. The Minister may, in the list, include specifications for each of those vehicles.

The Minister may update the list at any time, and must publish and post the amended list as set out in the first paragraph.

6. A motor vehicle manufacturer may accumulate credits under section 3

(1) by selling or leasing, in Québec, new motor vehicles whose number, for each model year, is established according to the calculation method determined by government regulation and which meet the following conditions and any conditions the Government may determine in the regulations:

(a) they must be propelled, either solely or in conjunction with another means of propulsion, by an electric motor, a hydrogen internal combustion engine or another means of propulsion that emits no pollutants;

(b) if the electric motor referred to in subparagraph *a* draws current from a battery, the battery must be rechargeable from a source that is not on board the vehicle; and

(c) they must appear in the list drawn up under section 5;

(2) by selling or leasing, in Québec, reconditioned motor vehicles whose number, for each model year, is established according to the calculation method determined by government regulation and which meet the same conditions as those which must be met by new motor vehicles under paragraph 1 and the following conditions:

(a) they are sold or leased for the first time in Québec; and

(b) any other condition prescribed by regulation; or

(3) by acquiring them from another motor vehicle manufacturer that has accumulated them under this Act.

7. A motor vehicle manufacturer may alienate its credits by onerous title or by gratuitous title to another motor vehicle manufacturer to which this Act applies. The contract between the parties must be evidenced in writing.

The alienation of a credit under the first paragraph must be reported to the Minister by each party to the contract in the manner prescribed by government regulation.

For the purposes of section 8, the Minister does not consider an alienation of credits and does not enter it in the register kept under section 11 unless both parties to the contract have reported the alienation.

8. At the end of each period of three consecutive calendar years, the Minister establishes, not later than 1 September following that period, the number of credits accumulated by a motor vehicle manufacturer for each of the three model years that corresponds to one of the three calendar years concerned.

A motor vehicle manufacturer that has not accumulated the number of credits required to fulfill its obligations under this Act or the regulations must, within three months after the Minister sends a notice of claim, pay to the Minister a charge whose parameters, calculation method, conditions and terms of payment are determined by government regulation.

The Government determines, by regulation, the value of a credit for the purpose of calculating the charge.

9. A motor vehicle manufacturer that, at the end of a period referred to in section 8, has accumulated a number of credits greater than that required to fulfill its obligations under this Act or the regulations may use or alienate the excess credits later.

The Minister may, by regulation, limit the number of credits referred to in the first paragraph that may be used by a motor vehicle manufacturer during a later period for the purpose of establishing the number of credits it has accumulated.

CHAPTER III

REGISTER

10. A motor vehicle manufacturer referred to in the first paragraph of section 3 must, not later than 1 September of each year, report to the Minister, under oath, the information determined by government regulation; the regulation must also prescribe the manner in which the report is to be made. Motor vehicle manufacturers referred to in the second paragraph of section 3 may report this information at any time.

11. The Minister keeps a register in which the Minister enters the information reported by motor vehicle manufacturers under section 10.

12. On the basis of the information reported by the motor vehicle manufacturers, the Minister establishes for each of them, within three months after the date of their report, the number of credits accumulated for the model years covered by the report, and enters them in the register. The Minister also enters in the register the credits established under the first paragraph of section 8.

Before entering the credits in the register, the Minister must give the motor vehicle manufacturer concerned written notice of the number of credits the Minister intends to enter, and grant it at least 15 days to submit observations. At the end of that time, the Minister notifies the Minister's decision to the motor vehicle manufacturer.

13. In addition to the other conditions set out in Chapter II that must be met in order for a credit to be entered in the register, any new or reconditioned motor vehicle that is considered in calculating the credit must be registered in Québec when the report required under section 10 is made.

14. The Minister may refuse to enter in the register any information reported by a motor vehicle manufacturer that is false or inaccurate.

The Minister must give the motor vehicle manufacturer prior notice of the Minister's intention and grant it at least 15 days to submit observations. The notice must include the reasons on which the refusal is based. At the end of that time, the Minister notifies the Minister's decision to the motor vehicle manufacturer.

15. The information in the register referred to in section 11 is public.

The Minister may, however, prescribe by regulation that some of that information that the Minister determines is not public.

CHAPTER IV

INVESTIGATION

16. The Minister may designate a person to investigate any matter relating to the administration of this Act and the regulations.

The investigator may be accompanied by a person with special expertise.

17. An investigator must, on request, identify himself or herself and produce a certificate of authority signed by the Minister.

18. An investigator may not be sued for any act performed in good faith in the performance of the functions of office.

CHAPTER V**MONETARY ADMINISTRATIVE PENALTIES**

19. A monetary administrative penalty of \$1,000 may be imposed on a motor vehicle manufacturer that, in contravention of this Act, fails to provide information or documents required under this Act or necessary for its application, or fails to file them in the prescribed time.

20. The Government or the Minister may, in a regulation made under this Act, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty. The regulation may define the conditions for applying the penalty and set forth the amounts or the methods for determining them. The amounts may, in particular, vary according to the degree to which the standards have been infringed, without exceeding \$2,000 in the case of a natural person and \$10,000 in any other case.

21. Persons designated by the Minister may impose the monetary administrative penalties provided for in sections 19 and 20.

For the purposes of the first paragraph, the Minister develops and makes public a general framework for applying such administrative penalties in connection with penal proceedings, specifying, in particular, the following elements:

(1) the purpose of the penalties, such as urging the motor vehicle manufacturer to take rapid measures to remedy the failure and deter its repetition;

(2) the categories of functions held by the persons designated to impose penalties;

(3) the criteria that must guide designated persons when a failure to comply has occurred, such as the type of failure, its repetitive nature and the measures taken by the motor vehicle manufacturer to remedy the failure;

(4) the circumstances in which a penal proceeding is deemed to have priority; and

(5) the other procedures connected with such a penalty, such as the fact that it must be preceded by notification of a notice of non-compliance.

The general framework must give the categories of administrative or penal sanctions as defined by the Act or the regulations.

22. No decision to impose a monetary administrative penalty may be notified to a motor vehicle manufacturer for a failure to comply with this Act or the regulations if a statement of offence has already been served for a failure to comply with the same provision on the same day, based on the same facts.

23. In the event of a failure to comply with this Act or the regulations, a notice of non-compliance may be notified to the motor vehicle manufacturer concerned urging that the necessary measures be taken immediately to remedy the failure. Such a notice must mention that the failure may give rise to a monetary administrative penalty and penal proceedings.

24. When a person designated by the Minister imposes a monetary administrative penalty on a motor vehicle manufacturer, the designated person must notify the decision by a notice of claim compliant with that described in section 47.

No accumulation of monetary administrative penalties may be imposed on the same motor vehicle manufacturer for failure to comply with the same provision if the failure occurs on the same day and is based on the same facts. In cases where more than one penalty would be applicable, the person imposing the penalty decides which one is most appropriate in light of the circumstances and the purpose of the penalties.

25. The motor vehicle manufacturer may apply in writing for a review of the decision within 30 days after notification of the notice of claim.

The Minister designates the persons responsible for reviewing decisions on monetary administrative penalties. They must not come under the same administrative authority as the persons who impose the penalties.

26. After giving the applicant an opportunity to submit observations and produce any documents to complete the record, the person responsible for reviewing the decision renders a decision on the basis of the record, unless the person deems it necessary to proceed in some other manner. That person may confirm, quash or vary the decision under review.

27. The application for review must be dealt with promptly. The review decision must be written in clear and concise terms, with reasons given, must be notified to the applicant and must state that the applicant has the right to contest the decision before the Administrative Tribunal of Québec within the time prescribed for that purpose.

If the review decision is not rendered within 30 days after receipt of the application or, if applicable, within the time granted to the applicant to submit observations or produce documents, the interest provided for in the third paragraph of section 47 on the amount owing ceases to accrue until the decision is rendered.

28. The imposition of a monetary administrative penalty for failure to comply with the Act or the regulations is prescribed two years after the date of the failure to comply.

However, if false representations have been made to the Minister or to a functionary or investigator, the monetary administrative penalty may be imposed

within two years after the date on which the investigation that led to the discovery of the failure to comply was begun.

In the absence of evidence to the contrary, the Minister's or investigator's certificate constitutes conclusive proof of the date on which the investigation was begun.

29. If a failure to comply for which a monetary administrative penalty may be imposed continues for more than one day, it constitutes a new failure for each day it continues.

CHAPTER VI

PROCEEDINGS BEFORE THE ADMINISTRATIVE TRIBUNAL OF QUÉBEC

30. A motor vehicle manufacturer may contest, before the Administrative Tribunal of Québec,

(1) the number of credits entered in the register for the motor vehicle manufacturer by the Minister under section 12; or

(2) a refusal by the Minister, under section 14, to register any information reported by the motor vehicle manufacturer.

31. A motor vehicle manufacturer may contest, before the Administrative Tribunal of Québec, a notice of claim notified to it, other than a notice of claim notified to it in accordance with section 24, or a review decision confirming the imposition of a monetary administrative penalty.

When rendering its decision, the Administrative Tribunal of Québec may make a ruling with respect to interest accrued on the penalty while the matter was pending before the Tribunal.

32. A proceeding must be brought within 60 days of notification of the contested decision.

CHAPTER VII

PENAL PROVISIONS

33. Anyone who fails to provide information or documents required under this Act or necessary for its application, or fails to file them in the prescribed time, is liable to a fine of not less than \$1,000 nor more than \$100,000 in the case of a natural person and to a fine of not less than \$3,000 nor more than \$600,000 in any other case.

34. Anyone who hinders a functionary or investigator in the performance of the functions of office or misleads them by concealment or false declarations

is liable to a fine of not less than \$2,500 nor more than \$250,000 in the case of a natural person and to a fine of not less than \$7,500 nor more than \$1,500,000 in any other case.

35. Despite sections 33 and 34, the Government or, as applicable, the Minister may determine the regulatory provisions made under this Act whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government or the Minister. The Government may provide that, despite article 231 of the Code of Penal Procedure (chapter C-25.1), a contravention renders the offender liable to the fine, a term of imprisonment, or both the fine and imprisonment.

The maximum penalties under the first paragraph may not exceed those prescribed in section 34.

36. The fines prescribed in sections 33 and 34 or the regulations are doubled for a second offence and tripled for a subsequent offence. The maximum term of imprisonment is five years less a day for a second or subsequent offence.

If an offender commits an offence under this Act or the regulations after having been previously found guilty of any such offence and if, without regard to the amounts prescribed for a second or subsequent offence, the minimum fine to which the offender was liable for the first offence was equal to or greater than the minimum fine prescribed for the second offence, the minimum and maximum fines and, if applicable, the minimum and maximum terms of imprisonment prescribed for the second offence become, if the prosecutor so requests, those prescribed in the case of a second or subsequent offence.

This section applies to prior findings of guilty pronounced in the two-year period preceding the second offence or, if the minimum fine to which the offender was liable for the prior offence is that prescribed in section 34, in the five-year period preceding the second offence. Fines for a third or subsequent offence apply if the penalty imposed for the prior offence was the penalty for a second or subsequent offence.

37. If an offence under this Act or the regulations is committed by a director or officer of a motor vehicle manufacturer, the minimum and maximum fines that would apply in the case of a natural person are doubled.

38. If an offence under this Act or the regulations continues for more than one day, it constitutes a separate offence for each day it continues.

39. Whoever does or omits to do something in order to assist a person to commit an offence under this Act or the regulations, or advises or encourages or incites a person to commit such an offence, is considered to have committed the same offence.

40. In any penal proceedings relating to an offence under this Act or the regulations, proof that the offence was committed by an agent, mandatary or

employee of any party is sufficient to establish that it was committed by that party, unless the party establishes that it exercised due diligence and took all necessary precautions to prevent the offence.

41. If a motor vehicle manufacturer or an agent, mandatary or employee of a motor vehicle manufacturer commits an offence under this Act or the regulations, its director or officer is also presumed to have committed the offence unless it is established that they exercised due diligence and took all necessary precautions to prevent the offence.

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

42. In determining the penalty, the judge may take into account aggravating factors such as

- (1) the intentional, negligent or reckless nature of the offence;
- (2) the behaviour of the offender after committing the offence, as, for example, whether the offender attempted to cover it up;
- (3) the increase in revenues or decrease in expenses that the offender obtained, or intended to obtain, by committing the offence or by omitting to take measures to prevent it; and
- (4) the failure to take reasonable measures to prevent the commission of the offence despite the offender's financial ability to do so, given such considerations as the size of the offender's undertaking and the offender's assets, turnover and revenues.

A judge who, despite the presence of an aggravating factor, decides to impose the minimum fine must give reasons for the decision.

43. On an application made by the prosecutor and submitted with the statement of offence, the judge may impose on the offender, in addition to any other penalty, a further fine not exceeding the financial benefit realized by the offender as a result of the offence, even if the maximum fine has also been imposed.

44. In the judgment, the judge may order an offender found guilty of an offence under this Act or the regulations

- (1) to refrain from any action or activity that may lead to the continuation or repetition of the offence;
- (2) to carry out any action or carry on any activity to prevent the offence from being continued or repeated;

(3) to provide security or consign a sum of money to guarantee performance of those obligations; or

(4) to make the finding of guilty public, under the conditions determined by the judge.

45. When determining a fine higher than the minimum fine prescribed in this Act or the regulations, or when determining the time within which an amount must be paid, the judge may take into account the offender's ability to pay, provided the offender furnishes proof of assets and liabilities.

46. Penal proceedings for offences under this Act or the regulations are prescribed after the longer of

(1) five years from the date the offence was committed;

(2) two years from the date on which the investigation that led to the discovery of the offence was begun if false representations were made to the Minister or to a functionary or investigator.

In the cases referred to in subparagraph 2 of the first paragraph, the Minister's or investigator's certificate constitutes, in the absence of evidence to the contrary, conclusive proof of the date on which the investigation was begun.

CHAPTER VIII

MISCELLANEOUS PROVISIONS

47. The Minister may claim payment from a person of any amount owed to the Minister under this Act or the regulations by notification of a notice of claim. However, in the case of a monetary administrative penalty, the claim is made by the person designated by the Minister under section 21.

A notice of claim must state the amount of the claim, the reasons for it and the time from which it bears interest. In the case of a monetary administrative penalty, the notice of claim must mention the right to obtain a review of the decision and the time within which an application for review must be filed. In any other case, the notice of claim must mention the right to contest the claim before the Administrative Tribunal of Québec and the time within which such a proceeding must be brought.

The notice must also include information on the procedure for recovery of the amount owing, in particular with regard to the issue of a recovery certificate under section 51 and its effects.

Unless otherwise provided, the amount owing bears interest at the rate determined under the first paragraph of section 28 of the Tax Administration Act (chapter A-6.002), from the 31st day after notification of the notice.

Notification of a notice of claim interrupts the prescription provided for in the Civil Code with regard to recovery of an amount owing.

48. The directors and officers of a motor vehicle manufacturer that has defaulted on payment of an amount owed to the Minister under this Act or the regulations are solidarily liable, with the motor vehicle manufacturer, for the payment of the amount, unless they establish that they exercised due care and diligence to prevent the failure which led to the claim.

49. The reimbursement of an amount owed to the Minister under this Act or the regulations is secured by a legal hypothec on the debtor's movable and immovable property.

50. The debtor and the Minister may enter into a payment agreement with regard to the amount owing. Such an agreement, or payment of the amount owing, does not constitute, for the purposes of penal proceedings or any other administrative penalty under this Act or the regulations, an acknowledgement of the facts giving rise to it.

51. If the amount owing is not paid in its entirety or the payment agreement is not adhered to, the Minister may issue a recovery certificate on the expiry of the time for applying for a review of the decision, on the expiry of the time for contesting the review decision before the Administrative Tribunal of Québec or on the expiry of 30 days after the Tribunal's final decision confirming all or part of the Minister's decision or the review decision, as applicable.

However, a recovery certificate may be issued before the expiry of the time referred to in the first paragraph if the Minister is of the opinion that the debtor is attempting to evade payment.

A recovery certificate must state the debtor's name and address and the amount of the debt.

52. Once a recovery certificate has been issued, any refund owed to a debtor by the Minister of Revenue may, in accordance with section 31 of the Tax Administration Act, be withheld for payment of the amount due referred to in the certificate.

The withholding interrupts the prescription provided for in the Civil Code with regard to recovery of an amount owing.

53. On the filing of the recovery certificate at the office of the competent court, together with a copy of the final decision stating the amount of the debt, the decision becomes enforceable as if it were a final judgment of that court not subject to appeal, and has all the effects of such a judgment.

54. The debtor is required to pay a recovery charge in the cases, under the conditions and in the amount determined by the Minister by order.

55. In all civil or penal proceedings instituted under this Act, the cost of any investigation, at the rate established by ministerial regulation, is included in the cost of the proceedings.

56. The Minister keeps a register relating to the monetary administrative penalties imposed by the persons the Minister designates for that purpose under this Act or the regulations.

The register must contain at least the following information:

- (1) the date the penalty was imposed;
- (2) the date and nature of the failure that gave rise to the penalty and the legislative or regulatory provisions under which it was imposed;
- (3) if the penalty was imposed on a legal person, the legal person's name and the address of its head office or of one of its establishments or of the business establishment of one of its agents;
- (4) if the penalty was imposed on a partnership or association without legal personality, the name and address of the partnership or association;
- (5) if the penalty is imposed on a natural person, the person's name and the name of the municipality in whose territory the person resides;
- (6) the amount of the penalty imposed;
- (7) the date of receipt of an application for review and the date and conclusions of the decision;
- (8) the date a proceeding is brought before the Administrative Tribunal of Québec and the date and conclusions of the decision rendered by the Tribunal, as soon as the Minister is made aware of the information;
- (9) the date a proceeding is brought against the decision rendered by the Administrative Tribunal of Québec, the nature of the proceeding and the date and conclusions of the decision rendered by the court concerned, as soon as the Minister is made aware of the information; and
- (10) any other information the Minister considers to be of public interest.

57. The Minister keeps a register of the following information relating to findings of guilty for offences under this Act or the regulations:

- (1) the date of the finding of guilty;
- (2) the nature of the offence and the legislative or regulatory provisions under which the offender was found guilty;

- (3) the date of the offence;
- (4) if the offender is a legal person, the legal person's name and the address of its head office or of one of its establishments or of the business establishment of one of its agents;
- (5) if the offender is a partnership or association without legal personality, the name and address of the partnership or association;
- (6) if the offender is a natural person, the person's name and the name of the municipality in whose territory the person resides;
- (7) if the offender is an officer or director of a legal person, partnership or association without legal personality, the officer's or director's name, the name of the municipality in whose territory the officer or director resides and, as applicable, the name and address of the legal person's head office or of one of its establishments or of the business establishment of one of its agents, or the name and address of the partnership or association;
- (8) the penalty imposed by the judge;
- (9) the date a proceeding is brought against the decision rendered, the nature of the proceeding and the date and conclusions of the decision rendered by the competent court, as soon as the Minister is made aware of the information; and
- (10) any other information the Minister considers of public interest.

58. The information contained in the registers kept under sections 56 and 57 is public. The Minister promptly posts the information on the department's website.

59. The sums paid to the Minister under this Act or the regulations are credited to the Green Fund in accordance with section 15.4 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001) and are to be used to finance measures to mitigate the impact of climate change on the environment, including measures to reduce greenhouse gas and other pollutant emissions into the atmosphere.

60. When the activities described in section 3 are carried on by a legal person, partnership or association without legal personality in which a motor vehicle manufacturer holds, directly or indirectly, more than 33% of the voting rights attached to the shares or other equity securities, this Act applies, with the necessary modifications, to that legal person, partnership or association.

61. The Société de l'assurance automobile du Québec must, at the Minister's request, provide the Minister with any information enabling the Minister to ensure compliance with this Act and the regulations.

62. The Minister may, by agreement, delegate the keeping of the register established under section 11 and the administration of all or part of a regulation made under this Act to a person or body.

The Minister may also, by agreement, delegate to another minister or to a body all or some of the powers relating to the recovery of an amount owing under this Act or the regulations.

CHAPTER IX

AMENDING PROVISION

ACT RESPECTING ADMINISTRATIVE JUSTICE

63. Schedule III to the Act respecting administrative justice (chapter J-3) is amended by adding the following paragraph at the end:

“(7) proceedings under section 30 or 31 of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (2016, chapter 23).”

CHAPTER X

TRANSITIONAL AND FINAL PROVISIONS

64. The 2018 model year is the first one for which the obligation to accumulate credits under the first paragraph of section 3 applies and for which charges may be required under the second paragraph of section 8.

The date on which the Minister first establishes, under the first paragraph of section 8, the number of credits accumulated by a motor vehicle manufacturer is 1 September 2019.

New or reconditioned motor vehicles for the 2014, 2015, 2016 and 2017 model years sold or leased in Québec give entitlement to credits if they meet the conditions set out in sections 6 and 13, according to the value, parameters, calculation method and conditions determined by government regulation.

65. This Act also applies to new or reconditioned motor vehicles for the 2014, 2015, 2016, 2017 and 2018 model years that are sold or leased in Québec before the date of its coming into force.

66. The Minister must, not later than (*insert the date that is three years after the date of coming into force of this section*), report to the Government on the implementation of this Act and, every four years after that, report to the Government on its carrying out.

The report is tabled by the Minister in the National Assembly within the next 15 days or, if the Assembly is not sitting, within 15 days of resumption.

67. The Minister responsible for the environment is responsible for the administration of this Act.

68. This Act comes into force on the date of coming into force of the first regulation made under it.

2016, chapter 24

AN ACT RESPECTING THE PROCESS OF NEGOTIATION OF COLLECTIVE AGREEMENTS AND THE SETTLEMENT OF DISPUTES IN THE MUNICIPAL SECTOR

Bill 110

Introduced by Mr. Martin Coiteux, Minister of Municipal Affairs and Land Occupancy

Introduced 10 June 2016

Passed in principle 22 September 2016

Passed 2 November 2016

Assented to 2 November 2016

Coming into force: 2 November 2016

Legislation amended:

Labour Code (chapter C-27)

Act respecting municipal territorial organization (chapter O-9)

Regulation amended:

Regulation respecting the remuneration of arbitrators (chapter C-27, r. 6)

Explanatory notes

This Act amends certain rules applicable to the negotiation of collective agreements and the settlement of disputes in the municipal sector to ensure that account is taken of the collective expectations of municipal sector employees and of the requirements of sound management.

It specifies the guiding principles to be used by any person involved in determining the conditions of employment of the employees concerned.

It provides for a dispute settlement procedure applicable to police officers and firefighters. The procedure includes mediation and the establishment of a three-person dispute settlement board to which disputes are referred in the event mediation fails.

The rules applicable to other employees in the municipal sector are determined. In addition to resorting to mediation and arbitration, the parties may call on a special mandatary entrusted with helping the parties settle their dispute and appointed by the Minister if, in the opinion of the Minister, exceptional circumstances so warrant.

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Explanatory notes (*cont'd*)

Moreover, collective agreements entered into or decisions rendered in the municipal sector must have a specified period of at least five years.

Lastly, the Act contains transitional measures.



Chapter 24

AN ACT RESPECTING THE PROCESS OF NEGOTIATION OF COLLECTIVE AGREEMENTS AND THE SETTLEMENT OF DISPUTES IN THE MUNICIPAL SECTOR

[Assented to 2 November 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

OBJECT OF THE ACT AND GUIDING PRINCIPLES

1. The purpose of this Act is to ensure, in determining the conditions of employment of employees in the municipal sector, that account is taken of the collective expectations of those employees and of the requirements of an effective and efficient management of financial resources intended for the provision of public services.

To that end, the determination of conditions of employment in that sector must at all times be guided by the following principles:

(1) as a democratic institution, a municipality is accountable to its ratepayers for the use of proceeds from the taxes and tariffs it collects to provide the public services incumbent on it or on another municipal employer whose expenses it assumes in whole or in part, each municipal employer having as its primary mission the provision of quality services to the residents of every territory served;

(2) the attraction and retention of qualified personnel require conditions of employment that are fair and reasonable in light of the qualifications required, the work performed and the nature of the services rendered;

(3) equity among personnel members requires that appropriate relationships be maintained as regards the conditions pertaining to the various categories or classes of employment, in particular, with respect to the wages, wage increases and benefits that may be granted; and

(4) it is the employer's responsibility to hire qualified personnel and manage its workforce so as to satisfy its operational needs.

These principles must be interpreted so as not to limit the right of the parties to negotiate a collective agreement or the right to refer any matter relating to the conditions of employment of employees to a dispute settlement board or an arbitrator for arbitration.

2. In this Act, “municipal sector” means

(1) any municipality, except the Kativik Regional Government, the northern and Cree villages and the Naskapi village;

(2) any metropolitan community;

(3) any intermunicipal board;

(4) any public transit authority;

(5) any body declared by law to be the mandatary or agent of the municipality, any body whose board of directors is composed in the majority of members of the council of a municipality and whose budget is adopted by the council, and any body whose board of directors is composed in the majority of elected municipal officers;

(6) the Société municipale d’habitation Champlain and any other body established under section 59 of Schedule C to the Charter of Ville de Québec (chapter C-11.5); or

(7) the Société d’habitation et de développement de Montréal and any other body constituted under section 218 of Schedule C to the Charter of Ville de Montréal (chapter C-11.4).

CHAPTER II**PROVISIONS APPLICABLE TO POLICE OFFICERS AND
FIREFIGHTERS****DIVISION I****APPLICATION**

3. This chapter applies to the settlement of disputes between an association of employees certified within the meaning of the Labour Code (chapter C-27) to represent police officers or firefighters and a municipality or an intermunicipal board.

DIVISION II**MEDIATION**

4. If no collective agreement has been reached by the parties within the first 240 days of the stage of negotiation between the parties, the employer must notify the minister responsible for the administration of the Labour Code and send a copy of the notice to the certified association. Despite section 53 of the Labour Code, the stage of negotiation begins 90 days before the day of expiry of the current agreement or, in the case of the negotiation of an agreement by a newly certified association, on the day of the certification.

The employer may defer sending the notice if an agreement in principle is being examined by the employees. If the agreement is rejected, the employer must send the notice within seven days of the rejection.

If the employer fails to send the notice within the prescribed time, the certified association may do so itself.

5. On receiving the notice provided for in section 4, the minister responsible for the administration of the Labour Code must appoint a mediator to help the parties settle their dispute. The Minister may act on the Minister's own initiative if no notice has been received on the 15th day after the day of expiry of either of the time limits provided for in that section, as applicable.

Despite the first paragraph, at all times, the Minister must appoint a mediator on the joint application of the parties.

6. The mediator has 60 days following the mediator's appointment to bring the parties to an agreement. The minister responsible for the administration of the Labour Code may, only once and at the joint request of the parties or at the request of the mediator, extend the period of mediation by not more than 60 days.

The parties are required to attend all meetings to which the mediator convenes them.

7. If there is no agreement at the expiry of the period of mediation, the mediator must give the parties a report specifying the matters on which there has been agreement and the matters which are still in dispute.

8. At the same time, the mediator must give a copy of the report with comments to the Minister and to the minister responsible for the administration of the Labour Code.

DIVISION III

DISPUTE SETTLEMENT BOARD

9. On receiving a mediator's report, the Minister must refer the dispute to a dispute settlement board and notify the parties.

10. The dispute settlement board consists of three members appointed by the Government, on the recommendation of the Minister. The member who chairs the sittings must be an advocate.

11. The members of the board are selected from among the persons recognized as qualified for appointment to the board, by decision of the Government. Together, the selected members must possess recognized experience in all the fields of competence referred to in the fourth paragraph.

For the purposes of the first paragraph, the Government must recognize at least six persons. Those persons must be recommended by a selection committee formed and acting in accordance with the conditions determined by the Government.

To be recognized as and remain qualified, those persons must

(1) not be, nor have been in the year preceding the recognition, employees, officers or other representatives of an employer in the municipal sector, of an association representing employees in that sector or of a grouping of such employers or associations; and

(2) undertake in writing not to act as arbitrator with respect to a grievance that relates to the interpretation or implementation of a decision rendered in accordance with this chapter.

The selection committee must, when identifying the persons it intends to recommend, give preference to those possessing recognized experience in labour relations, in the municipal field or in the field of economy.

The recognition by the Government of the persons qualified to be members of the board is valid for a period of five years.

12. A member of the board cannot have any pecuniary interest in the dispute submitted to the board or have acted in the dispute as a business agent, attorney, adviser or representative of any of the parties.

13. The Minister must send the mediator's report to the board.

14. Only matters not having been the subject of an agreement evidenced in the mediator's report may be submitted for decision to the board.

The board has exclusive jurisdiction to determine such matters on the basis of the mediator's report or, as the case may be, on the basis of the mediator's own observation of the matters on which no agreement was reached during the mediation.

15. The board is required to render its decision according to equity and good conscience.

16. The board must render its decision on the basis of the evidence collected at the inquiry.

17. Subject to section 16, the board must, in rendering its decision, take into account

(1) the financial and fiscal situation of the municipality concerned or of the municipalities which are party to the agreement creating the intermunicipal

board concerned and the impact of the decision on that municipality or those municipalities and their ratepayers;

(2) the conditions of employment applicable to the employees concerned;

(3) the conditions of employment applicable to the other employees of the municipality concerned or of the municipalities which are party to the agreement creating the intermunicipal board concerned;

(4) the policy on remuneration and the latest increases granted by the Government to employees in the public and parapublic sectors;

(5) the conditions of employment applicable in similar municipalities and intermunicipal boards;

(6) requirements relating to the sound management of public finances;

(7) prevailing local economic conditions; and

(8) prevailing and anticipated wage and economic conditions in Québec.

The board may also take into account any other evidence referred to in section 16.

18. The board must hear the dispute with diligence and according to the procedure and the method of proof it considers appropriate.

19. Sittings of the board are public, but the board of its own motion or upon application by either party may order private sittings.

20. The board has all the powers of a judge of the Superior Court for the conduct of its sittings; but it cannot order imprisonment.

21. Upon application by the parties or on the initiative of the board, witnesses are summoned by means of a written order signed by the chair of the board. The chair may administer the oath.

22. A person duly summoned to appear under section 21 who refuses to attend or to testify may be compelled to do so as if the person had been summoned according to the Code of Civil Procedure (chapter C-25.01).

23. A person summoned to testify under section 21 is entitled to the same indemnity as witnesses before the Superior Court and to the reimbursement of travelling and living expenses.

Such amount is payable by the party who proposed the summons, but a person who receives a salary during such a period is entitled only to the reimbursement of travelling and living expenses.

If a person is duly summoned on the initiative of the board, the amount is payable in equal shares by the parties.

24. The board may communicate or otherwise notify any order, document or proceeding issued by it or the parties involved.

25. The decisions of the board are made by a majority of its members. The decisions must give reasons, be in writing and be signed by the members who endorsed them. A member may express dissent in a written document separate from the decision.

26. Where, being unable to act, a member of the board is unable to continue with the hearing of a dispute, the two remaining members, provided one of them is an advocate, may validly continue with the hearing of the dispute and render a unanimous decision.

Where the board continues with the hearing of a dispute in accordance with the first paragraph and opinions are divided for the purpose of rendering the decision, the Government must appoint, after being notified by the board, a third member. That member may, for the purpose of rendering the decision and with the consent of the parties, rely on the evidence already filed.

Where the board cannot continue with the hearing of a dispute in accordance with the first paragraph, the advocate member who was chairing it must be replaced. The advocate member who is appointed as a replacement may also, with the consent of the parties, rely on the evidence already filed at the time of that member's appointment.

27. At any time before rendering its final decision, the board may render any interim decision it deems fair and useful.

28. The board must render its decision within six months of its establishment.

If the Minister considers that the circumstances and the interest of the parties so warrant, the Minister may grant the board an extension. The Minister may, on the same conditions, grant an additional extension.

29. The board must record in its decision the stipulations relating to the matters that were the subject of an agreement evidenced in the mediator's report.

The parties may, at any time, come to an agreement on a matter that is the subject of the dispute and the corresponding stipulations must also be recorded in the decision by the board, which may not amend them except for the purpose of making such adaptations as are necessary to make the stipulations consistent with a clause of the decision.

30. The decision is binding on the parties for a specified period of five years from the expiry of the collective agreement or, in the case of a first collective agreement, from the date of certification. The parties may, however, agree to amend the content, in whole or in part.

31. The board must forward the original of the decision to the minister responsible for the administration of the Labour Code and send, at the same time, a copy to the Minister and to each party.

32. The board may at any time correct a decision containing an error in writing or calculation or any other clerical error.

33. The decision has the effect of a collective agreement signed by the parties in accordance with the Labour Code.

It may be executed under the authority of a court of competent jurisdiction at the suit of a party who is not obliged to implead the person for whose benefit the party is acting.

34. The costs of the board, including the fees of its members, are borne equally by the parties.

Those costs are determined by government regulation. The Minister may set up a financial assistance program intended for the parties.

35. A member of the board cannot be prosecuted for acts performed in good faith in the exercise of the functions of office.

36. Except on a question of jurisdiction, no application for judicial review under the Code of Civil Procedure may be presented nor any injunction granted against members of the board acting in their official capacity.

CHAPTER III

PROVISIONS APPLICABLE TO OTHER EMPLOYEES

DIVISION I

APPLICATION

37. This chapter applies to the settlement of disputes between a certified association, within the meaning of the Labour Code, representing employees other than police officers or firefighters, and a municipal sector employer.

DIVISION II

MEDIATION

38. If no collective agreement has been reached by the parties on the 150th day after the day the right to strike or to a lock-out is acquired, the

employer must notify the minister responsible for the administration of the Labour Code and send a copy of the notice to the certified association.

The parties may jointly inform the minister responsible for the administration of the Labour Code that they are extending the period provided for in the first paragraph to the 180th day.

The employer may defer sending the notice if an agreement in principle is being examined by the employees. If the agreement is rejected, the employer must send the notice within seven days of the rejection.

If the employer fails to send the notice within the prescribed time, the certified association may do so itself.

39. On receiving the notice provided for in section 38, the minister responsible for the administration of the Labour Code must appoint a mediator to help the parties settle their dispute. The Minister may act on the Minister's own initiative if no notice has been received on the 15th day after the day of expiry of either of the time limits provided for in that section, as applicable.

Despite the first paragraph, at all times, the Minister must appoint a mediator on the joint application of the parties.

Sections 6 to 8 concerning mediation apply, with the necessary modifications.

The mediator's report provided for in section 7 must be given to the arbitrator appointed under section 44.

DIVISION III

SPECIAL MANDATARY

40. If exceptional circumstances so warrant, a party may, after submission of the mediator's report under Division II, apply to the Minister, in writing and giving reasons, for the appointment of a special mandatar to foster settlement of the dispute.

41. The Minister must appoint a special mandatar if the Minister is of the opinion, after consultation with the minister responsible for the administration of the Labour Code, that all means of settling the dispute have been exhausted and that, in light of the exceptional circumstances described by the applying party, the continuation of the dispute may seriously jeopardize the provision of public services.

42. The special mandatar must possess, in addition to recognized experience in labour relations, experience in the municipal field or in the field of economy.

The instrument of appointment of the special mandatar specifies the term of the special mandatar and any other condition to which the special mandatar is subject.

The term of the special mandatary may, at the special mandatary's request, be extended by the Minister for a maximum period of 30 days.

43. At the end of the special mandatary's term or as soon as the special mandatary considers that it is unlikely that the parties may come to an agreement, the special mandatary must submit an activity report to the parties and the Minister.

The parties are required to provide the special mandatary with all the relevant information needed to perform the special mandatary's mandate.

The report contains the recommendations the special mandatary considers appropriate for the settlement of the dispute. Such recommendations must take into account the criteria provided for in section 17 for the sake of fairness to the parties. 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 the report.

DIVISION IV

ARBITRATION

44. After an unsuccessful mediation conducted in accordance with Division II, the parties may jointly apply to have their dispute submitted to a single arbitrator.

However, an application for the appointment of a special mandatary under Division III suspends the right to arbitration until the Minister or the Government decides not to grant the application or until the report provided for in section 43 has been submitted.

45. On receiving an application in conformity with section 44, the Minister must appoint an arbitrator and notify the parties.

46. The arbitrator is selected from among the persons recognized as qualified for appointment as arbitrators by decision of the Government.

Those persons must be recommended by a selection committee formed and acting in accordance with the conditions determined by the Government.

To be recognized as and remain qualified, those persons must

(1) be members of the Barreau du Québec and have recognized experience in labour relations or in the municipal field;

(2) not be, nor have been in the year preceding the recognition, employees, officers or other representatives of an employer in the municipal sector, of an association representing employees of that sector or of a grouping of such employers or associations; and

(3) undertake in writing not to act as arbitrator with respect to a grievance that relates to the interpretation or implementation of a decision rendered in accordance with this chapter.

The recognition by the Government of the persons qualified for appointment as arbitrators is valid for a period of five years.

47. Sections 13 to 25 and 27 to 36 apply to arbitration conducted under this division, with the necessary modifications.

CHAPTER IV

OTHER PROVISIONS

48. Sections 54 to 57 and Divisions I and I.1 of Chapter IV of the Labour Code do not apply to a dispute to which this Act applies.

The other provisions of that Code apply in the municipal sector, to the extent that they are not inconsistent with this Act.

49. An application for arbitration made under Chapter III terminates any strike or lock-out in progress.

50. Despite section 65 of the Labour Code, a collective agreement binding a certified association and a municipal sector employer, including a first collective agreement, must have a specified period of at least five years.

CHAPTER V

AMENDING, TRANSITIONAL AND FINAL PROVISIONS

DIVISION I

AMENDING PROVISIONS

LABOUR CODE

51. Division II of Chapter IV of the Labour Code (chapter C-27), comprising sections 94 to 99.11, is repealed.

ACT RESPECTING MUNICIPAL TERRITORIAL ORGANIZATION

52. Section 176.22 of the Act respecting municipal territorial organization (chapter O-9) is amended by replacing the second, third and fourth paragraphs by the following paragraph:

“The settlement of such a dispute is governed by sections 4 to 15 and 18 to 33 of the Act respecting the process of negotiation of collective agreements and the settlement of disputes in the municipal sector (2016, chapter 24), and

by the fourth paragraph of section 176.19 and sections 176.20 to 176.21 of this Act. However, despite section 4 of the Act respecting the process of negotiation of collective agreements and the settlement of disputes in the municipal sector, the notice must be given jointly by the parties within the time they determine, which time may not exceed twice the time provided for in the first paragraph of that section.”

REGULATION RESPECTING THE REMUNERATION OF ARBITRATORS

53. Section 19 of the Regulation respecting the remuneration of arbitrators (chapter C-27, r. 6) is amended by replacing “sections 93.3 and 97” in the third paragraph by “section 93.3”.

DIVISION II

TRANSITIONAL AND FINAL PROVISIONS

54. For collective agreements expired before 1 January 2014 for which no new collective agreements have been reached by the parties before 2 November 2016, the notice provided for in section 4 or 38 must be given by the employer on the 75th day after 2 November 2016.

For collective agreements expired in 2014 for which no new collective agreements have been reached by the parties before 2 November 2016, the notice provided for in section 4 or 38 must be given by the employer on the 105th day after 2 November 2016.

For collective agreements expired in 2015 for which no new collective agreements have been reached by the parties before 2 November 2016, the notice provided for in section 4 or 38 must be given by the employer on the 135th day after 2 November 2016.

For collective agreements expired between 1 January 2016 and the 90th day before 2 November 2016 for which no new collective agreements have been reached by the parties before 2 November 2016, the notice provided for in section 4 or 38 must be given by the employer on the 150th day after 2 November 2016.

The parties may jointly send the notice provided for in sections 4 and 38 before the expiry of the time limits provided for in the preceding paragraphs.

The stage of negotiation provided for in section 4 is deemed to begin on 2 November 2016 when

(1) a collective agreement expiring within 90 days before or after that date is being renewed; or

(2) a first collective agreement involving an association that has been certified less than 90 days before that date is being negotiated.

The second and third paragraphs of section 4 and the third and fourth paragraphs of section 38 apply with the necessary modifications.

The Minister may act on the Minister's own initiative if no notice has been received on the 15th day after the day of expiry of a time limit provided for in the first four paragraphs.

55. Any arbitration hearing conducted under the Labour Code (chapter C-27) that has begun on 10 June 2016 continues to be governed by that Code, as it read on that date.

An arbitrator who, on that date, has not begun to hear a dispute pending before the arbitrator is removed from the dispute; any act done after that date is deemed to be null and void.

The hearing includes the evidence stage, followed by oral argument, in which parties make their addresses to the arbitrator.

Section 54 applies to disputes referred to in the second paragraph, unless there has been mediation or conciliation in accordance with the Labour Code, in which case the employer must notify the Minister on or before 2 December 2016. The following rules then apply:

(1) the Minister must refer the dispute to which section 3 applies to a dispute settlement board, unless, within the same time, both parties notified the Minister that they wish to submit their dispute to the mediation provided for in Division II of Chapter II; and

(2) the Minister must refer the dispute to which section 37 applies to an arbitrator, unless, within the same time, both parties notified the Minister that they wish to submit their dispute to the mediation provided for in Division II of Chapter III or unless a party applied for the appointment of a special mandatary in accordance with Division III of that chapter.

If the employer fails to send the notice provided for in the fourth paragraph within the prescribed time, the certified association may do so itself. The Minister may act on the Minister's own initiative if no notice has been received on the 15th day after the day of expiry of the time limit provided for in the fourth paragraph.

56. The conciliation officers who, on 2 November 2016, have been designated in accordance with sections 54 and 55 of the Labour Code to assist the parties in reaching an agreement continue to act until the time limits provided for in section 54 of this Act have expired.

57. The Regulation respecting the remuneration of arbitrators (chapter C-27, r. 6) applies, with the necessary modifications, to the remuneration of the members of a dispute settlement board or of the arbitrators governed by this Act, until the coming into force of a regulation made under section 34.

Among such modifications, that regulation applies as if the arbitration were that of a dispute referred to arbitration under section 75 of the Labour Code. In the case of a dispute settlement board, each member of the board is entitled to the fees the member would receive if the member were the sole arbitrator involved. However, the total number of hours allowed for the drafting of the decision, in accordance with the second paragraph of section 4 of the Regulation, must be allocated among the three members of the board, as they specify.

58. The minister who is responsible for municipal affairs is responsible for the administration of this Act.

59. This Act comes into force on 2 November 2016.

2016, chapter 25

AN ACT TO ALLOW A BETTER MATCH BETWEEN TRAINING AND JOBS AND TO FACILITATE LABOUR MARKET ENTRY

Bill 70

Introduced by Mr. Sam Hamad, Minister of Labour, Employment and Social Solidarity

Introduced 10 November 2015

Passed in principle 10 March 2016

Passed 10 November 2016

Assented to 10 November 2016

Coming into force: Part I and section 45 of this Act come into force on 10 November 2016. Part II and sections 41 to 44 of this Act come into force on the date or dates to be set by the Government.

Legislation amended:

Act respecting industrial accidents and occupational diseases (chapter A-3.001)

Individual and Family Assistance Act (chapter A-13.1.1)

Code of Civil Procedure (chapter C-25.01)

Act to promote workforce skills development and recognition (chapter D-8.3)

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 the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001)

Act to facilitate the payment of support (chapter P-2.2)

Explanatory notes

This Act has two parts.

Part I mainly amends the Act to promote workforce skills development and recognition and the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail.

The Act to promote workforce skills development and recognition is amended to modify, in particular, its purpose and the purpose of the Workforce Skills Development and Recognition Fund to specify that the word "workforce" includes both the present and future workforce.

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 define the respective roles and functions of the Minister and the Commission. The Minister's functions thus include preparing an annual plan of action and approving the regional plans of action as regards workforce and employment. In addition, the

(cont'd on next page)

Explanatory notes (*cont'd*)

Commission's mission of defining workforce development needs will also apply to the future workforce. The Commission is entrusted with the function of making recommendations for meeting labour market needs to the departments that are Commission members.

Lastly, Chapter III of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail, which creates an independent administrative unit called "Emploi-Québec" within the department, is repealed.

Part II amends the Individual and Family Assistance Act mainly to introduce the Aim for Employment Program, whose goal is to offer individualized support for labour market entry.

Moreover, the Youth Alternative Program is terminated.

Amendments are made to other provisions of the Individual and Family Assistance Act, in particular to allow the Government to make regulations prescribing more flexible rules for recipients under the Social Solidarity Program as regards liquid assets and income derived from assets received by succession.

The Government is empowered to make the necessary regulations for the purposes of the Aim for Employment Program and consequential, transitional and final provisions are introduced.



Chapter 25

AN ACT TO ALLOW A BETTER MATCH BETWEEN TRAINING AND JOBS AND TO FACILITATE LABOUR MARKET ENTRY

[Assented to 10 November 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

PART I

MEASURES TO ALLOW A BETTER MATCH BETWEEN TRAINING AND JOBS

INDIVIDUAL AND FAMILY ASSISTANCE ACT

1. Section 21 of the Individual and Family Assistance Act (chapter A-13.1.1) is amended by striking out the second paragraph.

ACT TO PROMOTE WORKFORCE SKILLS DEVELOPMENT AND RECOGNITION

2. Section 1 of the Act to promote workforce skills development and recognition (chapter D-8.3) is amended by replacing “workforce qualifications and skills” in the first paragraph by “the qualifications and skills of the present and future workforce”.

3. Section 5 of the Act is amended by inserting “or an organizer” after “employer” in the fourth paragraph.

4. Section 20 of the Act is amended by adding “as well as apply a weighting factor to a class of expenditures to record them at a rate that is higher or lower than their value” at the end of subparagraph 1 of the first paragraph.

5. The Act is amended by inserting the following section after section 21.1:

“21.1.1. The Minister may, at any time, propose to the Commission the amendments the Minister considers necessary to the regulations made pursuant to section 20, including for the purpose of bringing the training activities they govern in line with the purpose of this Act.”

6. Section 22 of the Act is amended by inserting “, which may approve them with or without amendment” after “approval of the Government”.

7. Section 26 of the Act is amended by replacing everything after “is established” by the following paragraphs:

“The Fund is dedicated to funding initiatives that meet the priority orientations and criteria for action defined by an asset allocation plan to further the purpose of this Act. The goals of such initiatives may include promotion of, and financial or technical support for, skills acquisition and development by the present and future workforce as well as knowledge about the skills needs of the labour market.

The allocation of the assets in the Fund to initiatives for the future workforce must take access to training by the currently employed workforce into consideration.”

ACT TO SECURE HANDICAPPED PERSONS IN THE EXERCISE OF THEIR RIGHTS WITH A VIEW TO ACHIEVING SOCIAL, SCHOOL AND WORKPLACE INTEGRATION

8. 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) is amended by replacing “minister responsible for Chapter III 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)” in the first paragraph by “Minister of Employment and Social Solidarity”.

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

9. Section 2 of the Act respecting the Ministère de l’Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001) is amended by adding “in local centres” at the end of the second paragraph.

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

“3.1. The Minister shall annually, in collaboration with the Commission des partenaires du marché du travail, prepare a workforce and employment plan of action which must be submitted to the Government for approval. The plan must determine the results targets established for the short and medium terms, the means by which they are to be achieved, and the parameters for the allocation of the public employment services budgets.

The Minister may also approve, with or without amendment, the regional plans of action as regards workforce and employment forwarded to the Minister by the Commission. The Minister shall make a decision as soon as possible.

“3.2. On the Minister’s recommendation, the Government may, by regulation, specify the fees payable by any person using a workforce training and employment service provided by the department.

The Minister must, before making a recommendation, consult with the Commission des partenaires du marché du travail.”

11. Section 15 of the Act is amended by adding the following sentence at the end: “The report must contain a section on the actions taken by the Minister in the areas of workforce and employment which must include an account of the results of the annual plan of action referred to in section 3.1.”

12. Section 17 of the Act is amended, in the first paragraph,

(1) by replacing the first sentence by the following sentence: “The function of the Commission is to take part in the development of government policies, strategic directions and measures in the areas of workforce and employment, in particular policies, strategic directions and measures aimed at facilitating a balance between workforce supply and demand in the labour market, and to participate in decisions relating to the measures and programs under the Minister’s authority in those areas.”;

(2) by inserting “present and future” after “define” in subparagraph 1;

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

“(1.1) make recommendations for meeting labour market needs to the departments referred to in subparagraphs 2 to 5 of the third paragraph of section 21;”;

(4) by replacing “determine criteria, in accordance with section 19,” in subparagraph 4 by “collaborate with the Minister in defining criteria”;

(5) by replacing “identify” in subparagraph 5 by “collaborate with the Minister in identifying”;

(6) by replacing subparagraph 6 by the following subparagraph:

“(6) examine the regional plans of action as regards workforce and employment submitted by the regional councils of labour market partners, and forward them to the Minister for approval, with the Commission’s recommendation;”;

(7) by replacing subparagraph 8 by the following subparagraph:

“(8) collaborate with the Minister in preparing the annual plan of action referred to in section 3.1, monitor its application, periodically assess the results obtained and, as applicable, recommend corrective action to the Minister so that the objectives of the plan may be achieved.”

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

“17.0.1. When the Commission makes recommendations for meeting labour market needs to a department referred to in any of subparagraphs 2 to 5 of the third paragraph of section 21, the department shall report to the Commission, in the manner agreed on by them, on the actions it has taken or intends to take to give effect to those recommendations. A department that does not give effect to a recommendation must report the reasons for its decision.

The Commission’s annual management report must set out the recommendations, the follow-up given to them by the department and, as applicable, the action report or the reasons referred to in the first paragraph.”

14. Sections 19 and 20 of the Act are repealed.

15. Section 21 of the Act is amended

(1) by replacing “and one member from the college education sector” in subparagraph 5 of the first paragraph by “, one member from the college education sector and one member from the university education sector”;

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

“The appointments must tend toward gender parity.”;

(3) by adding the following subparagraph after subparagraph 5 of the third paragraph:

“(6) the chairman of the Commission de la construction du Québec or a person the chairman designates.”

16. Section 22 of the Act is replaced by the following section:

“22. After consulting with the Commission, the Minister shall appoint its secretary general from among the associate or assistant deputy ministers in office at the department who hold responsibilities relating to workforce or employment matters.

The secretary general shall assist the Commission in the exercise of its functions and powers, including those provided for by the Act to promote workforce skills development and recognition (chapter D-8.3).

The secretary general may also carry out any mandate the Minister or the Commission entrusts to him that is relevant to the Commission’s functions.”

17. Chapter III of the Act, comprising sections 30 to 36, is repealed.

18. Section 38 of the Act is amended

- (1) by replacing “for approval” in paragraph 2 by “for examination”;
- (2) by replacing “Emploi-Québec” in paragraph 6 by “the Minister”.

19. Section 40 of the Act is amended

- (1) by striking out “other” in subparagraph 3 of the first paragraph;
- (2) by inserting the following after subparagraph 3 of the first paragraph:

“(4) one member who is representative of the reality of the region’s local development, appointed after consultation with the members referred to in subparagraphs 1 to 3.

The appointments must tend toward gender parity.”;

- (3) by replacing the second and third paragraphs by the following paragraphs:

“A regional representative of the department, designated by the Deputy Minister from among the management personnel, shall also be a member of the regional council and shall act as secretary.

The following persons shall also be members of the regional council, but without the right to vote:

(1) a representative of the Ministère de l’Éducation, du Loisir et du Sport and of the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie designated jointly by the Deputy Minister of each of those departments;

(2) the regional director of the Ministère du Développement économique, de l’Innovation et de l’Exportation or a regional representative of that department designated by the Deputy Minister of that department; and

(3) the regional director of the Commission de la construction du Québec or a representative designated by the regional director.”

20. Section 45 of the Act is amended by adding the following sentence at the end of the first paragraph: “It may invite any person to assist it in its deliberations.”**21.** The Act is amended by inserting the following section after section 45:

“**45.1.** The Minister shall ask representatives from the regional councils of labour market partners to sit on panels to select persons to fill regional or local director positions within the department.”

ACT TO FACILITATE THE PAYMENT OF SUPPORT

22. Section 26 of the Act to facilitate the payment of support (chapter P-2.2) is amended by replacing “Emploi-Québec” in the second paragraph by “the Minister of Employment and Social Solidarity”.

PART II

MEASURES TO FACILITATE ENTRY ON THE LABOUR MARKET

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

23. Section 11 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is amended by replacing “the Youth Alternative Program or a specific program established under Chapter III or Chapter IV” in paragraph 4 by “a specific program established under Chapter IV”.

INDIVIDUAL AND FAMILY ASSISTANCE ACT

24. Section 22 of the Individual and Family Assistance Act (chapter A-13.1.1) is amended by adding the following paragraph at the end:

“The minimum one-year period of cohabitation specified in subparagraph 3 of the first paragraph may be extended by regulation, in the cases and under the conditions prescribed by regulation.”

25. Section 33 of the Act is amended by replacing “the national child benefit supplement granted” in paragraph 2 by “the child tax benefits granted”.

26. Section 36 of the Act is amended by replacing the second paragraph by the following paragraphs:

“Such persons must also file a complete statement or a short-form statement at the Minister’s request or, if applicable, in the cases prescribed by regulation, so that their eligibility or their family’s eligibility under a financial assistance program provided for in Title II may be ascertained or the amount of the assistance to be granted may be determined. The statements must be filed in the manner determined by the Minister.

In no case may a person be required to file a complete statement more often than once per 12-month period. The person may not be required to file a short-form statement more often than once per month.”

27. Section 47 of the Act is amended by adding “or participates in the Aim for Employment Program” at the end.

28. Section 55 of the Act is amended by replacing “Youth Alternative Program” in subparagraph *i* of subparagraph *f* of paragraph 2 by “Aim for Employment Program”.

29. Section 72 of the Act is amended

(1) by striking out “notamment” in the portion before paragraph 1 in the French text;

(2) by inserting “liquid assets,” after “property,” in paragraph 1;

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

“(1.1) income derived from assets received by succession;”.

30. Chapter III of Title II of the Act, comprising sections 74 to 78, is repealed.

31. The Act is amended by inserting the following after section 83:

“CHAPTER V

“AIM FOR EMPLOYMENT PROGRAM

“**83.1.** The purpose of the Aim for Employment Program is to offer individualized support to enter the labour market, through training in particular, to persons who would be entitled to receive benefits under Chapter I for the first time.

This chapter applies to adults who, in the cases and under the conditions prescribed by regulation, are required to participate in the program. It also applies to families that include at least one such participant.

“**83.2.** A labour market entry plan is established for every participant. The plan takes into account an assessment of the participant’s skills, the profile of the job the participant is seeking and the characteristics of the labour market. To help prepare the plan, the participant must appear for any interview requested by the Minister and provide any information required on his or her circumstances.

The plan includes measures aimed at providing the participant with support corresponding to his or her prospects of entering the labour market. The measures may, in particular, focus on training, an intensive job search or the acquisition of skills and the development of social skills.

The plan also sets out the commitments the participant must honour, in particular as regards the activities to be carried out within the scope of the measures it includes. A participant is however temporarily exempted, in the cases and under the conditions prescribed by regulation, from the obligation to fulfil the commitments set out in the plan.

A plan becomes effective on the day determined by regulation.

The Minister may modify any element of a plan, after consulting with the participant concerned or at that participant's request, to take into account any change in the participant's circumstances that could affect his or her ability to honour the commitments set out in the plan or his or her prospects of entering the labour market.

“83.3. Among the commitments it sets out, a labour market entry plan may provide that the participant must accept a job that is offered to him or her if the job falls within the scope of the measures and commitments contained in his or her plan. A participant may however refuse a job in the cases and under the conditions prescribed by regulation.

A plan may also provide that a participant who already holds a job at the time the plan becomes effective or who accepts a job while participating in the program must maintain the employment relationship for as long as he or she participates in the program. However, leaving or losing a job does not, in the cases and under the conditions prescribed by regulation, constitute failure to fulfil the obligation to maintain an employment relationship.

“83.4. Participation in the Aim for Employment Program is for a total duration of 12 months. The Minister may however, at any time and with the participant's consent, extend the duration of participation by a maximum of 12 months to facilitate the carrying out of a labour market entry plan. That duration does not take into account the month of application.

In addition, participation is interrupted or extended or ends in the cases and under the conditions prescribed by regulation.

The labour market entry plan states the date on which participation begins, the date on which it is to end and, if applicable, any date set under this section.

“83.5. Financial assistance within the framework of the program takes the form, in particular, of an Aim for Employment benefit, to which a participation allowance under section 83.6 and the reimbursement of expenses under section 83.8 may be added.

The Aim for Employment benefit granted to an independent adult or a family is established monthly and calculated in the manner prescribed by regulation.

For the purpose of calculating the benefit, the regulation may, in particular,

(1) establish the basic benefit amount applicable to an independent adult or a family, in the cases and under the conditions it determines;

(2) prescribe, in the cases and under the conditions it determines, any adjustment amount that may increase the basic benefit and any amount that may be subtracted from the benefit, and exclude any amount from the calculation; and

(3) prescribe special rules for the month of the application.

“83.6. Participants who honour the commitments set out in their labour market entry plan are entitled to a participation allowance, the amount of which is established in the manner prescribed by regulation, in the cases and under the conditions it prescribes.

“83.7. The terms for payment of the benefit and the allowance are prescribed by regulation.

“83.8. Participants are entitled, according to the criteria set by the Minister, to the reimbursement of expenses incurred in carrying out their labour market entry plan.

“83.9. The Minister may grant exceptional financial assistance to a participant or a participant’s family if the Minister considers that, without such assistance,

(1) the carrying out of the participant’s labour market entry plan would be compromised; or

(2) the participant or the members of the participant’s family would be in circumstances that could endanger their health or safety or lead to complete destitution.

“83.10. Under the program, the Minister may offer participants measures, programs and services provided for in Title I, adapting them to meet the requirements of their labour market entry plan. The financial assistance provided for in that Title cannot however be combined with or replace that received under this chapter, except in the cases and under the conditions prescribed by regulation.

“83.11. When there is failure to fulfil any of the obligations imposed by sections 30 and 36, the Minister may, as the case may be, refuse or cease to pay financial assistance or reduce it. The Minister may do the same when there is failure to fulfil the obligation under the first paragraph of section 63, which applies to the program subject to the third paragraph of that section.

“83.12. If failure to fulfil any of the obligations set out in the first paragraph of section 83.2 hinders the establishment of a labour market entry plan, the Minister may refuse or cease to pay the benefit to the independent adult or the family. The benefit is however paid if the participant remedies the failure within the time limit or on the date determined by the Minister.

“83.13. When there is failure to fulfil any of the commitments set out in a labour market entry plan, without a valid reason, the Minister may, from the month following the month in which the Minister notes the failure and to the extent provided for by regulation, reduce the amount of the benefit paid to the independent adult or the family. The amount of the benefit may however not

be reduced below an amount established according to the calculation method prescribed by regulation.

However, no reduction is made before the expiry of the time prescribed in the second paragraph of section 108 for applying for a reconsideration of the initial decision establishing a labour market entry plan and, as applicable, before the decision on that application is made.

“83.14. A decision made by the Minister under sections 83.11 to 83.13 must include reasons and be communicated to the person concerned in writing without delay.”

32. Section 89 of the Act is amended by replacing “last resort financial assistance program” in the first paragraph by “financial assistance program provided for in Chapter I, II or V of Title II”.

33. The Act is amended by inserting the following section after section 106:

“106.1. The Minister may establish a program intended for persons who wish to regularize their situation after having made a misrepresentation.

Within the framework of the program, the Minister may, in the cases and according to the conditions and the procedure the Minister determines, recognize such a person as a voluntary declarant. Such a recognition allows the person to benefit from more flexible rules with regard to the consequences arising from the misrepresentation, as determined by regulation.

The Minister may, in the cases and according to the conditions and the procedure the Minister determines, revoke the decision to recognize a person as a voluntary declarant.”

34. Section 108 of the Act is replaced by the following section:

“108. A decision under

(1) Chapter IV of Title II,

(2) Chapter V of Title II, except section 83.5 or sections 83.11 to 83.13, or

(3) the program provided for in section 106.1,

is not subject to review.

A person to whom a decision referred to in the first paragraph applies may apply in writing, within 30 days, for a reconsideration of the decision by a competent authority within the department, unless the decision is made under section 83.9.”

35. Section 114 of the Act is amended by replacing “last resort financial assistance program” in the second paragraph by “financial assistance program provided for in Chapter I, II or V of Title II”.

36. Section 131 of the Act is amended

(1) by inserting the following paragraph after paragraph 7:

“(7.1) extending, in the cases and under the conditions prescribed by regulation, the minimum one-year period of cohabitation specified in subparagraph 3 of the first paragraph of section 22;”;

(2) by inserting “a complete statement or” after “the cases in which” in paragraph 16.

37. Section 133 of the Act is amended by replacing paragraph 2 by the following paragraph:

“(2) prescribing, for the purposes of section 72, more flexible rules concerning the matters referred to in that section.”

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

“133.1. For the purposes of the Aim for Employment Program, the Government may make regulations

(1) prescribing, for the purposes of the second paragraph of section 83.1, the cases in which and the conditions under which a person is required to participate in the Aim for Employment Program;

(2) prescribing, for the purposes of the third paragraph of section 83.2, the cases in which and the conditions under which a participant in the program is temporarily exempted from the obligation to fulfil the commitments set out in the labour market entry plan;

(3) determining, for the purposes of the fourth paragraph of section 83.2, the day on which a labour market entry plan becomes effective;

(4) prescribing, for the purposes of section 83.3, the cases in which and the conditions under which a participant may refuse a job that is offered to him or her and the cases in which and the conditions under which leaving or losing a job does not constitute failure to fulfil the obligation to maintain an employment relationship;

(5) prescribing, for the purposes of the second paragraph of section 83.4, the cases in which and the conditions under which participation is interrupted or extended or ends;

(6) prescribing, for the purposes of section 83.5, a method for calculating the Aim for Employment benefit;

(7) prescribing, for the purposes of section 83.6, the manner in which the amount of the participation allowance is to be established and determining the cases in which and the conditions under which such an allowance is granted;

(8) prescribing, for the purposes of section 83.7, the terms for payment of the Aim for Employment benefit and the participation allowance;

(9) prescribing, for the purposes of section 83.10, the cases in which and the conditions under which the financial assistance provided for under Title I may be combined with or may replace that received under Chapter V of Title II;

(10) prescribing, for the purposes of section 83.13, to what extent the Minister may reduce the amount of the benefit paid to an independent adult or a family and prescribing a method for calculating the amount below which the benefit may not be reduced.”

39. Section 134 of the Act is amended by adding the following paragraph at the end:

“(10) determining, for the purposes of section 106.1, the more flexible rules applicable to a voluntary declarant.”

CODE OF CIVIL PROCEDURE

40. Article 698 of the Code of Civil Procedure (chapter C-25.01) is amended by inserting “, an Aim for Employment benefit” after “social assistance benefit” in subparagraph 3 of the second paragraph.

PART III

TRANSITIONAL AND FINAL PROVISIONS

41. The Minister must, not later than the 120th day following the second anniversary of the coming into force of section 83.1 of the Individual and Family Assistance Act (chapter A-13.1.1), enacted by section 31 of this Act, and subsequently every five years, report to the Government on the implementation of the Aim for Employment Program.

The report is tabled by the Minister in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption. The competent committee of the National Assembly examines the report.

42. Chapter III of Title II of the Individual and Family Assistance Act, section 108 of that Act and section 11 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), as they read before the date of coming into force of section 30 of this Act, continue to apply to any person

who benefits on that date from financial assistance under the Youth Alternative Program, for the duration of the person's intervention plan.

Subparagraph i of subparagraph f of paragraph 2 of section 55 of the Individual and Family Assistance Act, as it read before the date of coming into force of section 30 of this Act, continues to apply, as the case may be, for the purpose of establishing the social assistance benefit granted an independent adult or a family when an adult who is deemed to receive a parental contribution received benefits under the Youth Alternative Program.

43. In any agreement entered into by the Minister under section 84 of the Individual and Family Assistance Act before the date of coming into force of section 83.1 of that Act, enacted by section 31 of this Act, a provision relating to the Social Assistance Program or a last resort financial assistance program also applies to the Aim for Employment Program from that date unless, in the year following that date, one of the parties notifies the other party in writing of its intention not to include that program, in whole or in part, in the agreement.

The first paragraph ceases to apply to an agreement on the day the first amendment made to the agreement by the parties after the date of coming into force of section 83.1 of that Act, enacted by section 31 of this Act, becomes effective.

The first paragraph applies despite section 70 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

44. For the sole purposes of paragraph 1.1 of section 72 of the Individual and Family Assistance Act, enacted by section 29 of this Act, the first regulation made under paragraph 2 of section 133 of the Individual and Family Assistance Act, as replaced by section 37 of this Act, may have retroactive effect to the date it specifies.

45. In any regulation, “Emploi-Québec” is replaced, wherever it appears and with the necessary modifications, by “the Minister of Employment and Social Solidarity”. Similarly, in any other document, a reference to Emploi-Québec is a reference to that Minister, unless the context indicates otherwise.

46. Part I and section 45 of this Act come into force on 10 November 2016. Part II and sections 41 to 44 of this Act come into force on the date or dates to be set by the Government.

2016, chapter 26 AN ACT TO AMEND THE EDUCATION ACT

Bill 105

Introduced by Mr. Sébastien Proulx, Minister of Education, Recreation and Sports

Introduced 9 June 2016

Passed in principle 28 September 2016

Passed 17 November 2016

Assented to 23 November 2016

Coming into force: 23 December 2016, except

(1) sections 3, 10, 12, 28, 29, 31, paragraph 1 of section 32, and sections 35, 36, 41, 44 and 45, which come into force on 1 July 2017;

(2) sections 1, 2, 4 to 7, 9, 11, 13 to 20, paragraph 2 of section 32, paragraph 1 of section 34, sections 37 to 39, 42, 43, 49 to 51, section 52 to the extent that it enacts section 459.5 of the Education Act (chapter I-13.3), and section 60, which come into force on 1 July 2018;

(3) sections 22 to 24 and paragraph 2 of section 25, which come into force on 4 November 2018;

(4) sections 8 and 47, which come into force on the date to be set by the Government

Legislation amended:

Act respecting private education (chapter E-9.1)

Education Act (chapter I-13.3)

Explanatory notes

This Act amends the Education Act, in particular to grant commissioners representing parents' committees the right to vote at meetings of the council of commissioners and allow them to be appointed to the office of school board vice-chair. In addition, the rules concerning co-opted commissioners are revised to ensure that one of their two seats is reserved for a person who is active in the sports or health sector and has filed a nomination.

The Act also introduces certain measures to ensure the participation of school, vocational training centre and adult education centre principals in certain school board decisions concerning the allocation of school board resources. It also specifies that school boards must fulfil their mission with due respect for the principle of subsidiarity and with a view to providing support to educational institutions in the exercise of their responsibilities.

(cont'd on next page)

Explanatory notes (*cont'd*)

The Act simplifies the planning and accountability reporting mechanisms imposed on schools, education centres and school boards.

Lastly, the Minister is given the power to issue directives to school boards.



Chapter 26

AN ACT TO AMEND THE EDUCATION ACT

[Assented to 23 November 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS: EDUCATION ACT

1. Section 36 of the Education Act (chapter I-13.3) is amended by striking out “implemented by means of a success plan” in the third paragraph.

2. Sections 36.1 to 37.1 of the Act are replaced by the following sections:

“37. The school’s educational project, which may be updated if necessary, shall contain

(1) the context in which the school acts and the main challenges it faces, particularly with respect to academic success;

(2) the specific policies of the school and the objectives selected for improving student success;

(3) the targets for the period covered by the educational project;

(4) the indicators to be used to measure achievement of those objectives and targets; and

(5) the intervals at which the educational project is to be evaluated, determined in collaboration with the school board.

The policies and objectives required under subparagraph 2 of the first paragraph shall be designed to ensure that the Québec education policy framework defined by law, by the basic school regulation and by the programs of studies established by the Minister is implemented, adapted and enriched. They must also be consistent with the school board’s commitment-to-success plan.

The educational project must respect students’, parents’ and school staff’s freedom of conscience and of religion.

“37.1. The period covered by the educational project must be harmonized with the period covered by the school board’s commitment-to-success plan in accordance with any terms prescribed under the first paragraph of section 459.3.”

3. The Act is amended by inserting the following section after section 51:

“51.1. Any meeting called in accordance with sections 47 to 50 may elect substitute members to the governing board to replace the members who are unable to take part in a governing board meeting. Likewise, substitute members may be appointed or elected during the process carried out in accordance with section 51. The number of substitute members cannot be greater than the number of governing board members.”

4. Section 74 of the Act is amended

(1) by replacing “strategic plan” in the first paragraph by “commitment-to-success plan” and by replacing “adopt, oversee the implementation of and periodically evaluate the school’s educational project” in that paragraph by “adopt the school’s educational project, oversee the project’s implementation and evaluate the project at the intervals specified in it”;

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

“Each of these stages shall be carried out through concerted action between the various participants having an interest in the school and in student success. To that end, the governing board shall encourage the collaboration of students, parents, teachers, other school staff members, and community and school board representatives.”

5. Section 75 of the Act is replaced by the following section:

“75. The governing board shall send the school’s educational project to the school board and make it public on the expiry of 60 to 90 days after sending it or of another period if the governing board and school board so agree. It shall also make public the evaluation of the school’s educational project. The educational project and any evaluation of it shall be communicated to the parents and the school staff.

The educational project takes effect on the date of its publication.”

6. Section 77 of the Act is amended by replacing “The plans, rules and measures provided for in sections 75 to 76” in the first paragraph by “The plan, rules and measures provided for in sections 75.1 to 76”.

7. Section 83 of the Act is amended by striking out the second, third and fourth paragraphs.

8. Section 96.8 of the Act is amended by inserting the following paragraph after the first paragraph:

“The principal must hold a teaching licence, subject to the conditions, procedures and exceptions prescribed by the regulations of the Minister made under section 451.”

9. Section 96.13 of the Act is amended by striking out subparagraph 1.1 of the first paragraph.

10. Section 96.14 of the Act is amended by adding the following sentence at the end of the first paragraph: “In addition, the plan must state that recourse to the school board’s complaint examination procedure provided for in section 220.2 is an option if the parent or student is not satisfied.”

11. Section 96.15 of the Act is amended

(1) by replacing “in subparagraph 5” in the introductory clause of the first paragraph by “in subparagraphs 5 and 6”;

(2) by adding the following subparagraph after subparagraph 5 of the first paragraph:

“(6) the measures selected to achieve the objectives and targets set out in the educational project.”;

(3) by replacing “15” in the fourth paragraph by “30”.

12. Section 96.24 of the Act is amended by replacing the second sentence of the fourth paragraph by the following sentences: “However, the school board may, for the following fiscal year, credit all or part of the surpluses to the school or another educational institution if the resource allocation committee established under section 193.2 recommends it and the council of commissioners implements that recommendation. If the council of commissioners fails to implement the recommendation, it must give reasons for its decision at the meeting at which the recommendation is rejected.”

13. Section 96.25 of the Act is amended by replacing “strategic plan” by “commitment-to-success plan”.

14. Section 97 of the Act is amended by replacing “of the policies and the objectives determined pursuant to section 109 and implemented by means of a success plan” in the third paragraph by “of an educational project”.

15. Section 97.1 of the Act is replaced by the following sections:

“**97.1.** The centre’s educational project, which may be updated if necessary, shall contain

(1) the context in which the centre acts and the main challenges it faces, particularly with respect to academic success and, in the case of a vocational training centre, the relevance of the training to regional or provincial labour market needs;

(2) the specific policies of the centre and the objectives selected for improving student success;

(3) the targets for the period covered by the educational project;

(4) the indicators to be used to measure achievement of those objectives and targets; and

(5) the intervals at which the educational project is to be evaluated, determined in collaboration with the school board.

The policies and objectives required under subparagraph 2 of the first paragraph shall be designed to ensure that the basic school regulation and the programs of studies established by the Minister are implemented, adapted and enriched. They must also be consistent with the school board's commitment-to-success plan.

“97.2. The period covered by the educational project must be harmonized with the period covered by the school board's commitment-to-success plan in accordance with any terms prescribed under the first paragraph of section 459.3.”

16. Section 109 of the Act is amended

(1) by replacing the second and third sentences of the first paragraph by the following sentence: “Based on the analysis and taking into account the school board's commitment-to-success plan, the governing board shall adopt the centre's educational project, oversee the project's implementation and evaluate the project at the intervals specified in it.”;

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

“Each of these stages shall be carried out through concerted action between the various participants having an interest in the centre and in student success. To that end, the governing board shall encourage the collaboration of students, parents, teachers, other centre staff members, and community and school board representatives.”

17. Section 109.1 of the Act is replaced by the following section:

“109.1. The governing board shall send the centre's educational project to the school board and make it public on the expiry of 60 to 90 days after sending it or of another period if the governing board and school board so agree. It shall also make public the evaluation of the centre's educational project.

The educational project and any evaluation of it shall be communicated to the students and the centre staff members.

The educational project takes effect on the date of its publication.”

18. Section 110.3.1 of the Act is amended by striking out the second, third and fourth paragraphs.

19. Section 110.10 of the Act is amended, in the first paragraph,

(1) by replacing “of the objectives of the centre” in subparagraph 1 by “of the centre’s educational project”;

(2) by striking out subparagraph 1.1.

20. Section 110.12 of the Act is amended

(1) by inserting “or, in the case of the matters referred to in subparagraph 4, of the staff members concerned” after “teachers” in the introductory clause of the first paragraph;

(2) by adding the following subparagraph after subparagraph 3 of the first paragraph:

“(4) the measures selected to achieve the objectives and targets set out in the educational project.”;

(3) by inserting “or of the staff members concerned” after “teachers” in the second, third and fourth paragraphs;

(4) by replacing “15” in the third paragraph by “30”.

21. Section 118.3 of the Act is amended by replacing “the co-opted commissioners and the representatives of a parents’ committee who are members of a provisional council are” in the second paragraph by “any co-opted commissioner who is a member of the provisional council is”.

22. Section 143 of the Act is amended

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

“(2.1) a co-opted commissioner who is active in the sports or health sector, elected in accordance with section 143.0.2, with a view to promoting consideration for healthy lifestyles in school board decisions;”;

(2) by replacing “a maximum of two commissioners co-opted by a majority of at least two thirds” in paragraph 3 by “a co-opted commissioner elected by a majority”.

23. The Act is amended by inserting the following sections after section 143:

“**143.0.1.** To be eligible for a co-opted commissioner seat, persons must be domiciled in the territory of the school board and must not be disqualified under section 21 of the Act respecting school elections (chapter E-2.3).

“**143.0.2.** With a view to electing by co-optation a commissioner who is active in the sports or health sector, the secretary general of the school board shall issue a call for nominations by giving a public notice within 10 days following a general election held under the Act respecting school elections (chapter E-2.3).

The notice shall state that the seat is open for nominations until the 30th day following publication of the notice. In addition, it shall set out the eligibility criteria and the procedure for filing nominations.

A nomination must be supported by a body or organization that is active at the provincial, regional or local level in the sports or health sector. The body or organization must certify that the candidate is active in one of these sectors.

Not later than the 30th day following the end of the nomination period, the secretary general shall send the list of persons who filed a valid nomination to the chair of the school board.

If only one valid nomination is received, the secretary general shall declare that candidate elected and inform the chair and the director general of the school board. If there is more than one valid nomination, a vote must be held by the council of commissioners at the following meeting to determine which candidate will be elected to the seat; the person who receives the most votes is declared elected. The elected candidate must take the oath set out in section 145 as though he were elected in accordance with that section.

If no valid nominations are received, the secretary general must repeat, once, the election procedure set out in this section. In such a case, the public notice given under the first paragraph shall be given within 45 days following the end of the initial nomination period.”

24. Section 143.2 of the Act is replaced by the following section:

“**143.2.** The term of office of a co-opted commissioner shall end on the date of the first general election held under the Act respecting school elections (chapter E-2.3) following his election.

The seat of such a commissioner becomes vacant in the same cases as those provided for commissioners elected or appointed under the Act respecting school elections.

If, in the case of the seat of a co-opted commissioner who is active in the sports or health sector, more than 12 months remain before the date set for the

next general election, the vacancy shall be filled in accordance with the procedure set out in section 143.0.2, but only for the unexpired portion of the term. In such a case, the public notice referred to in the first paragraph of that section shall be given within 45 days of the date on which the office becomes vacant. Furthermore, the sixth paragraph of that section does not apply in such a situation.”

25. Section 145 of the Act is amended

(1) by replacing “des parents” in the first paragraph in the French text by “de parents”;

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

“The grounds for disqualification set out in section 21 of the Act respecting school elections (chapter E-2.3) apply to the seats of commissioners representing the parents’ committee.”

26. Section 148 of the Act is amended

(1) by striking out “or commissioner representing the parents’ committee” in the first paragraph;

(2) by striking out “subject to paragraph 3 of section 143 and the third paragraph of section 143.2,” in the second paragraph.

27. Section 169 of the Act is amended

(1) by replacing “a commissioner” in the first paragraph by “any commissioner”;

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

“At least one commissioner or the director general must however be physically present at the place of the meeting.”

28. Section 174 of the Act is amended by adding the following paragraph at the end:

“The council of commissioners may also delegate certain functions and powers to a governing board or to the resource allocation committee.”

29. Section 176.1 of the Act is amended

(1) by inserting “, with due regard for everyone’s role and responsibilities,” after “powers” in the introductory clause;

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

“(1.1) ensuring that the schools and centres receive adequate support;”.

30. Section 179 of the Act is amended by replacing the first paragraph by the following paragraph:

“The council of commissioners shall establish an executive committee composed of the number of commissioners it determines, including the chair, at least one commissioner representing the parents’ committee and at least one co-opted commissioner, if any.”

31. Section 183 of the Act is amended by adding the following paragraph at the end:

“Where the advisory committee on management acts in the place and stead of the resource allocation committee under section 193.5, it shall add to its members the person responsible for educational services for handicapped students and students with social maladjustments or learning disabilities appointed under section 265 if that person is not already a member of the advisory committee on management.”

32. Section 187 of the Act is amended, in the first paragraph,

(1) by inserting “the resource allocation committee and” after “advise” in subparagraph 2;

(2) by adding the following subparagraph after subparagraph 2:

“(3) to advise the school board on its commitment-to-success plan.”

33. Section 190 of the Act is amended by replacing “31 October” by “the first Sunday in November”.

34. Section 193 of the Act is amended

(1) by replacing paragraph 1.1 by the following paragraph:

“(1.1) the school board’s commitment-to-success plan;”;

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

“(5.1) the school board’s by-law on the complaint examination procedure established under section 220.2;”;

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

“Moreover, the parents’ committee may make recommendations to the school board regarding the matters referred to in the first paragraph and childcare

provided at school. It may also waive a consultation on a matter referred to in the first paragraph. In such a case, it shall so inform the school board in writing, and it shall do the same if it wishes to put an end to the waiver.”

35. The Act is amended by inserting the following sections after section 193.1:

“**193.2.** The school board must establish a resource allocation committee composed of not more than 15 members, including the director general of the school board, who is responsible for its direction. Subject to the third paragraph, the committee members must be members of the school board’s executive staff.

The majority of the committee members must be school principals or principals of centres, including at least one principal of a school providing preschool education or elementary education, one principal of a school providing secondary education and one principal of a centre. These principals of institutions shall be chosen by their peers.

The person responsible for educational services for handicapped students and students with social maladjustments or learning disabilities, appointed under section 265, must also be on the committee.

At least one committee member must be a member of the school board’s executive staff not expressly mentioned in any of the first three paragraphs.

At the committee’s request, other members of the school board’s personnel may also take part in committee sittings, but are not entitled to vote.

“**193.3.** The resource allocation committee must set up a consultation process with a view to establishing objectives and principles governing the annual allocation of revenues in accordance with section 275, determining how those revenues are to be allocated in accordance with section 275.1, including by setting out the criteria to be used to determine the amounts allocated, and determining how student services are to be distributed in accordance with section 261.

In addition to student services, the committee may also submit the distribution of other professional services to the consultation process.

Each school board and educational institution must provide the committee with any information or document necessary for the exercise of its functions.

At the conclusion of the consultation process, the director general or any other member designated by the committee must present recommendations at a meeting of the council of commissioners concerning the objectives and principles to govern the allocation of revenues, the annual allocation of those revenues and the distribution of student services and other professional services, as applicable. If the council of commissioners fails to implement a recommendation, it must give reasons for its decision at the meeting at which the recommendation is rejected. A copy of the minutes of the meeting of the

council of commissioners containing the decision with reasons must be sent to the resource allocation committee.

“193.4. The resource allocation committee must annually make a recommendation to the council of commissioners regarding the allocation of the surpluses of the school board’s educational institutions in accordance with section 96.24.

“193.5. A school board may entrust the functions assigned to the resource allocation committee under this Act to the advisory committee on management provided the latter complies with the composition requirements set out in section 193.2. It may also do so if it must add the person responsible for educational services for handicapped students and students with social maladjustments or learning disabilities to its members in order to comply with the composition requirements of section 193.2.

The advisory committee on management shall then act in the place and stead of the resource allocation committee.”

36. Section 207.1 of the Act is replaced by the following section:

“207.1. The mission of a school board is to organize educational services for the benefit of the persons who come under its jurisdiction and ensure the quality of those services, to see to the success of students so that the population may attain a higher level of formal education and qualification, and to promote and enhance the status of public education in its territory. A further mission of the school board is to contribute, to the extent provided for by law, to its region’s social, cultural and economic development.

In fulfilling its mission, the school board must show due regard for the principle of subsidiarity, supporting the educational institutions in the exercise of their responsibilities and seeing to the effective and efficient management of its human, physical and financial resources.

For the purposes of the second paragraph, “principle of subsidiarity” means the principle whereby powers and responsibilities must be delegated to the appropriate level of authority so that decision-making centres are adequately distributed and brought as close as possible to the students, citizens and communities concerned.”

37. Sections 209.1 and 209.2 of the Act are replaced by the following sections:

“209.1. For the exercise of its functions and powers, every school board shall establish a commitment-to-success plan that is consistent with the strategic directions and objectives of the department’s strategic plan. The commitment-to-success plan must also meet any expectations communicated under section 459.2. In addition, the period covered by the plan must be harmonized

with the period covered by the department's strategic plan in accordance with any terms prescribed under the first paragraph of section 459.3.

This plan, which the school board may update if necessary, must contain

- (1) the context in which the school board acts, particularly the needs of its schools and centres, the main challenges it faces, and the characteristics and expectations of the community it serves;
- (2) the directions and objectives selected;
- (3) the targets for the period covered by the plan;
- (4) the indicators, particularly Québec-wide indicators, to be used to measure achievement of those objectives and targets;
- (5) a service statement setting out its objectives with regard to the level and quality of the services it provides; and
- (6) any other element determined by the Minister.

In preparing its commitment-to-success plan, the school board shall consult, in particular, the parents' committee, the advisory committee on services for handicapped students and students with social maladjustments or learning disabilities, the advisory committee on management, the governing boards, the teachers and other staff members, and the students. The parents' committee and advisory committee on management may, among other things, make recommendations on what should be included in the school board's commitment-to-success plan.

The school board shall send its commitment-to-success plan to the Minister and make it public on the expiry of 60 to 90 days after sending it or of another period if the school board and the Minister so agree. The commitment-to-success plan takes effect on the date of its publication. The school board shall present the content of its commitment-to-success plan to the public at the meeting following the effective date of the plan. Public notice specifying the date, time and place of the meeting must be given not less than 10 days before it is held.

“209.2. The school board shall ensure that the policies and objectives set out in the educational projects of its educational institutions are consistent with its commitment-to-success plan, and that any terms prescribed by the Minister under the first paragraph of section 459.3 are complied with. For those purposes, the school board may, after receiving an institution's educational project, require it, within the period prescribed by section 75 or 109.1, as applicable, to defer publication of the educational project or to amend it.”

38. Section 218 of the Act is amended by replacing “, by means of the success plan, of the educational project of each school and of the aims and objectives of” by “of the educational project of each school and”.

39. Section 220 of the Act is amended by replacing the first, second and third paragraphs by the following paragraph:

“Every school board shall prepare an annual report giving the population in its territory an account of the implementation of its commitment-to-success plan and the results obtained measured against the objectives and targets it contains. The school board shall, in the report, inform the population of the educational and cultural services it provides and the level of quality of those services.”

40. Section 220.1 of the Act is amended by replacing “may be held” in the first paragraph by “shall be held”.

41. Section 220.2 of the Act is amended

(1) by replacing “from students or their parents” in the first paragraph by “related to its functions”;

(2) by replacing “a complainant who is dissatisfied with the handling of a” in the second paragraph by “a complainant who is a student, a homeschooled child or a parent of either and who has filed a complaint with regard to the services the school board provides to him under this Act and who is dissatisfied with the handling of the”.

42. Section 221.1 of the Act is amended by striking out “to be implemented by means of a success plan”.

43. Section 245.1 of the Act is amended by replacing “policies and objectives to be implemented by means of a success plan” by “an educational project”.

44. Section 261 of the Act is amended by inserting “, the recommendations of the resource allocation committee under section 193.3” after “ of the centres,”.

45. Section 275 of the Act is replaced by the following sections:

“**275.** After consulting with the governing boards and the parents’ committee and taking into account the recommendations of the resource allocation committee under the fourth paragraph of section 193.3, the school board shall establish objectives and principles governing the allocation of subsidies, school tax proceeds and its other revenues.

“**275.1.** The school board shall determine the allocation of the revenues referred to in section 275 for every school year taking into account the recommendations of the resource allocation committee under the fourth paragraph of section 193.3.

The allocation must be carried out in an equitable manner and reflect the needs expressed by the educational institutions, the social and economic

disparities they must deal with, the school board's commitment-to-success plan and the educational projects of its schools and centres.

The allocation must include amounts for the operation of the governing boards and amounts to meet the needs of the school board, its educational institutions and its committees.

“275.2. The school board shall include in its annual report a description of the objectives and principles governing the allocation of its revenues and the criteria used to determine the amounts allocated.”

46. Section 402 of the Act is amended by replacing “elected commissioners” at the end of subparagraph 1 of the first paragraph by “commissioners elected or appointed under the Act respecting school elections (chapter E-2.3)”.

47. Section 451 of the Act is amended by inserting the following paragraph after the first paragraph:

“In the same way, the Minister may also establish conditions, procedures and exceptions for the purposes of the second paragraph of section 96.8.”

48. The Act is amended by inserting the following section after section 457.4:

“457.5. The Minister may, by regulation, provide for and regulate the carrying out of information and prevention activities related to safety at school. The Minister may also, by regulation, prescribe or limit the application by school authorities of certain measures relating to safety at school and to the safety and well-being of students and the safety and integrity of their property.”

49. Section 459.1 of the Act is amended by replacing “strategic plans” by “commitment-to-success plans”.

50. Sections 459.2 and 459.3 of the Act are replaced by the following sections:

“459.2. The Minister may determine, for all school boards or based on the situation of one or certain school boards, policy directions, objectives or targets they must take into account in preparing their commitment-to-success plans.

“459.3. The Minister may, for any school board, prescribe terms governing the coordination of the entire strategic planning process between the educational institutions, the school board and the department.

The Minister may also, after receiving a school board's commitment-to-success plan, require the school board, within the period prescribed by section 209.1, to defer publication of the plan or to amend it to harmonize the period covered by the plan with that covered by the department's strategic plan in accordance with any terms prescribed under the first paragraph. The Minister

may also impose such a requirement to ensure that the plan is consistent with the strategic directions and objectives of the department's strategic plan or that it meets the expectations communicated under section 459.2."

51. Section 459.4 of the Act is amended

(1) by replacing "strategic plan" in the first paragraph by "commitment-to-success plan";

(2) by replacing "goals and measurable objectives set out in the partnership agreement between the school board and the Minister" in the second paragraph by "policy directions, objectives or targets set out in the commitment-to-success plan";

(3) by replacing "those goals or measurable objectives, the Minister may prescribe any additional measures" in the third paragraph by "those policy directions, objectives or targets, the Minister may prescribe any additional measure".

52. The Act is amended by inserting the following sections after section 459.4:

"459.5. The Minister shall prepare a guide for the school boards on good management practices, in particular with respect to decentralization, that takes into account such factors as the number of students they have and the size of their territory, and shall see that it is distributed.

"459.6. Within the scope of the Minister's responsibilities, the Minister may issue directives to a school board concerning its administration, organization, operation and actions. Such directives may also complement or clarify the budgetary rules during a school year.

The directives may apply to one or more school boards and contain different elements according to the school board concerned.

The directives must be submitted to the Government for approval. Once approved, they are binding on the school board. Such directives must be tabled in the National Assembly within 30 days of being approved by the Government or, if the Assembly is not sitting, within 30 days of resumption."

53. Section 473.1 of the Act is amended by adding the following sentence at the end of the first paragraph: "The budgetary rules may also, subject to the conditions or in accordance with the criteria prescribed in them or determined by the Minister, stipulate that certain budgetary measures are intended for a transfer to the budget of educational institutions."

54. The heading of Division III of Chapter VII of the Act is replaced by the following heading:

"CONTROL MEASURES".

55. The Act is amended by inserting the following section after section 478.4:

“**478.5.** The Minister may, during or after a verification or inquiry, recommend or order that a school board or the Comité de gestion de la taxe scolaire de l’île de Montréal comply with oversight or monitoring measures or apply the corrective measures the Minister specifies.”

56. Section 479 of the Act is amended by inserting the following paragraph after the second paragraph:

“The administrator appointed by the Government may not be prosecuted for acts performed in good faith in the exercise of his functions.”

ACT RESPECTING PRIVATE EDUCATION

57. Section 112 of the Act respecting private education (chapter E-9.1) is amended by adding the following paragraph at the end:

“(7) provide for and regulate the carrying out of information and prevention activities related to safety at school as well as prescribe or limit the application by school authorities of certain measures relating to safety at school and to the safety and well-being of students and the safety and integrity of their property.”

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

58. The school boards’ strategic plans, the partnership agreements, the management and educational success agreements, the schools’ educational projects, the centres’ policies and objectives determined under section 109 of the Education Act (chapter I-13.3) and the schools’ and centres’ success plans approved, established or entered into in accordance with that Act are extended until the effective date of the commitment-to-success plan established under section 209.1 of that Act, replaced by section 37, with the necessary modifications. Despite any provision to the contrary in the Education Act, those plans, agreements, projects, policies and objectives need not be updated, renewed or entered into again until that date.

However, any measure in a management and educational success agreement concerning a school’s surpluses that, under section 96.24 of the Education Act, are to be added to its appropriations for the following fiscal year and the requirement that this agreement be reflected when applying section 275 of that Act lapse on the coming into force of the amendments made to those sections of the Education Act by sections 12 and 45.

59. A school board’s first commitment-to-success plan takes effect on 1 July 2018 or on another date if the Minister so decides in accordance with the fifth paragraph. The plan shall be published within 15 days following its effective date.

A school's or centre's first educational project after that date must be prepared so as to take effect not later than one year following the effective date of the school board's commitment-to-success plan.

For the establishment and adoption of the first commitment-to-success plans and educational projects, the Minister may determine, for all school boards or based on the situation of one or certain school boards, policy directions, objectives or targets they must take into account in preparing their commitment-to-success plan.

The Minister may also, for any school board, prescribe terms governing the coordination of the entire strategic planning process between the educational institutions, the school board and the department, including the date the commitment-to-success plans must be sent to the Minister before they take effect.

The Minister may, in addition, after receiving a school board's commitment-to-success plan, decide to defer its effective date and require the school board to amend it so that it is consistent with the strategic directions and objectives of the department's strategic plan or that it meets with the expectations communicated under the third paragraph.

60. In any regulation made under the Education Act, "action plan" is replaced by "educational project".

61. Until 4 November 2018,

(1) section 143 of the Education Act is to be read as if paragraph 3 were replaced by the following paragraph:

"(3) if the members of the council of commissioners referred to in paragraphs 1 and 2 consider it necessary, a maximum of two commissioners co-opted by a majority of at least two-thirds of the council members, after consulting with the groups most representative of the region's social, cultural, business, labour, health and sports sectors.";

(2) section 143.1 of the Act is to be read as follows:

"143.1. Co-optation under paragraph 3 of section 143 must enable persons to sit on the council of commissioners who are active in the sports or health sector, with a view to promoting consideration of healthy lifestyles in school board decisions, or who are active in other sectors and whose competence and qualifications are considered complementary to those of the commissioners or useful for the administration of the school board. Such persons must meet any selection criteria the Minister may determine by regulation."

62. The provisions of this Act come into force on 23 December 2016, except

(1) sections 3, 10, 12, 28, 29, 31, paragraph 1 of section 32, and sections 35, 36, 41, 44 and 45, which come into force on 1 July 2017;

(2) sections 1, 2, 4 to 7, 9, 11, 13 to 20, paragraph 2 of section 32, paragraph 1 of section 34, sections 37 to 39, 42, 43, 49 to 51, section 52 to the extent that it enacts section 459.5 of the Education Act, and section 60, which come into force on 1 July 2018;

(3) sections 22 to 24 and paragraph 2 of section 25, which come into force on 4 November 2018;

(4) sections 8 and 47, which come into force on the date to be set by the Government.

2016, chapter 27

AN ACT TO AMEND THE ACT RESPECTING THE GOVERNANCE OF STATE-OWNED ENTERPRISES TO PROMOTE THE PRESENCE OF YOUNG PEOPLE ON THE BOARDS OF DIRECTORS OF SUCH ENTERPRISES

Bill 693

Introduced by Mr. Jean Habel, Member for Sainte-Rose

Introduced 10 June 2016

Passed in principle 16 November 2016

Passed 7 December 2016

Assented to 7 December 2016

Coming into force: 7 December 2016

Legislation amended:

Act respecting the governance of state-owned enterprises (chapter G-1.02)

Explanatory notes

This Act amends the Act respecting the governance of state-owned enterprises to promote the presence of young people on the boards of directors of such enterprises. To that end, the Government must appoint at least one member aged 35 years or under at the time of appointment to the board of directors of each state-owned enterprise.

State-owned enterprises have five years to comply with this legislative provision.



Chapter 27

AN ACT TO AMEND THE ACT RESPECTING THE GOVERNANCE OF STATE-OWNED ENTERPRISES TO PROMOTE THE PRESENCE OF YOUNG PEOPLE ON THE BOARDS OF DIRECTORS OF SUCH ENTERPRISES

[Assented to 7 December 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE GOVERNANCE OF STATE-OWNED ENTERPRISES

1. Section 43 of the Act respecting the governance of state-owned enterprises (chapter G-1.02) is amended by adding the following subparagraph after subparagraph 2 of the first paragraph:

“(3) that the board of directors of each enterprise include at least one member who is 35 years of age or under at the time of appointment, as of 7 December 2021.”

FINAL PROVISION

2. This Act comes into force on 7 December 2016.

2016, chapter 28

AN ACT TO EXTEND THE POWERS OF THE RÉGIE DE L'ASSURANCE MALADIE DU QUÉBEC, REGULATE COMMERCIAL PRACTICES RELATING TO PRESCRIPTION DRUGS AND PROTECT ACCESS TO VOLUNTARY TERMINATION OF PREGNANCY SERVICES

Bill 92

Introduced by Mr. Gaétan Barrette, Minister of Health and Social Services

Introduced 6 April 2016

Passed in principle 26 May 2016

Passed 6 December 2016

Assented to 7 December 2016

Coming into force: 7 December 2016, except

- (1) section 12, to the extent that it concerns subparagraph 3 of the third paragraph of section 22.0.1 of the Health Insurance Act (chapter A-29), paragraph 4 of section 13, to the extent that it concerns the third paragraph of section 22.2 of the Health Insurance Act, section 23, to the extent that it concerns the third paragraph of section 38.3 of the Health Insurance Act, paragraph 1 of section 25, paragraph 3 of section 40, section 49, to the extent that it concerns the last sentence of the first and second paragraphs of section 80.4 of the Act respecting prescription drug insurance (chapter A-29.01), which come into force on 7 March 2017;
- (2) sections 27 and 31, paragraph 1 of section 32 and section 65, which come into force on 7 December 2017, unless the Government sets an earlier date or earlier dates for their coming into force;
- (3) sections 39, 47 and 50, to the extent that they concern section 8.1.1 of the Act respecting prescription drug insurance, which come into force on 15 September 2017;
- (4) sections 39 and 50, to the extent that they concern section 8.1.2 of the Act respecting prescription drug insurance, which come into force by order of the Government;
- (5) section 49, to the extent that it concerns paragraph 1 of section 80.2 of the Act respecting prescription drug insurance, which comes into force on the day of coming into force of the first regulation under paragraph 1 of that section 80.2;
- (6) section 72, which comes into force on 31 July 2018

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Legislation amended:

Hospital Insurance Act (chapter A-28)
Health Insurance Act (chapter A-29)
Act respecting prescription drug insurance (chapter A-29.01)
Act respecting administrative justice (chapter J-3)
Act respecting the Régie de l'assurance maladie du Québec (chapter R-5)
Act respecting health services and social services (chapter S-4.2)

Explanatory notes

This Act amends the Health Insurance Act to, among other things, allow the Régie de l'assurance maladie du Québec (the Board) to recover from a health professional or third person an amount unlawfully obtained from an insured person, without an application for reimbursement being filed beforehand. The monetary administrative penalties that may be imposed on health professionals and third persons who have claimed or obtained a payment contrary to the law are set out and the applicable fines are increased. In addition, the Board may claim the cost of the insured services borne by the Board from anyone who assisted a person in obtaining or using a health insurance card without entitlement. The applicable fines are also increased in such a case.

The Health Insurance Act is further amended to include, for dispensers who provide insured orthoses and prostheses as well as other insured devices, provisions that are similar to those applicable to health professionals, in particular as regards the recovery by the Board of non-authorized payments claimed or obtained by such dispensers. The Board may communicate information obtained for the carrying out of the Health Insurance Act to a police force and to certain government departments and to certain bodies if such information is necessary to prevent, detect or repress an offence under an Act applicable in Québec. The obligation to prescribe by regulation the content of the forms used by the Board is abolished. Moreover, the Board may require that a health professional's statement of fees or claim for payment be transmitted to the Board by electronic means only.

The Act respecting prescription drug insurance is amended to require pharmacists to give an itemized invoice to a person from whom payment of a pharmaceutical service or a medication covered by the basic plan is claimed. Pharmacists are also prohibited from selling a medication covered by the basic plan at any other price than the price they paid. The Minister may suspend or end the insurance coverage of a medication in certain cases, such as when the manufacturer fails to comply with a condition or commitment prescribed by ministerial regulation.

Certain commercial practices as regards medications are prohibited. In particular, a manufacturer, wholesaler or intermediary may not require an owner pharmacist to procure medications from the manufacturer, wholesaler or intermediary on an exclusive basis, or induce or require such a pharmacist to sell a specific brand of medication on a preferential basis.

Nor may a manufacturer, wholesaler or intermediary grant to or receive from a manufacturer, wholesaler or intermediary or a pharmacist any benefit in connection with the sale or purchase of a medication, except a benefit authorized by regulation, or grant any benefit to the author of a prescription or to the operator or an employee of a private seniors' residence. The Board is empowered to require that any such benefit paid contrary to the law be reimbursed.

Monetary administrative penalties and penal offences are prescribed for cases where a manufacturer, wholesaler or intermediary grants or receives such benefits or cases where a pharmacist receives such benefits. Furthermore, the Minister may, by regulation, prescribe the monetary administrative penalties applicable by the Board for any other failure by a manufacturer or wholesaler to comply with a condition or commitment prescribed by ministerial regulation.

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Explanatory notes (*cont'd*)

The prescriptive period applicable to penal proceedings brought under the Health Insurance Act or the Act respecting prescription drug insurance is set at one year from the date on which the prosecutor became aware of the commission of the offence. The period during which the Board may recover sums received by a health professional or dispenser, manufacturer, wholesaler or intermediary contrary to those Acts is extended.

The Act respecting the Régie de l'assurance maladie du Québec is amended to grant the Board inspection powers. Also, the Board may apply to the Superior Court to obtain an injunction in respect of any matter relating to an Act under the Board's administration.

The Act respecting health services and social services is amended to prohibit hindering a person from having access to a place where health services or social services are provided and to regulate demonstrations near places where voluntary termination of pregnancy services are provided.



Chapter 28

AN ACT TO EXTEND THE POWERS OF THE RÉGIE DE L'ASSURANCE MALADIE DU QUÉBEC, REGULATE COMMERCIAL PRACTICES RELATING TO PRESCRIPTION DRUGS AND PROTECT ACCESS TO VOLUNTARY TERMINATION OF PREGNANCY SERVICES

[Assented to 7 December 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

HEALTH INSURANCE ACT

1. Section 1 of the Health Insurance Act (chapter A-29) is amended by inserting the following subparagraph after subparagraph *p* of the first paragraph:

“(p.1) “dispenser”: any person who provides an insured service referred to in the fifth, sixth, seventh or eighth paragraph of section 3 and may exact from an insured person or from the Board, as the case may be, the cost determined by regulation for such a service;”.

2. Section 7 of the Act is amended by replacing “in the form prescribed by the Board” in the second paragraph by “using the form provided by the Board”.

3. Section 9.1.1 of the Act is amended by replacing “\$200 to \$1,000” in the second paragraph by “\$500 to \$5,000”.

4. Sections 9.2 to 9.4 of the Act are amended by replacing “not less than \$200 nor more than \$1,000” by “not less than \$500 nor more than \$5,000”.

5. Section 9.5 of the Act is amended by replacing “\$50 to \$500” and “\$100 to \$1,000” in the second paragraph by “\$250 to \$2,500” and “\$500 to \$5,000”, respectively.

6. Section 9.7 of the Act is amended

(1) by adding the following subparagraph at the end of the first paragraph:

“(4) received insured services as a result of the use of a health insurance card or eligibility card that was entrusted, lent, given, sold or otherwise alienated contrary to the first paragraph of section 9.1 or that does not correspond to the person’s, spouse’s or child’s true identity.”;

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

“A person must also reimburse the Board, solidarily with the person who received insured services without being entitled to them,

(1) if the person, contrary to the first paragraph of section 9.1, entrusted, lent, gave, sold or otherwise alienated the person’s card;

(2) if the person, contrary to section 9.2, assisted or encouraged the person who received insured services to register with the Board although that person was not entitled to do so.”;

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

“The recovery of amounts unduly paid is prescribed five years after the insured services are received. In the case of a false declaration, recovery is prescribed five years after the date on which the Board becomes aware of a person’s ineligibility for such services, but not later than 10 years after the services are received.”;

(4) by inserting “or any other person referred to in the second paragraph” after “the person” in the third paragraph.

7. Section 18 of the Act is amended

(1) by adding the following sentence at the end of subsection 1: “Any claim by the Board must be notified to the third person by way of a notice stating the amount of the debt and the reasons for which the debt is due.”;

(2) by inserting the following subsections after subsection 1:

“(1.1) A health professional or dispenser shall, on a request by the Board specifying the nature of the information or documents sought, communicate to the Board any information or document contained in the insured person’s record that is necessary to exercise a right of recovery under subsection 1. The health professional or dispenser shall inform the insured person of the nature of the information or documents to be communicated to the Board within a reasonable time before they are sent.

“(1.2) If a judicial application is instituted to obtain compensation for the injury caused by the third person’s fault, the insured person or insured person’s successors shall notify it to the Board within five days after it is instituted.

“(1.3) The Board may intervene in any judicial application brought against the third person to obtain compensation for the injury caused to the insured person. If it wishes to intervene, it shall send a notice to that effect to each of the parties and to the court; it is then considered to be a party to the proceeding.”;

(3) by replacing subsection 2.1 by the following subsection:

“(2.1) An insurer of a third person’s liability shall notify the Board in writing as soon as the insurer is informed of an event involving physical or mental injury that entails or might entail the payment of insured services.”;

(4) by adding the following subsection at the end:

“(6) For the purposes of this section, “insurer of a third person’s liability” also means a person or group of persons that provides coverage which may otherwise be obtained under a liability insurance contract.”

8. Section 18.1 of the Act is amended by inserting “, as may a person who must reimburse an amount under section 9.7” at the end.

9. Section 22 of the Act is amended by replacing the fourteenth paragraph by the following paragraphs:

“A health professional who contravenes the fourth, seventh, eighth or thirteenth paragraph is guilty of an offence and is liable to a fine of \$5,000 to \$50,000 and, in the case of a subsequent offence, to a fine of \$10,000 to \$100,000.

Every person who contravenes the ninth or eleventh paragraph is guilty of an offence and is liable to a fine of \$5,000 to \$50,000 in the case of a natural person and \$15,000 to \$150,000 in any other case. In the case of a subsequent offence, the minimum and maximum fines are doubled.

Every person who manages the business of a health professional and makes a false declaration in connection with a claim for payment to the Board is guilty of an offence and is liable to a fine of \$5,000 to \$50,000 in the case of a natural person and \$10,000 to \$100,000 in any other case. In the case of a subsequent offence, the minimum and maximum fines are doubled.”

10. Section 22.0.0.2 of the Act is amended by replacing “\$1,000 to \$2,000” and “\$2,000 to \$5,000” in the third paragraph by “\$5,000 to \$50,000” and “\$10,000 to \$100,000”, respectively.

11. Section 22.0.0.1 of the Act is amended

(1) by replacing “the remedy provided for in the first paragraph of section 22.0.1” in the fourth paragraph by “the right of the person from whom payment is exacted contrary to section 22.0.1 to claim reimbursement”;

(2) by replacing “\$500 to \$1,000” and “\$1,000 to \$2,000” in the sixth paragraph by “\$2,500 to \$25,000” and “\$5,000 to \$50,000”, respectively;

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

“Every person who contravenes the second paragraph is guilty of an offence and is liable to a fine of \$5,000 to \$50,000 in the case of a natural person and \$15,000 to \$150,000 in any other case. In the case of a subsequent offence, the minimum and maximum fines are doubled.”

12. Section 22.0.1 of the Act is replaced by the following section:

“22.0.1. Where the Board believes that a health professional or third person has received payment from an insured person contrary to this Act, including if the health professional or third person has exacted more than the amount that would have been paid by the Board to a professional subject to the application of an agreement for the services provided to an insured person who did not present his health insurance card, claim booklet or eligibility card, it shall notify the health professional or third person in writing. The notice must also indicate the reimbursement mechanisms that the Board may apply under this section and, if applicable, the monetary administrative penalty that may be imposed, and allow the health professional or third person 30 days to present observations.

At the expiry of the 30-day period, the Board shall notify its decision to the health professional or third person in writing, with reasons. If the Board maintains that an amount has been so paid, it shall reimburse the amount to the insured person in respect of whom it has, within five years after payment is made, written proof of the payment.

The Board may

(1) inform the insured persons concerned by any means it considers appropriate, such as by publishing a notice to that effect on its website or in a newspaper in the locality where the health professional practises, that they may file an application for reimbursement with the Board within five years of the date of payment;

(2) recover from the health professional or third person, by compensation or otherwise, any amount received contrary to this Act, whether or not the Board has received an application for reimbursement, such an amount then being deemed to be a debt toward the Board; and

(3) impose on the health professional or third person a monetary administrative penalty equal to 15% of the payment received contrary to this Act, which it may collect by compensation or otherwise.

If the five-year period referred to in the second paragraph has expired, the Board may not take any recovery measure under subparagraph 2 of the third paragraph in respect of an amount for which it has not received an application for reimbursement.

If the third person having received the prohibited payment is the operator of a private health facility or specialized medical centre where the health professional named in the application for reimbursement or affected by the recovery measure practises, or if the third person manages the business of the health professional, compensation may be applied against that health professional, except as regards the monetary administrative penalty, provided the health professional has been notified in accordance with the first paragraph.

The health professional or third person may, within 60 days of notification of the decision, contest the decision before the Superior Court or the Court of Québec, according to their respective jurisdictions. The burden of proving that the decision of the Board is ill-founded is on the health professional or third person, as the case may be.

If the health professional or third person does not contest such a decision and the Board cannot recover the amount owing by compensation, the Board may, at the expiry of the 60-day period for contesting the decision, issue a certificate stating the name and address of the health professional or third person and attesting the amount owing and the health professional's or third person's failure to contest the decision. On the filing of the certificate with the office of the Superior Court or the Court of Québec, according to their respective jurisdictions, the decision becomes enforceable as if it were a final judgment of that court not subject to appeal and has all the effects of such a judgment.

The second paragraph of section 18.3.2 applies, with the necessary modifications, to the amount owed by the health professional or third person."

13. Section 22.2 of the Act is amended

(1) by inserting "in accordance with the terms and conditions and time limits provided for in the agreement" at the end of the first paragraph;

(2) by replacing "36" in the first paragraph by "60";

(3) by replacing "36 preceding months" in the second paragraph by "preceding 10 years";

(4) by replacing the third paragraph by the following paragraphs:

"In addition, the Board may impose on the health professional a monetary administrative penalty equal to 10% of the payment the health professional has claimed or obtained for services referred to in the first paragraph or 15% of the payment the health professional has claimed or obtained for services referred to in the second paragraph. It may collect the amount of the penalty by compensation or otherwise.

Before rendering its decision, the Board shall give the health professional at least 30 days' notice, stating the acts alleged against him and, if applicable, the monetary administrative penalty that may be imposed, and allowing him

an opportunity to present observations. At the expiry of the time limit, the Board shall notify its decision to the health professional in writing, with reasons.”;

(5) by replacing “six months” in the fifth paragraph by “60 days”;

(6) by inserting the following paragraphs after the fifth paragraph:

“The amount of the payments that a health professional has obtained for services referred to in the first or second paragraph may be established by statistical inference on the sole basis of information obtained by a sampling of those services, according to a method consistent with generally accepted practices.

Notification of a notice of investigation to the health professional by the Board suspends the 60-month prescription provided for in the first paragraph or the 10-year prescription provided for in the second paragraph until the expiry of one year from the notification or until the investigation report is completed, whichever comes first.”;

(7) by replacing “second, third, fourth and fifth” in the sixth paragraph by “second, fourth, fifth and sixth”.

14. Section 22.3 of the Act is amended by replacing the first paragraph by the following paragraph:

“If a health professional does not contest the decision rendered by the Board under section 22.2 and the Board can neither refuse payment for the services concerned by its decision nor have the amount owing reimbursed by compensation, it may, at the expiry of the applicable period for contesting the decision, issue a certificate stating the name and address of the health professional and attesting the amount owing and the health professional’s failure to contest the decision of the Board. On the filing of the certificate with the office of the Superior Court or the Court of Québec, according to their respective jurisdictions, the decision becomes enforceable as if it were a final judgment of that court not subject to appeal and has all the effects of such a judgment.”

15. Section 22.4 of the Act is amended by replacing the first and second paragraphs by the following paragraphs:

“Any amount, except a monetary administrative penalty, owed by a health professional or third person, as the case may be, following a decision of the Board made under section 22.0.1, 22.2 or 50 carries a recovery charge equal to 10% calculated on the outstanding balance of the debt on the date on which the Board, in order to collect the debt, resorts to a recovery measure, such as compensation or the issue of a certificate. The charge cannot be less than \$50 nor more than \$10,000.

When several measures are exercised to recover a debt, the charge provided for in the first paragraph is applied only once.”

16. The Act is amended by inserting the following section after section 22.4:

“**22.5.** No decision to impose a monetary administrative penalty may be notified to a person for a failure to comply with this Act or the regulations if a statement of offence has already been served for a failure to comply with the same provision on the same day, based on the same facts.”

17. The Act is amended by inserting the following section after section 22.5:

“**22.6.** Despite section 63, the information contained in a decision made by the Board under section 22.0.1, the second or third paragraph of section 22.2, section 38.3 or section 50 that is not contested within the time prescribed or the contestation of which has been withdrawn is public information, except the personal information concerning a person to whom the decision does not apply. The Board shall send such a decision to the professional order concerned.”

18. Section 26 of the Act is amended by replacing “the provisions of the agreement” and “which is provided for in the agreement and” by “what is prescribed by regulation” and “so prescribed”, respectively.

19. Section 27 of the Act is repealed.

20. Section 28 of the Act is amended

(1) by striking out “in the agreement or, failing an agreement, in accordance with the regulations” in the first paragraph;

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

“However, the Minister may authorize the re-engagement of a professional who has withdrawn or a non-participating professional within a shorter period than the prescribed period.”

21. Section 31 of the Act is amended by replacing “\$1,000 to \$2,000” and “\$2,000 to \$5,000” in the second paragraph by “\$5,000 to \$50,000” and “\$10,000 to \$100,000”, respectively.

22. Section 38 of the Act is amended by replacing “Subject to the second paragraph of section 18.2 and excepting any proceeding under section 18.4 or 50” by “Unless another period is specified”.

23. The Act is amended by inserting the following division after section 38:

“DIVISION III.1

“DISPENSERS

“38.1. A dispenser may not exact or receive payment from the Board or from an insured person, as the case may be, for an insured service that was not provided, that the dispenser did not provide in accordance with the tariffs or conditions prescribed by regulation or that the dispenser falsely described.

The dispenser may not exact or receive payment from the Board for a non-insured service.

A dispenser who contravenes the first or second paragraph is guilty of an offence and is liable to a fine of \$5,000 to \$50,000 and, in the case of a subsequent offence, to a fine of \$10,000 to \$100,000.

“38.2. Section 22.0.1, except the fifth paragraph, applies where the Board believes that a dispenser received a payment from an insured person contrary to section 38.1, with the necessary modifications. However, a dispenser who wishes to contest the Board’s decision must do so before the Administrative Tribunal of Québec within 60 days of notification of the decision.

“38.3. Where the Board believes that services for which payment is claimed by a dispenser or for which he obtained payment in the preceding 60 months were services not provided in accordance with the tariffs or conditions prescribed by regulation, it may refuse payment for such services or have them reimbursed by compensation or otherwise, as the case may be.

Where, after an investigation, the Board believes that services for which payment is claimed by a dispenser or for which he obtained payment in the preceding 10 years were services that were not provided or that the dispenser falsely described or were non-insured services, it may refuse payment for such services or have them reimbursed by compensation or otherwise, as the case may be.

In addition, the Board may impose on the dispenser a monetary administrative penalty equal to 10% of the payment the dispenser claimed or obtained for services referred to in the first paragraph or 15% of the payment the dispenser claimed or obtained for services referred to in the second paragraph. It may collect the amount of the penalty by compensation or otherwise.

Before rendering its decision, the Board shall give the dispenser at least 30 days’ notice, stating the acts alleged against him and, if applicable, the monetary administrative penalty that may be imposed, and allowing him an opportunity to present observations. At the expiry of the time limit, it shall notify its decision to the dispenser in writing, with reasons.

The dispenser may, within 60 days of notification of the decision, contest it before the Administrative Tribunal of Québec. The burden of proving that the decision of the Board is ill-founded is on the dispenser.

Notification of a notice of investigation to the dispenser by the Board suspends the 60-month prescription provided for in the first paragraph or the 10-year prescription provided for in the second paragraph, as the case may be, until the expiry of one year from the notification or until the investigation report is completed, whichever comes first.

“38.4. If a dispenser does not contest the Board’s decision before the Administrative Tribunal of Québec and the Board can neither refuse payment for the services concerned nor have them reimbursed by compensation, it may, at the expiry of the 60-day period for contesting the decision, issue a certificate stating the name and address of the dispenser and attesting the amount owing and the dispenser’s failure to contest the decision before the Administrative Tribunal of Québec. On the filing of the certificate with the office of the Superior Court or the Court of Québec, according to their respective jurisdictions, the decision becomes enforceable as if it were a final judgment of that court not subject to appeal and has all the effects of such a judgment.

The second paragraph of section 18.3.2 applies, with the necessary modifications, to the amount owed by the dispenser.

“38.5. Any amount, except a monetary administrative penalty, owed by a dispenser following a decision of the Board made under section 38.2 or 38.3 carries a recovery charge equal to 10% calculated on the outstanding balance of the debt on the date on which the Board, in order to collect the debt, resorts to a recovery measure, such as compensation or the issue of a certificate. The charge cannot be less than \$50 nor more than \$10,000.

The second and third paragraphs of section 22.4 apply, with the necessary modifications.

“38.6. Section 22.5 applies to a dispenser on whom a statement of offence has been served.

“38.7. Sections 38.1 to 38.5 do not apply to an institution.”

24. Section 47 of the Act is amended

- (1) by replacing “36” in the first paragraph by “60”;
- (2) by adding the following paragraph at the end:

“Notification of a notice of investigation to the health professional by the Board suspends the 60-month prescription provided for in the first paragraph until the expiry of one year from the notification or until the investigation report is completed, whichever comes first.”

25. Section 50 of the Act is amended

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

“The Board may impose on the health professional a monetary administrative penalty equal to 15% of the payment the professional claimed or obtained for services referred to in the first paragraph of section 47, which it may collect by compensation, except if its decision is not in conformity with the recommendation of the revisory committee. When such a penalty is imposed, the notice transmitted to the professional must mention as much.”;

(2) by replacing “the preceding paragraph” in the second paragraph by “the first or second paragraph”.

26. Section 51 of the Act is amended by replacing “second paragraph” in the first paragraph by “third paragraph”.**27.** Section 64 of the Act is amended

(1) by adding the following subparagraph after subparagraph *c* of the first paragraph:

“(d) the description of the service that was furnished.”;

(2) by inserting “, except that referred to in subparagraph *d* of the first paragraph,” after “shall be required to disclose such information” in the second paragraph.

28. Section 65 of the Act is amended

(1) by inserting “or the board of directors of any professional order to which a dispenser belongs or to which a person who provides an insured service for a dispenser belongs” after “Ordre professionnel des pharmaciens du Québec” in the first paragraph;

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

“Neither does it prohibit the communication of information obtained for the carrying out of this Act

(1) to a body responsible by law for the prevention, detection or repression of crime or statutory offences, if the information is necessary to prosecute an offence under an Act applicable in Québec; or

(2) to a body referred to in the seventh paragraph if the information is necessary to prevent, detect or repress an offence under an Act applicable in Québec.”;

(3) by replacing “fifth” in the seventh paragraph by “sixth”.

29. The Act is amended by inserting the following section after section 65:

“**65.0.0.1.** If a person is found guilty of an offence under this Act or its regulations, the Board must inform the professional order of which the person is a member, if any.”

30. Section 67 of the Act is amended by inserting the following paragraph after the tenth paragraph:

“Neither does it prohibit the communication to the Minister of Health and Social Services, in accordance with the conditions and formalities prescribed by the Act respecting Access to documents held by public bodies and the Protection of personal information, of the information necessary to advise the Minister on any matter the Minister refers to the Board and to inform the Minister of any problem or any matter which, in the Board’s opinion, warrants examination or action by the Minister or by any other minister or body with an interest in the administration or implementation of a program in accordance with subparagraph *c* of the second paragraph of section 2 of the Act respecting the Régie de l’assurance maladie du Québec (chapter R-5).”

31. Section 69 of the Act is amended, in the first paragraph,

(1) by striking out “prescribe the terms and conditions for claims and payments,” in subparagraph *h.2*;

(2) by striking out “the information and documents he must provide,” in subparagraph *l*;

(3) by replacing “, the documents that must be presented by the applicant, and the conditions the applicant must fulfil” in subparagraph *l.2* by “and the conditions to be met by the applicant”.

32. Section 72 of the Act is amended, in the first paragraph,

(1) by striking out subparagraph *a*;

(2) by replacing subparagraph *d.2* by the following subparagraph:

“(d.2) prescribing, with respect to any class of health professionals with which the Minister has entered into an agreement under section 19, according to the method of remuneration, that a health professional’s statement of fees or claim for payment be transmitted to the Board by electronic means only;”;

(3) by striking out subparagraph *e*.

33. Section 74 of the Act is amended by replacing “of not more than \$500” and “of \$100 to \$1,000” in the third paragraph by “of \$1,000 to \$10,000” and “of \$2,000 to \$20,000”, respectively.

34. The Act is amended by inserting the following section after section 74:

“74.1. Every person who threatens or intimidates a person or takes reprisals in any manner whatever against him, including demoting, suspending or dismissing him or taking any disciplinary or other measure that adversely affects his employment or conditions of employment because he is complying with this Act, is exercising a right provided for by this Act or has reported conduct that contravenes this Act is guilty of an offence and is liable to a fine of \$2,000 to \$20,000 in the case of a natural person and \$10,000 to \$250,000 in any other case. In the case of a subsequent offence, the minimum and maximum fines are doubled.

The Board must take all necessary measures to protect the identity of persons making a disclosure. The Board may however communicate the identity of such persons to the Director of Criminal and Penal Prosecutions.”

35. Section 76 of the Act is amended by replacing “of not more than \$1,000” by “of \$250 to \$2,500”.

36. Section 76.1 of the Act is replaced by the following section:

“76.1. Penal proceedings for an offence under this Act or the regulations must be brought within one year from the date on which the prosecutor became aware of the commission of the offence. However, no proceedings may be instituted if more than five years have elapsed since the date of the commission of the offence.”

37. The Act is amended by striking out “the content of which is in conformity with the regulations,” in the first paragraphs of sections 12, 13.1 and 22.1, “and the content of which is in conformity with the regulations” in the first paragraphs of sections 13 and 13.2 and in the first and third paragraphs of section 13.2.1, and “, the content of which is in conformity with the regulations,” in section 13.3.

HOSPITAL INSURANCE ACT

38. Section 10 of the Hospital Insurance Act (chapter A-28) is amended

(1) by adding the following sentence at the end of subsection 1: “Any claim by the State must be notified by the Board to the third party by way of a notice stating the amount of the debt and the reasons for which the debt is due.”;

(2) by replacing subsection 3.1 by the following subsection:

“(3.1) An insurer of a third party’s liability shall notify the Board in writing as soon as the insurer is informed of an event involving physical or mental injury that entails or might entail the payment of insured services.”;

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

“(7) An institution shall, on a request by the Board specifying the nature of the information or documents sought, communicate to the Minister any information or document contained in the insured person’s record that is necessary to exercise a right of recovery under subsection 1, provided the institution has informed the insured person of the nature of the information or documents to be communicated to the Board within a reasonable time before they are sent.

“(8) For the purposes of this section, “insurer of a third party’s liability” also means a person or group of persons that provides coverage which may otherwise be obtained under a liability insurance contract.”

ACT RESPECTING PRESCRIPTION DRUG INSURANCE

39. The Act respecting prescription drug insurance (chapter A-29.01) is amended by inserting the following sections after section 8.1:

“8.1.1. A pharmacist must give an itemized invoice to a person from whom payment of a pharmaceutical service, except a service for which no contribution is payable under subparagraph 1.4 of the first paragraph of section 78, or of a medication or supply covered by the basic plan is claimed. The invoice must list separately the pharmacist’s professional fees for every service provided, the price paid by the basic plan for every medication or supply provided and the wholesaler’s profit margin, if any.

The invoice must also show any other information the Government determines by regulation, based on whether the insurance coverage is provided by the Board or by a group insurance contract or an employee benefit plan.

An accredited wholesaler must give the pharmacist to whom the wholesaler sells a medication or supply covered by the basic plan an itemized invoice which lists separately the price of that medication or supply and the wholesaler’s profit margin.

“8.1.2. No pharmacist may sell a medication covered by the basic plan to a person covered by that plan at any other price than the price the pharmacist paid. In the case of a compounded medication, a parenteral therapy, an ophthalmic solution or any other medication requiring preparation, the price that the pharmacist paid includes the cost of all the ingredients used in the preparation and the fees of the compounding pharmacist.

No compounding pharmacist who, at the request of another pharmacist, prepares a compounded medication, a parenteral therapy, an ophthalmic solution or any other medication requiring preparation may sell such a medication to that other pharmacist at any other price than the price paid by the basic plan, or bill that other pharmacist, if the person concerned is covered by the public plan, for fees other than those established according to the tariffs determined in the agreement under section 19 of the Health Insurance Act (chapter A-29).”

40. Section 22 of the Act is amended

(1) by replacing “36” in the third paragraph by “60”;

(2) by inserting “government” before “regulation” in the third paragraph;

(3) by adding the following sentence at the end of the third paragraph: “In addition, the Board may impose on a pharmacist a monetary administrative penalty equal to 15% of the amount of the benefits, which it may collect by compensation or otherwise.”;

(4) by inserting the following paragraph after the third paragraph:

“For the purposes of the third paragraph, any benefit received by a pharmacist is presumed, in the absence of any evidence to the contrary, to have been received in connection with pharmaceutical services or medications for which the pharmacist has claimed or received payment.”;

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

“The information contained in a decision made by the Board under the third paragraph that is not contested within the time prescribed or the contestation of which has been withdrawn is public information, except the personal information concerning a person to whom the decision does not apply. The Board shall send such a decision to the Ordre professionnel des pharmaciens du Québec.

Notification of a notice of investigation to the pharmacist by the Board suspends the 60-month prescription provided for in the third paragraph until the expiry of one year from the notification or until the investigation report is completed, whichever comes first.”

41. The Act is amended by inserting the following section after section 42.2:

“**42.2.1.** No group insurance contract or employee benefit plan may restrict a beneficiary’s freedom to choose a pharmacist.”

42. Section 60 of the Act is amended by replacing the fourth and fifth paragraphs by the following paragraphs:

“The list shall also, for medications provided by a pharmacist, in the cases and on the conditions determined in the list, indicate the price of the medications or supplies sold to a pharmacist by an accredited manufacturer or wholesaler, the manner in which the price of a medication or supply is established, the cost payable by the basic plan for a medication or supply and the accredited wholesalers’ maximum profit margins.

Furthermore, the list shall include, where applicable, the cases in which and the conditions on which payment of the cost of a medication, including an

exceptional medication, is covered by the basic plan, in particular the therapeutic indications concerned, the maximum quantity covered for that medication, the duration of the pharmacological treatment, the necessity of obtaining the Board's authorization and the restrictions relating to the age of the eligible person.”

43. Section 60.0.0.1 of the Act is amended by replacing “it is entered as an exceptional medication” by “the brand-name medication is subject to the Board's authorization”.

44. The Act is amended by inserting the following sections after section 60.0.3:

“60.0.4. The Minister may suspend the insurance coverage of a manufacturer's medication or supply, end it or not re-enter a medication or a supply of that manufacturer on the list of medications when the list is updated in the following cases:

(1) if the manufacturer fails to comply with a condition or commitment prescribed by ministerial regulation, a provision of a listing agreement or a provision of a contract entered into following a call for tenders;

(2) if the selling price guaranteed by the manufacturer for a medication is higher than the maximum amount payable by the basic plan;

(3) if a competing medication or supply is the subject of a listing agreement;

(4) if the Institut national d'excellence en santé et en services sociaux recommends doing so; or

(5) if the Minister considers that the public interest so requires.

The Minister suspends or ends the insurance coverage by publishing a notice on the Board's website. The suspension or end of the insurance coverage applies on the date of publication of the notice or on any later date specified in the notice. Where applicable, a notice of the end date of the suspension is also published on the website. Publication imparts authentic value to such notices. The notices are not subject to the requirements concerning publication and date of coming into force set out in sections 8, 15 and 17 of the Regulations Act (chapter R-18.1).

However, the Minister may, in a suspension or end-of-coverage notice or on an updating of the list, maintain the insurance coverage of a medication or supply for persons undergoing pharmacological treatment.

A medication for which the Minister has issued a suspension or end-of-coverage notice or which has not been re-entered on the list of medications is excluded from the application of the sixth paragraph of section 60.

“60.0.5. If the Minister considers that the available stock of a medication entered on the list of medications is becoming scarce and there is a serious risk of a stock shortage, the Minister may, by publishing a notice on the Board’s website, suspend, if applicable, the application of any preferential procurement agreement relating to that medication. The suspension applies on the date of publication of the notice or any later date specified in the notice. A notice of the end date of the suspension is also published on the Board’s website.

The accredited manufacturer or wholesaler or the intermediary within the meaning of the second paragraph of section 80.1 governed by such an agreement must then supply any pharmacist who requests it.

“60.0.6. At the Minister’s request, a manufacturer or wholesaler must provide, within 24 hours following the request and in the requested format, any information on the manufacturer’s or wholesaler’s stocks and back orders, including, if requested, the medication or supply, the format, dosage, lot numbers and expiry dates and the sales to pharmacists with an account. The Minister may request that the Board send the information to pharmacists.”

45. Section 60.1 of the Act is amended by replacing “it” by “the president and chief executive officer or, in that officer’s absence, the person that officer designates”.

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

“70.0.1. The Minister may, by regulation, prescribe the monetary administrative penalties that may be imposed by the Board in the case of a failure by a manufacturer or wholesaler to comply with a condition or commitment prescribed by ministerial regulation. The regulation determines the amount of the penalty by taking into account the nature and seriousness of the failure to comply; however, the amount may not exceed \$2,500.

The imposition of such an administrative penalty is prescribed two years after the date of the failure to comply.

“70.0.2. Sections 22.2 and 22.3 of the Health Insurance Act (chapter A-29) govern the procedure applicable to a decision made by the Board under section 70.0.1 as if the decision had been made under the third paragraph of section 22.2 of that Act, with the necessary modifications.”

47. Section 78 of the Act is amended by replacing subparagraph 2.1 of the first paragraph by the following subparagraph:

“(2.1) determine the other information the itemized invoice referred to in section 8.1.1 must contain, which may vary according to whether the insurance coverage is provided by the Board or by a group insurance contract or an employee benefit plan;”.

48. Section 80 of the Act is amended

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

“**80.** In addition to the other regulatory powers conferred by this Act, the Minister may make regulations to”;

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

“(4) determine the benefits intermediaries may grant or receive within the scope of their activities in the supply chain for medications entered on the list of medications or in the marketing of such medications in pharmacies; and

“(5) determine the elements for which a certificate or report must be prepared by an independent auditor.”

49. The Act is amended by inserting the following chapter after section 80:**“CHAPTER IV.1****“PROHIBITED COMMERCIAL PRACTICES**

“**80.1.** An accredited manufacturer may not enter into an exclusive agreement with an accredited wholesaler or an intermediary to supply a pharmacy with a medication or supply entered on the list of medications.

For the purposes of this Act, an intermediary is

(1) any person with whom owner pharmacists identify within the scope of their professional or commercial activities, in particular by using, with the person’s consent, the person’s name or image or a trademark the person owns; or

(2) any person who intervenes, directly or indirectly, in the supply chain for the medications entered on the list of medications or in the marketing of such medications in pharmacies, except accredited manufacturers or wholesalers or owner pharmacists or any of their employees.

“**80.2.** An accredited manufacturer or wholesaler may not, nor may an intermediary,

(1) pay or reimburse to a person covered by the basic plan all or part of the price of a medication or supply covered by the plan, except to the extent provided for by ministerial regulation, in particular for humanitarian reasons;

(2) limit the supply of medications or supplies entered on the list of medications to a restricted number of owner pharmacists, unless a notice of compliance with conditions has been issued by Health Canada to the contrary;

(3) require that an owner pharmacist procure from the manufacturer, wholesaler or intermediary, on an exclusive basis, medications or supplies entered on the list of medications;

(4) require that an owner pharmacist procure from the manufacturer, wholesaler or intermediary, on a preferential basis, medications or supplies entered on the list of medications, unless an agreement between them explicitly provides for the possibility of procuring medications or supplies otherwise when, in the pharmacist's opinion, a person's state or condition requires a medication or supply that is not available on a preferential basis;

(5) directly or indirectly induce or require an owner pharmacist to sell on a preferential basis a specific brand of medication or supply entered on the list of medications; or

(6) grant to or receive from an accredited manufacturer or wholesaler, intermediary or pharmacist, directly or indirectly, any benefit in connection with the sale or purchase of a medication entered on the list of medications covered by the basic plan, except a benefit authorized by regulation or a discount or, in the case of a wholesaler, a profit margin not provided for in the commitment.

“80.3. An accredited manufacturer or wholesaler may not, nor may an intermediary or owner pharmacist, grant any benefit, directly or indirectly, in connection with the sale or purchase of a medication entered on the list of medications covered by the basic plan, to the author of a prescription or an operator or employee of a private seniors' residence governed by the Act respecting health services and social services (chapter S-4.2).

The author of a prescription or the operator or employee of a private seniors' residence may not receive such a benefit from an accredited manufacturer or wholesaler or from an intermediary or owner pharmacist.

“80.4. If, after an investigation, the Board believes that an accredited manufacturer or wholesaler or an intermediary has granted or received, within the preceding 60 months, a benefit, a discount or a profit margin contrary to paragraph 6 of section 80.2, the Board may require that the accredited manufacturer or wholesaler or the intermediary reimburse it. In addition, the Board may require that the accredited manufacturer or wholesaler or the intermediary pay the administrative costs determined in the commitment and may impose a monetary administrative penalty equal to 15% of the amount of the reimbursement.

If, after an investigation, the Board believes that an accredited manufacturer or wholesaler or an intermediary or owner pharmacist has granted, within the preceding 60 months, any benefit contrary to the first paragraph of section 80.3, the Board may require that the accredited manufacturer or wholesaler or the intermediary or owner pharmacist reimburse it. In addition, the Board may require that the accredited manufacturer or wholesaler or the intermediary or

owner pharmacist pay the administrative costs determined in the commitment and may impose a monetary administrative penalty equal to 15% of the amount of the reimbursement.

Notification of a notice of investigation to the accredited manufacturer or wholesaler, the intermediary or owner pharmacist by the Board suspends the 60-month prescription provided for in the first or second paragraph, as the case may be, until the expiry of one year from the notification or until the investigation report is completed, whichever comes first.

Sections 22.2 to 22.3 of the Health Insurance Act (chapter A-29) govern the procedure applicable to a decision made under the first or second paragraph, as if the decision had been made under the second paragraph of section 22.2 of that Act, with the necessary modifications.

The information contained in a decision made under the first or second paragraph that is not contested in the time prescribed or the contestation of which has been withdrawn is public information, except the personal information concerning a person to whom the decision does not apply.

For the purposes of this section, any benefit granted or received is presumed, in the absence of any evidence to the contrary, to have been granted or received in connection with the sale or purchase of a medication entered on the list of medications covered by the basic plan.”

50. The Act is amended by inserting the following section before section 81:

“**80.5.** A pharmacist who contravenes the first or second paragraph of section 8.1.1 or section 8.1.2 is guilty of an offence and is liable to a fine of \$2,500 to \$25,000.

The same applies to an accredited wholesaler who contravenes the third paragraph of section 8.1.1.”

51. Section 81 of the Act is amended by replacing “of not less than \$100 and not more than \$1,000” at the end by “of \$1,000 to \$10,000”.

52. Section 82 of the Act is amended by replacing the second paragraph by the following paragraphs:

“Every person who assists or encourages another person to obtain or receive a benefit, in particular a brand-name medication, to which that other person is not entitled under this Act or who provides information the person knows to be false or inaccurate to allow the other person to enjoy such a benefit is guilty of an offence.

A person found guilty of an offence under this section is liable to a fine of \$1,000 to \$10,000.”

53. The Act is amended by inserting the following section after section 82:

“82.1. Every person who threatens or intimidates a person, or takes reprisals in any manner whatever against the person, including demoting, suspending or dismissing the person or taking any disciplinary or other measure that adversely affects the person’s employment or conditions of employment because the person is complying with this Act, is exercising a right provided for by this Act or has reported conduct that contravenes this Act is guilty of an offence and is liable to a fine of \$2,000 to \$20,000 in the case of a natural person and \$10,000 to \$250,000 in any other case.

The Board must take all necessary measures to protect the identity of persons making a disclosure. The Board may however communicate the identity of such persons to the Director of Criminal and Penal Prosecutions.”

54. Sections 84, 84.1 and 84.2 of the Act are amended by replacing “of not less than \$1,000 and not more than \$10,000” by “of \$2,500 to \$250,000”.

55. The Act is amended by inserting the following sections after section 84.2:

“84.2.1. An insurer transacting group insurance or an administrator of an employee benefit plan who, in contravention of section 42.2.1, restricts a beneficiary’s freedom to choose a pharmacist is guilty of an offence and is liable to a fine of \$10,000 to \$1,000,000.

“84.2.2. An accredited manufacturer or wholesaler or an intermediary who contravenes the second paragraph of section 60.0.5 is guilty of an offence and is liable to a fine of \$2,500 to \$250,000.”

56. Section 84.3 of the Act is amended by replacing “of not less than \$1,000 and not more than \$10,000” by “of \$1,000 to \$100,000”.

57. The Act is amended by inserting the following sections after section 84.3:

“84.3.1. An accredited manufacturer who contravenes section 80.1 is guilty of an offence and is liable to a fine of \$10,000 to \$1,000,000.

An accredited manufacturer or wholesaler or an intermediary who contravenes section 80.2 or 80.3 is guilty of an offence and is liable to a fine of \$10,000 to \$1,000,000.

A pharmacist who contravenes section 80.3 is guilty of an offence and is liable to a fine of \$10,000 to \$100,000.

“84.3.2. The operator of a private seniors’ residence or author of a prescription who contravenes the second paragraph of section 80.3 is guilty of an offence and is liable to a fine of \$5,000 to \$50,000.

The employee of a private seniors' residence who contravenes the second paragraph of section 80.3 is guilty of an offence and is liable to a fine of \$1,000 to \$10,000."

58. Section 84.4 of the Act is amended by replacing "of not less than \$1,000 and not more than \$10,000" by "of \$2,500 to \$25,000".

59. The Act is amended by inserting the following sections after section 84.5:

"84.6. A pharmacist who receives a benefit in connection with pharmaceutical services or medications for which the pharmacist has claimed or received payment, except a benefit authorized by regulation, is guilty of an offence and is liable to a fine of \$10,000 to \$100,000.

"84.7. An accredited manufacturer or wholesaler who contravenes a condition or commitment prescribed by ministerial regulation is guilty of an offence and is liable to a fine of \$2,500 to \$250,000."

60. Section 85 of the Act is amended by replacing "Every person" by "Subject to section 84.7, every person".

61. The Act is amended by inserting the following sections after section 85:

"85.0.1. Penal proceedings for an offence under this Act or the regulations must be brought within one year from the date on which the prosecutor became aware of the commission of the offence. However, no proceedings may be instituted if more than five years have elapsed since the date of the commission of the offence.

"85.0.2. In the case of a subsequent offence, the minimum and maximum fines prescribed in this Act are doubled."

62. Section 85.1 of the Act is repealed.

63. The Act is amended by inserting the following sections after section 85.1:

"85.2. The Board is also authorized, within the scope of any action it institutes to recover a sum collected in contravention of this Act, to act on behalf of any insurer transacting group insurance or administrator of an employee benefit plan if it has previously informed the insurer or administrator of its intention and given the insurer or administrator reasonable time to bring an action itself.

The sums collected on behalf of insurers or administrators are distributed among them by the Board in the manner and on the conditions prescribed by regulation. As consideration, the insurer or administrator shall take the necessary measures to use them for the purpose of benefiting its insured.

“85.3. No decision to impose a monetary administrative penalty may be notified to a person for a failure to comply with this Act or the regulations if a statement of offence has already been served for a failure to comply with the same provision on the same day, based on the same facts.”

ACT RESPECTING ADMINISTRATIVE JUSTICE

64. Section 3 of Schedule I to the Act respecting administrative justice (chapter J-3) is amended by inserting “, 38.2, 38.3” after “18.4” in paragraph 2.

ACT RESPECTING THE RÉGIE DE L'ASSURANCE MALADIE DU QUÉBEC

65. The Act respecting the Régie de l'assurance maladie du Québec (chapter R-5) is amended by inserting the following section after section 2.0.12:

“2.0.13. The Board may require, from every person filing an application under this Act, the Health Insurance Act (chapter A-29), the Act respecting prescription drug insurance (chapter A-29.01), the regulations or any other program entrusted to it by law or by the Government under the first paragraph of section 2,

(1) that the person use the appropriate form provided by the Board; and

(2) that the person provide the information and documents necessary to the processing of the application.

Likewise, the Board may require that declarations, notices, authorizations or mandates given to a third person be submitted to the Board on the appropriate form it provides.

The Board's forms are published on the Board's website.”

66. Section 16.0.1 of the Act is amended

(1) by inserting “of the Board” at the end of the first paragraph;

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

“Such a regulation comes into force on the date of its publication on the Board's website or on any later date specified in the regulation. Publication on the website imparts authentic value to the regulation.”

67. The Act is amended by inserting the following sections after section 19:

“19.1. The Board may authorize any person to act as an inspector for the purpose of verifying compliance with this Act, the Health Insurance Act (chapter A-29), the Act respecting prescription drug insurance (chapter A-29.01) and the regulations.

To that end, the person acting as an inspector may

(1) enter, at any reasonable time, any place where a health professional, a dispenser or a drug manufacturer or wholesaler accredited by the Minister or an intermediary within the meaning of section 80.1 of the Act respecting prescription drug insurance exercises functions or carries on activities; and

(2) require the persons present to provide any information relating to the functions exercised or activities carried on by the persons referred to in subparagraph 1 and to produce any related document for examination or for the purpose of making copies.

Any person who has custody, possession or control of the documents referred to in this section must, on request, make them available to the person conducting the inspection and facilitate their examination.

An inspector authorized to act by the Board cannot be prosecuted for acts performed in good faith in the exercise of the functions of office.

“19.2. An inspector may, by a request sent by registered mail or personal service, require from any person, within a reasonable time specified by the inspector, that the person send by registered mail or personal service any information or document relating to the application of this Act, the Health Insurance Act (chapter A-29), the Act respecting prescription drug insurance (chapter A-29.01) and the regulations.”

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

“20.1. Within the scope of an inspection or investigation, no person may refuse to communicate to the Board any information or document contained in the record of an insured person within the meaning of the Health Insurance Act (chapter A-29) or any financial information or document concerning the activities carried on by a health professional, a dispenser or a drug manufacturer or wholesaler accredited by the Minister.”

69. Section 21 of the Act is amended

(1) by inserting “to communicate any information or document he may require or” after “refuse” in the first paragraph;

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

“Anyone who contravenes the first paragraph is guilty of an offence and is liable to a fine of \$5,000 to \$50,000. In the case of a subsequent offence, the minimum and maximum fines are doubled.”

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

“21.1. The Board may apply to a judge of the Superior Court to obtain an injunction in respect of any matter covered by this Act, the Health Insurance Act (chapter A-29), the Act respecting prescription drug insurance (chapter A-29.01) or the regulations.

The application for an injunction is a proceeding in itself.

The procedure prescribed in the Code of Civil Procedure (chapter C-25.01) applies, except that the Board cannot be required to give security.”

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

“23. The Board may, in accordance with the applicable legislative provisions, enter into an agreement with a government other than the Gouvernement du Québec or a department or body of such a government, or with an international organization or a body of such an organization.”

72. Section 25 of the Act is amended by inserting the following paragraph after the first paragraph:

“In a separate section of the report, the Board shall state, in particular, the number of inspections and investigations conducted and, as regards the latter, their class and the number of them having lasted more than one year, as well as the sums recovered following those inspections and investigations.”

73. Section 39 of the Act is amended

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

“The sums collected by the Board as monetary administrative penalties under sections 22.0.1, 22.2 and 38.3 of the Health Insurance Act (chapter A-29) are credited to the Health Services Fund.”;

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

“The Ministère des Finances shall distribute the sums credited to the Health Services Fund equally between the Board and the Ministère de la Santé et des Services sociaux, except the sums referred to in the second paragraph, which are assigned in their entirety to the Board.”;

(3) by replacing “second” in the third paragraph by “third”.

74. Section 40.1 of the Act is amended

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

“(d.3) the sums collected by the Board as monetary administrative penalties under section 22 or 70.0.1 of the Act respecting prescription drug insurance;”;

(2) by replacing “d.2” in paragraph *e* by “d.3”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

75. The Act respecting health services and social services (chapter S-4.2) is amended by inserting the following section before section 10:

“**9.2.** No person may hinder a person from having access to a place to which the person has a right of access and where health services or social services are provided.”

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

“CHAPTER I.1

“ACCESS TO VOLUNTARY TERMINATION OF PREGNANCY SERVICES

“**16.1.** No person may, within a distance of 50 metres from the grounds on which a facility or premises providing voluntary termination of pregnancy services are situated, demonstrate in any manner or in any other way intervene to

(1) attempt to dissuade a woman from obtaining such a service or contest or condemn her choice of obtaining or having obtained the service; or

(2) attempt to dissuade a person from providing, or from participating in the provision of, such a service or contest or condemn the person’s choice of providing, or participating in the provision of, such a service or working in such a place.”

77. Section 19 of the Act is amended

(1) by inserting “in the seventh paragraph of section 78,” after “27.1,” in paragraph 7;

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

“(16) in the cases and for the purposes set out in subsection 7 of section 10 of the Hospital Insurance Act (chapter A-28);

“(17) to a person authorized to conduct an inspection or investigation under section 19.1 or 20 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5); or

“(18) in the cases and for the purposes set out in subsection 1.1 of section 18 of the Health Insurance Act (chapter A-29).”

78. Section 78 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: “Any claim by the Government must be notified to the third person by way of a notice stating the amount of the debt and the reasons for which the debt is due.”;

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

“An institution must, on a request by the Minister specifying the nature of the information or documents sought, communicate to the Minister any information or document contained in the insured person's record that is necessary to exercise a right of recovery under the first paragraph, provided the institution has informed the insured person of the nature of the information or documents to be communicated to the Minister within a reasonable time before they are sent.

For the purposes of this section, “insurer of a third person's liability” also means a person or group of persons that provides coverage which may otherwise be obtained under a liability insurance contract.”

79. The Act is amended by inserting the following section after section 531:

“**531.0.1.** Every person who contravenes section 9.2 or 16.1 is guilty of an offence and is liable to a fine of \$250 to \$1,250 in the case of a natural person or to a fine of \$500 to \$2,500 in any other case.

Every person who threatens or intimidates a person who is accessing, trying to access or leaving a facility or premises where voluntary termination of pregnancy services are provided is guilty of an offence and is liable to a fine of \$500 to \$2,500 in the case of a natural person or to a fine of \$1,000 to \$5,000 in any other case.”

TRANSITIONAL AND FINAL PROVISIONS

80. In the case of a question as to the interpretation or application of an agreement, a health professional may contest a decision of the Board made under section 22.0.1 of the Health Insurance Act (chapter A-29), as replaced by section 12 of this Act, before a council of arbitration established under section 54 of the Health Insurance Act, until the coming into force of the first regulation made under the twelfth paragraph of section 22 of that Act.

81. The sixth paragraph of section 22.2 of the Health Insurance Act, as amended by section 13 of this Act, has effect from 7 December 2006.

82. A regulation made under subparagraph *d.2* of the first paragraph of section 72 of the Health Insurance Act, as it read before 7 December 2016, continues to apply with respect to any class of health professionals with which the Minister entered into an agreement under section 19 of that Act until such a class is governed by a regulation made under subparagraph *d.2* of the first paragraph of section 72 of that Act, as amended by section 32 of this Act.

83. The first regulation made under subparagraph *d.2* of the first paragraph of section 72 of the Health Insurance Act, as amended by section 32 of this Act, 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).

84. The provisions of this Act come into force on 7 December 2016, except

(1) section 12, to the extent that it concerns subparagraph 3 of the third paragraph of section 22.0.1 of the Health Insurance Act, paragraph 4 of section 13, to the extent that it concerns the third paragraph of section 22.2 of the Health Insurance Act, section 23, to the extent that it concerns the third paragraph of section 38.3 of the Health Insurance Act, paragraph 1 of section 25, paragraph 3 of section 40, section 49, to the extent that it concerns the last sentence of the first and second paragraphs of section 80.4 of the Act respecting prescription drug insurance (chapter A-29.01), which come into force on 7 March 2017;

(2) sections 27 and 31, paragraph 1 of section 32 and section 65, which come into force on 7 December 2017, unless the Government sets an earlier date or earlier dates for their coming into force;

(3) sections 39, 47 and 50, to the extent that they concern section 8.1.1 of the Act respecting prescription drug insurance, which come into force on 15 September 2017;

(4) sections 39 and 50, to the extent that they concern section 8.1.2 of the Act respecting prescription drug insurance, which come into force by order of the Government;

(5) section 49, to the extent that it concerns paragraph 1 of section 80.2 of the Act respecting prescription drug insurance, which comes into force on the day of coming into force of the first regulation under paragraph 1 of that section 80.2;

(6) section 72, which comes into force on 31 July 2018.

2016, chapter 29

AN ACT TO TRANSFER THE ACTIVITIES OF THE ENTERPRISE REGISTRAR TO THE MINISTÈRE DU TRAVAIL, DE L'EMPLOI ET DE LA SOLIDARITÉ SOCIALE

Bill 116

Introduced by Mr. François Blais, Minister of Employment and Social Solidarity

Introduced 9 November 2016

Passed in principle 22 November 2016

Passed 7 December 2016

Assented to 7 December 2016

Coming into force: 1 April 2017

Legislation amended:

Tax Administration Act (chapter A-6.002)

Fish and Game Clubs Act (chapter C-22)

Amusement Clubs Act (chapter C-23)

Code of Civil Procedure (chapter C-25.01)

Companies Act (chapter C-38)

Cemetery Companies Act (chapter C-40)

Act respecting Roman Catholic cemetery companies (chapter C-40.1)

Gas, Water and Electricity Companies Act (chapter C-44)

Telegraph and Telephone Companies Act (chapter C-45)

Mining Companies Act (chapter C-47)

Act respecting the constitution of certain Churches (chapter C-63)

Religious Corporations Act (chapter C-71)

Roman Catholic Bishops Act (chapter E-17)

Act respecting fabriques (chapter F-1)

Winding-up Act (chapter L-4)

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 special powers of legal persons (chapter P-16)

Act respecting the legal publicity of enterprises (chapter P-44.1)

National Benefit Societies Act (chapter S-31)

Business Corporations Act (chapter S-31.1)

Act respecting societies for the prevention of cruelty to animals (chapter S-32)

Professional Syndicates Act (chapter S-40)

(cont'd on next page)

Regulations amended:

Regulation respecting the fees for users of the advance rulings and written opinions service of the Direction générale de la législation et du registraire des entreprises of the Agence du revenu du Québec (chapter A-6.002, r. 4.1)

Regulation respecting the signing of certain deeds, documents and writings of the Agence du revenu du Québec (chapter A-7.003, r. 1)

Explanatory notes

This Act aims to allow the transfer of the activities of the enterprise registrar to the Ministère du Travail, de l'Emploi et de la Solidarité sociale.

Under the Act, the Minister of Employment and Social Solidarity is responsible for the administration of the Act respecting the legal publicity of enterprises, except the sections of that Act that govern payment of the annual registration fee to the Minister of Revenue, which remain under the administration of the Minister of Revenue.

The Act specifies that the sums required to finance the activities of the enterprise registrar will be taken out of the Goods and Services Fund established within the Ministère du Travail, de l'Emploi et de la Solidarité sociale.

The Act also increases the fines prescribed in the Act respecting the legal publicity of enterprises and doubles them for a subsequent offence. A new offence is added to that Act for cases in which a person who does or omits to do something in order to help another person commit an offence.

It simplifies the notification of originating applications involving the enterprise registrar in civil matters.

Lastly, the Act contains transitional and consequential provisions, in particular with respect to the transfer of certain personnel members of the Agence du revenu du Québec, of assets made available to the enterprise registrar and of records relating to its activities.



Chapter 29

AN ACT TO TRANSFER THE ACTIVITIES OF THE ENTERPRISE REGISTRAR TO THE MINISTÈRE DU TRAVAIL, DE L'EMPLOI ET DE LA SOLIDARITÉ SOCIALE

[Assented to 7 December 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

ACT RESPECTING THE LEGAL PUBLICITY OF ENTERPRISES

1. Section 1 of the Act respecting the legal publicity of enterprises (chapter P-44.1) is replaced by the following section:

“**1.** The Minister of Employment and Social Solidarity appoints the enterprise registrar, who is an employee of the Ministère de l'Emploi et de la Solidarité sociale. The registrar is a public officer.”

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

“The registrar may also exercise any other function conferred on the registrar by the Government, after consulting with interested bodies, due to that function's connection with the functions and responsibilities provided for in the first paragraph.”

3. Section 4 of the Act is repealed.

4. Section 5 of the Act is amended by replacing “a person from among the employees designated under section 4” by “a department employee”.

5. Section 6 of the Act is amended by replacing “an employee designated under section 4” by “a department employee”.

6. Section 7 of the Act is amended

(1) by replacing “an employee designated under section 4” in the first paragraph by “a department employee”;

(2) by striking out “to a person other than an employee under the responsibility of the Agence du revenu du Québec” in the second paragraph.

- 7.** Section 8 of the Act is amended by replacing “an employee designated under section 4 and” in the first paragraph by “a department employee”.
- 8.** Section 9 of the Act is amended by replacing “an employee designated under section 4” by “a department employee”.
- 9.** Section 11 of the Act is amended by replacing “or a person referred to in section 4 or 7” by “, another department employee or a person referred to in section 7”.
- 10.** Section 46 of the Act is amended by striking out “with the Minister” in the first paragraph.
- 11.** Section 59 of the Act is amended by replacing “an order” by “a notice”, and section 66 of the Act is amended by replacing “an order” by “a notice” and “the order” by “the notice”.
- 12.** Section 73 of the Act is amended
- (1) by inserting “that penal proceedings may be instituted and” after “state” in the second paragraph;
 - (2) by adding the following paragraph at the end:

“No penal proceedings under this Act may be instituted against a registrant to whom the registrar has not given the opportunity to remedy the failure under the first paragraph, unless such proceedings are instituted under section 154, paragraph 2 of section 155, 156 or 157, or section 161.”
- 13.** Sections 83 and 84 of the Act are amended by inserting “of Revenue” after “Minister”.
- 14.** Section 89 of the Act is amended by replacing the fourth paragraph by the following paragraph:

“The Minister must include the waivers and cancellations that the Minister grants under this section in the department’s annual management report.”
- 15.** Section 124 of the Act is amended by replacing “an employee referred to in section 4 authorized for that purpose by the registrar” in the first paragraph by “a department employee authorized for that purpose by the registrar with the approval of the Minister”.
- 16.** Section 146 of the Act is amended by striking out “, the Agence du revenu du Québec” in the first paragraph.
- 17.** Section 147 of the Act is repealed.

18. Section 159 of the Act is replaced by the following sections:

“**158.1.** Whoever is guilty of an offence under paragraph 1 of section 152 is liable to a fine of not less than \$1,000 nor more than \$10,000 in the case of a natural person, and not less than \$2,000 nor more than \$20,000 in other cases.

“**159.** Whoever is guilty of an offence under any of paragraphs 2 to 7 of section 152 or under any of sections 153 to 158 is liable to a fine of not less than \$500 nor more than \$5,000 in the case of a natural person, and not less than \$1,000 nor more than \$10,000 in other cases.”

19. Sections 161 and 162 of the Act are replaced by the following sections:

“**160.1.** If an offence under this Act is committed by a director, an administrator of the property of others, an officer or an attorney of a registrant, the minimum and maximum fines that would apply in the case of a natural person are doubled.

“**161.** Whoever does or omits to do something in order to help a person commit an offence under this Act, or orders, authorizes, advises, encourages, incites or causes a person to commit such an offence, is guilty of the same offence.

“**162.** A person who contravenes section 126 or 131 is guilty of an offence and is liable to a fine of not less than \$2,500 nor more than \$25,000.

“**162.1.** The fines prescribed by this Act are doubled for a subsequent offence.”

20. Section 300 of the Act is replaced by the following section:

“**300.** The Minister of Employment and Social Solidarity is responsible for the administration of this Act, except sections 83 to 85, the administration of which falls under the responsibility of the Minister of Revenue.”

DIVISION II

OTHER AMENDING PROVISIONS

§1.— *Special legislative provisions*

TAX ADMINISTRATION ACT

21. Section 69.0.0.7 of the Tax Administration Act (chapter A-6.002) is amended by striking out subparagraph v of subparagraph b of the first paragraph and subparagraph b.1 of that paragraph.

22. Section 69.1 of the Act is amended by adding the following subparagraph at the end of the second paragraph:

“(z.2) the enterprise registrar, in respect of information necessary for the exercise of the registrar’s functions under the Act respecting the legal publicity of enterprises (chapter P-44.1).”

CODE OF CIVIL PROCEDURE

23. Article 139 of the Code of Civil Procedure (chapter C-25.01) is amended by inserting “, the enterprise registrar” after “rights registrar” in the third paragraph.

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

24. Section 68.2 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 replacing “in achieving the objects of the second paragraph of section 68.1” by “to achieve the objects of the second paragraph of section 68.1, except the sums payable to the enterprise registrar” at the end of paragraph 1;

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

“(1.1) the sums transferred to it by the Minister under section 68.2.1;”

25. The Act is amended by inserting the following section after section 68.2:

“**68.2.1.** On the joint recommendation of the Minister and the Minister of Finance, the Minister transfers to the Fund, out of the sums credited to the general fund, part of the sums collected under the Act respecting the legal publicity of enterprises (chapter P-44.1), to the extent, on the dates and in the manner determined by the Government.”

§2.— *General provision*

26. The expression “Minister of Revenue” is replaced by “Minister of Employment and Social Solidarity” in the following provisions:

- (1) section 7 of the Fish and Game Clubs Act (chapter C-22);
- (2) section 11 of the Amusement Clubs Act (chapter C-23);
- (3) section 1 of the Companies Act (chapter C-38);
- (4) section 14 of the Cemetery Companies Act (chapter C-40);

- (5) section 52 of the Act respecting Roman Catholic cemetery companies (chapter C-40.1);
- (6) section 98 of the Gas, Water and Electricity Companies Act (chapter C-44);
- (7) section 26 of the Telegraph and Telephone Companies Act (chapter C-45);
- (8) section 23 of the Mining Companies Act (chapter C-47);
- (9) section 15 of the Act respecting the constitution of certain Churches (chapter C-63);
- (10) section 19 of the Religious Corporations Act (chapter C-71);
- (11) section 22 of the Roman Catholic Bishops Act (chapter E-17);
- (12) section 75 of the Act respecting fabriques (chapter F-1);
- (13) section 34 of the Winding-up Act (chapter L-4);
- (14) section 54 of the Act respecting the special powers of legal persons (chapter P-16);
- (15) section 7 of the National Benefit Societies Act (chapter S-31);
- (16) section 494 of the Business Corporations Act (chapter S-31.1);
- (17) section 4 of the Act respecting societies for the prevention of cruelty to animals (chapter S-32); and
- (18) section 30 of the Professional Syndicates Act (chapter S-40).

§3. — *Regulatory provisions*

REGULATION RESPECTING THE FEES FOR USERS OF THE
ADVANCE RULINGS AND WRITTEN OPINIONS SERVICE OF THE
DIRECTION GÉNÉRALE DE LA LÉGISLATION ET DU REGISTRAIRE
DES ENTREPRISES OF THE AGENCE DU REVENU DU QUÉBEC

27. The title of the Regulation respecting the fees for users of the advance rulings and written opinions service of the Direction générale de la législation et du registraire des entreprises of the Agence du revenu du Québec (chapter A-6.002, r. 4.1) is amended by striking out “et du registraire des entreprises”.

28. Sections 2 and 3 of the Regulation are amended by striking out “et du registraire des entreprises” in the first paragraph.

**REGULATION RESPECTING THE SIGNING OF CERTAIN DEEDS,
DOCUMENTS AND WRITINGS OF THE AGENCE DU REVENU DU
QUÉBEC**

29. The heading of Title I of Book II of the Regulation respecting the signing of certain deeds, documents and writings of the Agence du revenu du Québec (chapter A-7.003, r. 1) is amended by striking out “et du registraire des entreprises”.

30. Chapter VII of Title I of Book II of the Regulation, comprising section 21.4, is repealed.

31. The heading of Chapter II of Title VIII of Book II of the Regulation is amended by striking out “et du registraire des entreprises”.

DIVISION III**TRANSITIONAL AND FINAL PROVISIONS**

32. Subject to the conditions of employment applicable to them, the enterprise registrar and the employees of the Agence du revenu du Québec designated to engage exclusively in the work and duties relating to the registrar’s functions under section 4 of the Act respecting the legal publicity of enterprises (chapter P-44.1), as it read on 9 November 2016, in office on that date and still in office on 31 March 2017 become, without further formality, employees of the Ministère du Travail, de l’Emploi et de la Solidarité sociale.

The same applies to the employees of the Agence du revenu du Québec designated to engage exclusively in the work and duties relating to the enterprise registrar’s functions under section 4 of the Act respecting the legal publicity of enterprises after 8 November 2016, if the designation was authorized by the secretary of the Conseil du trésor.

33. Subject to the conditions of employment applicable to them, the jurists of the Agence du revenu du Québec who are identified by the Agency after consulting with the Ministère de la Justice become, without further formality, employees of that department.

A maximum of two such jurists are chosen from among those who have expertise that is relevant to the activities of the enterprise registrar.

34. The employees referred to in section 32 or 33 are deemed to have been appointed in accordance with the Public Service Act (chapter F-3.1.1). For casual employees, this presumption applies only to the unexpired portion of their contract.

The Conseil du trésor determines their remuneration and classification and any other condition of employment applicable to them.

35. Employees referred to in section 32 who, in accordance with the conditions of employment applicable to them, refuse to be transferred to the Ministère du Travail, de l'Emploi et de la Solidarité sociale are assigned to the department to work for the enterprise registrar until the Agence du revenu du Québec is able to place them in a position corresponding to their classification.

Despite the first paragraph of section 188 of the Act respecting the Agence du revenu du Québec (chapter A-7.003), employees referred to in section 32 who take advantage of their right to refuse a transfer and who request, in accordance with section 187 of the Act respecting the Agence du revenu du Québec, to be placed on reserve in the public service are assigned to the Ministère du Travail, de l'Emploi et de la Solidarité sociale to work for the enterprise registrar until the Chair of the Conseil du trésor is able to place them in accordance with section 100 of the Public Service Act.

36. The enterprise registrar in office on 31 March 2017 is deemed to have been designated by the Minister of Employment and Social Solidarity.

37. The property of the Agence du revenu du Québec made available to the enterprise registrar and the registrar's personnel to exercise their functions becomes that of the Ministère du Travail, de l'Emploi et de la Solidarité sociale, unless an agreement to the contrary is reached between the Agency and the department.

However, the technology, software and application infrastructures used to support the enterprise register remain the property of the Agency.

38. The records and other documents of the Agence du revenu du Québec relating to the activities of the enterprise registrar become, as applicable, those of the Ministère du Travail, de l'Emploi et de la Solidarité sociale or those of the Ministère de la Justice.

39. Section 21.4 of the Regulation respecting the signing of certain deeds, documents and writings of the Agence du revenu du Québec (chapter A-7.003, r. 1), as it read at the time it was repealed by section 30, remains applicable to the signing of the documents required for the purposes of section 89 of the Act respecting the legal publicity of enterprises, until the coming into force of similar rules set out in a regulation made under section 52 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).

40. Unless the context indicates otherwise, in any document other than an Act, any reference to the Minister of Revenue that concerns the application of provisions, other than sections 83 to 85, of the Act respecting the legal publicity

of enterprises is a reference to the Minister of Employment and Social Solidarity.

41. This Act comes into force on 1 April 2017.

2016, chapter 30
**AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS
CONCERNING MUNICIPAL AFFAIRS**

Bill 120

Introduced by Mr. Martin Coiteux, Minister of Municipal Affairs and Land Occupancy

Introduced 8 November 2016

Passed in principle 17 November 2016

Passed 6 December 2016

Assented to 7 December 2016

Coming into force: 7 December 2016

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)

Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01)

Act respecting the Communauté métropolitaine de Québec (chapter C-37.02)

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

Act respecting public transit authorities (chapter S-30.01)

Act respecting the remuneration of elected municipal officers (chapter T-11.001)

Order in Council amended:

Order in Council 1229-2005 dated 8 December 2005 (2005, G.O. 2, 5176A) concerning the urban agglomeration of Montréal

Explanatory notes

This Act introduces various amendments concerning municipal affairs.

The Act includes measures to implement the agreement on the development of Montréal's downtown area entered into by the city and the other municipalities of the urban agglomeration of Montréal.

Under the Act, municipal bodies may, subject to certain conditions, enter into a contract by mutual agreement with a cloud supplier or service provider who is a party to a framework agreement entered into with the Centre de services partagés du Québec.

The Act also contains various measures relating to the transition allowance. An elected municipal officer who fails to attend council sittings is considered a resigning officer, and an elected officer loses entitlement

(cont'd on next page)

Explanatory notes (*cont'd*)

to the transition allowance if the officer's term ends because the officer is disqualified or ousted from office or because of the nullity of the officer's election. The Act also provides for cases where the officer must reimburse a previously received allowance.

Lastly, under the Act, the council of Ville de Montréal may, by a decision made by the absolute majority of its members not later than 7 June 2017, extend by up to two years the application of any decision it made before 8 November 2016 to declare that the exercise of a jurisdiction assigned by law to the borough councils is within its jurisdiction.



Chapter 30

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MUNICIPAL AFFAIRS

[Assented to 7 December 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHARTER OF VILLE DE MONTRÉAL

1. Schedule C to the Charter of Ville de Montréal (chapter C-11.4) is amended by inserting the following subdivision after section 185:

“§18.1. — *Downtown area*

“**185.0.1.** The city council shall exercise the jurisdiction of the city with respect to the development and redevelopment of public lands, including infrastructure work, in a sector designated as the downtown area and delimited in Schedule E.

The reconstituted municipalities in the urban agglomeration of Montréal shall pay an annual contribution to the city to finance the expenditures incurred for the downtown area. For the fiscal year 2017, the municipalities’ total contribution is \$8,000,000. The contribution payable for the following fiscal years is determined by adjusting the amount of the contribution paid for the preceding fiscal year according to the anticipated rate of growth of the Consumer Price Index published, for the fiscal year for which the contribution must be paid, by the Conference Board of Canada for the Montréal metropolitan area.

Every year, the contribution is apportioned among the reconstituted municipalities in proportion to their respective fiscal potentials established according to the rules prescribed by the Minister of Municipal Affairs and Land Occupancy under section 118.80 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001).”

2. The Charter is amended by adding the following schedule at the end:

“**SCHEDULE E**

“(Section 185.0.1)

“**BOUNDARIES OF THE SECTOR DESIGNATED AS THE DOWNTOWN AREA**

The directions are approximate: commencing at a point being the intersection of rue Amherst and rue Cherrier; thence southeasterly along rue Amherst and

its extension to the St. Lawrence River; thence southerly along the bank of the St. Lawrence River to the point of intersection with Autoroute 15-20, namely the Champlain Bridge; thence westerly along Autoroute 15-20 to the point of intersection with the railway right-of-way; thence northeasterly along the railway right-of-way and the building alongside the railway to the point of intersection with the end of that building; thence northwesterly along the building to the point of intersection with rue du Parc-Marguerite-Bourgeoys; thence northeasterly along rue du Parc-Marguerite-Bourgeoys and the railway right-of-way to the point of intersection with the extension of rue Sainte-Madeleine; thence westerly along rue Sainte-Madeleine to the point of intersection with rue Le Ber; thence northerly along rue Le Ber and its extension to the point of intersection with the extension of rue de Sébastopol; thence westerly along rue de Sébastopol to the point of intersection with rue Wellington; thence northerly along rue Wellington to the point of intersection with rue Bridge; thence westerly along rue Bridge to the point of intersection with rue Saint-Patrick; thence northwesterly to the point of intersection with rue Guy, rue William and rue Ottawa; thence northwesterly along rue Guy to the point of intersection with rue Notre-Dame Ouest; thence northwesterly along the boundary of Ville-Marie borough to the point of intersection with the boundary of the Mount Royal Historic and Natural District; thence northwesterly along the boundary of the Mount Royal Historic and Natural District to the point of intersection with avenue des Pins Ouest; thence northeasterly along avenue des Pins Ouest to the point of intersection with rue Saint-Denis; thence southeasterly along rue Saint-Denis to the point of intersection with rue Cherrier; thence northeasterly along rue Cherrier to the point of intersection with rue Amherst, that point being the point of commencement.”

CITIES AND TOWNS ACT

3. Section 573.3.2 of the Cities and Towns Act (chapter C-19) is amended by inserting the following paragraph after the first paragraph:

“A municipality may enter into a contract by mutual agreement with a cloud supplier or service provider who is a party to a framework agreement entered into with the Centre de services partagés du Québec under Order in Council 923-2015 dated 28 October 2015 and any amendments to it, provided that

(1) the contract concerns goods or services referred to in the framework agreement;

(2) the term of the contract, including any renewal, does not exceed three years; and

(3) the supplier or service provider retained is the one whose tender is the most advantageous based on the price of the contract or any other criteria related to the object of the contract, such as technological compatibility, accessibility of goods or services, performance and technical assistance.”

MUNICIPAL CODE OF QUÉBEC

4. Article 938.2 of the Municipal Code of Québec (chapter C-27.1) is amended by inserting the following paragraph after the first paragraph:

“A municipality may enter into a contract by mutual agreement with a cloud supplier or service provider who is a party to a framework agreement entered into with the Centre de services partagés du Québec under Order in Council 923-2015 dated 28 October 2015 and any amendments to it, provided that

(1) the contract concerns goods or services referred to in the framework agreement;

(2) the term of the contract, including any renewal, does not exceed three years; and

(3) the supplier or service provider retained is the one whose tender is the most advantageous based on the price of the contract or any other criteria related to the object of the contract, such as technological compatibility, accessibility of goods or services, performance and technical assistance.”

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL

5. Section 114 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01) is amended by inserting the following paragraph after the first paragraph:

“The Community may enter into a contract by mutual agreement with a cloud supplier or service provider who is a party to a framework agreement entered into with the Centre de services partagés du Québec under Order in Council 923-2015 dated 28 October 2015 and any amendments to it, provided that

(1) the contract concerns goods or services referred to in the framework agreement;

(2) the term of the contract, including any renewal, does not exceed three years; and

(3) the supplier or service provider retained is the one whose tender is the most advantageous based on the price of the contract or any other criteria related to the object of the contract, such as technological compatibility, accessibility of goods or services, performance and technical assistance.”

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE QUÉBEC

6. Section 107 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02) is amended by inserting the following paragraph after the first paragraph:

“The Community may enter into a contract by mutual agreement with a cloud supplier or service provider who is a party to a framework agreement entered into with the Centre de services partagés du Québec under Order in Council 923-2015 dated 28 October 2015 and any amendments to it, provided that

(1) the contract concerns goods or services referred to in the framework agreement;

(2) the term of the contract, including any renewal, does not exceed three years; and

(3) the supplier or service provider retained is the one whose tender is the most advantageous based on the price of the contract or any other criteria related to the object of the contract, such as technological compatibility, accessibility of goods or services, performance and technical assistance.”

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

7. Section 312.6 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by replacing the second sentence of the first paragraph by the following sentence: “Moreover, in addition to losing the right to any transition allowance and to being required to reimburse such an allowance in accordance with sections 31.1.1 and 31.1.2 of that Act, the council member loses the right to any severance allowance under that Act for the period prior to the judgment convicting him and any such allowance already received must be reimbursed to the municipality, except if it was received before the beginning of the term during which the council member was forced to cease performing the duties of office.”

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

8. Section 104 of the Act respecting public transit authorities (chapter S-30.01) is amended by inserting the following paragraph after the first paragraph:

“A transit authority may enter into a contract by mutual agreement with a cloud supplier or service provider who is a party to a framework agreement entered into with the Centre de services partagés du Québec under Order in Council 923-2015 dated 28 October 2015 and any amendments to it, provided that

(1) the contract concerns goods or services referred to in the framework agreement;

(2) the term of the contract, including any renewal, does not exceed three years; and

(3) the supplier or service provider retained is the one whose tender is the most advantageous based on the price of the contract or any other criteria related to the object of the contract, such as technological compatibility, accessibility of goods or services, performance and technical assistance.”

ACT RESPECTING THE REMUNERATION OF ELECTED MUNICIPAL OFFICERS

9. Section 31 of the Act respecting the remuneration of elected municipal officers (chapter T-11.001) is amended

(1) by replacing “and 31.0.2” in the first paragraph by “, 31.0.2, 31.0.4 and 31.1.1”;

(2) by replacing “and 31.0.2” in the second paragraph by “, 31.0.2, 31.0.4 and 31.1.1”.

10. The Act is amended by inserting the following section after section 31.0.3:

“31.0.4. Sections 31.0.1 to 31.0.3 also apply to a person whose term ends, in accordance with section 317 of the Act respecting elections and referendums in municipalities (chapter E-2.2), because of the person’s failure to attend council sittings. For the purposes of those sections, the person is deemed to be a resigning person and, for the purposes of those provisions, the day on which the person’s term ends is deemed to be the day of the person’s resignation.”

11. The Act is amended by inserting the following sections after section 31.1:

“31.1.1. A transition allowance may not be paid to a person whose term ends, in accordance with sections 318 and 319 of the Act respecting elections and referendums in municipalities (chapter E-2.2), because the person is disqualified or ousted from office or because of the nullity of the person’s election.

“31.1.2. A person who has received a transition allowance must reimburse the municipality for it if the person is subsequently declared disqualified, by a judgment that has become final, from holding office as a member of the council of a municipality because of an act occurring in the performance of the person’s duties as member of the council of the municipality that paid the allowance. The same applies to a person who is found guilty, by a judgment that has become final, of an offence that is a corrupt electoral practice within the meaning of section 645 of the Act respecting elections and referendums in municipalities (chapter E-2.2), the Act respecting school elections (chapter E-2.3) or the Election Act (chapter E-3.3) or of an act that, under an Act of the Parliament of Québec or of Canada, is an offence punishable by a term of

imprisonment of two years or more, if the proceedings were brought before the expiry of five years after the end of the term following which the person received the allowance and during which the act that gave rise to the proceedings was committed.”

OTHER AMENDING PROVISION

12. Schedule I to Order in Council 1229-2005 dated 8 December 2005 (2005, G.O. 2, 5176A) concerning the urban agglomeration of Montréal, replaced by section 36 of chapter 19 of the statutes of 2008, is amended by striking out the fourteenth dash, concerning the development and redevelopment of public lands in an urban agglomeration sector designated as the downtown area.

MISCELLANEOUS AND FINAL PROVISIONS

13. From 1 January 2017, Ville de Montréal assumes the repayment of loans contracted by the urban agglomeration council of Montréal to finance expenditures incurred in the exercise of the urban agglomeration power relating to the development and redevelopment of public lands in the urban agglomeration sector designated as the downtown area.

14. If the resolution by which the council declared its jurisdiction under section 85.5 of the Charter of Ville de Montréal (chapter C-11.4) was adopted before 8 November 2016, the council may, by an absolute majority vote of the council members and despite the second paragraph of that section, adopt a resolution that extends the application of that declaration of jurisdiction so as to render it applicable for a period exceeding two years, provided that resolution is adopted not later than 7 June 2017 and provided the period by which the declaration of jurisdiction is extended does not exceed two years.

15. This Act comes into force on 7 December 2016.

2016, chapter 31

AN ACT TO GRANT VILLE DE QUÉBEC NATIONAL CAPITAL STATUS AND INCREASE ITS AUTONOMY AND POWERS

Bill 109

Introduced by Mr. Martin Coiteux, Minister of Municipal Affairs and Land Occupancy

Introduced 8 June 2016

Passed in principle 29 November 2016

Passed 8 December 2016

Assented to 9 December 2016

Coming into force: 9 December 2016, except section 40 to the extent that it enacts sections 179.1 to 179.6 and 179.8 of the Cultural Heritage Act (chapter P-9.002), which comes into force on 9 June 2017

Legislation amended:

Charter of Ville de Québec (chapter C-11.5)

Act respecting the national capital commission (chapter C-33.1)

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

Act respecting the Ministère du Conseil exécutif (chapter M-30)

Cultural Heritage Act (chapter P-9.002)

Act respecting public transit authorities (chapter S-30.01)

Explanatory notes

This Act changes the title of the Charter of Ville de Québec to the “Charter of Ville de Québec, national capital of Québec”.

The Act confirms the city’s status as Québec’s national capital. It recognizes that the city is the cradle of La Francophonie in North America and that its historic district is recognized by UNESCO as a World Heritage Site. The Act also provides that the city’s territory is the ideal and preferred setting for important meetings and the place of the Prime Minister’s working residence.

Under the Act, the city is granted a general power of taxation and the power to require regulatory dues. The city’s executive committee is granted the power to charge for the property, services and activities offered by the Office du tourisme de Québec.

The Act establishes the National Capital and National Capital Region Fund.

The Act provides that the city is no longer required to establish an arts council. Nor is it required to submit its loan by-laws to a referendum, subject to the power of the Minister of Municipal Affairs, Regions and Land Occupancy to require such approval in certain cases.

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Explanatory notes (cont'd)

The city's urban planning powers are broadened, thus allowing it to require contributions for parks in its planning by-laws and to increase fines for the illegal demolition of an immovable.

The mayor, rather than the city council, is given the responsibility of designating an acting mayor. The city council may, by a by-law adopted by a two-thirds majority of the votes cast, order that it has jurisdiction in all or part of a field under the authority of a borough council.

The city is granted powers enabling it to ensure that its buildings are adequately maintained. The human resources management rules applicable to the city are made more flexible, and certain executive committee powers are broadened.

The Act allows the city to appoint a city officer to maintain a compilation of the city's by-laws; publication of the compilation confers official status on the by-laws it contains.

The city is granted the power to apply the policy to integrate the arts with architecture and with the environment of government buildings and sites, provided it enters into a delegation agreement with the Minister of Culture and Communications. In addition, the Cultural Heritage Act is amended to allow the city to exercise some of that minister's authorization powers under that Act.

The Act stipulates that the Minister of Transport's power of disallowance with regard to certain municipal traffic by-laws does not apply to the city.

Under the Act, applicants for a liquor permit or an authorization under the Act respecting liquor permits are subject to a special requirement in order to ensure fuller compliance with city by-laws.

The Act provides that two members of the board of directors of the Commission de la capitale nationale du Québec are to be appointed on the recommendation of the city, and that another member is to be appointed on the recommendation of the Huron-Wendat Nation.

The Act also modifies the composition of the board of directors of the Réseau de transport de la Capitale by requiring it to be composed of nine elected municipal officials and of two users of public transportation services and one user of services adapted to the needs of handicapped persons.



Chapter 31

AN ACT TO GRANT VILLE DE QUÉBEC NATIONAL CAPITAL STATUS AND INCREASE ITS AUTONOMY AND POWERS

[Assented to 9 December 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHARTER OF VILLE DE QUÉBEC

1. The title of the Charter of Ville de Québec (chapter C-11.5) is replaced by the following title:

“CHARTER OF VILLE DE QUÉBEC, NATIONAL CAPITAL OF QUÉBEC”.

2. Section 4 of the Charter is replaced by the following sections:

“**4.** Ville de Québec is the national capital of Québec.

It is the cradle of La Francophonie in North America and its historic district is recognized by the United Nations Educational, Scientific and Cultural Organization (UNESCO) as a World Heritage Site.

The territory of the city constitutes the ideal and preferred setting for

- (1) welcoming foreign dignitaries to Québec;
- (2) diplomatic meetings and government summits; and
- (3) major political meetings and important negotiations of all kinds in which the Gouvernement du Québec takes part.

The city may affirm and uphold the status conferred on it by this section.

“**4.1.** Each new premier of Québec, as soon as possible after being sworn into office, shall be invited to the capital’s city hall to be made the city’s honorary mayor.

Ville de Québec is the place of the Prime Minister’s working residence.

“**4.2.** Subject to any other provision of this Act or any order in council made by the Government under section 9, the city is a municipality governed by the Cities and Towns Act (chapter C-19).”

3. The Charter is amended by inserting the following section after section 12:

“**12.1.** The city council shall maintain a borough office in the territory of each of its boroughs for, among other purposes, issuing permits and making available to the public any information concerning the city.”

4. Section 42 of the Charter is replaced by the following section:

“**42.** The city is the employer of all its officers and employees, whether they exercise their functions or perform their work in connection with responsibilities under the authority of the urban agglomeration council, the city council or a borough council.”

5. Sections 43 to 54 of the Charter are repealed.

6. Section 55 of the Charter is replaced by the following section:

“**55.** The city council may, by by-law, establish an arts council.”

7. Section 58 of the Charter is amended by inserting “or the territory of Wendake” at the end of the first paragraph.

8. Section 62 of the Charter is replaced by the following section:

“**62.** The arts council is provided with a special fund of which its treasurer has custody.”

9. Sections 70 and 70.1 of the Charter are repealed.

10. The Charter is amended by inserting the following section before section 72.1:

“**72.0.1.** By its zoning or subdivision by-law made under the Act respecting land use planning and development (chapter A-19.1), the city may, in addition to any measure specifically provided for by that Act and in order to promote the rational planning and harmonious development of its territory, the protection of the environment and a high-quality built environment,

(1) prescribe any measure to distribute the various uses, activities, structures and works across its territory and make them subject to standards, in accordance with any criterion or any division of the territory; such a measure may not however have the effect of restricting agricultural activities within the meaning of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) in an agricultural zone established under that Act; and

(2) govern the division of the land and prescribe the dimensions of and development standards for public and private thoroughfares.

Any provision adopted under the first paragraph that concerns a matter described in the third paragraph of section 123 of the Act respecting land use planning and development is considered to be a provision subject to approval by way of referendum for the purposes of that Act and this Charter. The procedure prescribed by subdivisions 2 and 2.1 of Division V of Chapter IV of Title I of that Act may be adapted in any reasonable manner consistent with the purposes of those subdivisions.”

11. Section 114 of the Charter is amended

(1) by striking out “assigned by the city to the borough” in the third paragraph;

(2) by striking out the fourth paragraph.

12. Section 127 of the Charter is amended by striking out “assigned by the city to the borough” in the third paragraph.

13. Section 128 of the Charter is replaced by the following section:

“**128.** A loan by-law need not be submitted for approval to the qualified voters and is not subject to the amendment procedure prescribed in section 565 of the Cities and Towns Act (chapter C-19).

The Minister may, however, where repayment of 75% or more of a loan is to be borne by the owners of immovables in only a part of the territory of the city, require the loan by-law to be submitted for approval to the qualified voters in that part of the territory in the manner prescribed in sections 561.1 to 561.3 of the Cities and Towns Act.”

14. The Charter is amended by inserting the following before Chapter V:

“DIVISION III

“GENERAL TAXATION POWER

“**131.8.** The city may, by by-law, impose a municipal tax in its territory, provided it is a direct tax and the by-law meets the criteria set out in the fourth paragraph.

The city is not authorized to impose the following taxes:

(1) a tax in respect of the supply of a property or a service;

(2) a tax on income, revenue, profits or receipts, or in respect of similar amounts;

(3) a tax on paid-up capital, reserves, retained earnings, contributed surplus or indebtedness, or in respect of similar amounts;

(4) a tax in respect of machinery and equipment used in scientific research and experimental development or in manufacturing and processing or in respect of any assets used to enhance productivity, including computer hardware and software;

(5) a tax in respect of remuneration that an employer pays or must pay for services, including non-monetary remuneration that the employer confers or must confer;

(6) a tax on wealth, including an inheritance tax;

(7) a tax on an individual because the latter is present or resides in the territory of the city;

(8) a tax in respect of alcoholic beverages within the meaning of section 2 of the Act respecting offences relating to alcoholic beverages (chapter I-8.1);

(9) a tax in respect of tobacco or raw tobacco within the meaning of section 2 of the Tobacco Tax Act (chapter I-2);

(10) a tax in respect of fuel within the meaning of section 1 of the Fuel Tax Act (chapter T-1);

(11) a tax in respect of a natural resource;

(12) a tax in respect of energy, in particular electric power; or

(13) a tax collected from a person who uses a public highway within the meaning of section 4 of the Highway Safety Code (chapter C-24.2), in respect of equipment placed under, on or above a public highway to provide a public service.

For the purposes of subparagraph 1 of the second paragraph, “property”, “supply” and “service” have the meanings assigned to them by the Act respecting the Québec sales tax (chapter T-0.1).

The by-law referred to in the first paragraph must state

(1) the subject of the tax to be imposed;

(2) the tax rate or the amount of tax payable; and

(3) how the tax is to be collected and the designation of any persons authorized to collect the tax as agents for the city.

The by-law referred to in the first paragraph may prescribe

(1) exemptions from the tax;

(2) penalties for failing to comply with the by-law;

- (3) collection fees and fees for insufficient funds;
- (4) interest and specific interest rates on outstanding taxes, penalties or fees;
- (5) assessment, audit, inspection and inquiry powers;
- (6) refunds and remittances;
- (7) the keeping of registers;
- (8) the establishment and use of dispute resolution mechanisms;
- (9) the establishment and use of enforcement measures if a portion of the tax, interest, penalties or fees remains unpaid after it is due, including measures such as garnishment, seizure and sale of property;
- (10) considering the debt for outstanding taxes, including interest, penalties and fees, to be a prior claim on the immovables or movables in respect of which it is due, in the same manner and with the same rank as the claims described in paragraph 5 of article 2651 of the Civil Code, and creating and registering a security by a legal hypothec on the immovables or movables; and
- (11) criteria according to which the rate and the amount of the tax payable may vary.

“**131.9.** The city is not authorized to impose a tax under section 131.8 in respect of

- (1) the State, the Crown in right of Canada or one of their mandataries;
- (2) a school board, a general and vocational college, a university establishment within the meaning of the University Investments Act (chapter I-17) or the Conservatoire de musique et d’art dramatique du Québec;
- (3) a private educational institution operated by a non-profit body in respect of an activity that is carried on in accordance with a permit issued under the Act respecting private education (chapter E-9.1), a private educational institution accredited for purposes of subsidies under that Act or an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1);
- (4) a childcare centre within the meaning of the Educational Childcare Act (chapter S-4.1.1);
- (5) a public institution within the meaning of the Act respecting health services and social services (chapter S-4.2);

(6) a private institution referred to in paragraph 3 of section 99 or section 551 of the Act respecting health services and social services in respect of an activity that is carried on in accordance with a permit issued to the institution under that Act and is inherent in the mission of a local community service centre, a residential and long-term care centre or a rehabilitation centre within the meaning of that Act; or

(7) any other person determined by a regulation of the Government.

For the purposes of Division V of Chapter XVIII of the Act respecting municipal taxation (chapter F-2.1), a tax imposed under section 131.8 does not give entitlement to an amount determined under the first paragraph of section 255 of that Act, nor to a payment provided for in the first paragraph of section 257 of that Act.

“**131.10.** This division does not limit any other taxation power granted by law to the city.

“**131.11.** The use of an enforcement measure established by a by-law adopted under section 131.8 does not prevent the city from using any other remedy provided by law to recover the amounts owing under this division.

“**131.12.** The city may enter into an agreement with another person, including the State, for the collection and recovery of a tax imposed under section 131.8 and the administration and enforcement of a by-law imposing the tax. The agreement may authorize the person to collect the taxes and oversee the administration and enforcement of the by-law on the city’s behalf.

“DIVISION IV

“DUES

“**131.13.** The city may, in its territory, charge dues to help fund a regulatory regime applicable to a matter under its jurisdiction; in the case of a regulatory regime applicable to a power other than an urban agglomeration power, dues may also be charged with the main goal of furthering achievement of the objectives of the regime by influencing citizens’ behaviour.

Revenues from the dues must be paid into a fund established exclusively to receive them and help fund the regime.

This division applies subject to sections 145.21 to 145.30 of the Act respecting land use planning and development (chapter A-19.1), to the extent that the dues charged are collected from a building or subdivision permit applicant or an applicant for a certificate of authorization or occupancy and are used to finance an expense referred to in subparagraph 2 of the first paragraph of section 145.21 of that Act.

“**131.14.** The decision to charge dues is made by a by-law adopted by the regular city council.

The by-law must

- (1) identify the regulatory regime and its objectives;
- (2) specify to whom the dues are to be charged;
- (3) determine the amount of the dues or a way of determining the amount, including any criteria according to which the amount may vary;
- (4) establish the reserve fund and expressly identify the purposes for which the sums paid into it may be used; and
- (5) state how the dues are to be collected.

The by-law may prescribe collection fees and fees for insufficient funds.

The city shall send an authenticated copy of the by-law to the Minister of Municipal Affairs, Regions and Land Occupancy within 15 days after its adoption.

“**131.15.** The dues may be charged only to a person benefiting from the regulatory regime identified in the by-law or carrying on activities that require regulation.

“**131.16.** The amount of the dues may not be determined on the basis of an element referred to in subparagraphs 2 to 6 or 8 to 12 of the second paragraph of section 131.8, with the necessary modifications, or on the basis of residency in the city’s territory.

Any criterion according to which the amount of the dues may vary must be justified in relation to the objectives of the regulatory regime.

“**131.17.** The city may enter into an agreement with another person, including the State, providing for the collection and recovery of dues and the administration and enforcement of the by-law under which dues are charged.

“**131.18.** The city is not authorized to require dues under section 131.13 from a person mentioned in any of paragraphs 1 to 6 of the first paragraph of section 131.9.

The Government may prohibit the collection of dues by the city under section 131.13 or impose restrictions on the city with respect to such collection if it considers that those dues conflict with or duplicate dues that are or may be charged by another public body within the meaning of section 1 of the Act respecting municipal taxation (chapter F-2.1).

The Government’s decision takes effect on the date of its publication in the *Gazette officielle du Québec* or any later date mentioned in the decision.”

15. Section 5 of Schedule C to the Charter is amended

(1) by replacing “at its first meeting the council shall elect an acting mayor from among its members for the term it determines” in the first paragraph by “, at the first council meeting, the mayor shall designate an acting mayor from among the council members for the term the mayor determines”;

(2) by replacing “If the council does not elect an acting mayor at its first meeting” in the third paragraph by “If an acting mayor is not designated at the first meeting”;

(3) by replacing “elected” in the third paragraph by “designated”;

(4) by replacing “council” in the fourth paragraph by “mayor”.

16. Section 13 of Schedule C to the Charter is amended by replacing “a borough” by “a borough council”.

17. Section 15 of Schedule C to the Charter is amended by replacing “laws, by-laws, resolutions and contracts under the jurisdiction of the city council” by “the city’s laws, by-laws, resolutions and contracts”.

18. Section 16 of Schedule C to the Charter is replaced by the following section:

“**16.** The city council and borough councils shall communicate with the departments and boroughs through the executive committee. In its dealings with the executive committee, every council shall act by resolution. Council members must apply to the director general for information concerning a department or borough.”

19. Section 17 of Schedule C to the Charter is replaced by the following section:

“**17.** Despite section 16, the borough council shall communicate with the heads of the administrative units responsible for acting in any matter under its authority through the borough or department manager.”

20. Schedule C to the Charter is amended by inserting the following section after section 25.3:

“**25.4.** Despite section 244.1 of the Act respecting municipal taxation (chapter F-2.1), the executive committee may, by resolution, prescribe that all or part of the property, services or activities offered by the Office du tourisme de Québec are to be financed by means of a mode of tariffing that consists in

charging a fixed amount, either on an ad hoc basis, in the form of a subscription or under terms similar to those of a subscription.”

21. Section 28 of Schedule C to the Charter is amended by striking out “and, in respect of a borough manager, after receiving the advice of the borough council”.

22. Section 30 of Schedule C to the Charter is amended by replacing “assigned to the borough by the city” by “borough”.

23. Section 35 of Schedule C to the Charter is repealed.

24. Schedule C to the Charter is amended by inserting the following sections after section 84.1:

“84.2. The city council may, by a by-law adopted by a two-thirds majority of the votes cast, order that it has jurisdiction in all or part of a field under the authority of the borough council.

“84.3. The city may, by resolution and in addition to any other recourse provided for by law, require the owner of an immovable to carry out anything the owner is required to carry out under the law or a by-law with respect to the immovable or may, on the owner’s failure to comply, carry out any such thing at the owner’s expense.

The expense constitutes a prior claim on the immovable of the same nature and with the same rank as the claims described in paragraph 5 of article 2651 of the Civil Code.

The expense is secured by a legal hypothec on the immovable.

The first paragraph does not apply to an immovable owned by a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

“84.4. For by-laws concerning fire prevention, noise, residual material management, deterioration of buildings due to lack of maintenance or to abuse or defacement, or the alteration of residential buildings involving a reduction in the number of housing units or in the housing surface, the city may prescribe a minimum fine of not more than \$2,000 and a maximum fine of not more than \$10,000.

For a subsequent offence, the city may prescribe a minimum fine of not more than \$4,000 and a maximum fine of not more than \$20,000.

The fine prescribed for a subsequent offence relating to the deterioration of a building may be imposed, regardless of a change in owner, if a notice of deterioration was registered in the land register in accordance with section 105.2 before the new owner acquired the building.”

25. Section 92 of Schedule C to the Charter is amended by striking out the second paragraph.

26. Schedule C to the Charter is amended by inserting the following sections after section 92:

“**92.1.** The council may, by by-law, make the issue of a building permit subject to the requirement that the applicant provide a contribution for the purposes of parks, playgrounds and natural areas provided for in Division II.1 of Chapter IV of Title I of the Act respecting land use planning and development (chapter A-19.1), provided that the building permit relates to work that will make it possible to carry on new activities or intensify existing activities on the immovable.

The city must take into account, in favour of the owner, any transfer or payment made previously with regard to all or part of the site.

“**92.2.** Despite section 117.4 of the Act respecting land use planning and development (chapter A-19.1), the council may, in exercising the powers provided for in section 92.1 or in Division II.1 of Chapter IV of Title I of that Act, require the transfer of an immovable whose surface area is greater than 10% of the surface area of the site if the immovable in respect of which the subdivision or construction permit is applied for is situated in a central sector of the city and if all or part of the immovable is green space.

If the city requires both the transfer of an immovable and the payment of a sum, the amount paid must not exceed 10% of the value of the site.

The council must, by by-law, determine the boundaries of the central sectors of the city and define what constitutes green space for the purposes of the first paragraph.”

27. Section 98 of Schedule C to the Charter is replaced by the following section:

“**98.** The city may, in a zoning by-law, require that a use protected by acquired rights and involving the presentation of erotic shows or the sale of goods or services of an erotic nature cease within two years after the use becomes non-compliant.”

28. Section 99 of Schedule C to the Charter is amended

(1) by striking out the first paragraph;

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

“The city may, in a zoning by-law, require an antenna protected by acquired rights to be made compliant with the regulations in force within a specified

time limit, or be removed. The time limit may vary according to the type of antenna but may not be less than one year after the antenna becomes non-compliant.”

29. Schedule C to the Charter is amended by inserting the following section after section 99:

“**99.1.** An applicant for a permit under the Act respecting liquor permits (chapter P-9.1) or for an authorization under section 73 or 74 of that Act must, to obtain the permit or authorization and in addition to meeting any other requirement set out in that Act, hold a certificate from the clerk attesting that the applicant’s establishment complies with city planning by-laws. The certificate stands in lieu of the certificate of occupancy referred to in subparagraph 3 of the first paragraph of section 39 of that Act.”

30. Sections 100 and 101 of Schedule C to the Charter are repealed.

31. Schedule C to the Charter is amended by inserting the following sections before section 106:

“**105.1.** If the deterioration of a building endangers the health or safety of the occupants of the building and if the city has a by-law establishing standards or prescribing measures relating to the maintenance of buildings, the executive committee may require restoration, repair or maintenance work to be carried out to make the building compliant with the by-law.

In such a case, the executive committee shall have a written notice sent to the owner stating the work to be carried out and the time limit for doing so. It may grant additional time.

“**105.2.** If the owner fails to comply, the executive committee may require a notice of deterioration containing the following information to be registered in the land register:

(1) the designation of the immovable concerned and the name and address of the owner;

(2) the name of the city and the address of its office, and the title, number and date of the resolution by which the executive committee requires the notice to be registered;

(3) the title and number of the by-law referred to in the first paragraph of section 105.1; and

(4) a description of the work to be carried out.

No notice of deterioration may be registered with regard to an immovable owned by a public body within the meaning of the Act respecting Access to

documents held by public bodies and the Protection of personal information (chapter A-2.1).

“**105.3.** If the city ascertains that the work prescribed in the notice of deterioration has been carried out, the executive committee shall, within 60 days after that fact is ascertained, require a notice of regularization containing the following information to be registered in the land register:

(1) the designation of the immovable concerned and the name and address of the owner;

(2) the name of the city and the address of its office, and the title, number and date of the resolution by which the executive committee requires the notice to be registered;

(3) the registration number of the notice of deterioration relating to the notice of regularization; and

(4) an entry stating that the work described in the notice of deterioration has been carried out.

“**105.4.** Within 20 days after the registration of any notice of deterioration or notice of regularization, the city shall notify the owner of the immovable and any holder of a real right registered in the land register in respect of the immovable of the registration of the notice.

“**105.5.** The city shall post and keep up to date on its website a list of the immovables situated in its territory for which a notice of deterioration has been registered in the land register.

The list must mention, in respect of each immovable, all the information contained in the notice of deterioration.

If a notice of regularization is registered in the land register, the city must withdraw from the list any entry concerning the notice of deterioration relating to the notice of regularization.

“**105.6.** The city may acquire, by agreement or expropriation, any immovable for which a notice of deterioration was registered in the land register for at least 60 days previously and on which the work required in the notice has not been carried out. Such an immovable may then be alienated to any person by onerous title or to a person referred to in section 29 or 29.4 of the Cities and Towns Act (chapter C-19) by gratuitous title.”

32. Section 107 of Schedule C to the Charter is repealed.

33. Schedule C to the Charter is amended by inserting the following section after section 122:

“**122.1.** Anyone who demolishes an immovable or has it demolished in contravention of a city by-law or of an authorization issued under such a by-law is liable to a fine of not less than \$10,000 nor more than \$250,000.”

34. Schedule C to the Charter is amended by inserting the following section after section 164:

“**164.1.** The third and fifth paragraphs of section 626 of the Highway Safety Code (chapter C-24.2) do not apply to Ville de Québec.”

35. Section 185 of Schedule C to the Charter is replaced by the following section:

“**185.** The city may appoint a city officer to maintain a compilation of the city’s by-laws. The compilation shall be updated regularly by incorporating into the text of the by-laws all additions, repeals and other amendments made. Updates replace the earlier provisions concerned by new provisions.

The by-laws contained in the compilation may also be consolidated, without changing the substance of any text, in particular by reorganizing the text to ensure accessibility or intelligibility. Consolidation repeals earlier provisions that have been consolidated.

The city shall determine, by by-law, the form and content of the compilation and determine the procedures for updating and consolidating the by-laws it contains. The by-law must prescribe the manner in which the compilation is to be published and the rules that apply to the coming into force of updated and consolidated by-laws.

Publication of the compilation confers official status on the by-laws it contains.

If the provisions in the compilation of by-laws differ from the provisions in the book of by-laws kept by the clerk, the former prevail for events occurring on or after the date of coming into force of the text contained in the compilation, and the latter, for events occurring before that date.”

ACT RESPECTING THE NATIONAL CAPITAL COMMISSION

36. Section 5 of the Act respecting the national capital commission (chapter C-33.1) is amended by adding the following sentence at the end of the first paragraph: “Two members shall be appointed on the recommendation of Ville de Québec; one member shall be appointed on the recommendation of the Huron-Wendat Nation.”

ACT RESPECTING THE MINISTÈRE DE LA CULTURE ET DES COMMUNICATIONS

37. Section 13 of the Act respecting the Ministère de la Culture et des Communications (chapter M-17.1) is amended by adding the following paragraph at the end:

“An agreement entered into between the Minister and Ville de Québec may provide for the delegation to the city of all or part of the implementation of the policy in its territory, to the extent, on the conditions and with the modifications stipulated in the agreement.”

38. Section 22.3 of the Act is amended by replacing “under section 193 of that Act” in paragraph 4.1 by “in accordance with that Act”.

ACT RESPECTING THE MINISTÈRE DU CONSEIL EXÉCUTIF

39. The Act respecting the Ministère du Conseil exécutif (chapter M-30) is amended by inserting the following division after section 3.41:

“DIVISION III.1.1

“NATIONAL CAPITAL AND NATIONAL CAPITAL REGION FUND

“**3.41.1.** The National Capital and National Capital Region Fund is established for the purpose of contributing to the dynamism, vitality, development, growth and influence of the national capital and its region.

“**3.41.2.** The Premier or a minister designated by the Government in accordance with section 9 of the Executive Power Act (chapter E-18), hereinafter referred to as “the Minister”, is responsible for the administration of this division.

“**3.41.3.** The following are credited to the Fund, exclusive of the interest earned:

(1) the gifts, legacies and other contributions paid into it to further achievement of the objects of this division; and

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

“**3.41.4.** Despite section 53 of the Financial Administration Act (chapter A-6.001), the Minister may not, as the person responsible for the Fund, borrow from the Minister of Finance the sums credited to the Financing Fund established under the Act respecting the Ministère des Finances (chapter M-24.01).

“3.41.5. The Minister may, as the person responsible for the Fund and in order to support the development of the national capital and its region and help further their influence, grant financial assistance to the Communauté métropolitaine de Québec, to a municipality, to any municipal or supramunicipal body under a municipality, to the band council of a Native community, to any cultural society or institution established by legislation, or to any non-profit organization.

The Minister may also, for the same purposes or for a start-up project, grant financial assistance to any private enterprise, or to any cooperative constituted under the Cooperatives Act (chapter C-67.2), that has been established for less than three years.

The sums required for payment of the financial assistance referred to in the first and second paragraphs are debited from the Fund.

“3.41.6. For each fiscal year, the Minister tables in the National Assembly a report on the Fund’s activities, including a detailed list of the subsidized projects, sums granted and recipient bodies.

The Committee on the National Assembly designates the committee that will study the report.”

CULTURAL HERITAGE ACT

40. The Cultural Heritage Act (chapter P-9.002) is amended by inserting the following after section 179:

“CHAPTER VI.1

“EXERCISE OF CERTAIN POWERS BY VILLE DE QUÉBEC

“179.1. In a protection area situated in its territory, Ville de Québec exercises the Minister’s powers under section 49 in relation to the division, subdivision, redivision or parcelling out of a lot or to the making of a construction, other than the building or erection of an immovable.

Moreover, in a land area declared a heritage site and in a classified heritage site situated in its territory, Ville de Québec exercises the Minister’s powers under section 64, except as regards the demolition of all or part of an immovable, the erection of a new construction and the excavation of ground, even inside a building, when it is incidental to such demolition or erection work. Ville de Québec also exercises the Minister’s powers under section 65.

In exercising those powers, Ville de Québec is bound by the conservation plans established by the Minister under sections 37 and 61.

“179.2. Despite section 179.1, Ville de Québec may not exercise the powers conferred by this chapter as regards interventions by the Government, a government department or a body that is a mandatory of the State. The Minister

exercises all the powers conferred by sections 49, 64 and 65 as regards such interventions.

“179.3. For the purposes of the exercise, by Ville de Québec, of the powers conferred by this chapter, sections 11, 50, 51, 66 and 67, subparagraphs 2 and 3 of the first paragraph, the second paragraph of section 80, and sections 180, 181, 183 to 192, 195, 196, 197, 201, 202 and 261 apply to Ville de Québec, with the necessary modifications, including replacing “Government” and “Minister” by “Ville de Québec”.

“179.4. Ville de Québec may institute penal proceedings for an offence under this Act arising from the exercise of the powers conferred by this chapter.

The fine belongs to Ville de Québec if it instituted the proceedings.

“179.5. The Commission d’urbanisme et de conservation de Québec set up under section 123 of Schedule C to the Charter of Ville de Québec (chapter C-11.5) must, within the time Ville de Québec specifies, give its opinion on an application for authorization filed under section 49, 64 or 65 for which the city exercises the powers conferred by this chapter.

“179.6. The council of Ville de Québec may, by by-law and to the extent it determines, delegate to the city’s executive committee the exercise of all or some of the powers provided for in this Act that the city exercises under this chapter, except the regulatory powers provided for in subparagraphs 2 and 3 of the first paragraph and in the second paragraph of section 80.

Likewise, it may delegate to the Commission d’urbanisme et de conservation de Québec the exercise of all or some of the powers of authorization provided for in this Act that the city exercises under this chapter. In such a case, section 179.5 does not apply.

The by-law may, among other things, provide that a power relating to a particular intervention may be excluded when such powers are delegated.

“179.7. The Minister communicates to Ville de Québec all documents and information, including personal information, enabling the city to ensure compliance with this Act as regards the powers it exercises under this chapter.

Ville de Québec communicates to the Minister all documents and information, including personal information, that arise from the exercise by the city of the powers conferred by this chapter and enabling the Minister to ensure compliance with this Act.

“179.8. Ville de Québec must, not later than 9 June 2019 and subsequently every five years, report to the Minister on the carrying out of this chapter.

The Minister tables the report within the next 30 days in the National Assembly or, if the Assembly is not sitting, within 30 days of resumption.”

41. The Act is amended by inserting the following sections after section 261:

“**261.1.** The processing of an application for authorization filed for an intervention referred to in section 179.1 and submitted to the Minister before 9 June 2017 is continued by the Minister until an authorization is issued or denied.

“**261.1.1.** Ville de Québec may not, under the powers conferred on it by Chapter VI.1, issue an authorization for an intervention for which authorization was denied by the Minister on or after 9 June 2012, or for which authorization was denied under section 261.1.

“**261.2.** Ville de Québec is responsible for the administration of sections 180, 183 to 192, 195 to 197, 201, 202 and 261 in relation to an authorization referred to in section 261.1 or an authorization issued by the Minister before 9 June 2017 for an intervention referred to in section 179.1. The same applies in the case of contraventions of section 49, 64 or 65 that occurred or began before that date and that concern interventions referred to in section 179.1.

To that end, the city may, among other things, institute penal proceedings before the competent municipal court for an offence under this Act. In such a case, any fine belongs to the city.

Despite the first two paragraphs, civil proceedings, brought either as plaintiff or defendant, in all contestations for or against the State, as well as penal proceedings in progress on 9 June 2017 in relation to an intervention referred to in section 179.1, are continued by the Attorney General of Québec or the Director of Criminal and Penal Prosecutions for the State, as applicable.”

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

42. Section 9 of the Act respecting public transit authorities (chapter S-30.01) is replaced by the following section:

“**9.** Despite section 6, the board of directors of the Société de transport de Québec is composed of 12 members designated by the urban agglomeration council of Ville de Québec, of whom

(1) nine are designated from among the members of the regular council of Ville de Québec and the councils of the other municipalities whose territory is included in the urban agglomeration; and

(2) three are designated from among the residents of the urban agglomeration, two of whom are users of public transportation services and the other, a user of services adapted to the needs of handicapped persons.”

FINAL PROVISION

43. This Act comes into force on 9 December 2016, except section 40 to the extent that it enacts sections 179.1 to 179.6 and 179.8 of the Cultural Heritage Act (chapter P-9.002), which comes into force on 9 June 2017.

2016, chapter 32 AN ACT TO MODERNIZE THE GOVERNANCE OF NATIONAL MUSEUMS

Bill 114

Introduced by Mr. Luc Fortin, Minister of Culture and Communications

Introduced 20 October 2016

Passed in principle 10 November 2016

Passed 8 December 2016

Assented to 9 December 2016

Coming into force: 8 January 2017

Legislation amended:

National Museums Act (chapter M-44)

Explanatory notes

This Act proposes various changes in the way national museums are organized and operated, on the basis of the latest governance practices selected for various bodies and state-owned enterprises.

The Act introduces new rules concerning the positions of chair of the board of directors and director general as well as the composition of the board, including the requirement that at least the majority of the board members be independent. In addition, the composition of the board must tend towards gender parity, and appointments to the board must ensure the presence of at least one young person who is 35 years of age or under at the time of appointment and be representative of Québec society, including by ensuring the presence of persons from a variety of communities.

The Act introduces the obligation to establish an audit committee, a governance and ethics committee and a human resources committee.

New requirements are imposed on national museums with regard to their general collections management policy and their planning and reporting procedures.

Lastly, the Act contains transitional and final provisions.



Chapter 32

AN ACT TO MODERNIZE THE GOVERNANCE OF NATIONAL MUSEUMS

[Assented to 9 December 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** The National Museums Act (chapter M-44) is amended by moving sections 4 to 6 after section 3.1.
- 2.** The heading of Chapter III of the Act is replaced by the following heading:
“ORGANIZATION”.
- 3.** Sections 7 to 22 of the Act are replaced by the following:

“DIVISION I

“COMPOSITION OF A MUSEUM’S BOARD OF DIRECTORS

“**7.** The affairs of a museum are administered by a board of directors composed of 11 to 15 members appointed by the Government, as follows:

- (1) the chair of the board of directors;
- (2) the director general;
- (3) one person appointed on the recommendation of the local municipality in whose territory the museum’s head office is located or, if that territory is included in that of a metropolitan community, on the recommendation of that metropolitan community; and
- (4) not more than 12 other persons, appointed on the Minister’s recommendation, taking into consideration the expertise and experience profile established by the board and after consultation with socio-economic and cultural organizations, in particular organizations interested in museology.

The offices of chair of the board and director general may not be held concurrently.

“**8.** At least the majority of the board members must, in the opinion of the Government, qualify as independent directors within the meaning of section 4 of the Act respecting the governance of state-owned enterprises

(chapter G-1.02). Sections 5 to 8 of that Act apply, with the necessary modifications.

“**9.** One board member must be a member of the professional order of accountants mentioned in the Professional Code (chapter C-26).

“**10.** The composition of the board must tend towards gender parity. In addition, appointments to the board must ensure the presence of at least one young person who is 35 years of age or under at the time of his appointment and be representative of Québec society, including by ensuring the presence of persons from a variety of communities.

“**11.** The director general of a museum is appointed on the recommendation of the board, taking into consideration the expertise and experience profile established by the board.

If the board does not recommend a candidate for the position of director general within a reasonable time, the Government may appoint the director general after notifying the board members.

The director general may also be designated as president and chief executive officer.

“**12.** The chair of the board and the director general are appointed for a term of up to five years, and the other board members for a term of up to four years.

“**13.** Board members may be reappointed twice to serve in that capacity only for a consecutive or non-consecutive term.

In addition to terms served as a board member, the chair of the board may be reappointed twice to serve in that capacity for a consecutive or non-consecutive term.

“**14.** At the end of their term, board members remain in office until replaced or reappointed.

“**15.** A vacancy on the board is filled in accordance with the rules governing the appointment of the member to be replaced.

Absence from the number of board meetings determined in the by-laws made under section 22.7 constitutes a vacancy.

“**16.** Board members other than the director general receive no remuneration except in the cases, on the conditions and to the extent determined by the Government. However, they are entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

“DIVISION II**“OPERATION****“§1. — *General provisions***

“17. The director general may not have a direct or indirect interest in a body, enterprise or association that places his or her personal interests in conflict with those of the museum. If such an interest devolves to the director general, including by succession or gift, it must be renounced or disposed of with dispatch.

Any other board member who has a direct or indirect interest in a body, enterprise or association that places the member’s personal interests in conflict with those of the museum shall disclose it in writing to the chair of the board or, in the case of a disclosure by the chair of the board, to the director general, and abstain from participating in any discussion or decision involving that body, enterprise or association. The member shall also withdraw from a meeting while the matter is discussed or voted on.

This section does not prevent a board member from expressing an opinion on general measures relating to conditions of employment within the museum that would also apply to the board member.

“18. If a board member is sued by a third party for an act done in the exercise of the functions of office, the museum shall assume the member’s defence and pay any damages awarded as compensation for the injury resulting from that act, unless the member committed a gross fault or a personal fault separable from those functions.

In penal or criminal proceedings, however, the museum shall pay the member’s defence costs only if the member was discharged or acquitted, or if it judges that the member acted in good faith.

“19. If the museum sues a board member for an act done in the exercise of the functions of office and loses its case, it shall pay the member’s defence costs if the court so decides.

If the museum wins its case only in part, the court may determine the amount of the defence costs it must pay.

“§2. — *Chair of a museum’s board of directors*

“20. The chair of the board shall preside at board meetings and see to the proper operation of the board.

The chair shall also see to the proper operation of the board committees and may take part in any committee meeting.

“21. The chair of the board shall evaluate the performance of the other board members according to criteria established by the board.

The chair shall also assume any other function assigned by the board.

“22. The board shall designate the chair of one of the committees established under section 22.4 as vice-chair to act as a replacement when the chair of the board is absent or unable to act.

“§3. —*Responsibilities and functions of a museum’s board of directors*

“22.1. The board shall determine the museum’s strategic directions, see to their implementation and inquire into any matter it considers important.

The board is accountable to the Government, and its chair is answerable to the Minister, for the museum’s decisions.

“22.2. A museum shall adopt a general collections management policy that includes

- (1) the lines of development chosen for its collections in light of its mission and exhibition space;
- (2) its acquisition policy; and
- (3) its reserve-space management policy.

The general policy must be established in accordance with the form and content determined by the Minister, who may, in particular, specify the property or classes of property that need not be covered by the policy.

Not later than 15 days after adopting the policy or making any amendment to it, the museum shall send a copy to the Minister and make it available on its website.

Unless the Minister specifies otherwise, a museum’s general collections management policy must be updated at least once every five years.

“22.3. The board exercises the functions described in sections 15 to 18 of the Act respecting the governance of state-owned enterprises (chapter G-1.02), with the necessary modifications, including

- (1) adopting the strategic plan;
- (2) approving the financial statements, annual activity report and annual budget; and
- (3) approving the expertise and experience profiles to be used in appointing board members and that recommended for the office of director general.

“22.4. The board shall establish an audit committee, a governance and ethics committee and a human resources committee. The latter two committees may, at the board’s discretion, be amalgamated.

The governance and ethics committee and the human resources committee must be composed, in the majority, of independent members and be chaired by an independent member. The director general may not be a member of those committees.

The audit committee must be composed solely of independent members.

The responsibilities and rules applicable to the committees are those set out in sections 22 to 27 of the Act respecting the governance of state-owned enterprises (chapter G-1.02), with the necessary modifications.

“22.5. The board may establish committees, other than those provided for by this Act, to examine specific matters or facilitate the proper operation of the museum, in particular to advise the board on the acquisition of property.

Subject to the provisions of this Act, the board shall determine the composition, functions, duties and powers of the committees, the rules governing the administration of their affairs and any other measure useful for their operation.

“22.6. Committee members receive no remuneration except in the cases, on the conditions and to the extent that may be determined by the Government. However, they are entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

“22.7. The board may make by-laws to govern the internal management of the museum.

The by-laws may, in particular,

(1) provide that a member’s absence from the number of board meetings they determine constitutes a vacancy in the cases and circumstances they specify;

(2) establish internal management standards and surveillance and security measures for the property in its establishment; and

(3) determine conditions for the acquisition, alienation, leasing, lending, borrowing, donation, exchange, preservation or restoration of property that are the works of man or the products of nature.

“22.8. The quorum at board meetings is the majority of the board members, including the chair of the board or the director general.

Board decisions are made by a majority vote of the members present.

In the case of a tie vote, the person presiding at the meeting has a casting vote.

“22.9. No deed, document or writing binds a museum, or may be attributed to it, unless it is signed by the director general or, to the extent and on the conditions provided by a by-law of the museum, by another person authorized to do so.

The by-law may also, subject to the conditions it determines, allow a required signature to be affixed by means of an automatic device to the documents it determines, allow the signature to be electronic, or allow a facsimile of a signature to be engraved, lithographed or printed on such documents. However, the facsimile has the same force as the signature itself only if the document is countersigned by a person authorized by the chair of the board or the director general.

“22.10. The minutes of board meetings, approved by the board and certified true by the chair of the board or by any other person authorized to do so by a by-law of the museum, are authentic. This also applies to documents or copies of documents emanating from a museum or forming part of its records, provided they are so certified.

“§4. — A museum’s director general

“22.11. The director general is responsible for the direction and management of the museum within the framework of its by-laws and policies.

The director general shall propose strategic directions to the board, as well as a capital plan and an operating plan for the museum.

The director general shall also assume any other function assigned by the board.

“22.12. The director general shall make sure that the board is given, at its request, adequate human, material and financial resources to enable it and its committees to perform their functions.

“22.13. The office of director general is a full-time position.

“22.14. The Government shall determine the remuneration, employee benefits and other conditions of employment of the director general.

“22.15. The board may designate a museum personnel member to temporarily exercise the functions of the director general when the latter is absent or unable to act.

“§5. — *A museum’s secretary and other personnel members*

“**22.16.** A museum may appoint a secretary and any other employee required for the performance of its functions.

“**22.17.** The secretary and other personnel members of a museum are appointed according to the museum’s staffing plan and the standards it establishes.

Subject to the provisions of a collective agreement, a museum shall determine the standards and scales of remuneration, employee benefits and other conditions of employment of its personnel members in accordance with the conditions defined by the Government.”

4. The heading of Chapter VI of the Act is replaced by the following heading:

“PLANNING, AUDITING AND REPORTING”.

5. Section 31 of the Act is replaced by the following sections:

“**31.** A museum shall prepare a strategic plan and submit it to the Government for approval. The plan must take into account the policy directions and objectives given by the Minister.

The plan must be submitted on or before the date set by the Minister and established in accordance with the form, content and intervals determined by the Minister.

The plan must include

(1) the context in which the museum operates and the main challenges it faces;

(2) the museum’s objectives and strategic directions;

(3) the results targeted for the period covered by the plan;

(4) the performance indicators to be used in measuring results; and

(5) any other element determined by the Minister.

“**31.1.** Each year, a museum shall submit its budgetary estimates for the following fiscal year to the Minister, for approval, in accordance with the form and content and on the date determined by the Minister.”

6. Section 33 of the Act is amended by adding the following paragraph at the end:

“The report must also include the information required under sections 36 to 39 of the Act respecting the governance of state-owned enterprises (chapter G-1.02), with the necessary modifications.”

7. The Act is amended by inserting the following sections after section 38:

“38.1. The Minister may issue directives on the direction and general objectives to be pursued by a museum.

The directives must be approved by the Government, and come into force on the day they are approved. Once approved, they are binding on the museum, which must comply with them.

The directives must be tabled in the National Assembly within 15 days after they are approved by the Government or, if the Assembly is not sitting, within 15 days of resumption.

“38.2. At least once every 10 years, the Minister shall report to the Government on the carrying out of this Act. The report must include recommendations concerning the updating of the mission of museums.

The Minister shall table the report in the National Assembly.”

TRANSITIONAL AND FINAL PROVISIONS

8. The director general of a museum who is in office on 8 January 2017 continues in office on the same terms, for the unexpired portion of the term of office, until that office is filled in accordance with the new provisions.

However, if the term of office is not defined or expires after 8 January 2020, it ends on that date.

9. The chair and other voting members of a museum’s board of directors who are in office on 8 January 2017 continue in office on the same terms, for the unexpired portion of the term of office, until replaced or reappointed in accordance with the new provisions.

The term of office of honorary and non-voting members ends on 8 January 2017.

10. The Government may, in accordance with the Act respecting the governance of state-owned enterprises (chapter G-1.02), determine that a member of the board of directors of a museum who is in office on 8 January 2017 has the status of independent director.

11. The experience and expertise profiles used by the Government to appoint the members referred to in subparagraph 4 of the first paragraph of section 7 of the National Museums Act (chapter M-44), enacted by section 3 of this Act, must be established by a museum's board of directors and sent to the Minister not later than 9 March 2017.

12. The first general collections management policy adopted by a museum under section 22.2 of the National Museums Act, enacted by section 3 of this Act, must be adopted not later than 9 December 2017.

13. The first fiscal year to be covered by the strategic plan prepared under section 31 of the National Museums Act, enacted by section 5 of this Act, must be the 2018–2019 fiscal year.

14. This Act comes into force on 8 January 2017.

2016, chapter 33 AN ACT TO AMEND THE COURTS OF JUSTICE ACT

Bill 125

Introduced by Madam Stéphanie Vallée, Minister of Justice

Introduced 7 December 2016

Passed in principle 7 December 2016

Passed 8 December 2016

Assented to 9 December 2016

Coming into force: 9 December 2016

Legislation amended:

Courts of Justice Act (chapter T-16)

Explanatory notes

This Act increases the number of judges who compose the Court of Appeal from 20 to 22, the number of judges who compose the Superior Court from 152 to 157 and the number of judges who compose the Court of Québec from 290 to 306.

In light of the addition of two positions in the Court of Appeal, the number of judges who must reside in the territory of or in the immediate vicinity of Ville de Montréal is increased from 13 to 15. Similarly, in light of the addition of five positions in the Superior Court, the number of judges appointed for the district of Montréal is increased from 96 to 101.

Lastly, the Act contains a transitional provision that aims to replace the current requirement to publish the notice inviting interested persons to submit their application for the position of judge of the Court of Québec in the *Journal du Barreau du Québec* by the requirement to publish such a notice in a newspaper distributed throughout Québec.



Chapter 33

AN ACT TO AMEND THE COURTS OF JUSTICE ACT

[Assented to 9 December 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

COURTS OF JUSTICE ACT

1. Section 6 of the Courts of Justice Act (chapter T-16) is amended by replacing “20” and “19” in the first paragraph by “22” and “21”, respectively.

2. Section 7 of the Act is amended

(1) by replacing “20” and “13” in the first paragraph by “22” and “15”, respectively;

(2) by replacing “20” in the third paragraph by “22”.

3. Section 21 of the Act is amended by replacing “152” in the first paragraph by “157”.

4. Section 32 of the Act is amended by replacing “96” in subparagraph 1 of the first paragraph by “101”.

5. Section 85 of the Act is amended by replacing “290” by “306”.

TRANSITIONAL AND FINAL PROVISIONS

6. The publication of a notice in the Journal du Barreau du Québec, as provided for in section 7 of the Regulation respecting the selection procedure of candidates for the office of judge of the Court of Québec, municipal court judge and presiding justice of the peace (chapter T-16, r. 4.1), is not required in respect of a competition aiming to fill a position of judge of the Court of Québec that is held within 180 days after the coming into force of this Act, provided that such a notice is published in a newspaper distributed throughout Québec.

7. This Act comes into force on 9 December 2016.

2016, chapter 34
**AN ACT TO FACILITATE THE DISCLOSURE OF
WRONGDOINGS RELATING TO PUBLIC BODIES**

Bill 87

Introduced by M. Martin Coiteux, Minister responsible for Government Administration and Ongoing Program Review and Chair of the Conseil du trésor

Introduced 2 December 2015

Passed in principle 18 February 2016

Passed 9 December 2016

Assented to 9 December 2016

Coming into force: 1 May 2017

Legislation amended:

Tax Administration Act (chapter A-6.002)

Charter of Ville de Montréal (chapter C-11.4)

Anti-Corruption Act (chapter L-6.1)

Act respecting labour standards (chapter N-1.1)

Public Protector Act (chapter P-32)

Educational Childcare Act (chapter S-4.1.1)

Explanatory notes

The purpose of this Act is to facilitate the disclosure of wrongdoings relating to public bodies and establish a protection regime against reprisals.

The Act identifies the public bodies it applies to and defines what constitutes a wrongdoing.

The Act provides that any person may make a disclosure to the Public Protector according to the procedure the latter establishes. Following a disclosure, the Public Protector may conduct an investigation and make any recommendations considered appropriate in a report to the highest ranking administrative official within the public body concerned.

The Act also provides that employees of a public body may make disclosures within the public body. The highest ranking administrative official of each public body must, unless exempted by the Public Protector, establish a procedure facilitating employee disclosures of wrongdoings and designate a person to be responsible for receiving disclosures, verifying whether a wrongdoing has been committed or is about to be committed and, if that is the case, reporting as much to the highest ranking administrative official.

(cont'd on next page)

Explanatory notes (cont'd)

For childcare centres, subsidized day care centres and home childcare coordinating offices, the Act provides that disclosures may instead be made to the Minister of Families and that once the ensuing inspection or investigation has been concluded, the Minister may take corrective measures. It also amends the Educational Childcare Act to include provisions on the disclosure of wrongdoings and protection against reprisals.

A person may, under certain conditions, disclose to the public any information the person considers necessary if the person has reasonable grounds to believe that a wrongdoing posing a serious risk to a person's health or safety or to the environment has been committed or is about to be committed.

The Public Protector provides access to legal advice, on certain conditions, to any person making or wishing to make a disclosure to the Public Protector, the officer responsible for dealing with disclosures or the Minister of Families. Access to legal advice may also be offered to persons cooperating in an audit, inspection or investigation or to persons who believe reprisals have been taken against them.

Reprisals are prohibited against any person who makes a disclosure or cooperates with an audit, inspection or investigation conducted following a disclosure. Procedures are put in place to allow persons who believe reprisals have been taken against them to file a complaint with the Public Protector or the Minister of Families. Penal provisions are introduced and the Act respecting labour standards is amended to protect the rights of employees involved in a disclosure made in accordance with this Act.

Lastly, the Act requires that a report on its implementation be tabled in the National Assembly.



Chapter 34

AN ACT TO FACILITATE THE DISCLOSURE OF WRONGDOINGS RELATING TO PUBLIC BODIES

[Assented to 9 December 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PURPOSE AND SCOPE

- 1.** The purpose of this Act is to facilitate the disclosure, in the public interest, of wrongdoings committed or about to be committed in relation to public bodies and establish a general protection regime against reprisals.
- 2.** For the purposes of this Act, the following are public bodies:
 - (1) government departments;
 - (2) bodies and persons appointed or designated by the Government or a minister whose personnel is appointed in accordance with the Public Service Act (chapter F-3.1.1);
 - (3) budget-funded bodies and bodies other than budget-funded bodies respectively listed in Schedules 1 and 2 to the Financial Administration Act (chapter A-6.001), including the persons listed in those schedules;
 - (4) government enterprises listed in Schedule 3 to the Financial Administration Act as well as the Commission de la construction du Québec and the Caisse de dépôt et placement du Québec;
 - (5) school boards governed by the Education Act (chapter I-13.3) or the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14), the Comité de gestion de la taxe scolaire de l'île de Montréal, and general and vocational colleges established by the General and Vocational Colleges Act (chapter C-29);
 - (6) university-level educational institutions listed in paragraphs 1 to 11 of section 1 of the Act respecting educational institutions at the university level (chapter E-14.1);
 - (7) public institutions and private institutions under agreement within the meaning of the Act respecting health services and social services (chapter S-4.2)

as well as the regional council established under the Act respecting health services and social services for Cree Native persons (chapter S-5);

(8) persons appointed or designated by the National Assembly to an office under its jurisdiction, together with the personnel directed by them;

(9) childcare centres, day care centres benefiting from subsidized childcare spaces and home childcare coordinating offices governed by the Educational Childcare Act (chapter S-4.1.1); and

(10) any other entity designated by the Government.

3. This Act applies to the National Assembly to the extent and on the conditions determined by regulation of the Office of the National Assembly.

4. For the purposes of this Act, any act that constitutes or consists in, as the case may be,

(1) a contravention of a Québec law, of a federal law applicable in Québec or of a regulation made under such a law,

(2) a serious breach of the standards of ethics and professional conduct,

(3) a misuse of funds or property belonging to a public body, including the funds or property it manages or holds for others,

(4) gross mismanagement within a public body, including an abuse of authority,

(5) any act or omission that seriously compromises or may seriously compromise a person's health or safety or the environment, or

(6) directing or counselling a person to commit a wrongdoing described in any of paragraphs 1 to 5,

is considered a wrongdoing.

5. This Act does not apply to a disclosure made for personal purposes rather than in the public interest, such as when the subject-matter pertains solely to a condition of employment of the person making the disclosure, nor does it apply to a disclosure whose purpose is to question the merits of the policies and program objectives of the Government or of a public body. The same is true for a disclosure whose purpose is to question the effectiveness, efficiency or merits of strategies, policy directions and operations related to the investment activities, fund management activities or debt management activities of the Caisse de dépôt et placement du Québec or Investissement Québec.

CHAPTER II**DISCLOSURE OF WRONGDOINGS**

6. Any person may, at any time, contact the Public Protector to disclose information that could show that a wrongdoing has been committed or is about to be committed in relation to a public body. Wrongdoings include, in particular, those committed by a member of the personnel of a public body in the exercise of his or her functions or by any person, partnership, group or other entity in the preparation or performance of a contract, including a grant of financial assistance, that has been entered into or is about to be entered into with the public body. A disclosure may be made anonymously or not.

In the case of a disclosure concerning a public body referred to in paragraph 9 of section 2, a person may, if he or she prefers, contact the Minister of Families in accordance with Chapter VII.2 of the Educational Childcare Act to disclose the information.

In the case of a disclosure concerning a public body referred to in any of paragraphs 1 to 8 and 10 of section 2, a person who is a member of the personnel of the public body may, if he or she prefers, contact the officer responsible for dealing with disclosures within that body to disclose the information.

7. If a person has reasonable grounds to believe that a wrongdoing committed or about to be committed poses a serious risk to a person's health or safety or to the environment and cannot, given the urgency of the situation, contact one of the persons referred to in section 6, that person may disclose to the public any information he or she considers reasonably necessary to avoid that risk and may enjoy the protection against reprisals provided for in Chapter VII.

However, before doing so, that person must communicate the information to a police force or to the Anti-Corruption Commissioner. In addition, the communication of information must not have the foreseeable effect of hindering intervention measures intended to avoid serious risk to a person's health or safety or to the environment.

8. A person making a disclosure or cooperating in an audit or investigation conducted on the basis of a disclosure may communicate, in accordance with this Act, any information that could show that a wrongdoing has been committed or is about to be committed.

The first paragraph applies despite the provisions on the communication of information provided for in the Act respecting the protection of personal information in the private sector (chapter P-39.1) and the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), except those provided for in section 33 of the latter Act. It also applies despite any other communication restrictions under a law and any duty of confidentiality or loyalty that may be binding on the person, including toward an employer or, if applicable, a client.

However, the lifting of professional secrecy authorized under this section does not apply to professional secrecy between a lawyer or a notary and a client.

9. Any person may contact the Public Protector to obtain information about the possibility of making a disclosure in accordance with this Act, to obtain advice on the procedure for making a disclosure or to obtain the legal advice provided for in section 26.

CHAPTER III

DISCLOSURES TO AND INVESTIGATIONS BY THE PUBLIC PROTECTOR

10. A disclosure of wrongdoing is made to the Public Protector and diligently processed in accordance with the procedure the Public Protector determines. The procedure must, among other things,

(1) provide for a written notice of receipt of the disclosed information to be sent to the person who made the disclosure, if that person's identity is known;

(2) specify the manner in which a disclosure is to be filed;

(3) determine the time limits for processing a disclosure;

(4) subject to section 14, include all necessary measures to ensure that the identity of the person who makes a disclosure or cooperates in an audit or investigation conducted on the basis of a disclosure remains confidential;

(5) include measures to protect the rights of the persons involved in a disclosure, in particular during an investigation; and

(6) state the protection provided for by Chapter VII against reprisals and the time limit for exercising a recourse against a practice prohibited by subparagraph 11 of the first paragraph of section 122 of the Act respecting labour standards (chapter N-1.1).

For the purposes of subparagraph 3 of the first paragraph, the procedure must provide that the person who made the disclosure, if that person's identity is known, is notified as soon as the processing of the disclosure has been completed. The Public Protector notifies the person who made the disclosure if its processing must continue beyond 60 days after the date on which it was received. The Public Protector must subsequently notify the person, every 90 days, that the processing of the disclosure is ongoing, until the Public Protector puts an end to it. The Public Protector sends such notices in writing.

The Public Protector sees to the dissemination of the procedure.

11. If the Public Protector receives a disclosure or has reasonable grounds to believe that a wrongdoing has been committed or is about to be committed, the Public Protector makes the verifications the Public Protector considers appropriate.

In addition, the Public Protector may conduct an investigation or designate any person referred to in section 25 of the Public Protector Act (chapter P-32) to conduct an investigation on the Public Protector's behalf. The Public Protector may, in writing, give a person who is not a member of the Public Protector's personnel a mandate to examine a disclosure and, if applicable, conduct an investigation or any other specific mandate related to any of the Public Protector's functions. The Public Protector may delegate the exercise of any of the Public Protector's powers to such a person, provided that person agrees to be bound by confidentiality requirements equivalent to those that apply to the Public Protector's personnel. Section 25 of the Public Protector Act applies, with the necessary modifications, to such a person conducting an investigation.

The public body concerned must cooperate with the Public Protector.

12. At any time, the Public Protector must put an end to the processing of a disclosure if the alleged wrongdoing is the subject of court proceedings or relates to a decision rendered by a court.

In addition, the Public Protector puts an end to the examination of a disclosure if of the opinion, in particular,

(1) that the subject-matter of the disclosure does not fall within the Public Protector's mandate;

(2) that the disclosure is made for personal purposes and not in the public interest;

(3) that the subject-matter of the disclosure questions the merits of the policies and program objectives of the Government or of a public body;

(4) that the subject-matter of the disclosure questions the effectiveness, efficiency or merits of strategies, policy directions and operations related to the investment activities, fund management activities or debt management activities of the Caisse de dépôt et placement du Québec or Investissement Québec; or

(5) that the disclosure is frivolous.

When putting an end to the processing or examination of a disclosure, the Public Protector sends a notice, with reasons, to the person who made the disclosure, if the person's identity is known.

13. In the case of an investigation, the Public Protector may, if the Public Protector considers it appropriate, inform the highest ranking administrative

official of the public body concerned or, if warranted by the circumstances, the minister responsible for that body that an investigation is being conducted and advise him or her of its subject-matter.

In the case of a public body referred to in paragraph 9 of section 2, the Public Protector may, if the Public Protector deems it appropriate, inform the Minister of Families.

For the purposes of this Act, the highest ranking administrative official is the official responsible for the day-to-day management of the public body, such as the deputy minister, the chair or the director general. However, in the case of a public body referred to in paragraph 5 of section 2, the highest ranking administrative official is the board of directors or, in the case of a school board, the council of commissioners. Such a board or council may delegate to the director general all or part of the functions conferred on the highest ranking administrative official.

14. If the Public Protector considers that information disclosed to the Public Protector may be disclosed under section 26 of the Anti-Corruption Act (chapter L-6.1), the Public Protector forwards the information, as soon as possible, to the Anti-Corruption Commissioner. The Public Protector also forwards the information necessary to prosecute an offence under an Act to a body responsible for the prevention, detection or repression of crime or statutory offences, including a police force or a professional order.

The Public Protector puts an end to the examination or processing of the disclosure, or continues it, according to the terms agreed to with the body to which the Public Protector has forwarded the information.

If the Public Protector considers it appropriate, the Public Protector notifies the person who made the disclosure that the information has been forwarded.

15. Once the audit or investigation has been concluded, the Public Protector reports the findings to the highest ranking administrative official of the public body concerned or, if warranted by the circumstances, to the minister responsible for that body. The Public Protector makes the recommendations the Public Protector considers appropriate and may ask to be informed, within a specified time, of the corrective measures taken to implement them.

However, in the case of a public body referred to in paragraph 9 of section 2, the Public Protector reports the Public Protector's findings to the Minister of Families and, if warranted by the circumstances, to the board of directors of the public body concerned or to the natural person who is the holder of a day care centre permit.

If the Public Protector considers it appropriate, the Public Protector may inform the person who made the disclosure of any follow-up given to the disclosure.

16. If, after making recommendations, the Public Protector considers that the public body has failed to take satisfactory measures within a reasonable time, the Public Protector must notify the minister responsible for that body in writing. If the Public Protector sees fit, the Public Protector may subsequently notify the Government in writing and outline the case in a special report or in the Public Protector’s annual report to the National Assembly.

17. The Public Protector includes, in the activity report referred to in section 28 of the Public Protector Act,

- (1) the number of disclosures received;
- (2) the number of disclosures whose processing or examination was ended under section 12;
- (3) the number of undertaken, ongoing or concluded investigations;
- (4) the number of well-founded disclosures;
- (5) the number of disclosures broken down according to the categories of wrongdoings set out in section 4;
- (6) the number of persons who were given access to legal advice;
- (7) the number of complaints received regarding reprisals;
- (8) the number of well-founded complaints regarding reprisals;
- (9) the number of times information was forwarded under the first paragraph of section 14; and
- (10) any recommendations the Public Protector deems appropriate.

The Public Protector must also report on whether the time limits for the processing of disclosures were complied with.

CHAPTER IV

DISCLOSURES WITHIN A PUBLIC BODY

18. A procedure to facilitate employee disclosures of wrongdoings is established and made known within each public body, other than a body referred to in paragraph 9 of section 2, by the highest ranking administrative official. In addition, that official designates a person as the officer responsible for dealing with such disclosures and for implementing the procedure within the body (the “designated officer”).

19. The Public Protector may exempt the highest ranking administrative official of a public body from the obligations set out in section 18, in particular

by reason of the body's size or available resources. If so exempted, the highest ranking administrative official must take all necessary measures to inform the employees that they may contact the Public Protector to disclose a wrongdoing.

20. The wrongdoing disclosure procedure provided for in section 18 must, among other things, include the elements set out in the first paragraph of section 10, with the necessary modifications. It must also mention that employees have the option of communicating information to the Public Protector or to the designated officer within the public body.

The Public Protector is to publish a reference document for public bodies on the procedure to be established.

21. The designated officer is bound to confidentiality in exercising the functions of office and must, among other things, take the measures necessary to ensure that any information communicated to him or her, including the identity of the person who made the disclosure, remains confidential.

Despite sections 9, 83 and 89 of the Act respecting Access to documents held by public bodies and the Protection of personal information, no one may have access to or rectify information communicated to the designated officer.

22. On receipt of a disclosure by an employee, the designated officer, as the case may be,

(1) verifies whether a wrongdoing has been committed or is about to be committed;

(2) forwards the disclosure to the Public Protector if, in the officer's opinion, the Public Protector, given the circumstances, is better suited to deal with it and notifies the employee accordingly; or

(3) puts an end to the processing or examination of the disclosure in any of the cases and in accordance with the conditions set out in section 12.

23. If the designated officer considers that information disclosed to him or her may be disclosed under section 26 of the Anti-Corruption Act, he or she forwards the information, as soon as possible, to the Anti-Corruption Commissioner. The designated officer also forwards the information necessary to prosecute an offence under an Act to a body responsible for the prevention, detection or repression of crime or statutory offences, including a police force or a professional order.

The designated officer puts an end to the examination or processing of the disclosure, or continues it, according to the terms agreed to with the body to which he or she has forwarded the information.

If the designated officer considers it appropriate, he or she notifies the employee who made the disclosure that the information has been forwarded.

24. The designated officer keeps the highest ranking administrative official of the public body informed of the steps taken, unless, in the designated officer's opinion, the disclosure is likely to implicate that official.

On ascertaining that a wrongdoing has been committed or is about to be committed, the designated officer reports as much to the highest ranking administrative official. If necessary, the latter takes the corrective measures he or she deems appropriate.

If the designated officer considers it appropriate, he or she may inform the person who made the disclosure of any follow-up given to the disclosure.

25. A public body required to establish and disseminate a procedure to facilitate the disclosure of wrongdoings by its employees must include, in its annual report,

- (1) the number of disclosures received by the designated officer;
- (2) the number of disclosures the processing or examination of which was ended under paragraph 3 of section 22;
- (3) the number of well-founded disclosures;
- (4) the number of disclosures broken down according to the categories of wrongdoings set out in section 4; and
- (5) the number of times information was forwarded under the first paragraph of section 23.

If a public body does not make an annual report, it uses another means it considers appropriate to make this information public once a year.

CHAPTER V

LEGAL ADVICE

26. The Public Protector provides access to legal advice to any person making or wishing to make a disclosure or cooperating in an audit or investigation conducted on the basis of a disclosure made under Chapters II to IV of this Act or Chapter VII.2 of the Educational Childcare Act.

Access to legal advice may also be provided to a person referred to in the first paragraph if that person believes a reprisal has been taken against him or her for having, in good faith, made a disclosure or cooperated in an audit or investigation conducted on the basis of a disclosure, unless the reprisal constitutes a practice prohibited by subparagraph 11 of the first paragraph of section 122 of the Act respecting labour standards.

To be provided with such access to legal advice, a person must, in the Public Protector's opinion, be in a special situation that warrants legal assistance, for example because of the nature of the person's disclosure or of the person's cooperation in an audit or investigation.

The Public Protector determines, in each case, the manner in and time for which access to legal advice is to be provided.

CHAPTER VI

POWERS AND IMMUNITY

27. No judicial proceedings may be brought against a designated officer for any act done in good faith in the exercise of the functions of office.

28. Except on a question of jurisdiction, no application for judicial review under the Code of Civil Procedure (chapter C-25.01) may be brought nor any injunction granted against a designated officer in the exercise of the functions of office.

A judge of the Court of Appeal may, on an application, summarily annul any judgment, decision, order or injunction rendered or granted contrary to the first paragraph.

29. Sections 24, 25, 27.3, 27.4, 29 to 33, 34 and 35 of the Public Protector Act apply to the Public Protector, with the necessary modifications, with regard to investigations the Public Protector conducts and other acts the Public Protector carries out under this Act.

CHAPTER VII

PROTECTION AGAINST REPRISALS

30. It is forbidden to take a reprisal against a person on the ground that the person has, in good faith, made a disclosure or cooperated in an audit or investigation conducted on the basis of a disclosure.

It is also forbidden to threaten to take a reprisal against a person so that the person will abstain from making a disclosure or cooperating in an audit or investigation conducted on the basis of a disclosure.

31. The following is presumed to be a reprisal within the meaning of section 30:

(1) the demotion, suspension, dismissal or transfer of a person referred to in that section or any other disciplinary measure or measure that adversely affects such a person's employment or conditions of employment; or

(2) if such a person is the holder of parental authority over a child attending a childcare establishment referred to in paragraph 9 of section 2, depriving the person of any right or subjecting the person to differential treatment or suspending or expelling the person's child.

32. Any person who believes a reprisal referred to in section 30 has been taken against him or her may file a complaint with the Public Protector in order to have the Public Protector examine whether the complaint is well-founded and submit any recommendations the Public Protector considers appropriate to the highest ranking administrative official within the public body concerned or, if warranted by the circumstances, to the minister responsible for the public body. However, in the case of a public body referred to in paragraph 9 of section 2, such recommendations are to be sent to the Minister of Families and, if warranted by the circumstances, to the board of directors of the public body concerned or the natural person holding the day care centre permit.

Sections 11 to 16 apply to the follow-up of such complaints, with the necessary modifications.

However, if the reprisal a person believes has been taken against him or her constitutes a practice prohibited by subparagraph 11 of the first paragraph of section 122 of the Act respecting labour standards, the Public Protector refers that person to the Commission des normes, de l'équité, de la santé et de la sécurité du travail and puts an end to the examination of the complaint.

CHAPTER VIII

PENAL PROVISIONS

33. Anyone who contravenes section 30 is guilty of an offence and is liable to a fine of \$2,000 to \$20,000 in the case of a natural person and to a fine of \$10,000 to \$250,000 in all other cases.

The amounts are doubled for a subsequent offence.

34. Anyone who hinders or attempts to hinder the Public Protector or a designated officer in the exercise of the functions of office, refuses to provide any information or a document they are required to provide or refuses to make it available, or conceals or destroys any document relevant to an audit or investigation is guilty of an offence and is liable to a fine of \$4,000 to \$20,000.

The amounts are doubled for a subsequent offence.

35. Anyone, including a director or officer of a legal person or of an employer who, by an act or omission, helps a person to commit an offence under section 33 or 34 or who, by encouragement, advice or consent or by an authorization or order, induces another person to commit such an offence is guilty of the same offence.

CHAPTER IX

AMENDING PROVISIONS

TAX ADMINISTRATION ACT

36. Section 69.0.0.16 of the Tax Administration Act (chapter A-6.002) is replaced by the following section:

“69.0.0.16. Information contained in a tax record may be communicated, without the consent of the person concerned, to a person where the communication is necessary for the application or enforcement of a fiscal law, to a police force where an employee of the Agency believes on reasonable grounds that the person concerned has committed or is about to commit, in respect of the Agency or one of its employees or with respect to the application of a fiscal law, a criminal or penal offence and the information is necessary for the investigation relating to that offence, or to a body responsible for the prevention, detection or repression of crime or statutory offences, including a police force and a professional order, where the communication is necessary for the purposes of the Act to facilitate the disclosure of wrongdoings relating to public bodies (2016, chapter 34).”

37. Section 69.1 of the Act is amended by replacing subparagraph *i* of the second paragraph by the following subparagraph:

“(i) the Public Protector, in respect of interventions and investigations conducted under the Public Protector Act (chapter P-32) or where the information is necessary for the application of the Act to facilitate the disclosure of wrongdoings relating to public bodies (2016, chapter 34);”.

38. Section 69.3 of the Act is amended by inserting the following paragraph after the first paragraph:

“Despite the first paragraph, a person to whom information is communicated under section 69.1 or 69.2 may, without the consent of the person concerned, use the information for the purposes of the Act to facilitate the disclosure of wrongdoings relating to public bodies (2016, chapter 34).”

39. The Act is amended by inserting the following section after section 69.4.1:

“69.4.2. The Public Protector may communicate information necessary for the application of the Act to facilitate the disclosure of wrongdoings relating to public bodies (2016, chapter 34) obtained under subparagraph *i* of the second paragraph of section 69.1 or the first paragraph of section 69.6 to a body responsible for the prevention, detection or repression of crime or statutory offences, including a police force and a professional order, where the communication is necessary to prosecute an offence under an Act or to the Anti-Corruption Commissioner if the information may potentially be disclosed under section 26 of the Anti-Corruption Act (chapter L-6.1).”

40. Section 69.6 of the Act is amended by adding the following paragraphs at the end:

“In addition, a person to whom information is communicated under section 69.1 or 69.2 may, without the consent of the person concerned, communicate the information either to the designated officer in accordance with the third paragraph of section 6 of the Act to facilitate the disclosure of wrongdoings relating to public bodies (2016, chapter 34) or to a body responsible for the prevention, detection or repression of crime or statutory offences, including a police force and a professional order, or the Anti-Corruption Commissioner in accordance with section 23 of that Act.

A designated officer to whom information is communicated under the second paragraph may, without the consent of the person concerned, communicate the information either to the Public Protector in accordance with paragraph 2 of section 22 of the Act to facilitate the disclosure of wrongdoings relating to public bodies or to a body responsible for the prevention, detection or repression of crime or statutory offences, including a police force and a professional order, or the Anti-Corruption Commissioner in accordance with section 23 of that Act.”

CHARTER OF VILLE DE MONTRÉAL

41. Section 57.1.13 of the Charter of Ville de Montréal (chapter C-11.4) is amended by replacing the third paragraph by the following paragraph:

“However, the lifting of professional secrecy authorized under the second paragraph does not apply to professional secrecy between a lawyer or a notary and a client.”

ANTI-CORRUPTION ACT

42. Section 27 of the Anti-Corruption Act (chapter L-6.1) is amended by replacing the second paragraph by the following paragraph:

“However, the lifting of professional secrecy authorized under this Act does not apply to professional secrecy between a lawyer or a notary and a client.”

ACT RESPECTING LABOUR STANDARDS

43. Section 3.1 of the Act respecting labour standards (chapter N-1.1) is amended by replacing “and 10” in the second paragraph by “, 10 and 11”.

44. Section 122 of the Act is amended by adding the following subparagraph after subparagraph 10 of the first paragraph:

“(11) on the ground that the employee has, in good faith, disclosed a wrongdoing or that the employee has cooperated in an audit or investigation regarding such a wrongdoing in accordance with the Act to facilitate the

disclosure of wrongdoings relating to public bodies (2016, chapter 34) or Chapter VII.2 of the Educational Childcare Act (chapter S-4.1.1).”

45. Section 140 of the Act is amended by replacing “and 10” in paragraph 6 by “, 10 and 11”.

PUBLIC PROTECTOR ACT

46. Section 11 of the Public Protector Act (chapter P-32) is amended by inserting “, the Act to facilitate the disclosure of wrongdoings relating to public bodies (2016, chapter 34)” after “this Act” in the first paragraph.

47. Section 13 of the Act is amended by inserting “assigned to the Public Protector under the Act to facilitate the disclosure of wrongdoings relating to public bodies (2016, chapter 34), as well as those” after “functions” in the third paragraph.

EDUCATIONAL CHILDCARE ACT

48. The Educational Childcare Act (chapter S-4.1.1) is amended by inserting the following after section 101.20:

“CHAPTER VII.2

“DISCLOSURE OF WRONGDOINGS AND PROTECTION AGAINST REPRISALS

“DIVISION I

“DISCLOSURE

“**101.21.** Any person may, at any time, contact the Minister to disclose information that could show that a wrongdoing, within the meaning of section 4 of the Act to facilitate the disclosure of wrongdoings relating to public bodies (2016, chapter 34), has been committed or is about to be committed in relation to a permit holder delivering subsidized childcare or a home childcare coordinating office.

Wrongdoings include, in particular, acts committed or about to be committed by a staff member, director or shareholder of a day care permit holder delivering subsidized childcare or by a home childcare coordinating office, in the exercise of his, her or its functions or by any person, partnership, group or other entity in the preparation or performance of a contract, including a grant of financial assistance, that has been entered into or is about to be entered into with a day care permit holder delivering subsidized childcare or a home childcare coordinating office.

A disclosure may be made anonymously or not.

“101.22. A person making a disclosure or cooperating in an inspection or investigation conducted on the basis of a disclosure may communicate, in accordance with this Act, any information that could show that a wrongdoing has been committed or is about to be committed.

The first paragraph applies despite the provisions on the communication of information in the Act respecting the protection of personal information in the private sector (chapter P-39.1). It also applies despite any other communication restrictions under a law and any duty of confidentiality or loyalty that may be binding on the person, including toward an employer or, if applicable, a client.

However, the lifting of professional secrecy authorized under this section does not apply to professional secrecy between a lawyer or a notary and a client.

“101.23. Any person may contact the Minister to obtain information about the possibility of making a disclosure in accordance with this chapter or to obtain advice on the procedure for making a disclosure.

“DIVISION II

“FOLLOW-UP OF DISCLOSURES BY THE MINISTER

“101.24. A disclosure of wrongdoing is made to the Minister and diligently processed in accordance with the procedure the Minister determines. The procedure must, among other things,

(1) provide for a written notice of receipt of the disclosed information to be sent to the person who made the disclosure, if that person’s identity is known;

(2) specify the manner in which a disclosure is to be filed;

(3) determine the time limits for processing a disclosure;

(4) state that any person may disclose information to the Public Protector or the Minister;

(5) subject to section 101.28, include all necessary measures to ensure that the identity of the person who makes a disclosure or cooperates in an inspection or investigation conducted on the basis of a disclosure remains confidential;

(6) include measures to protect the rights of the persons involved in a disclosure, in particular during an inspection or investigation; and

(7) state the protection provided for by Division III of this chapter against reprisals and the time limit for exercising a recourse against a practice prohibited by subparagraph 11 of the first paragraph of section 122 of the Act respecting labour standards (chapter N-1.1).

For the purposes of subparagraph 3 of the first paragraph, the procedure must provide that the person who made the disclosure, if that person's identity is known, is notified as soon as the processing of the disclosure has been completed. The Minister notifies the person who made the disclosure if its processing must continue beyond 60 days after the date on which it was received. The Minister must subsequently notify the person, every 90 days, that the processing of the disclosure is ongoing, until the Minister puts an end to it. The Minister sends such notices in writing.

The Minister sees to the dissemination of the procedure.

“101.25. If the Minister receives a disclosure or has reasonable grounds to believe that a wrongdoing has been committed or is about to be committed, the Minister designates any person referred to in section 72 or 80 to conduct, as the case may be, the inspections or investigations the Minister considers appropriate.

“101.26. Any person designated under section 101.25 is bound to confidentiality in exercising the functions of office and must, among other things, take the necessary measures to ensure that any information communicated to him or her, including the identity of the person who made the disclosure, remains confidential.

Despite sections 9, 83 and 89 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no one may have access to or rectify information communicated to the Minister.

“101.27. At any time, the Minister must put an end to the processing of a disclosure if the alleged wrongdoing is the subject of court proceedings or relates to a decision rendered by a court.

In addition, the Minister puts an end to the examination of a disclosure if of the opinion, in particular,

- (1) that the subject-matter of the disclosure does not fall within the Minister's mandate;
- (2) that the disclosure is made for personal purposes and not in the public interest;
- (3) that the subject-matter of the disclosure questions the merits of the policies and program objectives of the Government; or
- (4) that the disclosure is frivolous.

When putting an end to the processing or examination of a disclosure, the Minister sends a notice, with reasons, to the person who made the disclosure, if the person's identity is known.

“101.28. If the Minister considers that information disclosed to the Minister may be disclosed under section 26 of the Anti-Corruption Act (chapter L-6.1), the Minister forwards the information, as soon as possible, to the Anti-Corruption Commissioner. The Minister also forwards the information necessary to prosecute an offence under an Act to a body responsible for the prevention, detection or repression of crime or statutory offences, including a police force or a professional order.

The Minister puts an end to the examination or processing of the disclosure, or continues it, according to the terms agreed to with the body to which the Minister has forwarded the information.

If the Minister considers it appropriate, the Minister notifies the person who made the disclosure that the information has been forwarded.

“101.29. Once the inspection or investigation has been concluded, the Minister may take any measure provided for in this Act that the Minister considers appropriate against the permit holder or home childcare coordinating office.

If the Minister considers it appropriate, the Minister may inform the person who made the disclosure of any follow-up given to the disclosure.

“101.30. The Minister includes, in the annual management report referred to in section 11 of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2),

- (1) the number of disclosures received;
- (2) the number of disclosures whose processing or examination was ended under section 101.27;
- (3) the number of undertaken, ongoing or concluded investigations;
- (4) the number of well-founded disclosures, including those entailing corrective measures;
- (5) the number of disclosures under section 101.21, broken down according to the categories of wrongdoings set out in section 4 of the Act to facilitate the disclosure of wrongdoings relating to public bodies (2016, chapter 34); and
- (6) the number of times information was forwarded under the first paragraph of section 101.28.

The Minister must also report on whether the time limits for the processing of disclosures were complied with.

“DIVISION III**“PROTECTION AGAINST REPRISALS**

“101.31. It is forbidden to take a reprisal against a person on the ground that the person has, in good faith, made a disclosure or cooperated in an inspection or investigation conducted on the basis of a disclosure.

It is also forbidden to threaten to take a reprisal against a person so that the person will abstain from making a disclosure or cooperating in an inspection or investigation conducted on the basis of a disclosure.

“101.32. The following is presumed to be a reprisal within the meaning of section 101.31:

(1) the demotion, suspension, dismissal or transfer of a person referred to in that section or any other disciplinary measure or measure that adversely affects such a person’s employment or conditions of employment; or

(2) if such a person is the parent of a child attending a childcare centre or a day care centre delivering subsidized childcare, depriving the person of any right or subjecting the person to differential treatment or suspending or expelling the person’s child.

“101.33. Any person who believes a reprisal referred to in section 101.31 has been taken against him or her may file a complaint with the Minister in order to have the Minister examine whether the complaint is well-founded and take, if applicable, any measure provided for by this Act that the Minister considers appropriate in relation to the permit holder or home childcare coordinating office concerned. Sections 101.25 to 101.29 apply to the follow-up of such complaints, with the necessary modifications.

However, if the reprisal a person believes has been taken against him or her constitutes a practice prohibited by subparagraph 11 of the first paragraph of section 122 of the Act respecting labour standards (chapter N-1.1), the Minister refers that person to the Commission des normes, de l’équité, de la santé et de la sécurité du travail and puts an end to the examination of the complaint.”

49. Section 109 of the Act is amended by striking out “section 78,”.

50. The Act is amended by inserting the following section after section 115:

“115.1. A person that contravenes section 78 is guilty of an offence and is liable to a fine of \$4,000 to \$20,000.”

51. The Act is amended by inserting the following sections after section 117:

“117.1. A person that contravenes section 101.31 is guilty of an offence and is liable to a fine of \$2,000 to \$20,000 in the case of a natural person and \$10,000 to \$250,000 in all other cases.

“117.2. A person, including a director or a shareholder of a permit holder delivering subsidized childcare or a home childcare coordinating office, that, by an act or omission, helps a person to commit an offence under section 115.1 or 117.1 or that, by encouragement, advice or consent or by an authorization or order, induces another person to commit such an offence is guilty of the same offence.”

52. Sections 118 and 119 of the Act are amended by replacing “117” by “117.2”.

CHAPTER X

TRANSITIONAL AND FINAL PROVISIONS

53. The new provisions of section 57.1.13 of the Charter of Ville de Montréal (chapter C-11.4) and section 27 of the Anti-Corruption Act (chapter L-6.1), respectively enacted by sections 41 and 42 of this Act, are declaratory.

54. The Minister must, within three years after the coming into force of section 1, report to the Government on the implementation of this Act and on the advisability of maintaining or amending it. For that purpose, each public body must, on the Minister’s request, communicate to the Minister the number of disclosures received, the number of well-founded disclosures and the number of disclosures the processing of which was ended under paragraph 3 of section 22.

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

The report must be referred to the competent parliamentary committee for consideration within 15 days after its tabling in the National Assembly.

55. The minister who is Chair of the Conseil du trésor is responsible for the administration of this Act.

56. The provisions of this Act come into force on 1 May 2017.

2016, chapter 35

AN ACT TO IMPLEMENT THE 2030 ENERGY POLICY AND TO AMEND VARIOUS LEGISLATIVE PROVISIONS

Bill 106

Introduced by Mr. Pierre Arcand, Minister of Energy and Natural Resources

Introduced 7 June 2016

Passed in principle 6 October 2016

Passed 10 December 2016

Assented to 10 December 2016

Coming into force: 10 December 2016, except

(1) Chapter I, which comes into force on 1 April 2017, except sections 1, 2, 6, 22 to 24, 27 to 29, 32 to 38, 40 to 42, 44, 47, 48 and 79 of the Act respecting Transition énergétique Québec (2016, chapter 35, section 1) enacted by it, which come into force on 9 January 2017;

(2) sections 11 to 14, which come into force on the date of coming into force of the rules of procedure applicable to mediation adopted by the Régie de l'énergie under section 113 of the Act respecting the Régie de l'énergie (chapter R-6.01), as amended by section 16; and

(3) the provisions of Chapter IV, which come into force on the date or dates to be set by the Government

Legislation amended:

Civil Code of Québec

Act respecting the acquisition of farm land by non-residents (chapter A-4.1)

Financial Administration Act (chapter A-6.001)

Sustainable Forest Development Act (chapter A-18.1)

Act respecting land use planning and development (chapter A-19.1)

Act respecting duties on transfers of immovables (chapter D-15.1)

Act respecting energy efficiency and innovation (chapter E-1.3)

Act respecting the governance of state-owned enterprises (chapter G-1.02)

Hydro-Québec Act (chapter H-5)

Mining Tax Act (chapter I-0.4)

Act respecting Investissement Québec (chapter I-16.0.1)

Act respecting administrative justice (chapter J-3)

Mining Act (chapter M-13.1)

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

Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001)

Petroleum Products Act (chapter P-30.01)

Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1)

(cont'd on next page)

Legislation amended: (cont'd)

Environment Quality Act (chapter Q-2)

Act respecting the Régie de l'énergie (chapter R-6.01)

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

Act respecting the lands in the domain of the State (chapter T-8.1)

Legislation enacted:

Act respecting Transition énergétique Québec (2016, chapter 35, section 1)

Petroleum Resources Act (2016, chapter 35, section 23)

Regulations amended:

Regulation respecting forest royalties (chapter A-18.1, r. 11)

Regulation respecting the application of the Environment Quality Act (chapter Q-2, r. 3)

Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14)

Regulation respecting environmental impact assessment and review (chapter Q-2, r. 23)

Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2)

Explanatory notes

The main purpose of this Act is to implement the measures announced in the 2030 Energy Policy.

The Act first enacts the Act respecting Transition énergétique Québec. That Act establishes Transition énergétique Québec (TÉQ), a legal person whose mission is to support, stimulate and promote energy transition, innovation and efficiency and to coordinate the implementation of all of the programs and measures necessary to achieve the energy targets defined by the Government. For the purposes of its mission, TÉQ is to develop a master plan that will include summaries of all of the programs and measures to be implemented by TÉQ and the departments, agencies and energy distributors to achieve those energy targets. In developing this plan, TÉQ will be advised by a Stakeholders Panel to be composed of persons having special expertise in the fields of energy transition, innovation and efficiency. The master plan is to be submitted to the Government so that the latter may determine whether the plan is consistent with the targets, policy directions and general objectives it set for TÉQ. If considered to be consistent, the master plan will then be submitted to the Régie de l'énergie. TÉQ will finance its activities out of the contribution it will receive from the energy distributors and the sums from the Energy Transition Fund put at its disposal, among other sources. That Act also contains consequential and transitional provisions, in particular with respect to the transfer of employees from the Ministère de l'Énergie et des Ressources naturelles to TÉQ.

The Act also amends the Act respecting the Régie de l'énergie to introduce new measures concerning the distribution of renewable natural gas by a distribution system as well as the inclusion of excess transmission capacity in a natural gas distributor's supply plan. It also amends that Act to promote the use of mediation as part of the consumer complaint examination procedure and allow the Régie to hold public information and consultation sessions.

The Act proposes measures concerning the financing of the fixed equipment necessary for the electrification of shared transportation services. For that purpose, it amends the Hydro-Québec Act to give Hydro-Québec the power to grant financial assistance to a public transit authority, to the Caisse de dépôt et placement du Québec or to one of its wholly-owned subsidiaries.

Lastly, the Act also enacts the Petroleum Resources Act, whose purpose is to govern the development of petroleum resources while ensuring the safety of persons and property, environmental protection, and optimal recovery of the resource, in compliance with the greenhouse gas emission reduction targets set by the Government. To that end, the Petroleum Resources Act establishes a licence and authorization

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Explanatory notes (*cont'd*)

system applicable to exploration for and the production and storage of petroleum. Under that Act, the holder of a drilling authorization must produce a permanent well or reservoir closure and site restoration plan and furnish a guarantee covering the anticipated cost of completing the work required under the plan. That Act also requires that petroleum production and storage projects and pipeline construction or use projects receive a favourable decision from the Régie de l'énergie before being authorized by the Minister. The Energy Transition Fund is created, into which petroleum royalties, among other sums, are to be paid. Lastly, consequential amendments are made, to the Mining Act in particular, to withdraw all sections concerning brine and petroleum, and transitional provisions are included.



Chapter 35

AN ACT TO IMPLEMENT THE 2030 ENERGY POLICY AND TO AMEND VARIOUS LEGISLATIVE PROVISIONS

[Assented to 10 December 2016]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

ENACTMENT OF THE ACT RESPECTING TRANSITION ÉNERGÉTIQUE QUÉBEC

1. The Act respecting Transition énergétique Québec, the text of which appears in this chapter, is enacted.

“ACT RESPECTING TRANSITION ÉNERGÉTIQUE QUÉBEC

“CHAPTER I

“CONSTITUTION

“**1.** Transition énergétique Québec (Energy Transition Québec) is constituted.

“**2.** Energy Transition Québec is a legal person and 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.

Energy Transition Québec binds none but itself when it acts in its own name.

“**3.** Energy Transition Québec’s head office is at the place determined by the Government.

Notice of the location or of any change in the location of the head office is published in the *Gazette officielle du Québec*.

“CHAPTER II**“ROLE OF ENERGY TRANSITION QUÉBEC****“DIVISION I****“MISSION AND ACTIVITIES**

“4. Energy Transition Québec’s mission is to support, stimulate and promote energy transition, innovation and efficiency and ensure their integrated governance. Energy Transition Québec coordinates and monitors the implementation of all programs and measures necessary to achieve the energy targets defined by the Government.

Within the scope of its mission, it is to prepare the energy transition, innovation and efficiency master plan in keeping with the principle of responsible and sustainable economic development.

“5. Within the scope of its mission, Energy Transition Québec may, in particular,

(1) develop and coordinate the implementation of the programs and measures set out in the master plan taking into account such factors as greenhouse gas emissions;

(2) contribute, by providing financial support, to implementing those programs and measures, and educating and informing consumers;

(3) advise and support consumers wishing to take advantage of energy transition, innovation and efficiency programs or measures, and facilitate their access to such programs and measures;

(4) collaborate with Investissement Québec, other investors or financial institutions to offer financial services to enterprises for the implementation of energy transition, innovation and efficiency measures;

(5) administer certification programs in accordance with the standards defined by the Government;

(6) prepare reports on energy in Québec and benchmarking studies on best practices with respect to energy consumption and production;

(7) support research and development in the energy sector;

(8) in collaboration with the main stakeholders in research and industry, establish a list of research subjects to prioritize;

(9) advise the Government on standards and other elements that may influence energy consumption, and propose appropriate changes;

(10) propose new targets to the Government in addition to those defined by the Government;

(11) advise the Government on any question the latter submits to it; and

(12) carry out any other mandate given to it by the Government.

For the purposes of subparagraph 1 of the first paragraph, Energy Transition Québec may, by means of a call for proposals, award a contract for the development and implementation of a program. The Government determines by regulation the terms applicable to calls for proposals.

“6. The Minister may request that a department, agency or energy distributor provide, within the time the Minister specifies, any information or document necessary for the exercise of Energy Transition Québec’s functions. The Minister then sends the information or document obtained to Energy Transition Québec.

For the purposes of this Act, “agency” means a government agency within the meaning of the Auditor General Act (chapter V-5.01).

“DIVISION II

“ENERGY TRANSITION, INNOVATION AND EFFICIENCY MASTER PLAN

“7. In this Act, “energy distributor” means

(1) Hydro-Québec when carrying on electric power distribution activities;

(2) a natural gas distributor as defined in section 2 of the Act respecting the Régie de l’énergie (chapter R-6.01);

(3) a fuel distributor, namely,

(a) a person who refines, manufactures, mixes, prepares or distils fuel in Québec;

(b) a person who brings or causes to be brought into Québec fuel contained in one or more receptacles with a total capacity of over 200 litres, except fuel contained in a fuel tank installed as standard equipment to supply the engine of a vehicle;

(c) a person who, in Québec, exchanges fuel with a person described in subparagraph *a*; or

(d) a legal person or partnership that brings fuel into Québec for a purpose other than resale; or

(4) a municipal electric power system governed by the Act respecting municipal and private electric power systems (chapter S-41) or the Coopérative régionale d'électricité de Saint-Jean-Baptiste de Rouville governed by the 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, chapter 21).

For the purposes of subparagraph 3 of the first paragraph,

“diesel fuel” means a liquid mixture of hydrocarbons obtained from the refining of petroleum and intended to supply diesel engines;

“fuel” means gasoline, diesel fuel, heating oil or propane, but not aviation fuel, marine bunker fuel, hydrocarbons used as raw material by industries that transform hydrocarbon molecules through chemical or petrochemical processes, or renewable fuel content;

“gasoline” means a liquid mixture of hydrocarbons obtained from the refining of petroleum mainly for use as spark ignition engine fuel;

“heating oil” means a liquid mixture of hydrocarbons obtained from the refining of petroleum and used for domestic, commercial, institutional or industrial heating;

“propane” means a liquid mixture of hydrocarbons obtained from the refining of petroleum or the processing of natural gas and used either as spark ignition engine fuel or for such purposes as cooking and domestic, commercial, institutional and industrial heating.

8. Every five years, Energy Transition Québec prepares an energy transition, innovation and efficiency master plan outlining the programs and measures to be established by itself and the departments, agencies and energy distributors to achieve the energy targets set by the Government in accordance with section 9.

The master plan must address all forms of energy and cover a five-year period.

9. For the purpose of carrying out the master plan, the Government sets the policy directions and general objectives Energy Transition Québec must pursue in relation to energy matters and the targets it must achieve.

The Government may also, at any time, request that Energy Transition Québec modify its master plan, in particular to include additional targets.

The policy directions and general objectives are tabled in the National Assembly within 15 days of their adoption or, if the Assembly is not sitting, within 15 days of resumption.

“10. The master plan must include, in particular,

(1) the energy targets defined and the policy directions and general objectives set by the Government in relation to energy matters;

(2) a report on the state of energy in Québec and on the progress of Québec’s transition as concerns achieving the targets;

(3) the general policy directions and priorities set by Energy Transition Québec for the life of the master plan in relation to energy transition, innovation and efficiency;

(4) a summary of all the programs and measures, including the objectives pursued by them, the clientele targeted, the level and type of contribution by Energy Transition Québec and the impact on greenhouse gas emissions;

(5) the designation of the person responsible for implementing each program and measure;

(6) the departments’, agencies’ and energy distributors’ budgetary estimates and time frames for carrying out the programs and measures;

(7) the energy distributors’ financial investment toward carrying out the master plan, by form of energy;

(8) a list of priority research subjects; and

(9) the projects for which Energy Transition Québec intends to issue calls for proposals under the second paragraph of section 5.

The budgetary estimates referred to in subparagraph 6 of the first paragraph must be consistent with the expenditure and investment estimates approved in accordance with section 48 of the Financial Administration Act (chapter A-6.001).

“11. For the development of the master plan, the departments, agencies and energy distributors must submit to Energy Transition Québec, within the time it specifies, the programs and measures they intend to put at their clientele’s disposal during the life of the master plan to achieve the targets.

The programs and measures submitted must contain a description of the actions to be carried out, the budgetary estimates for carrying out those actions, the method of financing and a time frame for their achievement.

“12. In developing the master plan, Energy Transition Québec must consult the Stakeholders Panel established under section 41. To that end, it sends the programs and measures submitted to it by the departments, agencies and energy distributors to the Panel to obtain its opinion.

Once the master plan has been completed, Energy Transition Québec submits it to the Panel so that the latter may produce its report in accordance with sections 45 and 46.

“13. On the date set by the Minister, Energy Transition Québec submits to the Minister the master plan and the Stakeholders Panel’s report.

The Minister then submits the master plan and the report to the Government so that the latter may determine whether the plan is consistent with the targets, policy directions and general objectives set by it under section 9.

If the plan is considered by the Government to be consistent, Energy Transition Québec submits it, together with the Panel’s report, to the Régie de l’énergie for the purposes of section 85.41 of the Act respecting the Régie de l’énergie. The plan comes into force after the Régie de l’énergie has given its approval and advice under that section.

“14. Energy Transition Québec must revise the master plan if the Government requests that it modify it, in particular to take additional targets into account.

Energy Transition Québec may also modify the plan if it considers that changes are necessary for it to achieve the targets.

The revised plan is subject to sections 12 and 13, with the necessary modifications.

“15. The departments, agencies and energy distributors must carry out the programs and measures for which they are responsible under the master plan.

If an energy distributor is unable to carry out such a program or measure within the time and in the manner specified in the master plan, it must notify Energy Transition Québec. Energy Transition Québec may, at the distributor’s expense, implement the program or measure the distributor has failed to carry out after giving the distributor 30 days’ written notice to that effect.

“16. In order to monitor the programs and measures that must be carried out by a department, agency or energy distributor, Energy Transition Québec may request that the department, agency or distributor submit to it a status report on such matters as the actions undertaken under the master plan and the results obtained.

“17. Energy Transition Québec determines the performance indicators to be used to measure achievement of results under the master plan and makes them public.

“DIVISION III**“CONTRIBUTION BY ENERGY TRANSITION QUÉBEC**

“18. A financial contribution by Energy Transition Québec within the scope of a program or measure is made in the form of a subsidy or a loan. In the latter case, Energy Transition Québec gives Investissement Québec the mandate of granting the loan and pays it the necessary sums.

“19. A program providing for a contribution by Energy Transition Québec must set out eligibility requirements, the nature of the contribution and the scales, limits and conditions for awarding it.

“DIVISION IV**“LIMITATIONS ON ENERGY TRANSITION QUÉBEC’S POWERS**

“20. Energy Transition Québec 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 in contravention of the terms determined by the Government;

(3) acquire, hold or dispose of assets in excess of the limits or in contravention of the terms determined by the Government; or

(4) accept a gift or legacy to which a charge or condition is attached.

This section does not apply to the contracts or other commitments entered into by Energy Transition Québec in carrying out a mandate given to it by the Government.

“21. Energy Transition Québec may not, without the Government’s authorization, make any financial commitment in excess of the budgetary estimates approved by the Government under section 51.

“CHAPTER III**“ORGANIZATION AND OPERATION****“DIVISION I****“BOARD OF DIRECTORS**

“22. Energy Transition Québec is administered by a board of directors composed of 9 to 15 members, including the chair of the board and the president and chief executive officer.

“23. The Government appoints the members of the board of directors, other than the chair and the president and chief executive officer, based on the expertise and experience profile approved by the board.

Those members are appointed for a term of up to four years.

“24. The Government appoints the chair of the board of directors for a term of not more than five years.

“25. At the expiry of their term, the members of the board of directors remain in office until they are replaced or reappointed.

“26. A vacancy among the members of the board of directors is filled in accordance with the rules of appointment to those positions.

A member’s absence from the number of board meetings determined in Energy Transition Québec’s by-laws, in the cases and circumstances specified, constitutes a vacancy.

“27. Board members other than the president and chief executive officer receive no remuneration, except in the cases, on the conditions and to the extent the Government may determine. 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.

“28. On the recommendation of the board of directors, the Government appoints the president and chief executive officer based on the expertise and experience profile approved by the board.

The president and chief executive officer is appointed for a term of up to five years.

The office of president and chief executive officer is a full-time position.

“29. The Government determines the remuneration, employee benefits and other conditions of employment of the president and chief executive officer.

“30. If the board of directors does not recommend a candidate for the position of president and chief executive officer in accordance with section 28 within a reasonable time, the Government may appoint the president and chief executive officer after notifying the board members.

“31. If the president and chief executive officer is absent or unable to act, the board of directors may designate a member of Energy Transition Québec’s personnel to exercise the functions of that position.

“32. 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.

“33. Energy Transition Québec’s board of directors may sit anywhere in Québec.

“34. The board members may waive notice of a board meeting. Their attendance constitutes a waiver of notice, unless they are present to contest the legality of the calling of the meeting.

“35. Unless otherwise provided in the by-laws, the board members may, if all consent, participate in a meeting of the board by means of equipment enabling all participants to communicate directly with one another. In such a case, they are deemed to be present at the meeting.

“36. A written resolution signed by all the board members entitled to vote on that resolution has the same value as if adopted during a meeting of the board of directors.

A copy of the resolution must be kept with the minutes of the proceedings or any other equivalent record book.

“37. The minutes of board meetings, 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, are authentic, as are the documents and copies emanating from Energy Transition Québec or forming part of its records if signed or certified true by one of those persons.

“38. No document binds Energy Transition Québec 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 Energy Transition Québec’s by-laws, another member of Energy Transition Québec’s personnel.

The by-laws may provide for subdelegation of the power to sign acts and documents, and determine particulars as to how it is to be exercised.

Unless otherwise provided in the by-laws, a signature may be affixed on a document by any means.

A by-law made under this section is published in the *Gazette officielle du Québec*.

“39. Energy Transition Québec may, in its by-laws, determine a framework of operation for the board of directors, establish an executive committee or any other committee, and delegate the exercise of its powers to such a committee.

The by-laws may also provide for the delegation of the powers of the board of directors to a member of its personnel.

“40. The members of Energy Transition Québec’s personnel are appointed in accordance with the Public Service Act (chapter F-3.1.1).

“DIVISION II

“STAKEHOLDERS PANEL

“41. The Stakeholders Panel is established.

The role of the Panel is to advise and assist Energy Transition Québec in developing and revising the master plan and give its opinion on any matter the Minister or Energy Transition Québec submits to it in relation to the latter’s mission or activities.

The advisory opinions of the Stakeholders Panel are not binding on Energy Transition Québec’s board of directors.

“42. The Panel is composed of up to 15 persons appointed by Energy Transition Québec’s board of directors. Those persons must have special expertise in the fields of energy transition, innovation and efficiency.

The members of the Panel designate a chair from among their number.

A person may not be appointed to the Panel if he or she is employed by an energy distributor, the Government or an agency, except, in the latter case, if the agency is unlikely to be responsible for a program or measure under the master plan.

“43. Any vacancy during the term of office of a member of the Panel is filled in the manner prescribed for the appointment of the member to be replaced.

At the expiry of their term, the members of the Panel remain in office until they are replaced or reappointed.

“44. The chair of the board of directors and the president and chief executive officer of Energy Transition Québec participate in the meetings of the Panel as observers.

“45. The Panel must give its opinion on the master plan submitted by Energy Transition Québec under the second paragraph of section 12 and on any revision of the master plan under section 14.

In analyzing the master plan, the Panel invites the energy distributors to present their comments.

The Panel may call on independent evaluators and experts.

“46. Once the analysis of the master plan has been completed, the Panel submits its report to Energy Transition Québec’s president and chief executive

officer. The report must set out the work done, the evaluations or expert analyses conducted and the Panel's recommendations. It may also address any other matter the Panel wishes to bring to the attention of Energy Transition Québec, the Government or the Régie de l'énergie.

“47. Energy Transition Québec establishes by by-law the other rules governing the appointment and term of office of Panel members and the Panel's operation.

“CHAPTER IV

“FINANCIAL PROVISIONS

“DIVISION I

“FINANCING OF ENERGY TRANSITION QUÉBEC

“48. Energy Transition Québec finances its activities out of

- (1) the annual contribution it receives from the energy distributors;
- (2) the sums from the Green Fund put at its disposal under an agreement concluded in accordance with section 15.4.3 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001);
- (3) the sums from the Energy Transition Fund put at its disposal; and
- (4) the other sums it receives.

“49. An energy distributor must pay its annual contribution to Energy Transition Québec in accordance with the due dates, rate and calculation method determined by the Régie de l'énergie in accordance with the third paragraph of section 85.41 of the Act respecting the Régie de l'énergie.

The first paragraph applies to Hydro-Québec despite section 16 of the Hydro-Québec Act (chapter H-5).

“50. The Government may, on the conditions and in the manner it determines,

- (1) guarantee the payment of the principal of and interest on any loan contracted by Energy Transition Québec and the performance of its obligations; and
- (2) authorize the Minister of Finance to advance to Energy Transition Québec any amount considered necessary for the pursuit of its mission.

The sums required for the purposes of this section are taken out of the Consolidated Revenue Fund.

“51. Each year, Energy Transition Québec submits its budgetary estimates for the following fiscal year to the Minister, according to the form, content and intervals determined by the Minister.

The estimates are submitted for approval to the Government, which makes them public.

“DIVISION II

“ACCOUNTS AND REPORTS

“52. Energy Transition Québec’s fiscal year ends on 31 March each year.

“53. Not later than 30 June each year, Energy Transition Québec must file its financial statements and an activity report for the preceding fiscal year with the Minister.

The financial statements and activity report must contain all the information required by the Minister.

The activity report must include

(1) an update on the master plan as concerns, in particular, the status of progress in implementing the plan, the achievement of the targets defined by the Government, the number of programs and measures implemented and the budgets used;

(2) Energy Transition Québec’s annual results based on the performance indicators determined in accordance with section 17; and

(3) an update on requests made by the Régie de l’énergie under section 85.43 of the Act respecting the Régie de l’énergie for the evaluation of additional measures.

“54. The Minister may request that the Régie de l’énergie provide an advisory opinion on the status of progress in implementing the master plan and the achievement by Energy Transition Québec of the targets set by the Government.

“55. The Minister tables Energy Transition Québec’s financial statements and activity report in the National Assembly within 15 days of receiving them or, if the Assembly is not sitting, within 15 days of resumption.

“56. Energy Transition Québec’s books and accounts are audited each year by the Auditor General and whenever ordered by the Government.

The Auditor General’s report must be submitted with Energy Transition Québec’s financial statements and activity report.

57. Energy Transition Québec must give the Minister any information the Minister requires concerning Energy Transition Québec.

58. Energy Transition Québec is not required to establish the strategic plan prescribed in the Act respecting the governance of state-owned enterprises (chapter G-1.02).

CHAPTER V

AMENDING PROVISIONS

FINANCIAL ADMINISTRATION ACT

59. Schedule 2 to the Financial Administration Act (chapter A-6.001) is amended by inserting “Transition énergétique Québec” in alphabetical order.

ACT RESPECTING ENERGY EFFICIENCY AND INNOVATION

60. The title of the Act respecting energy efficiency and innovation (chapter E-1.3) is replaced by the following title:

“An Act respecting energy efficiency and energy conservation standards for certain electrical or hydrocarbon-fuelled appliances”.

61. The heading of Chapter I of the Act is replaced by the following heading:

“ENERGY EFFICIENCY AND ENERGY CONSERVATION STANDARDS FOR CERTAIN APPLIANCES”.

62. Divisions I and II of Chapter I of the Act, comprising sections 1 to 19, are repealed.

63. The Act is amended by striking out the following before section 20:

DIVISION III

“ENERGY EFFICIENCY AND ENERGY CONSERVATION STANDARDS FOR CERTAIN APPLIANCES”.

64. Section 33 of the Act is amended by striking out “3,”.

65. Sections 34, 35, 42 and 57 to 70 of the Act are repealed.

ACT RESPECTING THE GOVERNANCE OF STATE-OWNED ENTERPRISES

66. Schedule I to the Act respecting the governance of state-owned enterprises (chapter G-1.02) is amended by inserting “Transition énergétique Québec” in alphabetical order.

“HYDRO-QUÉBEC ACT

“**67.** Section 22.1 of the Hydro-Québec Act (chapter H-5) is amended by replacing the second paragraph by the following paragraph:

“The Company must implement the programs and measures for which it is responsible under the energy transition, innovation and efficiency master plan prepared under the Act respecting Transition énergétique Québec (2016, chapter 35, section 1).”

“ACT RESPECTING INVESTISSEMENT QUÉBEC

“**68.** Section 21 of the Act respecting Investissement Québec (chapter I-16.0.1) is amended by adding the following paragraph at the end:

“Any mandate given to the Company by Energy Transition Québec to grant and administer a loan under section 18 of the Act respecting Transition énergétique Québec (2016, chapter 35, section 1) is also considered to be a mandate given to the Company by the Government. Energy Transition Québec pays annually, to the Company, remuneration the Government considers reasonable for the performance of the mandate and the administration of such a loan.”

“ACT RESPECTING THE MINISTÈRE DES RESSOURCES NATURELLES ET DE LA FAUNE

“**69.** Section 12 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) is amended by striking out paragraphs 14 and 14.1.

“**70.** Section 17.12.12 of the Act is amended by striking out subparagraph 3 of the first paragraph.

“**71.** Section 17.12.16 of the Act is repealed.

“ACT RESPECTING THE MINISTÈRE DU DÉVELOPPEMENT DURABLE, DE L'ENVIRONNEMENT ET DES PARCS

“**72.** Section 15.4.2 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001) is amended

(1) by replacing “A minister who is party to an agreement with the Minister of Sustainable Development, Environment and Parks under section 15.4.3” in the first paragraph by “If a minister or Energy Transition Québec is party to an agreement with the Minister of Sustainable Development, Environment and Parks under section 15.4.3, the minister or Energy Transition Québec”;

(2) by inserting “or Energy Transition Québec” after “minister” in the second paragraph.

“73. Section 15.4.3 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: “The Minister of Sustainable Development, Environment and Parks may also, for the same purposes, conclude such an agreement with Energy Transition Québec as regards the programs and measures for which it is responsible under the energy transition, innovation and efficiency master plan prepared under the Act respecting Transition énergétique Québec (2016, chapter 35, section 1).”;

(2) by inserting “or Energy Transition Québec” after “concerned” in the last paragraph.

“ACT RESPECTING THE RÉGIE DE L’ÉNERGIE

“74. Section 25 of the Act respecting the Régie de l’énergie (chapter R-6.01) is amended by inserting “, if it considers it necessary, call a public hearing when examining the energy transition, innovation and efficiency master plan in accordance with section 85.41. The Régie may also” after “The Régie may” in the second paragraph.

“75. Section 32.1 of the Act is amended by striking out the second paragraph.

“76. Section 49 of the Act is amended by replacing “energy efficiency and innovation” at the end of the second paragraph by “carrying out the programs and measures for which the distributor is responsible under the energy transition, innovation and efficiency master plan”.

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

“CHAPTER VI.4

“ENERGY TRANSITION, INNOVATION AND EFFICIENCY MASTER PLAN

“85.40. The terms and expressions defined in section 7 of the Act respecting Transition énergétique Québec (2016, chapter 35, section 1) apply to this chapter.

“85.41. The master plan prepared under the Act respecting Transition énergétique Québec (2016, chapter 35, section 1) shall be submitted to the Régie so that it may approve the programs and measures under the responsibility of the energy distributors as well as the financial investment necessary, by form of energy, for carrying out the programs and measures. The Régie may approve those elements with or without amendment. The same holds for any revision of the plan.

Furthermore, the master plan shall be submitted to the Régie so it may give its advice on the plan's capacity to achieve the energy targets set by the Government.

The Régie shall determine the annual contribution payable to Energy Transition Québec by an energy distributor in accordance with the regulation made under subparagraph 11 of the first paragraph of section 114.

“85.42. In analyzing the master plan, the Régie shall consider the report of the Stakeholders Panel submitted under section 45 of the Act respecting Transition énergétique Québec (2016, chapter 35, section 1).

“85.43. The Régie may request that Energy Transition Québec evaluate additional measures.

“85.44. Not later than 31 March each year, every energy distributor must file a statement with the Régie specifying, if applicable, for the period covered by its preceding fiscal year

(1) the volume of natural gas or electric power it distributed;

(2) the volume of fuel it brought into Québec for a purpose other than resale; and

(3) the volume of fuel intended for consumption in Québec it sold and refined in Québec or brought into Québec and, where applicable, the volume it exchanged with a person described in subparagraph *a* of subparagraph 3 of the first paragraph of section 7 of the Act respecting Transition énergétique Québec (2016, chapter 35, section 1).”

“78. Section 114 of the Act is amended

(1) by adding the following subparagraph at the end of the first paragraph:

“(11) the due dates and rate of and the method for calculating the annual contribution payable to Energy Transition Québec by an energy distributor under section 49 of the Act respecting Transition énergétique Québec (2016, chapter 35, section 1) as well as the terms and conditions of payment, the rate of interest on sums due and the penalties exacted for failure to pay.”;

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

“The rate, calculation method and terms and conditions referred to in subparagraph 11 of the first paragraph may vary from one distributor or class of distributors to another. The regulation may also exempt a distributor or class of distributors. A penalty set by the Régie may not exceed 15% of the amount that should have been paid.”

“CHAPTER VI**“TRANSITIONAL AND FINAL PROVISIONS**

“79. The Government appoints the members of Energy Transition Québec’s first board of directors and the first president and chief executive officer without taking into consideration the requirements of the first paragraphs of sections 23 and 28.

Despite the second paragraph of section 23, the majority of the members of the first board of directors, other than the chair and the president and chief executive officer, are appointed for a term of up to two years. The other members are appointed for a term of up to four years.

“80. The employees of the Bureau de l’efficacité et de l’innovation énergétiques of the Ministère des Ressources naturelles et de la Faune and certain other employees of that department identified before 1 April 2018 become, without further formality, employees of Energy Transition Québec.

“81. The assets and liabilities of the energy efficiency and innovation component of the Natural Resources Fund established under section 17.12.12 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) are transferred to Energy Transition Québec.

“82. The assets and liabilities of the Bureau de l’efficacité et de l’innovation énergétiques are transferred to Energy Transition Québec.

“83. Civil proceedings to which the Attorney General of Québec is a party are continued by the Attorney General of Québec as regards the records transferred to Energy Transition Québec.

“84. The financial assistance programs of the Bureau de l’efficacité et de l’innovation énergétiques in force on 1 April 2017 continue to apply until they are replaced or abolished by Energy Transition Québec.

“85. The Regulation respecting the annual share payable to the Minister of Natural Resources and Wildlife (chapter R-6.01, r. 5) continues to apply until a regulation is made under subparagraph 11 of the first paragraph of section 114 of the Act respecting the Régie de l’énergie (chapter R-6.01), enacted by paragraph 1 of section 78 of this Act, with the following modifications:

(1) a reference to the annual share payable to the Minister of Natural Resources and Wildlife is a reference to the annual contribution payable to Energy Transition Québec under section 49 of the Act respecting Transition énergétique Québec (2016, chapter 35, section 1);

(2) a reference to the overall financial investment allocated to each form of energy determined by the Government is a reference to the financial investment necessary, by form of energy, on the energy distributors’ part, for carrying out the master plan;

(3) a reference to the Minister of Natural Resources and Wildlife is a reference to the Régie de l'énergie; and

(4) a reference to the fiscal year of the Natural Resources Fund of the Ministère des Ressources naturelles et de la Faune is a reference to Energy Transition Québec's fiscal year.

“86. The amount of the annual contribution payable by an energy distributor determined for the fiscal year 2016–2017 remains the same until it is replaced by the Régie de l'énergie.

“87. The files, records and other documents of the Bureau de l'efficacité et de l'innovation énergétiques become those of Energy Transition Québec.

“88. Unless the context indicates otherwise, in any order, order in council, contract or program, a reference to the Minister of Natural Resources and Wildlife or the Ministère des Ressources naturelles et de la Faune as well as to the Minister of Energy and Natural Resources or the Ministère de l'Énergie et des Ressources naturelles in relation to the activities of the Bureau de l'efficacité et de l'innovation énergétiques is a reference to Energy Transition Québec.

“89. Despite section 69, Order in Council 839-2013 (2013, G.O. 2, 3523, French only) continues to apply until it is revoked by the Government.

Any agreement between the Minister of Natural Resources and Wildlife and a municipality on the assumption of responsibility for providing a public battery re-charging service for electric vehicles remains valid and may be renewed. Furthermore, the Minister retains the power to enter into new agreements consistent with that order in council until the latter is revoked.

“90. The Government may, by a regulation made before 1 October 2018, enact any other transitional measure required for the carrying out of this Act.

Such a regulation may, if it so provides, apply from a date not prior to 1 April 2017.

“91. The Minister of Natural Resources and Wildlife is responsible for the administration of this Act.”

CHAPTER II**GOVERNANCE OF THE RÉGIE DE L'ÉNERGIE AND RENEWAL OF ENERGY SUPPLY TO CONSUMERS****ACT RESPECTING THE RÉGIE DE L'ÉNERGIE**

2. Section 2 of the Act respecting the Régie de l'énergie (chapter R-6.01) is amended, in the first paragraph,

(1) by replacing “, except biogas and syngas” in the definition of “natural gas” by “, except syngas and biogas other than renewable natural gas”;

(2) by inserting the following definition in alphabetical order:

““renewable natural gas” means methane from renewable sources with interchangeability characteristics that allow it to be delivered by a natural gas distribution system;”.

3. Section 5 of the Act is amended by replacing the second sentence by the following sentence: “It shall promote the satisfaction of energy needs in a manner consistent with the Government’s energy policy objectives and in keeping with the principles of sustainable development and individual and collective equity.”

4. Section 7 of the Act is amended by replacing “seven” in the first paragraph by “12”.

5. Section 25 of the Act is amended by adding the following paragraph at the end:

“It may also, before a public hearing is held, provide for public information and consultation sessions to be held.”

6. Section 26 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: “At that time, the Régie shall also make known information relating to any public information and consultation sessions to be held.”;

(2) by replacing “publish” in the third paragraph by “publicize”.

7. Section 49 of the Act is amended by adding the following subparagraph at the end of the first paragraph:

“(12) consider, as concerns the rates for the transmission of natural gas, the excess transmission capacity referred to in subparagraph *a* of subparagraph 3 of the first paragraph of section 72.”

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

“**58.1.** The Régie may indicate the minimum price at the loading ramp of gasoline and diesel in a periodical it shall issue in any medium it determines.”

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

“With the exception of private electric power systems, a holder of exclusive electric power or natural gas distribution rights shall prepare and submit to the Régie for approval, according to the form, tenor and intervals fixed by regulation of the Régie, a supply plan describing the characteristics of the contracts the holder intends to enter into in order to meet the needs of Québec markets following the implementation of the energy efficiency measures. The supply plan shall be prepared having regard to

(1) the risks inherent in the sources of supply chosen by the holder;

(2) as concerns any particular source of electric power, the energy block established by regulation of the Government under subparagraph 2.1 of the first paragraph of section 112; and

(3) as concerns natural gas supply,

(a) the excess transmission capacity the holder considers necessary to facilitate the development of industrial activities, which shall not be greater than 10% of the quantity of natural gas that the holder expects to deliver annually; and

(b) the quantity of renewable natural gas determined by regulation of the Government under subparagraph 4 of the first paragraph of section 112.”

10. Section 73 of the Act is amended by inserting the following paragraph after the second paragraph:

“The Régie may authorize the project on the conditions it determines.”

11. The Act is amended by inserting the following section after section 100:

“**100.0.1.** Subject to section 99, within 15 days after receiving the in-house examination file for the complaint referred to in section 97, the Régie shall call the complainant and the electric power carrier or the distributor to a conference.

The purpose of the conference is to

(1) plan the conduct of the examination of the complaint;

(2) examine any matter that may simplify or accelerate the examination of the complaint; and

(3) formally invite the parties to enter into mediation to resolve the complaint.

Within 15 days after the conference, the complainant and the electric power carrier or the distributor shall inform the Régie in writing of their willingness or unwillingness to enter into mediation and, in the latter case, give the reasons.

The reasons given by the electric power carrier or the distributor to justify its unwillingness to enter into mediation shall be made public by the Régie.”

12. Section 100.1 of the Act is replaced by the following section:

“100.1. If the complainant and the electric power carrier or the distributor agree to enter into mediation, the Régie shall suspend the examination of the complaint for a period not exceeding 30 days to allow the mediation to be held. The Régie may extend that period, or allow mediation to resume after the expiry of that period, with the parties’ consent.

The Régie shall designate a mediator from among its commissioners or the members of its personnel. It may also select any other person as mediator, with the parties’ consent. The mediator helps the parties to engage in dialogue, clarify their views, define the complaint, identify their needs and interests, explore solutions and reach, if possible, a mutually satisfactory agreement.

Any agreement shall be evidenced in writing and signed by the mediator, the complainant and the electric power carrier or the distributor. The agreement is binding on the parties.”

13. Section 100.2 of the Act is amended by replacing “conciliation” and “the commissioner who suspended the examination of the complaint” by “mediation” and “the Régie”, respectively.

14. Section 100.3 of the Act is amended

(1) by replacing “conciliator” and “conciliation” in the first paragraph by “mediator” and “mediation”, respectively;

(2) by replacing “conciliation” in the second paragraph by “mediation”.

15. Section 112 of the Act is amended by adding the following subparagraph at the end of the first paragraph:

“(4) the quantity of renewable natural gas to be delivered by a natural gas distributor and the terms and conditions according to which it is to be delivered.”

16. Section 113 of the Act is amended

(1) by replacing “or to public hearings” by “, mediation, public information and consultation sessions or public hearings”;

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

“The Régie may also adopt rules of procedure applicable to claims for costs by persons whose participation in Régie proceedings is considered useful by the Régie in accordance with section 36, in particular as regards

(1) the equitable distribution of available funding among those persons;

(2) the setting of an annual funding limit for all the cases and of a per-case annual funding limit;

(3) the criteria for the examination of claims for costs; and

(4) admissible costs.”

HYDRO-QUÉBEC ACT

17. The Hydro-Québec Act (chapter H-5) is amended by inserting the following section after section 48.1:

“**48.2.** Any provision of an Act or regulation prescribing an obligation to file an assessment or certificate of compliance with the municipal by-laws in support of an application for authorization under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) or the Environment Quality Act (chapter Q-2) does not apply to the Company, provided each municipality concerned is notified within 45 days of the application so that it may submit its comments to the Company.”

PETROLEUM PRODUCTS ACT

18. Section 5 of the Petroleum Products Act (chapter P-30.01) is amended

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

“The Government may, by regulation, determine standards and specifications relating to any petroleum product. Such standards and specifications may, in particular, include quality standards and prohibit or require the presence of certain elements in a petroleum product; they may also prescribe the acceptable quantity or proportion of such elements.”;

(2) by replacing “regulatory standards” in the second paragraph by “regulatory standards or specifications, except in the cases provided for by regulation”;

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

“A regulation setting standards for the integration of renewable fuels into gasoline and diesel may be made by the Government only following a joint recommendation by the minister responsible for the administration of this Act and the minister responsible for the administration of the Environment Quality Act (chapter Q-2).”

ENVIRONMENT QUALITY ACT

19. Section 53 of the Environment Quality Act (chapter Q-2) is amended by striking out “motor-fuel and” in paragraph *f*.

CHAPTER III

FINANCING OF THE ELECTRIC INFRASTRUCTURE FOR A SHARED TRANSPORTATION PROJECT

HYDRO-QUÉBEC ACT

20. The Hydro-Québec Act (chapter H-5) is amended by inserting the following section after section 39:

“39.0.1. The Company may grant financial assistance to defray the cost of the fixed equipment necessary for the electrification of shared transportation services to a public transit authority or a public body providing public transport referred to in section 88.1 or 88.7 of the Transport Act (chapter T-12), to the Caisse de dépôt et placement du Québec or to one of its wholly-owned subsidiaries within the meaning of section 88.15 of that Act.

The financial assistance must be authorized by the Government on the conditions and in the manner it determines, on the joint recommendation of the minister responsible for the administration of this Act and the minister responsible for the administration of the Transport Act.”

ACT RESPECTING THE RÉGIE DE L'ÉNERGIE

21. Section 52.1 of the Act respecting the Régie de l'énergie (chapter R-6.01) is amended by inserting “, the amount of financial assistance granted and paid under section 39.0.1 of the Hydro-Québec Act (chapter H-5) to the extent that the distributor was not reimbursed for that amount,” after “electric power distribution system” in the first paragraph.

22. The Act is amended by inserting the following section after section 52.3:

“52.4. The amount of financial assistance referred to in section 52.1 is established on the basis of depreciation determined by the Régie and having

regard to the undepreciated portion of the financial assistance and, as the case may be, the applicable return.”

CHAPTER IV

ENACTMENT OF THE PETROLEUM RESOURCES ACT

23. The Petroleum Resources Act, the text of which appears in this chapter, is enacted.

“PETROLEUM RESOURCES ACT

“CHAPTER I

“GENERAL PROVISIONS AND DEFINITIONS

“DIVISION I

“GENERAL PROVISIONS

“1. The purpose of this Act is to govern the development of petroleum resources on land and in bodies of water while ensuring the safety of persons and property, environmental protection and optimal recovery of the resource, in compliance with the law as to ownership of immovables and in compliance with the greenhouse gas emission reduction targets set by the Government.

For the purposes of this Act, land includes wetlands.

“2. Petroleum, underground reservoirs and brine form part of the domain of the State.

“3. All work performed under this Act must be performed in accordance with generally recognized best practices for ensuring the safety of persons and property, environmental protection and optimal recovery of the resource.

“4. This Act is binding on the Government, on government departments and on bodies that are mandataries of the State.

“5. This Act must be construed in a manner consistent with the obligation to consult Native communities. The Government consults Native communities separately if the circumstances so warrant.

“DIVISION II

“DEFINITIONS

“6. In this Act,

“body of water” means a lake, a constant or intermittent watercourse, including a bed created or altered by human intervention, except a ditch as

defined in subparagraph 4 of the first paragraph of section 103 of the Municipal Powers Act (chapter C-47.1), or a marine environment;

“brine” means any natural aqueous solution containing more than 4% by weight of dissolved solids;

“commercial discovery” means a discovery of petroleum that has been demonstrated to contain petroleum reserves that justify the investment of capital and effort to bring the discovery to production;

“fracturing” means any operation that consists in creating fractures in a geological formation by injecting a fluid under pressure through a well;

“gas” means natural gas and includes all substances, other than oil, that are produced in association with natural gas;

“geochemical surveying” means any method of exploration for petroleum or underground reservoirs by indirect measurement to determine and quantify the distribution and migration of chemical elements in rocks, soils, sediments and water;

“geophysical surveying” means any method of exploration for petroleum or underground reservoirs by indirect measurement of the physical properties of the subsoil effected on the surface of the ground or in the air, particularly seismic reflection, seismic refraction, gravimetric, magnetic or resistivity surveying and any other geophysical method used to indirectly determine any characteristic of the subsoil;

“oil” means crude oil, regardless of gravity, produced at a well head in liquid form and any other hydrocarbons, except coal and gas, and, in particular, hydrocarbons that may be extracted or recovered from deposits of oil sand, bitumen, bituminous sand, oil shale or from any other types of deposits on the subsoil;

“petroleum” means oil or gas;

“pipeline” means any pipe or system of pipes, including associated facilities such as pumps, compressors, pumping stations and surface reservoirs, designed or used to gather or transport gas or petroleum, except

(1) lines used to transport and distribute gas, and petroleum equipment installations governed by the Building Act (chapter B-1.1); and

(2) pipes, including associated facilities, situated on the premises of an industrial enterprise and used for refining operation;

“pool” means a natural underground reservoir containing or appearing to contain an accumulation of petroleum that is or appears to be separated from any other such accumulation;

“significant discovery” means a discovery indicated by the first well on a geological feature that demonstrates by testing the existence of petroleum in that feature and, having regard to geological and engineering factors, suggests the existence of an accumulation of petroleum that has potential for sustained production;

“stratigraphic survey” means any opening in the ground, other than a seismic shotpoint, that is made to collect data on a geological formation, using samples and their analysis and technical surveys, conducted as part of preliminary investigations to eventually locate, design and construct a drilling site for exploration for or the production of petroleum or brine, or for exploration for or the operation of an underground reservoir and the well or wells which will be present on the site; and

“underground reservoir” means a subsurface geological environment that contains or may contain petroleum in a natural porosity system or in a source rock;

“well” means any opening in the ground on a drilling site, other than a seismic shotpoint, that is made, is to be made or is in the process of being made for the production of petroleum, for the purpose of exploring for or obtaining petroleum, for the purpose of withdrawing water to inject into an underground formation, for the purpose of injecting gas, air, water or any other substance into an underground formation, or for any other purpose.

“CHAPTER II

“DISCOVERY OF EXISTING NATURAL GAS OR WELLS

“7. A person who discovers an uninterrupted flow of gas on their land must notify the Minister and the local municipality in which the land is situated in writing and with dispatch.

“8. A person who discovers a well on their land must notify the Minister in writing with dispatch.

The Minister enters in the land register a declaration of the well’s location. The declaration is registered in the register of real rights of State resource development and, as applicable, in the file relating to the immovable affected by the well, either in the index of immovables or in the register of public service networks and immovables situated in territory without a cadastral survey.

“CHAPTER III**“EXPLORATION, PRODUCTION AND STORAGE****“DIVISION I****“GENERAL PRINCIPLES**

“9. No one may explore for petroleum or underground reservoirs, produce or store petroleum or produce brine without holding an exploration licence, a production licence, a storage licence or an authorization to produce brine, as applicable.

“10. A licence or an authorization to produce brine is transferable only in the cases and on the conditions the Government determines by regulation.

“11. The territory subject to an exploration, production or storage licence or to an authorization to produce brine is limited on the surface by its perimeter, and in depth by the vertical projection of its perimeter.

For a storage licence, the territory is determined by the vertical projection, on the surface, of the perimeter of the underground reservoir and the perimeter of the protected area. The Government determines the size of the protected area by regulation.

The size of an underground reservoir is determined on the basis of the assumption that a reservoir is limited at the top and base by stratigraphic geological units.

“12. Any part of a watercourse with a natural force equal to or greater than 225 kilowatts at its ordinary flow during six months together with a strip of land 20 metres in width on each side of such a watercourse is excluded from the territory subject to a licence.

The Minister may add to the excluded portion any area the Minister considers necessary for the development and utilization of the waterpower. If such an addition is made after the awarding of a licence on the land, the Minister pays compensation to the licence holder.

However, the Minister may, subject to certain conditions, authorize a licence holder to explore for, produce or store petroleum or to produce brine on the land so reserved.

“13. An outstanding geological site classified under section 305.1 of the Mining Act (chapter M-13.1) may not be subject to a licence, nor may a parcel of land used as a cemetery governed by the Funeral Operations Act (2016, chapter 1) or a Native cemetery.

“14. No licence may be awarded for the part of the St. Lawrence River west of longitude 64°31'27" in the NAD83 geodetic reference system or for the islands situated in that part of the river.

“DIVISION II

“IMMOVABLE REAL RIGHTS

“15. The exploration, production and storage rights conferred by a licence and the right to produce brine conferred by an authorization are immovable real rights.

Ownership of such immovable real rights is separate from ownership of the land to which they pertain.

Use of the land, before or after such a right is awarded, by a third person does not in any case confer a right to compensation on its holder. The same holds for the transfer or awarding of rights in lands in the domain of the State.

“DIVISION III

“EXPLORATION LICENCE

“§1. — *Auction process*

“16. An exploration licence is awarded by auction.

“17. The process for awarding an exploration licence by auction is determined by government regulation.

“18. In selecting the territory to be up for auction, the Minister must consider the requests made to the Minister in that regard.

No licence may be awarded in a territory that is subject to an exploration, production or storage licence.

“19. The Minister must notify the local municipalities whose territories are to be involved in an auction and the regional county municipality in writing and at least 45 days before the beginning of the auction process.

“20. The Minister awards an exploration licence at the time and subject to the conditions the Minister determines, in particular to take the territory’s characteristics into account.

The successful bidder must meet the conditions and pay the fee the Government determines by regulation.

“21. The Minister is not required to award a licence under the terms of an auction process.

“22. If no licence has been awarded on a territory that is up for auction within six months after the auction closing date, the Minister must not award a licence for that territory without holding a new auction.

“23. No licence may be awarded to a person if, during the five years prior to the auction publication date, a licence they held under this Act was revoked.

The first paragraph does not apply to a revocation under subparagraph 4 of the fourth paragraph of section 145.

“24. Failure to comply with any of the requirements which the Government determines by regulation respecting the form and content of, and time and manner of publishing, an auction does not vitiate any licence awarded by the Minister.

“§2. — Licence holder’s rights and obligations

“25. An exploration licence gives its holder the right to explore for petroleum or an underground reservoir in the territory covered by the licence.

The licence must contain conditions, which are not inconsistent with this Act and the regulations, that are agreed on by the Minister and the holder.

The Minister may subject the licence to conditions designed to avoid conflicts with other uses of the territory.

The Government determines, by regulation, any other conditions for exercising the licence.

“26. The exploration licence also gives its holder the right to extract petroleum and dispose of it or use an underground reservoir for a trial period. The Government determines, by regulation, the duration of this trial period and the conditions applicable.

“27. The term of an exploration licence is five years.

The Minister renews the licence for the terms and subject to the conditions the Government determines by regulation.

“28. An exploration licence holder must establish a monitoring committee to foster the local community’s involvement in the exploration project as a whole.

The committee must be established within 30 days after the licence is awarded and must be maintained, as the case may be, throughout the term of the licence or, in the case provided for in the second paragraph of section 97, until all the work required under the permanent well or reservoir closure and site restoration plan has been completed.

The committee members are chosen in accordance with the process determined by the licence holder and approved by the Minister. The licence holder also determines the number of members who are to sit on the committee. However, the committee must include at least one member representing the municipal sector, one member representing the economic sector, one member representing the agriculture sector, one member of the public and, if applicable, one member representing a Native community consulted by the Government with respect to the project. A majority of the committee members must be independent from the licence holder. All must be from the region in which the territory subject to the licence is situated.

The Government determines, by regulation, the particulars relating to the committee with respect to such matters as the independence of committee members, the information and documents a licence holder must provide to the committee, the nature of the costs that are reimbursed to committee members by the licence holder, the minimum number of meetings the committee must hold each year and the production of an annual report by the committee. The Government determines, in the same manner, the cases in which and the conditions on which a licence holder to whom another exploration licence is awarded is not required to establish a new monitoring committee.

The Government may determine, by regulation, other particulars relating to consultations that are applicable to an exploration licence holder.

“29. If an exploration licence is awarded on private land or land leased by the State, the exploration licence holder must, within 30 days after registering the licence in the public register of real and immovable petroleum rights established under section 149 and in the manner the Government determines by regulation, notify the owner or lessee, the local municipality and the regional county municipality, in writing, of the licence obtained.

“30. The holder of an exploration licence has a right of access to the territory subject to the licence.

If the licence is awarded on private land or land leased by the State, the holder must obtain written authorization from the owner or lessee at least 30 days in advance in order to access the site or may acquire, by agreement, any real right or property necessary to access the territory and perform exploration work. Failing that, the holder may not access the territory.

If the licence is in the territory of a local municipality, the holder must inform the local municipality and the regional county municipality, in writing and at least 45 days before the work begins, of the work to be performed.

“31. Subject to sections 32 to 34, the holder of an exploration licence must, each year, perform the minimum work determined by regulation in the territory subject to the licence.

The exploration licence holder must, within six months after the anniversary date of the awarding of the licence, report to the Minister on all the work performed in the year.

In addition to the minimum work, the Government determines, by regulation, the nature of the eligible work, the related expenses, the form and content of any report to be sent to the Minister and the documents that must accompany it. The nature of the work and the minimum amount of work may vary according to the area of the territory and the region it is situated in.

“32. The Minister may exempt an exploration licence holder from performing the minimum work prescribed, provided

(1) the holder informs the Minister in writing, before the end of the year for which the work was required, of the reasons why the holder will not perform the work; and

(2) the holder pays to the Minister an amount equal to twice the minimum amount to be spent on the work that should have been performed or, if applicable, an amount equal to twice the difference between that minimum amount and the amount spent on the work performed and reported.

“33. Amounts spent in a year in excess of the minimum amount to be spent on the work required to be performed by the holder may be applied to subsequent years.

“34. The holder of several exploration licences may, in a report, apply to one or more of them all or part of the amounts spent in a territory subject to a licence that are in excess of the minimum amount to be spent on the work required to be performed there, provided

(1) the holder so informs the Minister in writing; and

(2) the territory in which the work was performed and the territory or territories to which the excess amounts are applied are located at least in part within a radius of 10 kilometres as measured from the perimeter of the territory subject to the licence in which the work was performed.

“35. The Minister may refuse all or part of the work reported if the report or the documents accompanying it

(1) are incomplete or not consistent with the regulations;

(2) do not corroborate the stated amounts or the actual amount of the work;

(3) fail to show that the stated amounts were disbursed solely for the performance of work;

(4) have been falsified or contain false information; or

(5) pertain to work previously reported by the exploration licence holder and accepted as part of another report.

“36. The holder of an exploration licence must, on each anniversary date of the awarding of the licence, pay to the Minister the annual fee the Government determines by regulation.

“37. An exploration licence holder must prepare an annual report in accordance with the form and content the Government determines by regulation, and send it, at their option,

(1) to the Minister not later than the 150th day after the end of their fiscal year or, in the case of a natural person, of the calendar year; or

(2) to the Autorité des marchés financiers at the same time as the statement required under section 6 of the Act respecting transparency measures in the mining, oil and gas industries (chapter M-11.5).

The Autorité des marchés financiers sends the report received under subparagraph 2 of the first paragraph to the Minister without delay.

“38. An exploration licence holder who makes a significant discovery of petroleum must so notify the Minister, the local municipalities whose territories are covered by the licence and the regional county municipality in the manner the Government determines by regulation.

“39. The holder of an exploration licence who makes a commercial discovery of petroleum must so notify the Minister, the local municipalities whose territories are covered by the licence and the regional county municipality in the manner the Government determines by regulation.

The exploration licence holder must, within eight years after the discovery, submit a petroleum production project to the Régie de l'énergie (the Board) in accordance with section 41 and apply to the Minister for a production licence. Failing that, the Minister may partially or completely revoke the exploration licence, without compensation, and award a production licence for the territory affected by the revocation in accordance with section 49.

In the case of a partial revocation, the minimum amount of the exploration work to be performed in a year on that territory is proportionately reduced.

“40. The holder of a licence may, with the Minister's authorization, surrender their exploration right in all or part of the territory subject to the licence. The Government determines, by regulation, the conditions for obtaining an

authorization and the liability to be assumed by the holder following the surrender.

In the case of partial surrender, the residual area must be included within a single perimeter that must not be less than 2 km².

Partial surrender reduces the minimum work required to be performed by the holder for the current year of the surrender proportionately to the surrendered area.

“DIVISION IV

“PRODUCTION LICENCES AND STORAGE LICENCES

“§1. — *Board’s examination of projects*

“**41.** An exploration licence holder who wishes to obtain a production or storage licence must submit their project to and obtain a favourable decision from the Board. The same holds for a production licence holder who wishes to obtain a storage licence.

“**42.** The Board may, at any time, require a licence holder to provide additional information, to study certain matters more thoroughly or to undertake certain research which it considers necessary to complete its analysis of the project.

“**43.** A production or storage project that involves the construction or use of a pipeline is also subject to Chapter V.

“**44.** The Government determines, by regulation, the documents required for the application’s examination by the Board as well as the elements the Board must take into account and those it must rule on.

“**45.** The Board sends its decision to the Minister who submits it to the Government so the Government may decide the application for authorization provided for in section 31.5 of the Environment Quality Act (chapter Q-2).

“**46.** Any amendment to the petroleum production or petroleum storage project must be submitted to the Board, which examines the project if it considers that the amendment is substantial. This subdivision applies, with the necessary modifications, to the new examination.

“**47.** In order to perform the functions provided for in this subdivision, the Board may exercise the powers assigned to it under the Act respecting the Régie de l’énergie (chapter R-6.01), to the extent that they are not inconsistent with this Act.

“§2. — *Awarding of production and storage licences*

“**48.** The Minister awards a production licence to an exploration licence holder who has obtained a favourable decision from the Board on their project, the Government’s authorization under section 31.5 of the Environment Quality Act as well as, if applicable, the authorization of the Commission de protection du territoire agricole du Québec, and who meets the conditions and pays the fee the Government determines by regulation.

The Minister awards a storage licence to an exploration or production licence holder on the same conditions.

In such a case, the territory subject to the exploration or production licence is reduced by the area of the territory subject to the production or storage licence, as applicable.

“**49.** The Minister may award, by auction, a production or storage licence in a territory that is no longer subject to an exploration, production or storage licence if the Minister considers that the territory presents an economically workable deposit or an economically usable underground reservoir, as applicable.

Sections 17 to 24 apply, with the necessary modifications, to the auction.

“**50.** Only one production or storage licence may be awarded for any one territory.

“§3. — *Licence holder’s rights and obligations*

“**51.** A production licence gives its holder the right to produce petroleum.

A storage licence gives its holder the right to use an underground reservoir to store materials the Government determines by regulation.

The production or storage licence must include any conditions, which are not inconsistent with this Act and the regulations, that are agreed on by the Minister and the holder. It may also include conditions proposed by the Board.

The Minister may subject a licence to conditions designed to avoid conflicts with other uses of the territory.

The Government determines, by regulation, any other conditions for exercising the licences.

“**52.** The Minister may modify the conditions on a production or storage licence once the Board, after examining a project amended in accordance with section 46, proposes new production or storage conditions.

“53. The territory subject to a production or storage licence must be included within a single perimeter and its area must not be less than 2 km².

“54. The term of a production or storage licence is 20 years.

The Minister renews the licence for the terms and subject to the conditions the Government determines by regulation.

“55. If a monitoring committee has not already been established, the production or storage licence holder must establish one to foster the local community’s involvement in the production project as a whole.

Section 28 applies, with the necessary modifications.

“56. When awarding or renewing a production or storage licence, the Government may, on reasonable grounds, require that the benefits within Québec of producing or storing petroleum be maximized.

“57. If a production or storage licence is awarded on private land or land leased by the State, the licence holder must, within 30 days after registering the licence in the public register of real and immovable petroleum rights and in the manner the Government determines by regulation, notify the owner or lessee, the local municipality and the regional county municipality, in writing, of the licence obtained.

“58. The holder of a production or storage licence has a right of access to the territory subject to the licence.

If the licence is awarded on private land or land leased by the State, the holder must obtain written authorization from the owner or lessee at least 30 days in advance in order to access the site or may acquire, by agreement, any real right or property necessary to access the territory and perform their work. If no agreement is reached, the Government may, subject to the conditions it determines, authorize the holder to acquire the real rights or property by expropriation in accordance with the Expropriation Act (chapter E-24) so the holder may access the territory and perform their work.

If the licence is in the territory of a local municipality, the holder must inform the local municipality and the regional county municipality, in writing and at least 45 days before the work begins, of the work to be performed.

“59. A production or storage licence holder who intends to acquire a residential immovable, or an immovable used for agricultural purposes that is situated on farm land, must pay to the landowner 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.

“60. If a person is in illegal possession of any land in the domain of the State the territory of which is subject to a production or storage licence and the person refuses to relinquish possession of it, the licence holder may apply to a Superior Court judge for an eviction order.

In such a case, sections 60 to 62 of the Act respecting the lands in the domain of the State (chapter T-8.1) apply, with the necessary modifications.

“61. The holder of a licence may, with the Minister’s authorization, surrender their production or storage right in all or part of the territory subject to the licence. The Government determines, by regulation, the conditions for obtaining an authorization and the liability to be assumed by the licence holder following the surrender.

In the case of partial surrender of a right conferred by a production licence, the residual area must be included within a single perimeter that, unless otherwise authorized by the Minister, must not be less than 2 km².

“§4. — Special provisions applicable to production licences

“62. A production licence holder must send a monthly report to the Minister detailing the amount of petroleum extracted during the previous month, and pay the royalties payable to the Minister at the same time.

The Government determines, by regulation, the form and content of the report, the documents that must accompany it and the royalties payable. The royalty may vary according to whether or not the petroleum is extracted in an area delimited by order in a body of water.

“63. The holder of a production licence must, on each anniversary date of the awarding of the licence, pay the annual fee the Government determines by regulation.

“64. A production licence holder must prepare an annual report in accordance with the form and content the Government determines by regulation, and send it, at their option,

(1) to the Minister not later than the 150th day after the end of their fiscal year or, in the case of a natural person, of the calendar year; or

(2) to the Autorité des marchés financiers at the same time as the statement required under the Act respecting transparency measures in the mining, oil and gas industries.

The Autorité des marchés financiers sends a report received under subparagraph 2 of the first paragraph to the Minister without delay.

“§5. — *Special provisions applicable to storage licences*

“**65.** A storage licence holder must send a monthly report to the Minister detailing the nature and quantity of substances injected or withdrawn during the previous month, and at the same time pay duties to the Minister on the substances withdrawn.

The Government determines, by regulation, the form and content of the report, the documents that must accompany it and the duties payable on the substances withdrawn.

“**66.** The holder of a storage licence must, on each anniversary date of the awarding of the licence, pay the annual fee set by the Minister in accordance with the criteria the Government determines by regulation.

“**67.** The holder of a storage licence must send an annual report to the Minister within 30 days after each anniversary date of the awarding of the licence. The Government determines, by regulation, the form and content of the report and the documents that must accompany it.

“**DIVISION V**

“**AUTHORIZATION TO PRODUCE BRINE**

“**68.** The Minister may authorize a licence holder to produce brine if the holder meets the conditions and pays the fee the Government determines by regulation.

The Government also determines, by regulation, the conditions for exercising the authorization.

“**69.** The term of an authorization to produce brine is five years.

The Minister renews the authorization for the terms and subject to the conditions the Government determines by regulation.

“**70.** The holder of an authorization to produce brine must, on each anniversary date of the authorization, pay the annual fee the Government determines by regulation.

“**71.** The holder of an authorization to produce brine must send a monthly report to the Minister detailing the quantity and value of brine extracted during the previous month, and pay the royalties payable to the Minister at the same time.

The Government determines, by regulation, the form and content of the report, the documents that must accompany it and the royalties payable.

“DIVISION VI**“AUTHORIZATION OF CERTAIN WORK OR ACTIVITIES****“§1. — *Geophysical surveying or geochemical surveying***

“72. A licence holder who conducts geophysical surveying or geochemical surveying must, for each survey, hold a geophysical surveying or geochemical surveying authorization.

“73. The Minister grants a geophysical surveying or geochemical surveying authorization to a licence holder who meets the conditions and pays the fee the Government determines by regulation.

The Government also determines, by regulation, the conditions for exercising the authorization.

The Minister may subject the authorization to conditions designed to avoid conflicts with other uses of the territory.

“74. If a certificate of authorization is required under section 22 of the Environment Quality Act, no geophysical surveying authorization may be granted until the certificate has been issued.

“§2. — *Stratigraphic surveying*

“75. A licence holder who conducts stratigraphic surveying must, for each survey, hold a stratigraphic surveying authorization.

“76. The Minister grants a stratigraphic surveying authorization to a licence holder who meets the conditions and pays the fee the Government determines by regulation.

The Government also determines, by regulation, the conditions for exercising the authorization.

The Minister may subject the authorization to conditions designed to avoid conflicts with other uses of the territory.

“§3. — *Drilling*

“77. A licence holder who drills or re-enters a well, including carrying out any work or activities necessary to install the conductor casing, must, for each well, hold a drilling authorization.

“78. The Minister grants a drilling authorization to a licence holder who meets the conditions and pays the fee the Government determines by regulation.

The Government also determines, by regulation, the conditions for exercising the authorization.

The Minister may subject the authorization to conditions designed to avoid conflicts with other uses of the territory.

“79. If a certificate of authorization is required under section 22, 31.5, 164 or 201 of the Environment Quality Act, no authorization may be granted until the certificate has been issued and the Minister has approved the permanent well or reservoir closure and site restoration plan and the guarantee required under Chapter IV.

“80. When granting an authorization, the Minister informs the licence holder of the time within which they must undertake their work. The licence holder must notify the Minister of the date their work begins within the time and in the manner the Government determines by regulation.

“81. Within 30 days after work begins, the holder of a drilling authorization must enter in the land register a declaration of the well’s location. The declaration is registered in the register of real rights of State resource development and, as applicable, in the file relating to the immovable affected by the well, either in the index of immovables or in the register of public service networks and immovables situated in territory without a cadastral survey.

“82. A drilling authorization ends on or before the end date of the licence.

However, an authorization that is set to expire during the drilling of a well continues to be in force while the drilling of that well is being pursued diligently.

“83. If drilling work is temporarily or permanently discontinued, the holder of a drilling authorization must close the well in accordance with sections 92 to 99, or complete it.

“§4. — Completion

“84. A licence holder who completes a well by physical, chemical or other stimulation must hold a completion authorization unless the licence holder does so by fracturing.

The Government determines, by regulation, the conditions for exercising the authorization.

“85. The Minister grants a completion authorization to a licence holder who meets the conditions and pays the fee the Government determines by regulation.

“86. If a certificate of authorization is required under section 22 of the Environment Quality Act, no completion authorization may be granted until the certificate has been issued.

“§5. — *Fracturing*

“**87.** A licence holder who conducts fracturing operations must hold a fracturing authorization.

“**88.** The Minister grants a fracturing authorization to a licence holder who meets the conditions and pays the fee the Government determines by regulation.

The Government also determines, by regulation, the conditions for exercising the authorization.

“**89.** If a certificate of authorization is required under section 22 of the Environment Quality Act, no fracturing authorization may be granted until the certificate has been issued.

“§6. — *Reconditioning*

“**90.** A licence holder who performs major maintenance work or conducts remedial actions on a well must hold a reconditioning authorization.

The Government determines, by regulation, the conditions for exercising the authorization.

“**91.** The Minister grants a reconditioning authorization to a licence holder who meets the conditions and pays the fee the Government determines by regulation.

“§7. — *Temporary or permanent closure*

“**92.** A licence holder who ceases their work or activity at a well must close it temporarily or permanently.

The licence holder must obtain the Minister’s authorization prior to the closure.

The Government determines, by regulation, in what circumstances a temporary closure is to be considered permanent.

“**93.** An authorization is granted to a licence holder who meets the conditions and pays the fee the Government determines by regulation.

The Government also determines, by regulation, the conditions for exercising the authorization.

“**94.** If the circumstances warrant it, the Minister may authorize a person other than a licence holder to close a well.

“95. The holder of a permanent closure authorization must perform the work required under the permanent well or reservoir closure and site restoration plan, as well as the work the Government determines by regulation.

“96. If a temporary closure is considered permanent under the third paragraph of section 92, the holder of a temporary closure authorization must perform the work required under the permanent well or reservoir closure and site restoration plan, as well as the work the Government determines by regulation.

“97. A licence holder must close a well before the expiry date of their licence.

However, site restoration work may continue beyond that date, in accordance with this Act and the regulations.

“98. Within 30 days after a permanent well closure, an authorization holder must enter in the land register a declaration of the closure. The declaration is registered in the register of real rights of State resource development and, as applicable, in the file relating to the immovable affected by the well, either in the index of immovables or in the register of public service networks and immovables situated in territory without a cadastral survey.

“99. No one may move, disturb or damage a facility erected under this subdivision unless they have written authorization from the Minister and the holder of the permanent well closure authorization or, in the case provided for in section 96, from the holder of a temporary closure authorization.

“§8. — *Report to the Minister*

“100. The holder of an authorization governed by this division must send a report to the Minister within 90 days after the end of the work or activities.

The Government determines, by regulation, the form and content of the report and the documents that must accompany it.

“CHAPTER IV

“PERMANENT WELL OR RESERVOIR CLOSURE AND SITE RESTORATION PLAN

“101. An exploration, production or storage licence holder applying for a drilling authorization must submit a permanent well or reservoir closure and site restoration plan to the Minister for approval.

The plan sets out the work required to be performed on closure of the well or reservoir.

“102. The plan must include the information the Government determines by regulation. The Government may also determine, by regulation, the form of the plan and the documents that must accompany it.

“103. A guarantee covering the anticipated cost of completing the work required must be furnished to the Minister with the plan.

The Government determines, by regulation, such matters as the duration, form and terms of the guarantee.

“104. The Minister may require a licence holder to provide, within the time the Minister specifies, any additional information, research findings or study the Minister considers necessary to approve the plan.

“105. The Minister approves the plan after obtaining a favourable opinion from the Minister of Sustainable Development, Environment and Parks.

The Minister may subject the approval of the plan to any condition or obligation the Minister determines, in particular advance payment of all or part of the guarantee required under section 103. In such a case, the plan is amended accordingly.

“106. The Minister registers every plan the Minister has approved in the public register of real and immovable petroleum rights.

“107. If property or a sum of money serves as guarantee, the property or sum is exempt from seizure.

“108. The holder of a drilling authorization must submit a revised plan to the Minister for approval whenever warranted by changes in their work or activities or whenever the Minister so requires.

Sections 103 to 106 apply, with the necessary modifications, to a revised plan.

“109. The Minister may require that a licence holder furnish any additional guarantee, within the time the Minister specifies, if the Minister considers that it is no longer sufficient in view of the foreseeable costs of performing the work required under the plan.

The Minister may also require the payment of the total guarantee if, in the Minister’s opinion, the licence holder’s financial situation or a reduction in the anticipated duration of the licence holder’s work or activities may prevent the payment of all or part of the guarantee.

“110. The work required under the plan must begin within six months after the permanent cessation of work or activities.

The Minister may require that the work begin within a shorter period, or grant one or more extensions for performance of the work. The first extension may not exceed six months and additional extensions may not exceed one year.

“111. If a licence holder fails to perform any obligation relating to the plan, the Minister may order them to perform the obligation within the time the Minister specifies.

If the licence holder fails to comply, the Minister may, in addition to imposing any other civil, administrative or penal sanction, cause the work required under the plan to be performed at the licence holder’s expense. The Minister may recover the cost of the work out of the guarantee furnished, among other means.

“112. The Minister may also release an exploration, production or storage licence holder from their obligations under sections 101 to 105 and 108 to 110 if the Minister agrees to let a third person assume the obligations. In such a case, the Minister issues a certificate to that effect to the licence holder.

“113. As soon as the work required under the plan has been completed, the holder of a drilling authorization must send to the Minister a certificate of an expert whose name appears on the list drawn up under section 31.65 of the Environment Quality Act stating that the work referred to in Division IV.2.1 of Chapter I of that Act was performed in accordance with the plan.

“114. The Minister declares the Minister’s satisfaction with the permanent well or reservoir closure and site restoration work and returns the guarantee if

(1) in the Minister’s opinion, the permanent well or reservoir closure and site restoration work has been completed in accordance with the plan approved by the Minister and if no sum is owing to the Minister with respect to the performance of the work;

(2) in the Minister’s opinion, the condition of the territory affected by the work or activities no longer poses a risk for the environment or for human health and safety;

(3) the Minister has obtained a favourable opinion from the Minister of Sustainable Development, Environment and Parks; and

(4) the Minister has received the certificate required under section 113.

“115. Nothing in sections 101 to 112 affects or restricts the application of the Environment Quality Act.

“CHAPTER V**“PIPELINE CONSTRUCTION OR USE AUTHORIZATION****“DIVISION I****“GENERAL PRINCIPLES**

“116. No one may build or use a pipeline without holding a pipeline construction or use authorization.

“117. A pipeline construction or use authorization is transferable only in the cases and on the conditions the Government determines by regulation.

“DIVISION II**“BOARD’S DECISION**

“118. A person who wishes to build or use a pipeline must submit their project to and obtain a favourable decision from the Board.

The application must be accompanied by the information and documents the Government determines by regulation.

“119. The Board renders a favourable decision if it considers that the project complies with generally recognized best practices for ensuring the safety of persons and property, environmental protection and optimal recovery of the resource and that it meets the standards the Government determines by regulation.

In its decision, the Board mentions the conditions it considers necessary for the carrying out of the project.

The Board sends its decision to the Minister.

“120. Sections 42 and 44 to 47 apply, with the necessary modifications, to this chapter.

“DIVISION III**“GRANTING OF PIPELINE CONSTRUCTION OR USE AUTHORIZATION**

“121. The Minister grants a pipeline construction or use authorization to an applicant who has obtained a favourable decision from the Board on the applicant’s pipeline project and who meets the conditions and pays the fee the Government determines by regulation.

No pipeline construction or use authorization may be granted until the certificate of authorization required under the Environment Quality Act has been issued.

“122. A pipeline construction or use authorization gives its holder the right to build or use a pipeline.

The authorization must include any conditions, which are not inconsistent with this Act and the regulations, that are agreed on by the Minister and the holder. It may also include conditions proposed by the Board.

The Minister may subject the authorization to conditions designed to avoid conflicts with other uses of the territory.

The Government determines, by regulation, any other conditions for exercising the authorization.

“123. The Government determines, by regulation, the term of a pipeline construction or use authorization.

The Minister renews the authorization for the terms and subject to the conditions prescribed by government regulation.

“124. If a pipeline construction or use authorization is awarded on private land or land leased by the State, the authorization holder must, within 30 days after registering the authorization in the public register of real and immovable petroleum rights and in the manner the Government determines by regulation, notify the owner or lessee, the local municipality and the regional county municipality, in writing, of the authorization obtained.

“125. The Minister may modify the conditions on a pipeline construction or use authorization once the Board, after examining a project amended in accordance with section 46, proposes new conditions for building or using a pipeline.

“126. A pipeline construction or use authorization holder must, as soon as their construction work has been completed, restore the land affected by the work to its former condition.

The Government determines, by regulation, the other conditions for carrying out such restoration work.

“127. A pipeline construction or use authorization holder must make sure they prevent and monitor any risk of leakage from the pipeline.

“CHAPTER VI**“LIABILITY AND PROTECTIVE MEASURES**

“128. An exploration, production or storage licence holder or a pipeline construction or use authorization holder is required, irrespective of any fault alleged against anyone and up to, for each event, an amount the Government determines by regulation, to make reparation for any injury caused through or in the course of their work or activities, including a loss of non-use value relating to a public resource, in particular due to emanations or migrations of gas or spills of oil or other liquids. Beyond that amount, the holder may be required to make reparation for injury caused through their fault or the fault of any of their employees or subcontractors in the performance of their functions. The holder nevertheless has a right to bring any legal remedy, for the entire injury, against the person who committed the fault.

The holder may not be relieved of liability by proving that the injury resulted from superior force. The cases of apportionment of liability set out in the Civil Code apply to any action brought against the holder for sums in excess of the amount determined under the first paragraph and to any recursory action brought by the holder.

The holder must provide proof, in the form and manner the Government determines by regulation, that they are solvent to an amount determined by the Government.

Only the Government may bring a legal action to recover a loss of non-use value relating to a public resource.

“129. Nothing in section 128 suspends or limits any legal action, of any kind, that may be brought against an exploration, production or storage licence holder or a pipeline construction or use authorization holder for a fault they or their employees or subcontractors are alleged to have committed.

“130. The Minister may, if a spill of liquid or an emanation or migration of gas from a well or a pipeline poses a risk for human health or safety or the safety of property, order the person in charge of the well or pipeline to do what is necessary to remedy the situation or, if there is no other solution, to seal off the source of the spill, emanation or migration.

If the person in charge fails to comply with the Minister’s orders within the prescribed time, the Minister may cause the work required to be done or the source of the spill, emanation or migration to be sealed off at that person’s expense.

“131. The Government determines, by regulation, the protective and safety measures that must be implemented by a licence holder, a pipeline construction or use authorization holder or any other person in charge of a well or pipeline.

The Minister may order such a holder or person to take any other protective or safety measure the Minister considers necessary.

If the holder or person fails to comply with a protective or safety measure, the Minister may cause the work required to be done at the holder's or person's expense.

“CHAPTER VII

“OPTIMAL PETROLEUM RECOVERY AND BRINE

“**132.** An exploration, production or storage licence holder must recover petroleum and brine optimally using generally recognized best practices for ensuring the safety of persons and property, environmental protection and optimal recovery of the resource.

In order to ensure that the licence holder complies with this obligation, the Minister may

(1) require the licence holder to send a report to the Minister justifying the method used;

(2) conduct a study to evaluate the method used; and

(3) order the licence holder to take, within the time the Minister specifies, any measures necessary to remedy any situation that would compromise the optimal recovery of petroleum or brine.

The Minister may, subject to the conditions the Minister determines, give a mandate to a committee composed of three persons, including two specialists in the field who are not part of the public service, to conduct a study under subparagraph 2 of the second paragraph.

The committee must submit a report recommending, if applicable, measures to remedy any situation that compromises the optimal recovery of petroleum and brine.

If the licence holder fails to comply with the Minister's requirements, the Minister may order the suspension of the holder's work or activities for the period the Minister determines.

“CHAPTER VIII

“MISCELLANEOUS PROVISIONS

“**133.** A person authorized by the Minister to carry out work related to protective, closure or site restoration measures may enter, at any reasonable time, for the purposes of their work, any place where a work or activity governed by this Act or the regulations is carried on.

“**134.** Within 30 days after the surrender, revocation or expiry of their right, an exploration licence holder must remove all of their property from the territory

that was subject to the right. The same holds for a production or storage licence holder, in the year following the surrender, revocation or expiry of their right.

On written application, the Minister may grant an extension subject to the conditions the Minister determines. The Minister may also grant an extension if site restoration work continues beyond the term of the licence.

Once the time has expired, the property remaining on lands in the domain of the State forms part of that domain of right and may be removed by the Minister at the licence holder's expense.

“135. Any sum owed to the State under section 111, 130, 131 or 134 gives rise to a legal hypothec of the State on all of the debtor's property.

“136. A licence holder may, in order to construct buildings or perform any other operation required for their work or activities, cut timber forming part of the domain of the State on the parcel of land that is subject to their right, in accordance with the rules prescribed by the Sustainable Forest Development Act (chapter A-18.1) and the regulations.

However, those rules do not apply to a licence holder who carries out line cutting not exceeding one metre in width.

Similarly, except in the case of a strip of woodland established for the protection of lakes, watercourses, riparian areas and wetlands by government regulation under section 38 of the Sustainable Forest Development Act, the rules apply neither to a licence holder cutting trenches or performing other excavations nor to a licence holder conducting geophysical surveying, geochemical surveying or stratigraphic surveying or carrying out drilling work, provided they have obtained prior authorization from the minister responsible for the administration of that Act and comply with the following conditions:

(1) the total area of the trenches or other excavations, added, if applicable, to the total area of excavations already carried out by another licence holder, must not exceed 2% of the wooded area of the parcel of land concerned; and

(2) the area affected by the cutting of timber that is required for geophysical surveying, geochemical surveying or stratigraphic surveying or for drilling work, added, if applicable, to the area affected by cutting already carried out by another licence holder on the same conditions, must not exceed 2% of the wooded area of the parcel of land concerned.

The minister responsible for the administration of the Sustainable Forest Development Act may make the minister's authorization subject to such other conditions and obligations as that minister determines jointly with the minister responsible for the administration of this Act.

Despite the preceding paragraphs, in any area classified as an exceptional forest ecosystem under the Sustainable Forest Development Act, a licence holder must follow the rules prescribed by that Act.

137. A licence holder who obtains an authorization under section 136 must scale the harvested timber in accordance with section 70 of the Sustainable Forest Development Act and pay the same duties as those applicable to the holder of a forestry permit issued under subparagraph 4.1 of the first paragraph of section 73 of that Act.

138. The Minister of Transport, with the Government's authorization, may construct, improve or maintain any road to facilitate the carrying on of any work or activity relating to petroleum exploration, production and storage. The provisions of the Mining Act (chapter M-13.1) relating to mining roads apply, with the necessary modifications, to such a road.

In any Act or regulation, a reference to a mining road is also a reference to a road for which authorization has been obtained under this section.

139. The Minister must, not later than 1 April 2018 and every three years after that, report to the Government on the state of the wells identified that belong to no one or that have been abandoned in the territory of Québec.

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

CHAPTER IX

DISCLOSURE OF INFORMATION

140. Subject to the information or documents that are public information or documents under subparagraph 4 of paragraph 5 of section 46 of the Environment Quality Act, the information sent to the Minister by an exploration, production or storage licence holder following geophysical, geochemical or stratigraphic surveys becomes public information five years after completion of the work; the information sent to the Minister by an exploration, production or storage licence holder following the drilling of a well becomes public information two years after the date of permanent closure of the well.

CHAPTER X

INCOMPATIBLE TERRITORY

141. Any petroleum situated in a territory incompatible with petroleum exploration, production and storage which is 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 any petroleum exploration-, production- or storage-related work or activity from the time the territory is shown on the maps kept at the office of the registrar.

A territory incompatible with petroleum exploration, production and storage is one in which the viability of the work or activities would be compromised by the impacts created by such exploration, production or storage.

The first paragraph does not apply to petroleum in respect of which exploration, production or storage is already authorized by a licence at the time the incompatible territories are shown on the maps kept at the office of the registrar.

“CHAPTER XI

“MINISTER’S POWERS

“DIVISION I

“SPECIAL POWERS

“**142.** The Minister may, by order, reserve to the State or withdraw from any petroleum exploration-, production- or storage-related work or activity any land containing a pool, brine or an underground reservoir if necessary for any purpose that the Minister considers to be in the public interest, in particular, for the purposes of

- (1) mining, industrial, port, airport or communications facilities;
- (2) underground conduits;
- (3) the development and utilization of waterpower, power transmission lines, storage tanks or underground reservoirs;
- (4) the creation of parks or protected areas;
- (5) plant-life and wildlife conservation;
- (6) the protection of eskers that may be a source of drinking water; and
- (7) classification as an exceptional forest ecosystem under the Sustainable Forest Development Act or designation of biological refuges under that Act.

The order comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the order.

“**143.** The Minister may delegate to any person the exercise of the powers conferred on the Minister under this Act. The delegation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the delegation.

“DIVISION II**“SUSPENSION OF THE TERM OF A LICENCE**

“144. The Minister may, on the Minister’s own initiative or at any interested person’s request, subject to the conditions determined by the Minister, suspend the term of a licence

- (1) during such time as the validity of the licence is contested;
- (2) for the period the Minister determines, if the licence holder is prevented from performing the work authorized by their exploration licence;
- (3) until the Minister has rendered a decision on the renewal or surrender of the licence; or
- (4) to permit the use of the territory for public utility purposes.

“DIVISION III**“SUSPENSION OR REVOCATION OF A LICENCE OR AUTHORIZATION**

“145. The Minister may suspend or revoke any licence or authorization required under this Act if its holder does not comply with the conditions, obligations or restrictions applicable to the exercise of the licence or authorization.

The Minister may, by order, prohibit any holder from commencing or continuing any work or activity in the territory covered by the holder’s licence if there exists

- (1) an environmental or social problem of a serious nature; or
- (2) dangerous or extreme weather conditions affecting the health or safety of persons or the safety of equipment.

Any requirement in relation to a licence that cannot be complied with while such an order is in force is suspended until the order is revoked by the Minister.

The Minister may also revoke a licence or authorization if

- (1) it was obtained or renewed by mistake;
- (2) it was obtained or renewed through fraud or misrepresentation, unless it has been registered for not less than one year in the public register of real and immovable petroleum rights in the name of a subsequent purchaser in good faith;

(3) the licence holder has, in the preceding five years, been found guilty of an offence under any of sections 200 to 203; or

(4) after six months, the Minister considers that the suspension ordered to use the territory for public utility purposes under paragraph 4 of section 144 must be maintained. In such a case, the Minister pays to the licence holder compensation equal to the amounts spent for all the work performed, on the filing of the reports on that work.

An exploration licence for work refused under any of paragraphs 1 to 3 and 5 of section 35 must be revoked within seven months after the end of the year in which the work was performed.

“146. A licence or authorization holder whose licence or authorization has been revoked must send to the Minister all the documents the holder was required to submit to the Minister.

“147. Before suspending or revoking a licence or authorization awarded or granted under this Act, the Minister must notify the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the licence holder in writing and allow the latter at least 15 days to submit observations.

“148. The suspension or revocation of a licence or authorization takes effect on the date the decision becomes enforceable.

“CHAPTER XII

“PUBLIC REGISTER

“149. A public register of real and immovable petroleum rights is established at the Ministère des Ressources naturelles et de la Faune.

“150. The Minister appoints a registrar to keep the public register and make in the register an entry of

(1) the immovable real rights referred to in section 15, their renewal, transfer, surrender, suspension, revocation or expiry and any other act relating to those rights;

(2) the authorizations granted and notices sent under sections 38, 39, 73, 76, 78, 80, 85, 88, 91, 92 and 121;

(3) any permanent well or reservoir closure and site restoration plan; and

(4) the Minister’s declaration of satisfaction under section 114.

The Government may determine, by regulation, any other act or document that may be registered in the public register.

The registrar keeps in the public register the titles evidencing the rights referred to in subparagraph 1 of the first paragraph, and issues to any interested person a certificate of any entry in the public register.

“151. Every transfer of real and immovable rights, and every other act relating to such rights and referred to in subparagraph 1 of the first paragraph of section 150, is registered in the public register on presentation of a copy of the instrument evidencing the transfer or act.

No such transfer or act is enforceable against the State unless it has been registered in the public register.

“152. The Government determines, by regulation, the fee payable for searching the public register and the fee payable for consulting the register, registering an act, obtaining copies or extracts from the public register and being issued a certificate of registration.

“CHAPTER XIII

“INSPECTION AND INQUIRY

“DIVISION I

“INSPECTION

“153. Every person authorized by the Minister to act as an inspector may

(1) enter, at any reasonable time, any place where work or an activity governed by this Act or the regulations is carried on and inspect it;

(2) take any images of the premises and the property located there;

(3) examine and make copies of any document relating to that work or activity; and

(4) require any information or document relating to the work or activities governed by this Act and the regulations.

A person having custody, possession or control of the documents referred to in subparagraphs 3 and 4 of the first paragraph must, on request, make them available to the inspector and facilitate their examination.

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

“155. The inspector may order the suspension of any work or activity at a well if there are reasonable grounds to believe that this Act or the regulations have been contravened.

The inspector authorizes resumption of the work or activity when they consider that the situation has been remedied.

“DIVISION II

“INQUIRY

“156. The Minister or any person the Minister designates as investigator may inquire into any matter relating to the application of this Act or the regulations.

“157. When an investigation is conducted to enable the Minister to make a decision affecting a licence or authorization holder’s rights, the investigator sends the report containing the inspection findings to the Minister and must, at the same time, send a copy of it to the holder.

“DIVISION III

“IDENTIFICATION AND IMMUNITY

“158. The inspector or investigator must, on request, produce identification and show the certificate of authority signed by the Minister.

“159. In no case may judicial proceedings be taken against an inspector or investigator for acts performed in good faith in the exercise of their functions.

“CHAPTER XIV

“REFERRAL, REVIEW AND APPEAL

“160. Every decision rendered under the second paragraph of section 27, section 35, 40 or 48, the second paragraph of section 54, section 61 or 68, the second paragraph of section 69, section 73, 76, 78, 85, 88, 91, 93, 105, 108 or 121 or the second paragraph of section 123 must be in writing and include reasons. It must be sent to the interested person.

“161. Before rendering a decision under section 160, the Minister must send a copy of the record relating to the case to every interested person who applies for it.

“162. The Minister must also send a 30-day notice of the Minister’s intention not to renew a right referred to in section 15 or of the Minister’s intention to revoke it to creditors who have registered an act referred to in subparagraph 1 of the first paragraph of section 150.

If the right expires during the 30-day period, the notice postpones the expiry of the right by suspending its term for the time that remains to run by virtue of the notice.

“163. A decision to refuse to renew or to suspend or revoke a right referred to in section 15 suspends the term of that right until the decision becomes enforceable.

“164. Any interested person may, within 30 days after receiving a decision referred to in section 160, make a request in writing to the Minister for a review of the decision.

The request must include reasons and all the relevant facts.

“165. The Minister may allow an interested person to act after the expiry of the time specified in section 164 if the interested person was unable, for serious and valid reasons, to act sooner.

“166. A review decision must be communicated in writing to the interested person and include reasons. In communicating the review decision, the Minister must inform the interested person that they may contest it before the Court of Québec.

“167. Any party to a decision under section 166 may appeal from it to the Court of Québec.

“168. An appeal suspends the execution of the decision unless the court decides otherwise.

“169. The appeal is brought by an application served on the Minister.

“170. The appellant must file the application, within 30 days after receiving the decision, in the office of the Court of Québec of the judicial district of their domicile or principal establishment or of the district where the facts which gave rise to the decision occurred.

“171. On service of the application, the Minister sends the record of the decision appealed from to the Court of Québec.

“172. The appeal is heard and decided by preference.

The court bases its decision on the record sent to it and on any other evidence submitted by the parties.

“173. The Court of Québec may, in the manner prescribed in articles 63 to 65 of the Code of Civil Procedure (chapter C-25.01), adopt the regulations which, in its judgment, are necessary for the application of this chapter.

“174. Only the judges of the Court of Québec designated by the chief judge have jurisdiction under this chapter.

“175. A decision of the Court of Québec may be appealed from to the Court of Appeal with leave of a judge of the Court of Appeal.

“176. The Minister refers to the Court of Québec any dispute concerning a right referred to in section 15 held by the State.

Sections 170 to 175 apply, with the necessary modifications, to any case so referred.

“CHAPTER XV

“MONETARY ADMINISTRATIVE PENALTIES

“177. Persons designated by the Minister may impose monetary administrative penalties on any person who fails to comply with this Act or the regulations in the cases and on the conditions set out in them.

For the purposes of the first paragraph, the Minister develops and makes public a general framework for applying such administrative penalties in connection with penal proceedings, specifying the following elements:

(1) the purpose of the penalties, such as urging the person to take rapid measures to remedy the failure and deter its repetition;

(2) the categories of functions held by the persons designated to impose penalties;

(3) the criteria that must guide designated persons when a failure to comply has occurred, such as the type of failure, its repetitive nature, the seriousness of the effects or potential effects, and the measures taken by the person to remedy the failure;

(4) the circumstances in which priority will be given to penal proceedings; and

(5) the other procedures connected with such a penalty, such as the fact that it must be preceded by notification of a notice of non-compliance.

The general framework must give the categories of administrative or penal sanctions as defined by the Act or the regulations.

“178. No decision to impose a monetary administrative penalty may be notified to a person for a failure to comply with this Act or the regulations if a statement of offence has already been served for a failure to comply with the same provision on the same day, based on the same facts.

“179. In the event of a failure to comply with this Act or the regulations, a notice of non-compliance may be notified to the person concerned urging that the necessary measures be taken immediately to remedy the failure. Such a notice must mention that the failure may give rise to a monetary administrative penalty and penal proceedings.

“180. When a person designated by the Minister imposes a monetary administrative penalty on a person, the designated person must notify the decision by a notice of claim that complies with section 192.

No accumulation of monetary administrative penalties may be imposed on the same person for failure to comply with the same provision if the failure occurs on the same day and is based on the same facts. In cases where more than one penalty would be applicable, the person imposing the penalty decides which one is most appropriate in light of the circumstances and the purpose of the penalties.

“181. The person may apply in writing for a review of the decision within 30 days after notification of the notice of claim.

“182. The Minister designates persons to be responsible for reviewing decisions on monetary administrative penalties. Those persons must not come under the same administrative authority as the persons who impose such penalties.

“183. After giving the applicant an opportunity to submit observations and produce any documents to complete the record, the person responsible for reviewing the decision renders a decision on the basis of the record, unless they deem it necessary to proceed in some other manner. The person may confirm, quash or vary the decision under review.

“184. The application for review must be dealt with promptly. The review decision must be written in clear, concise terms, must include reasons, must be notified to the applicant and must state the applicant’s right to contest the decision before the Administrative Tribunal of Québec and the time limit for bringing such a proceeding.

If the review decision is not rendered within 30 days after receipt of the application or, as applicable, after the expiry of the time required by the applicant to submit observations or produce documents, the interest provided for in the fourth paragraph of section 192 on the amount owing ceases to accrue until the decision is rendered.

“185. The imposition of a monetary administrative penalty for failure to comply with the Act or the regulations is prescribed two years after the date of the failure to comply.

However, if false representations have been made to the Minister, the monetary administrative penalty may be imposed within two years after the date on which the inspection or inquiry that led to the discovery of the failure to comply was begun.

In the absence of evidence to the contrary, the certificate of the Minister, inspector or investigator constitutes conclusive proof of the date on which the inspection or inquiry was begun.

“186. If a failure to comply for which a monetary administrative penalty may be imposed continues for more than one day, it constitutes a new failure for each day it continues.

“187. A monetary administrative penalty of \$250 in the case of a natural person and \$1,000 in any other case may be imposed on any person who

(1) refuses or neglects, in contravention of this Act, to provide any information or documents or fails to file them in the prescribed time, in cases where no other monetary administrative penalties are provided for by this Act or the regulations; or

(2) contravenes section 7 or 29, the third paragraph of section 30, the second paragraph of section 31, section 57, the third paragraph of section 58 or section 80, 81, 98, 100 or 146.

“188. A monetary administrative penalty of \$500 in the case of a natural person and \$2,500 in any other case may be imposed on any person who contravenes section 28, the first paragraph of section 37, section 46, 55 or 62, the first paragraph of section 64 or section 65, 67, 71, 72, 75, 77, 84, 87, 90 or 92.

The same holds for any person who does not comply with a requirement of the Minister imposed under subparagraph 1 of the second paragraph of section 132.

“189. A monetary administrative penalty of \$1,000 in the case of a natural person and \$5,000 in any other case may be imposed on any person who contravenes section 9, 99, 108, 116, 127 or 134.

“190. A monetary administrative penalty of \$2,000 in the case of a natural person and \$10,000 in any other case may be imposed on any person who

(1) contravenes any of sections 95 to 97, the first paragraph of section 110 and section 126;

(2) does not comply with a requirement of the Minister imposed under the second paragraph of section 110; or

(3) refuses or fails to comply with an order imposed under this Act.

“191. The Government may, in a regulation made under this Act, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty. The regulation may define the conditions for applying the penalty and set forth the amounts or the methods for determining them. The amounts may vary according to the degree to which the standards have been infringed, without exceeding the amounts set out in section 190, according to the party in breach.

“192. The person designated by the Minister under section 180 may, by notification of a notice of claim, claim from a person the payment of the amount of any monetary administrative penalty imposed under this chapter.

In addition to stating the person’s right to obtain a review of the decision under section 181 and the time limit specified in that section, the notice of claim must include

- (1) the amount of the claim;
- (2) the reasons for it;
- (3) the time from which it bears interest; and
- (4) the right to contest the review decision before the Administrative Tribunal of Québec and the time limit for doing so.

The notice of claim must also include information on the procedure for recovery of the amount claimed, in particular with regard to the issue of a recovery certificate under section 195 and its effects. The person concerned must also be advised that the facts on which the claim is founded may result in penal proceedings.

Unless otherwise provided, the amount owing bears interest at the rate determined under the first paragraph of section 28 of the Tax Administration Act (chapter A-6.002), from the 31st day after notification of the notice.

“193. A review decision that confirms the imposition of a monetary administrative penalty may be contested before the Administrative Tribunal of Québec by the person concerned, within 30 days after notification of the decision.

When rendering its decision, the Administrative Tribunal of Québec may make a ruling with respect to interest accrued on the penalty while the matter was pending.

“194. The directors and officers of a legal person that has defaulted on payment of an amount owed under this chapter are solidarily liable, with the legal person, for the payment of the amount, unless they establish that they exercised due care and diligence to prevent the failure which led to the claim.

“195. If the amount owing is not paid in its entirety, the Minister may issue a recovery certificate on the expiry of the time for applying for a review of the decision, on the expiry of the time for contesting the review decision before the Administrative Tribunal of Québec or on the expiry of 30 days after the final decision of the Tribunal confirming all or part of the Minister’s decision or the review decision, as applicable.

However, a recovery certificate may be issued before the expiry of the time referred to in the first paragraph if the Minister is of the opinion that the debtor is attempting to evade payment.

A recovery certificate must state the debtor’s name and address and the amount of the debt.

“196. Once a recovery certificate has been issued, the Minister of Revenue applies, in accordance with section 31 of the Tax Administration Act, a refund due to a person under a fiscal law to the payment of an amount owed by them under this Act.

That application interrupts the prescription provided for in the Civil Code with regard to the recovery of an amount owed.

“197. On the filing of the recovery certificate at the office of the competent court, together with a copy of the final decision establishing the amount of the debt, the decision becomes enforceable as if it were a final judgment of that court and has all the effects of such a judgment.

“198. The debtor is required to pay a recovery charge in the cases, under the conditions and in the amount that the Government determines by regulation.

“CHAPTER XVI

“PENAL PROVISIONS

“199. Anyone who

(1) contravenes section 7 or 29, the third paragraph of section 30, the second paragraph of section 31, section 57, the third paragraph of section 58 or section 80, 81, 98, 100 or 146, or

(2) contravenes a provision of a regulation whose violation constitutes an offence under paragraph 5 of section 207,

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.

“200. Anyone who contravenes section 28, the first paragraph of section 37, section 38, 39, 46, 55 or 62, the first paragraph of section 64 or section 65, 67, 71, 72, 75, 77, 84, 87, 90 or 92 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.

The same holds for any person who does not comply with a requirement of the Minister imposed under subparagraph 1 of the second paragraph of section 132.

“201. Anyone who in any way hinders an inspector or investigator in the exercise of inspection or investigation functions, misleads an inspector or investigator through concealment or false declarations, refuses to provide any information or document the inspector is entitled to require or examine under sections 153 and 154, or conceals or destroys any document or property relevant to an inspection or investigation 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.

Anyone who in any way hinders the work of a person referred to in section 133 is guilty of an offence and is liable to the same fine.

“202. Anyone who contravenes section 3, 9, 99, 108, 116 or 127, the first paragraph of section 132 or section 134 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.

“203. Anyone who

(1) contravenes any of sections 95 to 97, the first paragraph of section 110 and section 126,

(2) does not comply with a requirement of the Minister imposed under the second paragraph of section 110; or

(3) refuses or fails to comply with an order imposed under this Act,

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.

“204. Anyone who does not comply with a requirement of the Minister imposed under section 109 or contravenes a standard 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.

“205. The minimum and maximum fines prescribed by this Act are doubled for a second offence and tripled for a subsequent offence.

“206. Penal proceedings for offences under this Act or the regulations are prescribed one year from the date on which the prosecutor became aware of the commission of the offence. However, no proceedings may be instituted if more than five years have elapsed from the date of the commission of the offence.

“CHAPTER XVII

“REGULATORY POWERS

“207. In addition to the other regulatory powers conferred on it by this Act, the Government may, by regulation,

(1) determine the form and manner in which all the documents required for the purposes of this Act and the regulations are to be sent;

(2) determine the fee payable for the assessment of a permanent well or reservoir closure and site restoration plan with a view to its approval or revision;

(3) determine the fee payable for the assessment and inspections conducted for the purpose of issuing a certificate of release under section 112;

(4) determine the fee payable by a person to whom an inspector has given a written notice of non-compliance with this Act or the regulations;

(5) determine the provisions of a regulation whose violation constitutes an offence; and

(6) prescribe, in relation to a petroleum right in a body of water, additional conditions or obligations or conditions or obligations that are different from those prescribed by this Act and the regulations; such conditions or obligations may vary according to the type of body of water concerned.

“CHAPTER XVIII

“AMENDING PROVISIONS

“CIVIL CODE OF QUÉBEC

“208. Article 951 of the Civil Code of Québec is amended by inserting “petroleum,” after “mines,” in the second paragraph.

“ACT RESPECTING THE ACQUISITION OF FARM LAND BY NON-RESIDENTS

“209. Section 1 of the Act respecting the acquisition of farm land by non-residents (chapter A-4.1) is amended by inserting “or section 15 of the Petroleum Resources Act (2016, chapter 35, section 23)” at the end of paragraph 3 of the definition of “acquisition”.

“SUSTAINABLE FOREST DEVELOPMENT ACT

“**210.** Section 35 of the Sustainable Forest Development Act (chapter A-18.1) is replaced by the following section:

“**35.** If the Minister is of the opinion that the exercise of a right referred to in section 8 of the Mining Act (chapter M-13.1) or section 15 of the Petroleum Resources Act (2016, chapter 35, section 23) within the boundaries of an exceptional forest ecosystem may have an adverse effect on the conservation of biological diversity, the Minister may order that all work cease and either enter with the holder of the right into an agreement providing for the abandonment or surrender of the right according to the procedure set out in those Acts, or expropriate the right in accordance with the Expropriation Act (chapter E-24).”

“**211.** Section 73 of the Act is amended by inserting the following subparagraph after subparagraph 4 of the first paragraph:

“(4.1) work or activities carried out by the holder of a right referred to in section 15 of the Petroleum Resources Act (2016, chapter 35, section 23) in exercising that right;”.

“ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

“**212.** Section 1 of the Act respecting land use planning and development (chapter A-19.1) is amended by inserting “or section 15 of the Petroleum Resources Act (2016, chapter 35, section 23)” after “(chapter M-13.1)” in the portion of paragraph 1 before subparagraph *a*.

“**213.** Section 6 of the Act is amended by inserting “or any territory incompatible with petroleum exploration, production and storage of petroleum within the meaning of section 141 of the Petroleum Resources Act (2016, chapter 35, section 23)” at the end of subparagraph 7 of the first paragraph.

“**214.** Section 53.7 of the Act is amended by inserting “or a territory incompatible with petroleum exploration, production and storage within the meaning of section 141 of the Petroleum Resources Act (2016, chapter 35, section 23)” after “(chapter M-13.1)” in the first paragraph.

“**215.** Section 246 of the Act is amended by replacing “or underground reservoirs, carried on in accordance with the Mining Act (chapter M-13.1)” at the end of the first paragraph by “carried on in accordance with the Mining Act (chapter M-13.1), or petroleum exploration, production and storage carried on in accordance with the Petroleum Resources Act (2016, chapter 35, section 23)”.

“ACT RESPECTING DUTIES ON TRANSFERS OF IMMOVABLES

“216. Section 17 of the Act respecting duties on transfers of immovables (chapter D-15.1) is amended by inserting “or section 15 of the Petroleum Resources Act (2016, chapter 35, section 23)” after “(chapter M-13.1)” in paragraph *e*.

“MINING TAX ACT

“217. Section 1 of the Mining Tax Act (chapter I-0.4) is amended by replacing the definition of “mineral substance” in the first paragraph by the following definition:

““mineral substance” means any natural mineral substance in solid form, including mine tailings;”.

“ACT RESPECTING INVESTISSEMENT QUÉBEC

“218. Section 12.1 of the Act respecting Investissement Québec (chapter I-16.0.1) is amended by inserting “or petroleum resources” after “mineral substances”.

“219. Section 35.1 of the Act is amended, in the second paragraph,

(1) by replacing “forming part of the domain of the State or that process such substances” by “or produce petroleum forming part of the domain of the State or that process such substances or petroleum”;

(2) by inserting “or the petroleum so processed was first produced” after “first mined”.

“220. Section 35.2 of the Act is amended by replacing paragraph 2 by the following paragraph:

“(2) the mining of a mineral substance or the production of petroleum includes conducting work to prove the existence of economically workable mineral substances or petroleum with a view to beginning mining or production operations;”.

“221. Section 35.5 of the Act is amended by replacing “found” by “or produce petroleum found”.

“222. Section 35.13 of the Act is amended by inserting “or produces petroleum” after “mineral substances” in the first paragraph.

“ACT RESPECTING ADMINISTRATIVE JUSTICE

“223. Schedule III to the Act respecting administrative justice (chapter J-3) is amended by inserting the following paragraph after paragraph 1.4:

“(1.5) proceedings under section 193 of the Petroleum Resources Act (2016, chapter 35, section 23);”.

“MINING ACT

“224. Section 1 of the Mining Act (chapter M-13.1) is amended

(1) by striking out the definitions of “brine”, “natural gas”, “petroleum” and “well head value”;

(2) by striking out “, except in the case of a licence to explore for petroleum, natural gas and underground reservoirs, an authorization to produce brine or a lease to produce petroleum or natural gas or to operate an underground reservoir” in the definition of “to prospect”;

(3) by replacing “natural mineral substances in solid, gaseous or liquid form, except water, and fossilized organic matter” in the definition of “mineral substances” by “natural mineral substances in solid form”.

“225. The heading of Chapter II of the Act is amended by striking out “AND UNDERGROUND RESERVOIRS”.

“226. Section 3 of the Act is amended by striking out the last sentence.

“227. Section 8 of the Act is amended by striking out “— licences to explore for petroleum, natural gas and underground reservoirs;”, “— leases to produce petroleum and natural gas;”, “— authorizations to produce brine;” and “— leases to operate an underground reservoir.”.

“228. Section 13 of the Act is amended by striking out “— leases to produce petroleum and natural gas;”, “— leases to operate an underground reservoir;” and “— authorizations to produce brine;” in paragraph 3.

“229. Section 18 of the Act is replaced by the following section:

“18. This chapter applies to mineral substances which are situated in lands in the domain of the State and in lands in the private domain where the mineral substances form part of the domain of the State.”

“230. Section 64 of the Act is amended by striking out paragraph 1.

“231. Section 100 of the Act is amended by striking out “petroleum, natural gas and brine,”.

“232. Divisions IX to XIII of Chapter III of the Act, comprising sections 157 to 206, are repealed.

“233. Section 217 of the Act is amended by striking out “and underground reservoirs”.

“234. Section 218 of the Act is amended

(1) by striking out “or underground reservoir” in the definition of “operator”;

(2) by striking out “or operating an underground reservoir, including a well used to maintain water pressure, to dispose of or inject water or to create a water supply source” in the definition of “mine”.

“235. Sections 227, 230 and 254 of the Act are repealed.

“236. Section 267 of the Act is amended by striking out “, an exploration licence for petroleum, natural gas and underground reservoirs or a lease to produce petroleum and natural gas” in the first paragraph.

“237. Sections 273 to 277 and 279 of the Act are repealed.

“238. Section 281 of the Act is amended by striking out paragraph 2.

“239. Section 291 of the Act is amended by striking out “, 169, 169.2, 179, 188, 194, 199, 230”, “254,” and “279.”.

“240. Section 304 of the Act is amended by striking out subparagraph 3 of the first paragraph.

“241. Section 306 of the Act is amended by striking out paragraphs 2.1 and 4, by striking out “or under the second paragraph of section 204” in paragraph 14 and by striking out paragraphs 15 to 21.

“242. Section 306.1 of the Act is amended by striking out “in the case of mining rights pertaining to mineral substances other than petroleum, natural gas and brine”.

“243. Section 310 of the Act is replaced by the following section:

“310. The amount of the royalty referred to in paragraph 14 of section 306 may vary according to production volume.”

“244. Sections 313 and 313.1 of the Act are repealed.

“245. Section 314 of the Act is amended by striking out “157, 165, 176,” and “, 227” in paragraph 1.

“**246.** Section 316 of the Act is amended by striking out “185, 193,”.

“**247.** Sections 366 to 371 and 376 of the Act are repealed.

“ACT RESPECTING THE MINISTÈRE DES RESSOURCES
NATURELLES ET DE LA FAUNE

“**248.** Section 17.12.12 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) is amended by replacing “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)” in subparagraph 5 of the first paragraph by “fossil energy management component, whose purpose is to finance work and activities necessary for the purposes of the Petroleum Resources Act (2016, chapter 35, section 23)”.

“**249.** Section 17.12.19 of the Act is amended

(1) by replacing subparagraph 1 of the first paragraph by the following subparagraphs:

“(1) the sums collected under the Petroleum Resources Act (2016, chapter 35, section 23) or the regulations, except fees collected for an exploration, production or storage licence or an authorization to produce brine, the royalties paid for petroleum and brine production, and the fees paid for petroleum storage;

“(1.1) the amounts from the imposition of monetary administrative penalties under Chapter XV of the Petroleum Resources Act;”;

(2) by replacing “Mining Act or the regulations with respect to natural gas, petroleum, underground reservoirs and brine” in subparagraph 2 of the first paragraph by “Petroleum Resources Act or the regulations”;

(3) by replacing all occurrences of “hydrocarbon” by “fossil energy”.

“**250.** The Act is amended by inserting the following subdivision after section 17.12.20:

“§4. — *Energy Transition Fund*

“**17.12.21.** The Energy Transition Fund is established.

The Fund is dedicated to financing the administration and activities of Transition énergétique Québec.

“**17.12.22.** The following sums are credited to the Fund:

(1) the fees collected for an exploration, production or storage licence or an authorization to produce brine under the Petroleum Resources Act (2016, chapter 35, section 23);

(2) the royalties paid for petroleum and brine production that are determined by the Government and the fees paid for petroleum storage under the Petroleum Resources Act;

(3) the fines paid by offenders against the Act respecting energy efficiency and innovation (chapter E-1.3);

(4) the sums transferred to it by the Minister out of the appropriations allocated for that purpose by Parliament;

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

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

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

“**17.12.23.** The Minister may debit from the Fund the sums the Minister pays to Transition énergétique Québec.

The Minister determines the intervals and other terms of payment. The Minister may also subject the payments to any conditions the Minister considers appropriate.”

“ACT RESPECTING THE PRESERVATION OF AGRICULTURAL LAND AND AGRICULTURAL ACTIVITIES

“**251.** Section 1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) is amended by inserting “, transfer of a right referred to in section 15 of the Petroleum Resources Act (2016, chapter 35, section 23)” after “(chapter M-13.1)” in the portion of subparagraph 3 of the first paragraph before subparagraph *a*.

“ENVIRONMENT QUALITY ACT

“**252.** Section 31.5 of the Environment Quality Act (chapter Q-2) is amended by inserting the following paragraph after the first paragraph:

“Where the environmental impact assessment statement concerns work related to petroleum production or storage, the Government, before rendering its decision, must take cognizance of the decision of the Régie de l’énergie

submitted by the Minister of Natural Resources and Wildlife under section 45 of the Petroleum Resources Act (2016, chapter 35, section 23).”

“253. Section 31.65 of the Act is amended by inserting “, section 113 of the Petroleum Resources Act (2016, chapter 35, section 23)” after “under this division” in the first paragraph.

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

“254. Section 64 of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1) is amended by inserting “or petroleum rights” after “mining rights” in paragraph *c*.

“255. Section 89 of the Act is replaced by the following section:

“89. The right to exploit soapstone, which the Cree beneficiaries may acquire, is subordinate to the rights relating to other mineral substances and to petroleum, so that it will not prevent possible mining development on Category II lands or possible exploration for and production of petroleum on such lands; consequently, any permit issued pursuant to section 83 on a lot of land may be cancelled by the Minister of Natural Resources and Wildlife after the registration of claims and other titles to mining rights or petroleum rights, other than for soapstone, granted pursuant to the Mining Act (chapter M-13.1) or, as the case may be, the Petroleum Resources Act (2016, chapter 35, section 23) on the said land, and after a 30-day notice to the holder of the permit.”

“256. Section 149 of the Act is amended by replacing “mineral” in paragraph *d* by “mining rights, petroleum rights”.

“257. Section 173 of the Act is replaced by the following section:

“173. The right to exploit soapstone, which the Inuit beneficiaries may acquire, is subordinate to the rights relating to other mineral substances and to petroleum, so that it will not prevent possible mining development on Category II lands or possible exploration for and production of petroleum on such lands; consequently, any permit issued pursuant to section 167 on a lot of land may be cancelled by the Minister of Natural Resources and Wildlife after the registration of claims and other titles to mining rights or petroleum rights, other than for soapstone, granted pursuant to the Mining Act (chapter M-13.1) or, as the case may be, the Petroleum Resources Act (2016, chapter 35, section 23) on the said land, and after a 30-day notice to the holder of the permit.”

“258. Section 191.46 of the Act is amended by inserting “or petroleum rights” after “mining rights” in paragraph *c*.

“259. Section 191.68 of the Act is replaced by the following section:

“191.68. The right to exploit soapstone, which the Naskapi beneficiaries may acquire, is subordinate to the rights relating to other mineral substances and to petroleum, so that it will not prevent possible mining development on Category II-N lands or possible exploration for and production of petroleum on such lands; consequently, any permit issued pursuant to section 191.62 on a lot of land may be cancelled by the Minister of Natural Resources and Wildlife after the registration of claims and other titles to mining rights or petroleum rights, other than for soapstone, granted pursuant to the Mining Act (chapter M-13.1) or, as the case may be, the Petroleum Resources Act (2016, chapter 35, section 23) on the said land, and after a 30-day notice to the holder of the permit.”

“ACT RESPECTING THE LANDS IN THE DOMAIN OF THE STATE

“260. Section 52 of the Act respecting the lands in the domain of the State (chapter T-8.1) is amended by inserting “and petroleum rights” after “Mining rights” in the third paragraph.

“REGULATION RESPECTING FOREST ROYALTIES

“261. Section 10 of the Regulation respecting forest royalties (chapter A-18.1, r. 11) is amended by replacing “or the holder of a mining right who obtains an authorization under section 213 of the Mining Act (chapter M-13.1)” in the first paragraph by “, the holder of a mining right who obtains an authorization under section 213 of the Mining Act (chapter M-13.1) or the holder of a petroleum right who obtains an authorization under section 136 of the Petroleum Resources Act (2016, chapter 35, section 23)”.

“REGULATION RESPECTING THE APPLICATION OF THE ENVIRONMENT QUALITY ACT

“262. Section 1 of the Regulation respecting the application of the Environment Quality Act (chapter Q-2, r. 3) is amended by inserting “and the geophysical surveys and geochemical surveys authorized under the Petroleum Resources Act (2016, chapter 35, section 23), except seismic surveys in a body of water” after “(chapter M-13.1)” in paragraph 2.

“263. Section 2 of the Regulation is amended by inserting “or the Petroleum Resources Act (2016, chapter 35, section 23)” after “Mining Act (chapter M-13.1)” in the portion of paragraph 6 before subparagraph *a*.

“264. Section 8 of the Regulation is amended by replacing the third paragraph by the following paragraph:

“The first paragraph does not apply to a person who, under the Mining Act (chapter M-13.1) or the Petroleum Resources Act (2016, chapter 35, section 23), is authorized to perform work to explore for, develop, mine, produce or operate

mineral substances, petroleum or underground reservoirs, except work to extract sand, gravel or building stone on private land for which, under section 5 of the Mining Act, rights in or over such mineral substances have been surrendered to the owner of the soil.”

“REGULATION RESPECTING THE DECLARATION OF WATER WITHDRAWALS

“**265.** Section 3 of the Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14) is amended by striking out “, other than those made for petroleum or gas prospection” in subparagraph 11 of the second paragraph.

“REGULATION RESPECTING ENVIRONMENTAL IMPACT ASSESSMENT AND REVIEW

“**266.** Section 2 of the Regulation respecting environmental impact assessment and review (chapter Q-2, r. 23) is amended, in the first paragraph,

(1) by striking out “Excluded are works subject to the Regulation respecting petroleum, natural gas, brine and underground reservoirs (O.C. 1539-88, 88-10-12), and not otherwise referred to in this Regulation.” in subparagraph *p*;

(2) by inserting the following subparagraphs after subparagraph *p*:

“(*p.1*) work to which the Petroleum Resources Act (2016, chapter 35, section 23) applies that is related to petroleum production and storage;

“(*p.2*) any oil or gas drilling in a body of water;”.

“WATER WITHDRAWAL AND PROTECTION REGULATION

“**267.** Section 7 of the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2) is amended by replacing the second paragraph by the following paragraph:

“Subparagraph 11 of the first paragraph does not apply to a person who, under the Mining Act (chapter M-13.1) or the Petroleum Resources Act (2016, chapter 35, section 23), is authorized to perform work to explore for, develop, mine, produce or operate mineral substances, petroleum or underground reservoirs, except work to extract sand, gravel or building stone on private land for which, under section 5 of the Mining Act, rights in or over such mineral substances have been surrendered to the owner of the soil.”

“**268.** Section 43 of the Regulation is amended by replacing “the licences issued under the Mining Act (chapter M-13.1)” in subparagraph *b* of subparagraph 1 of the first paragraph by “the drilling authorization issued under the Petroleum Resources Act (2016, chapter 35, section 23)”.

“CHAPTER XIX**“TRANSITIONAL AND FINAL PROVISIONS****“DIVISION I****“TRANSITIONAL PROVISIONS**

“269. A licence to explore for petroleum, natural gas and underground reservoirs issued under the Mining Act (chapter M-13.1) and in force on (*insert the date of coming into force of this section*) is deemed to be, for the unexpired term of the licence, an exploration licence issued under this Act. The holder of such an exploration licence must inform the landowner, the local municipality and the regional county municipality whose land or territory is covered, in whole or in part, by the licence, in writing and within 60 days after (*insert the date of coming into force of this section*).

In the event of non-compliance with the first paragraph, sections 187 and 199 apply.

For the purposes of section 31, the work performed by the holder of a licence to explore for petroleum, natural gas and underground reservoirs under section 177 of the Mining Act for the current year as at (*insert the date of coming into force of this section*) is considered to have been performed in accordance with section 31.

For the purposes of section 33, excess amounts spent as at (*insert the date of coming into force of this section*) by the holder of a licence to explore for petroleum, natural gas and underground reservoirs may be applied to years subsequent to that in which the work was performed.

“270. A lease to produce petroleum and natural gas issued under the Mining Act and in force on (*insert the date of coming into force of this section*) is deemed to be, for the unexpired term of the lease, a production licence issued under this Act.

“271. A lease to operate an underground reservoir issued under the Mining Act and in force on (*insert the date of coming into force of this section*) is deemed to be, for the unexpired term of the lease, a storage licence issued under this Act.

“272. An authorization to produce brine issued under the Mining Act and in force on (*insert the date of coming into force of this section*) is deemed to be an authorization to produce brine issued under this Act. However, its holder is not required to hold a licence under this Act.

The holder of an authorization to produce brine who, on (*insert the date of coming into force of this section*), has not begun to produce brine must obtain the authorizations required under this Act.

For the purposes of section 69, the two-year period is calculated from (*insert the date of coming into force of this section*).

“273. A licence for geophysical surveying issued under the Mining Act and in force on (*insert the date of coming into force of this section*) is deemed to be a geophysical surveying or geochemical surveying authorization issued under this Act.

“274. A well drilling licence issued under the Mining Act and in force on (*insert the date of coming into force of this section*) is deemed to be a drilling authorization issued under this Act.

“275. The holder of a mining right granted under the Mining Act whose well or reservoir is not permanently closed by (*insert the date of coming into force of this section*) must, within 90 days after that date, submit a permanent well or reservoir closure and site restoration plan to the Minister as well as the guarantee required under Chapter IV.

“276. A well completion licence issued under the Mining Act is deemed to be a completion authorization issued under this Act.

“277. A well conversion licence issued under the Mining Act is deemed to be a reconditioning authorization issued under this Act.

“278. The lease to use natural gas bearing number 1997BU701 continues in force in accordance with the conditions of the lease until its expiry.

“279. The holder of an exploration, production or storage licence referred to in any of sections 269 to 271 must, within 90 days after (*insert the date of coming into force of this section*), establish the monitoring committee required under section 28.

The Government determines, by regulation, the conditions that apply to the establishment of the monitoring committee if the holder holds two or more licences.

In the event of non-compliance with the first paragraph, sections 188 and 200 apply.

“280. As of (*insert the date of coming into force of this section*), applications for licences to explore for petroleum, natural gas and underground reservoirs, leases to produce petroleum and natural gas, leases to operate an underground reservoir, authorizations to produce brine, licences for geophysical surveying, well drilling licences, well completion licences and well conversion licences as well as applications for authorization to temporarily or permanently close a well that are pending are continued and decided in accordance with this Act.

“281. Entries, in the public register of real and immovable mining rights, of petroleum rights granted under the Mining Act are deemed to have been registered in the public register of real and immovable petroleum rights established under section 149.

“282. The Regulation respecting the delegation of the exercise of powers relating to petroleum, natural gas, brine and underground reservoirs vested in the Minister of Natural Resources and Wildlife under the Mining Act (chapter M-13.1, r. 0.2) continues to apply until an order is made under section 143, with the following modifications:

(1) a reference to the Mining Act (chapter M-13.1) is a reference to the Petroleum Resources Act (2016, chapter 35, section 23); and

(2) a reference to petroleum or natural gas is a reference to petroleum.

“283. Unless the context indicates otherwise, a petroleum-related order made under section 304 of the Mining Act is deemed to also have been made under section 142 of this Act.

“284. Section 124 of chapter 32 of the statutes of 2013 continues to apply to petroleum resources for 18 months following the adoption of the government policy directions on land development that concern petroleum resources, with the necessary modifications.

“285. An exploration licence holder is exempted from performing the work required under section 31 until the date determined by the Government. In that case, the term of the licence is deemed to be suspended in accordance with section 145. At the end of the exemption period, the expiry date of the licence is deferred to the end of the period for performing the work that remains to run after the lifting of the suspension.

The time limit for filing the report that an exploration licence holder who performs work during the exemption period provided for in the first paragraph must submit under the second paragraph of section 31 is deferred to six months after the new expiry date of the licence determined under the first paragraph.

“286. Until the coming into force of section 43 of chapter 1 of the statutes of 2016, section 13 is to be read as follows:

“13. An outstanding geological site classified under section 305.1 of the Mining Act (chapter M-13.1), a parcel of land used as a cemetery within the meaning of the Act respecting Roman Catholic cemetery companies (chapter C-40.1), a parcel of land on which a cemetery is established in accordance with the Non-Catholic Cemeteries Act (chapter C-17) or a Native cemetery may not be subject to a licence.”

“287. The Government may, by a regulation made before (*insert the date that is 18 months after the date of coming into force of section 1 of this Act*), enact any other transitional measure required for the carrying out of this Act.

Such a regulation may, if it so provides, apply from a date not prior to (*insert the date of coming into force of section 1 of this Act*).

“DIVISION II

“FINAL PROVISIONS

“288. This Act applies subject to the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1), the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) and the Act approving the Northeastern Québec Agreement (chapter C-67.1).

“289. The Minister of Natural Resources and Wildlife is responsible for the administration of this Act.”

CHAPTER V

FINAL PROVISION

24. This Act comes into force on 10 December 2016, except

(1) Chapter I, which comes into force on 1 April 2017, except sections 1, 2, 6, 22 to 24, 27 to 29, 32 to 38, 40 to 42, 44, 47, 48 and 79 of the Act respecting Transition énergétique Québec (2016, chapter 35, section 1) enacted by it, which come into force on 9 January 2017;

(2) sections 11 to 14, which come into force on the date of coming into force of the rules of procedure applicable to mediation adopted by the Régie de l'énergie under section 113 of the Act respecting the Régie de l'énergie (chapter R-6.01), as amended by section 16; and

(3) the provisions of Chapter IV, which come into force on the date or dates to be set by the Government.

TABLE OF AMENDMENTS TO PUBLIC ACTS IN 2016

This table contains the amendments made in 2016 to the laws of Québec included in the Compilation of Québec Laws and Regulations and other public Acts without regard to the date of coming into force of the amendments. It includes all legislative amendments but does not include amendments from other sources, such as amendments by order in council. In addition to the reference and title of each Act amended during the year, the table lists each amended section (in bold), followed by a reference to the amending section or sections.

The other public Acts, that is, those not included in the Compilation of Québec Laws and Regulations, follow the laws of Québec included in the Compilation of Québec Laws and Regulations.

The cumulative table of amendments, listing all amendments made since 1977 to the laws of Québec included in the Compilation of Québec Laws and Regulations and other public Acts, is now available on the 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
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1- LAWS OF QUÉBEC INCLUDED IN THE COMPILATION OF QUÉBEC LAWS AND REGULATIONS

c. A-2.01	Act respecting equal access to employment in public bodies 2 , 2016, c. 8, s. 47
c. A-3.001	Act respecting industrial accidents and occupational diseases 11 , 2016, c. 25, s. 23 112 , 2016, c. 1, s. 145 113 , 2016, c. 1, s. 145 189 , 2016, c. 1, s. 145
c. A-4.1	Act respecting the acquisition of farm land by non-residents 1 , 2016, c. 35, s. 23
c. A-5.01	Act respecting clinical and research activities relating to assisted procreation 2 , 2016, c. 1, s. 145
c. A-6.001	Financial Administration Act Sched. 2 , 2016, c. 7, s. 128; 2016, c. 8, s. 48; 2016, c. 35, s. 1
c. A-6.002	Tax Administration Act 12.0.0.1 , 2016, c. 7, s. 184 69.0.0.7 , 2016, c. 29, s. 21 69.0.0.16 , 2016, c. 34, s. 36 69.1 , 2016, c. 29, s. 22; 2016, c. 34, s. 37 69.3 , 2016, c. 34, s. 38 69.4.2 , 2016, c. 34, s. 39 69.6 , 2016, c. 34, s. 40

TABLE OF AMENDMENTS

Reference	Title Amendments
c. A-6.01	Public Administration Act 74.1 , 2016, c. 7, s. 2 74.2 , 2016, c. 7, s. 2 74.3 , 2016, c. 7, s. 2 77.3 , 2016, c. 7, s. 3
c. A-7.02	Act respecting the Agence métropolitaine de transport Ab. , 2016, c. 8, s. 49
c. A-13.1.1	Individual and Family Assistance Act 21 , 2016, c. 25, s. 1 22 , 2016, c. 25, s. 24 33 , 2016, c. 25, s. 25 36 , 2016, c. 25, s. 26 47 , 2016, c. 25, s. 27 55 , 2016, c. 25, s. 28 72 , 2016, c. 25, s. 29 74 , Ab. 2016, c. 25, s. 30 75 , Ab. 2016, c. 25, s. 30 76 , Ab. 2016, c. 25, s. 30 77 , Ab. 2016, c. 25, s. 30 78 , Ab. 2016, c. 25, s. 30 83.1 , 2016, c. 25, s. 31 83.2 , 2016, c. 25, s. 31 83.3 , 2016, c. 25, s. 31 83.4 , 2016, c. 25, s. 31 83.5 , 2016, c. 25, s. 31 83.6 , 2016, c. 25, s. 31 83.7 , 2016, c. 25, s. 31 83.8 , 2016, c. 25, s. 31 83.9 , 2016, c. 25, s. 31 83.10 , 2016, c. 25, s. 31 83.11 , 2016, c. 25, s. 31 83.12 , 2016, c. 25, s. 31 83.13 , 2016, c. 25, s. 31 83.14 , 2016, c. 25, s. 31 89 , 2016, c. 25, s. 32 91 , 2016, c. 3, s. 107 106.1 , 2016, c. 25, s. 33 108 , 2016, c. 25, s. 34 114 , 2016, c. 25, s. 35 131 , 2016, c. 25, s. 36 133 , 2016, c. 25, s. 37 133.1 , 2016, c. 25, s. 38 134 , 2016, c. 25, s. 39
c. A-18.1	Sustainable Forest Development Act 35 , 2016, c. 35, s. 23 73 , 2016, c. 35, s. 23 215 , 2016, c. 7, s. 183
c. A-19.1	Act respecting land use planning and development 1 , 2016, c. 35, s. 23 6 , 2016, c. 35, s. 23 53.7 , 2016, c. 35, s. 23 145.21 , 2016, c. 17, s. 2 145.22 , 2016, c. 17, s. 3 145.23 , 2016, c. 17, s. 4 145.29 , 2016, c. 17, s. 5 145.30 , 2016, c. 17, s. 6 246 , 2016, c. 35, s. 23

TABLE OF AMENDMENTS

Reference	Title Amendments
c. A-20.03	Act respecting reserved designations and added-value claims 43 , 2016, c. 7, s. 183
c. A-20.2	Act respecting commercial aquaculture 34 , 2016, c. 7, s. 183 40 , 2016, c. 7, s. 183
c. A-23.001	Act respecting prearranged funeral services and sepultures 3 , 2016, c. 1, s. 109 40 , 2016, c. 1, s. 110 73 , 2016, c. 1, s. 111
c. A-23.1	Act respecting the National Assembly 104 , 2016, c. 5, s. 1
c. A-26	Deposit Insurance Act 41 , 2016, c. 7, s. 221
c. A-28	Hospital Insurance Act 10 , 2016, c. 28, s. 38
c. A-29	Health Insurance Act 1 , 2016, c. 1, s. 145; 2016, c. 28, s. 1 7 , 2016, c. 28, s. 2 9.1.1 , 2016, c. 28, s. 3 9.2 , 2016, c. 28, s. 4 9.3 , 2016, c. 28, s. 4 9.4 , 2016, c. 28, s. 4 9.5 , 2016, c. 28, s. 5 9.7 , 2016, c. 28, s. 6 12 , 2016, c. 28, s. 37 13 , 2016, c. 28, s. 37 13.1 , 2016, c. 28, s. 37 13.2 , 2016, c. 28, s. 37 13.2.1 , 2016, c. 28, s. 37 13.3 , 2016, c. 28, s. 37 18 , 2016, c. 28, s. 7 18.1 , 2016, c. 28, s. 8 22 , 2016, c. 28, s. 9 22.0.0.2 , 2016, c. 28, s. 10 22.0.0.1 , 2016, c. 28, s. 11 22.0.1 , 2016, c. 28, s. 12 22.1 , 2016, c. 28, s. 37 22.2 , 2016, c. 28, s. 13 22.3 , 2016, c. 28, s. 14 22.4 , 2016, c. 28, s. 15 22.5 , 2016, c. 28, s. 16 22.6 , 2016, c. 28, s. 17 26 , 2016, c. 28, s. 18 27 , Ab. 2016, c. 28, s. 19 28 , 2016, c. 28, s. 20 31 , 2016, c. 28, s. 21 38 , 2016, c. 28, s. 22 38.1 , 2016, c. 28, s. 23 38.2 , 2016, c. 28, s. 23 38.3 , 2016, c. 28, s. 23 38.4 , 2016, c. 28, s. 23 38.5 , 2016, c. 28, s. 23 38.6 , 2016, c. 28, s. 23 38.7 , 2016, c. 28, s. 23 47 , 2016, c. 28, s. 24 50 , 2016, c. 28, s. 25

TABLE OF AMENDMENTS

Reference	Title Amendments
c. A-29	<p>Health Insurance Act — <i>Cont'd</i></p> <p>51, 2016, c. 28, s. 26 64, 2016, c. 28, s. 27 65, 2016, c. 28, s. 28 65.0.0.1, 2016, c. 28, s. 29 67, 2016, c. 28, s. 30 69, 2016, c. 28, s. 31 72, 2016, c. 28, s. 32 74, 2016, c. 28, s. 33 74.1, 2016, c. 28, s. 34 76, 2016, c. 28, s. 35 76.1, 2016, c. 28, s. 36</p>
c. A-29.01	<p>Act respecting prescription drug insurance</p> <p>8.1.1, 2016, c. 28, s. 39 8.1.2, 2016, c. 28, s. 39 22, 2016, c. 28, s. 40 42.2.1, 2016, c. 28, s. 41 60, 2016, c. 28, s. 42 60.0.0.1, 2016, c. 16, s. 1; 2016, c. 28, s. 43 60.0.0.2, 2016, c. 16, s. 1 60.0.0.3, 2016, c. 16, s. 1 60.0.4, 2016, c. 28, s. 44 60.0.5, 2016, c. 28, s. 44 60.0.6, 2016, c. 28, s. 44 60.1, 2016, c. 28, s. 45 70.0.1, 2016, c. 28, s. 46 70.0.2, 2016, c. 28, s. 46 78, 2016, c. 28, s. 47 80, 2016, c. 16, s. 2; 2016, c. 28, s. 48 80.1, 2016, c. 28, s. 49 80.2, 2016, c. 28, s. 49 80.3, 2016, c. 28, s. 49 80.4, 2016, c. 28, s. 49 80.5, 2016, c. 28, s. 50 81, 2016, c. 28, s. 51 82, 2016, c. 28, s. 52 82.1, 2016, c. 28, s. 53 84, 2016, c. 28, s. 54 84.1, 2016, c. 28, s. 54 84.2, 2016, c. 28, s. 54 84.2.1, 2016, c. 28, s. 55 84.2.2, 2016, c. 28, s. 55 84.3, 2016, c. 28, s. 56 84.3.1, 2016, c. 28, s. 57 84.3.2, 2016, c. 28, s. 57 84.4, 2016, c. 28, s. 58 84.6, 2016, c. 28, s. 59 84.7, 2016, c. 28, s. 59 85, 2016, c. 28, s. 60 85.0.1, 2016, c. 28, s. 61 85.0.2, 2016, c. 28, s. 61 85.1, Ab. 2016, c. 28, s. 62 85.2, 2016, c. 28, s. 63 85.3, 2016, c. 28, s. 63</p>
c. A-33.2	<p>Act respecting the Autorité des marchés financiers</p> <p>28, 2016, c. 7, s. 154 32.2, 2016, c. 7, s. 171 92, 2016, c. 7, s. 172 97.1, 2016, c. 7, s. 173 99, 2016, c. 7, s. 174 100, 2016, c. 7, s. 176</p>

TABLE OF AMENDMENTS

Reference	Title Amendments
c. A-33.2	<p>Act respecting the Autorité des marchés financiers — <i>Cont'd</i></p> <p>101, 2016, c. 7, s. 176 103, 2016, c. 7, s. 176 104, 2016, c. 7, s. 176 104.2, 2016, c. 7, s. 176 104.3, 2016, c. 7, ss. 175, 176 106, 2016, c. 7, s. 176 110, 2016, c. 7, s. 176</p>
c. B-1.1	<p>Building Act</p> <p>65.4, 2016, c. 8, s. 50</p>
c. C-11.4	<p>Charter of Ville de Montréal</p> <p>34.1, 2016, c. 17, s. 7 57.1.13, 2016, c. 34, s. 41 151 (Sched. C), 2016, c. 7, s. 183 185.0.1 (Sched. C), 2016, c. 30, s. 1 Sched. E, 2016, c. 30, s. 2</p>
c. C-11.5	<p>Charter of Ville de Québec <i>(Charter of Ville de Québec, national capital of Québec)</i></p> <p>Title, 2016, c. 31, s. 1 4, 2016, c. 31, s. 2 4.1, 2016, c. 31, s. 2 4.2, 2016, c. 31, s. 2 12.1, 2016, c. 31, s. 3 42, 2016, c. 31, s. 4 43, Ab. 2016, c. 31, s. 5 44, Ab. 2016, c. 31, s. 5 45, Ab. 2016, c. 31, s. 5 46, Ab. 2016, c. 31, s. 5 47, Ab. 2016, c. 31, s. 5 48, Ab. 2016, c. 31, s. 5 49, Ab. 2016, c. 31, s. 5 50, Ab. 2016, c. 31, s. 5 51, Ab. 2016, c. 31, s. 5 52, Ab. 2016, c. 31, s. 5 53, Ab. 2016, c. 31, s. 5 54, Ab. 2016, c. 31, s. 5 55, 2016, c. 31, s. 6 58, 2016, c. 31, s. 7 62, 2016, c. 31, s. 8 70, Ab. 2016, c. 31, s. 9 70.1, Ab. 2016, c. 31, s. 9 72.0.1, 2016, c. 31, s. 10 114, 2016, c. 31, s. 11 127, 2016, c. 31, s. 12 128, 2016, c. 31, s. 13 131.8, 2016, c. 31, s. 14 131.9, 2016, c. 31, s. 14 131.10, 2016, c. 31, s. 14 131.11, 2016, c. 31, s. 14 131.12, 2016, c. 31, s. 14 131.13, 2016, c. 31, s. 14 131.14, 2016, c. 31, s. 14 131.15, 2016, c. 31, s. 14 131.16, 2016, c. 31, s. 14 131.17, 2016, c. 31, s. 14 131.18, 2016, c. 31, s. 14 5 (Sched. C), 2016, c. 31, s. 15 13 (Sched. C), 2016, c. 31, s. 16 15 (Sched. C), 2016, c. 31, s. 17 16 (Sched. C), 2016, c. 31, s. 18</p>

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-11.5	<p>Charter of Ville de Québec — <i>Cont'd</i> (<i>Charter of Ville de Québec, national capital of Québec</i>)</p> <p>17 (Sched. C), 2016, c. 31, s. 19 25.4 (Sched. C), 2016, c. 31, s. 20 28 (Sched. C), 2016, c. 31, s. 21 30 (Sched. C), 2016, c. 31, s. 22 35 (Sched. C), Ab. 2016, c. 31, s. 23 84.2 (Sched. C), 2016, c. 31, s. 24 84.3 (Sched. C), 2016, c. 31, s. 24 84.4 (Sched. C), 2016, c. 31, s. 24 92 (Sched. C), 2016, c. 31, s. 25 92.1 (Sched. C), 2016, c. 31, s. 26 92.2 (Sched. C), 2016, c. 31, s. 26 98 (Sched. C), 2016, c. 31, s. 27 99 (Sched. C), 2016, c. 31, s. 28 99.1 (Sched. C), 2016, c. 31, s. 29 100 (Sched. C), Ab. 2016, c. 31, s. 30 101 (Sched. C), Ab. 2016, c. 31, s. 30 105.1 (Sched. C), 2016, c. 31, s. 31 105.2 (Sched. C), 2016, c. 31, s. 31 105.3 (Sched. C), 2016, c. 31, s. 31 105.4 (Sched. C), 2016, c. 31, s. 31 105.5 (Sched. C), 2016, c. 31, s. 31 105.6 (Sched. C), 2016, c. 31, s. 31 107 (Sched. C), Ab. 2016, c. 31, s. 32 122.1 (Sched. C), 2016, c. 31, s. 33 164.1 (Sched. C), 2016, c. 31, s. 34 185 (Sched. C), 2016, c. 31, s. 35</p>
c. C-12	<p>Charter of human rights and freedoms</p> <p>10, 2016, c. 19, s. 11</p>
c. C-17	<p>Non-Catholic Cemeteries Act</p> <p>Ab., 2016, c. 1, s. 112</p>
c. C-18.1	<p>Cinema Act</p> <p>75.1, 2016, c. 7, s. 94 75.2, 2016, c. 7, s. 94 75.3, 2016, c. 7, s. 94 75.4, 2016, c. 7, s. 94 76.1, 2016, c. 7, s. 95 78, 2016, c. 7, s. 96 79, 2016, c. 7, s. 97 86.2, 2016, c. 7, s. 98 90.1, 2016, c. 7, s. 99 90.2, 2016, c. 7, s. 99 90.3, 2016, c. 7, s. 99 90.4, 2016, c. 7, s. 99 90.5, 2016, c. 7, s. 99 90.6, 2016, c. 7, s. 99 90.7, 2016, c. 7, s. 99 90.8, 2016, c. 7, s. 99 90.9, 2016, c. 7, s. 99 90.10, 2016, c. 7, s. 99 90.11, 2016, c. 7, s. 99 90.12, 2016, c. 7, s. 99 90.13, 2016, c. 7, s. 99 90.14, 2016, c. 7, s. 99 92, 2016, c. 7, s. 44 92.1, 2016, c. 7, s. 100 97, 2016, c. 7, s. 101 99, 2016, c. 7, s. 102 101, 2016, c. 7, s. 103</p>

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-18.1	Cinema Act — <i>Cont'd</i>
	106 , 2016, c. 7, s. 104
	108 , 2016, c. 7, s. 105
	110 , 2016, c. 7, s. 106
	118 , 2016, c. 7, s. 107
	122.5 , 2016, c. 7, s. 108
	123 , Ab. 2016, c. 7, s. 109
	124 , Ab. 2016, c. 7, s. 109
	125 , Ab. 2016, c. 7, s. 109
	126 , Ab. 2016, c. 7, s. 109
	127 , Ab. 2016, c. 7, s. 109
	128 , Ab. 2016, c. 7, s. 109
	129 , Ab. 2016, c. 7, s. 109
	130 , Ab. 2016, c. 7, s. 109
	131 , Ab. 2016, c. 7, s. 109
	132 , Ab. 2016, c. 7, s. 109
	133 , Ab. 2016, c. 7, s. 109
	134 , Ab. 2016, c. 7, s. 109
	134.1 , Ab. 2016, c. 7, s. 109
	135 , Ab. 2016, c. 7, s. 109
	136 , Ab. 2016, c. 7, s. 109
	138 , Ab. 2016, c. 7, s. 109
	139 , Ab. 2016, c. 7, s. 109
	140 , Ab. 2016, c. 7, s. 109
	141 , Ab. 2016, c. 7, s. 109
	142 , Ab. 2016, c. 7, s. 109
	143 , Ab. 2016, c. 7, s. 109
	144 , Ab. 2016, c. 7, s. 109
	144.1 , Ab. 2016, c. 7, s. 109
	144.2 , Ab. 2016, c. 7, s. 109
	144.3 , Ab. 2016, c. 7, s. 109
	144.4 , Ab. 2016, c. 7, s. 109
	144.5 , Ab. 2016, c. 7, s. 109
	145 , Ab. 2016, c. 7, s. 109
	146 , Ab. 2016, c. 7, s. 109
	147 , Ab. 2016, c. 7, s. 109
	148 , Ab. 2016, c. 7, s. 109
	148.1 , 2016, c. 7, s. 110
	149 , Ab. 2016, c. 7, s. 112
	150 , Ab. 2016, c. 7, s. 112
	151 , Ab. 2016, c. 7, s. 112
	152 , Ab. 2016, c. 7, s. 112
	154 , 2016, c. 7, s. 114
	167 , 2016, c. 7, s. 115
	168 , 2016, c. 7, s. 116
	169 , Ab. 2016, c. 7, s. 117
	170 , 2016, c. 7, s. 118
	175 , 2016, c. 7, s. 119
	178.1 , 2016, c. 7, s. 120
	179 , 2016, c. 7, s. 121
	183 , Ab. 2016, c. 7, s. 122
	184 , 2016, c. 7, s. 123
	195 , Ab. 2016, c. 7, s. 124
	197 , Ab. 2016, c. 7, s. 124
	200 , Ab. 2016, c. 7, s. 124
	201 , Ab. 2016, c. 7, s. 124
	202 , Ab. 2016, c. 7, s. 124
	203 , Ab. 2016, c. 7, s. 124
	204 , Ab. 2016, c. 7, s. 124
	205 , Ab. 2016, c. 7, s. 124
	206 , Ab. 2016, c. 7, s. 124
	207 , Ab. 2016, c. 7, s. 124
	208 , Ab. 2016, c. 7, s. 124

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-19	<p>Cities and Towns Act</p> <p>108, 2016, c. 17, s. 8 468.36.1, Ab. 2016, c. 17, s. 9 474, 2016, c. 17, s. 10 474.0.1, Ab. 2016, c. 17, s. 11 474.0.2, Ab. 2016, c. 17, s. 11 474.0.2.1, Ab. 2016, c. 17, s. 11 474.0.3, Ab. 2016, c. 17, s. 11 474.0.4, Ab. 2016, c. 17, s. 11 474.0.4.1, Ab. 2016, c. 17, s. 11 474.0.5, Ab. 2016, c. 17, s. 11 474.3.1, 2016, c. 17, s. 12 510.1, 2016, c. 17, s. 13 548, 2016, c. 7, s. 183 573, 2016, c. 17, s. 14 573.1.0.1.1, 2016, c. 17, s. 15 573.1.0.13, 2016, c. 17, s. 16 573.3.1.2, 2016, c. 17, s. 17 573.3.2, 2016, c. 30, s. 3 573.3.3.4, 2016, c. 17, s. 18</p>
c. C-22	<p>Fish and Game Clubs Act</p> <p>7, 2016, c. 29, s. 26</p>
c. C-23	<p>Amusement Clubs Act</p> <p>11, 2016, c. 29, s. 26</p>
c. CCQ-1991	<p>Civil Code of Québec</p> <p>6, 2016, c. 4, a. 2 28, 2016, c. 4, a. 3 35, 2016, c. 4, a. 4 38, 2016, c. 4, a. 5 42, 2016, c. 4, a. 6 54, 2016, c. 4, a. 7 59, 2016, c. 4, a. 8; 2016, c. 19, a. 1 60, 2016, c. 19, a. 2 61, 2016, c. 19, a. 3 62, 2016, c. 19, a. 4 63, 2016, c. 19, a. 5 64, 2016, c. 12, a. 1 66.1, 2016, c. 19, a. 6 67, 2016, c. 4, a. 9; 2016, c. 12, a. 2; 2016, c. 19, a. 7 71, 2016, c. 19, a. 8 71.1, 2016, c. 19, a. 9 73, 2016, c. 4, a. 10 73.1, 2016, c. 19, a. 10 78, 2016, c. 4, a. 11 80, 2016, c. 4, a. 12 81, 2016, c. 4, a. 13 82, 2016, c. 4, a. 14 84, 2016, c. 4, a. 15 103, 2016, c. 4, a. 16 118, 2016, c. 12, a. 3 119, 2016, c. 4, a. 17 120, 2016, c. 12, a. 4 121.2, 2016, c. 4, a. 18 122, 2016, c. 1, a. 106 125, 2016, c. 1, a. 107 129, 2016, c. 4, a. 19 132, 2016, c. 4, a. 20 132.1, 2016, c. 4, a. 21 169, 2016, c. 4, a. 22 172, 2016, c. 4, a. 23</p>

TABLE OF AMENDMENTS

Reference	Title Amendments
c. CCQ-1991	Civil Code of Québec — <i>Cont'd</i>
	174 , 2016, c. 4, a. 24
	202 , 2016, c. 4, a. 25
	206 , 2016, c. 4, a. 26
	218 , 2016, c. 4, a. 27
	222 , 2016, c. 4, a. 28
	224 , 2016, c. 4, a. 29
	225 , 2016, c. 4, a. 30
	226 , 2016, c. 4, a. 31
	231 , 2016, c. 4, a. 32
	236 , 2016, c. 4, a. 33
	242 , 2016, c. 4, a. 34
	263 , 2016, c. 4, a. 35
	264 , 2016, c. 4, a. 36
	266 , 2016, c. 4, a. 37
	267 , 2016, c. 4, a. 38
	269 , 2016, c. 4, a. 39
	270 , 2016, c. 4, a. 40
	272 , 2016, c. 4, a. 41
	275 , 2016, c. 4, a. 42
	291 , 2016, c. 4, a. 43
	293 , 2016, c. 4, a. 44
	313 , 2016, c. 4, a. 45
	325 , 2016, c. 4, a. 46
	366 , 2016, c. 12, a. 5
	368 , 2016, c. 12, a. 6
	369 , 2016, c. 12, a. 7
	370 , 2016, c. 12, a. 8
	372 , 2016, c. 12, a. 9
	373 , 2016, c. 12, a. 10
	375 , 2016, c. 12, a. 11
	376.1 , 2016, c. 12, a. 12
	376.2 , 2016, c. 12, a. 13
	377 , 2016, c. 4, a. 47
	380 , 2016, c. 12, a. 14
	392 , 2016, c. 4, a. 48
	411 , 2016, c. 4, a. 49
	416 , 2016, c. 4, a. 50
	417 , 2016, c. 4, a. 51
	427 , 2016, c. 4, a. 52
	429 , 2016, c. 4, a. 53
	448 , 2016, c. 4, a. 54
	460 , 2016, c. 4, a. 55
	466 , 2016, c. 4, a. 56
	471 , 2016, c. 4, a. 57
	482 , 2016, c. 4, a. 58
	484 , 2016, c. 4, a. 59
	489 , 2016, c. 4, a. 60
	493 , 2016, c. 4, a. 61
	494 , 2016, c. 4, a. 62
	498 , 2016, c. 4, a. 63
	499 , 2016, c. 4, a. 64
	502 , 2016, c. 4, a. 65
	507 , 2016, c. 4, a. 66
	508 , 2016, c. 4, a. 67
	514 , 2016, c. 4, a. 68
	515 , 2016, c. 4, a. 69
	518 , 2016, c. 4, a. 70
	521.1 , 2016, c. 4, a. 71
	521.4 , 2016, c. 12, a. 15
	521.6 , 2016, c. 4, a. 72
	521.10 , 2016, c. 12, a. 16
	521.12 , 2016, c. 4, a. 73
	521.13 , 2016, c. 4, a. 74

TABLE OF AMENDMENTS

Reference	Title Amendments
c. CCQ-1991	<p>Civil Code of Québec — <i>Cont'd</i></p> <p>521.14, 2016, c. 4, a. 75 521.17, 2016, c. 4, a. 76 521.19, 2016, c. 4, a. 77 525, 2016, c. 4, a. 78 538.3, 2016, c. 4, a. 78 542, 2016, c. 4, a. 79 545, 2016, c. 4, a. 80 556, 2016, c. 4, a. 81 573.1, 2016, c. 4, a. 82 584, 2016, c. 4, a. 83 587.2, 2016, c. 4, a. 84 588, 2016, c. 4, a. 85 589, 2016, c. 4, a. 86 606, 2016, c. 4, a. 87 621, 2016, c. 4, a. 88 644, 2016, c. 4, a. 89 648, 2016, c. 4, a. 90 679, 2016, c. 4, a. 91 685, 2016, c. 4, a. 92 687, 2016, c. 4, a. 93 689, 2016, c. 4, a. 94 708, 2016, c. 4, a. 95 722.1, 2016, c. 4, a. 96 723, 2016, c. 4, a. 97 726, 2016, c. 4, a. 98 728, 2016, c. 4, a. 99 730, 2016, c. 4, a. 100 730.1, 2016, c. 4, a. 101 744, 2016, c. 4, a. 102 745, 2016, c. 4, a. 103 754, 2016, c. 4, a. 104 777, 2016, c. 4, a. 105 785, 2016, c. 4, a. 106 790, 2016, c. 4, a. 107 811, 2016, c. 4, a. 108 813, 2016, c. 4, a. 109 814, 2016, c. 4, a. 110 821, 2016, c. 4, a. 111 822, 2016, c. 4, a. 112 838, 2016, c. 4, a. 113 842, 2016, c. 4, a. 114 845, 2016, c. 4, a. 115 847, 2016, c. 4, a. 116 859, 2016, c. 4, a. 117 865, 2016, c. 4, a. 118 871, 2016, c. 4, a. 119 874, 2016, c. 4, a. 120 888, 2016, c. 4, a. 121 900, 2016, c. 4, a. 122 909, 2016, c. 4, a. 123 912, 2016, c. 4, a. 124 943, 2016, c. 4, a. 125 951, 2016, c. 4, a. 126; 2016, c. 35, a. 23 976, 2016, c. 4, a. 127 1014, 2016, c. 4, a. 128 1017, 2016, c. 4, a. 129 1020, 2016, c. 4, a. 130 1023, 2016, c. 4, a. 131 1032, 2016, c. 4, a. 132 1046, 2016, c. 4, a. 133 1050, 2016, c. 4, a. 134 1051, 2016, c. 4, a. 135 1070, 2016, c. 4, a. 136</p>

TABLE OF AMENDMENTS

Reference	Title Amendments
c. CCQ-1991	Civil Code of Québec — <i>Cont'd</i>
	1077 , 2016, c. 4, a. 137
	1087 , 2016, c. 4, a. 138
	1089 , 2016, c. 4, a. 139
	1094 , 2016, c. 4, a. 140
	1096 , 2016, c. 4, a. 141
	1097 , 2016, c. 4, a. 142
	1098 , 2016, c. 4, a. 143
	1106 , 2016, c. 4, a. 144
	1138 , 2016, c. 4, a. 145
	1155 , 2016, c. 4, a. 146
	1158 , 2016, c. 4, a. 147
	1168 , 2016, c. 4, a. 148
	1172 , 2016, c. 4, a. 149
	1195 , 2016, c. 4, a. 150
	1200 , 2016, c. 4, a. 151
	1205 , 2016, c. 4, a. 152
	1215 , 2016, c. 4, a. 153
	1220 , 2016, c. 4, a. 154
	1256 , 2016, c. 4, a. 155
	1259 , 2016, c. 4, a. 156
	1263 , 2016, c. 4, a. 157
	1268 , 2016, c. 4, a. 158
	1269 , 2016, c. 4, a. 159
	1270 , 2016, c. 4, a. 160
	1282 , 2016, c. 4, a. 161
	1291 , 2016, c. 4, a. 162
	1294 , 2016, c. 4, a. 163
	1306 , 2016, c. 4, a. 164
	1308 , 2016, c. 4, a. 165
	1325 , 2016, c. 4, a. 166
	1328 , 2016, c. 4, a. 167
	1338 , 2016, c. 4, a. 168
	1339 , 2016, c. 4, a. 169
	1353 , 2016, c. 4, a. 170
	1357 , 2016, c. 4, a. 171
	1363 , 2016, c. 4, a. 172
	1383 , 2016, c. 4, a. 173
	1384 , 2016, c. 4, a. 174
	1387 , 2016, c. 4, a. 175
	1437 , 2016, c. 4, a. 176
	1457 , 2016, c. 4, a. 177
	1459 , 2016, c. 4, a. 179
	1460 , 2016, c. 4, a. 180
	1461 , 2016, c. 4, a. 181
	1463 , 2016, c. 4, a. 182
	1464 , 2016, c. 4, a. 183
	1480 , 2016, c. 4, a. 184
	1491 , 2016, c. 4, a. 185
	1512 , 2016, c. 4, a. 186
	1514 , 2016, c. 4, a. 187
	1521 , 2016, c. 4, a. 188
	1531 , 2016, c. 4, a. 189
	1561 , 2016, c. 4, a. 190
	1562 , 2016, c. 4, a. 191
	1575 , 2016, c. 4, a. 192
	1576 , 2016, c. 4, a. 193
	1609 , 2016, c. 4, a. 194
	1616 , 2016, c. 4, a. 195
	1634 , 2016, c. 4, a. 196
	1636 , 2016, c. 4, a. 197
	1648 , 2016, c. 4, a. 198
	1650 , 2016, c. 4, a. 199
	1668 , 2016, c. 4, a. 200

TABLE OF AMENDMENTS

Reference	Title Amendments
c. CCQ-1991	Civil Code of Québec — <i>Cont'd</i>
	1692 , 2016, c. 4, a. 201
	1696 , 2016, c. 4, a. 202
	1699 , 2016, c. 4, a. 203
	1701 , 2016, c. 4, a. 204
	1703 , 2016, c. 4, a. 205
	1704 , 2016, c. 4, a. 206
	1705 , 2016, c. 4, a. 207
	1706 , 2016, c. 4, a. 208
	1711 , 2016, c. 4, a. 209
	1712 , 2016, c. 4, a. 210
	1730 , 2016, c. 4, a. 211
	1732 , 2016, c. 4, a. 212
	1749 , 2016, c. 4, a. 213
	1779 , 2016, c. 4, a. 215
	1842 , 2016, c. 4, a. 216
	1859 , 2016, c. 4, a. 217
	1860 , 2016, c. 4, a. 218
	1864 , 2016, c. 4, a. 219
	1938 , 2016, c. 4, a. 220
	1959.1 , 2016, c. 21, a. 1
	1961 , 2016, c. 21, a. 2
	1990 , 2016, c. 4, a. 221
	2009 , 2016, c. 4, a. 222
	2027 , 2016, c. 4, a. 223
	2041 , 2016, c. 4, a. 224
	2056 , 2016, c. 4, a. 225
	2072 , 2016, c. 4, a. 226
	2085 , 2016, c. 4, a. 227
	2088 , 2016, c. 4, a. 228
	2101 , 2016, c. 4, a. 229
	2111 , 2016, c. 4, a. 230
	2112 , 2016, c. 4, a. 231
	2119 , 2016, c. 4, a. 232
	2128 , 2016, c. 4, a. 233
	2130 , 2016, c. 4, a. 234
	2143 , 2016, c. 4, a. 235
	2144 , 2016, c. 4, a. 236
	2154 , 2016, c. 4, a. 237
	2174 , 2016, c. 4, a. 238
	2183 , 2016, c. 4, a. 239
	2214 , 2016, c. 4, a. 240
	2216 , 2016, c. 4, a. 241
	2225 , 2016, c. 4, a. 242
	2254 , 2016, c. 4, a. 243
	2280 , 2016, c. 4, a. 244
	2283 , 2016, c. 4, a. 245
	2302 , 2016, c. 4, a. 246
	2305 , 2016, c. 4, a. 247
	2317 , 2016, c. 4, a. 248
	2344 , 2016, c. 4, a. 249
	2357 , 2016, c. 4, a. 250
	2361 , 2016, c. 4, a. 251
	2365 , 2016, c. 4, a. 252
	2366 , 2016, c. 4, a. 253
	2367 , 2016, c. 4, a. 254
	2372 , 2016, c. 4, a. 255
	2386 , 2016, c. 4, a. 256
	2394 , 2016, c. 4, a. 257
	2396 , 2016, c. 4, a. 258
	2416 , 2016, c. 4, a. 260
	2417 , 2016, c. 4, a. 260
	2419 , 2016, c. 4, a. 261
	2420 , 2016, c. 4, a. 262

TABLE OF AMENDMENTS

Reference	Title Amendments
c. CCQ-1991	Civil Code of Québec — <i>Cont'd</i>
	2422 , 2016, c. 4, a. 263
	2426 , 2016, c. 4, a. 264
	2430 , 2016, c. 4, a. 265
	2433 , 2016, c. 4, a. 266
	2435 , 2016, c. 4, a. 267
	2436 , 2016, c. 4, a. 268
	2439 , 2016, c. 4, a. 269
	2441.1 , 2016, c. 1, a. 108
	2464 , 2016, c. 4, a. 270
	2465 , 2016, c. 4, a. 271
	2467 , 2016, c. 4, a. 273
	2468 , 2016, c. 4, a. 274
	2470 , 2016, c. 4, a. 275
	2471 , 2016, c. 4, a. 276
	2474 , 2016, c. 4, a. 277
	2481 , 2016, c. 4, a. 278
	2491 , 2016, c. 4, a. 279
	2494 , 2016, c. 4, a. 280
	2499 , 2016, c. 4, a. 281
	2502 , 2016, c. 4, a. 282
	2514 , 2016, c. 4, a. 283
	2518 , 2016, c. 4, a. 284
	2522 , 2016, c. 4, a. 285
	2523 , 2016, c. 4, a. 286
	2530 , 2016, c. 4, a. 287
	2532 , 2016, c. 4, a. 288
	2543 , 2016, c. 4, a. 289
	2560 , 2016, c. 4, a. 290
	2561 , 2016, c. 4, a. 290
	2563 , 2016, c. 4, a. 291
	2579 , 2016, c. 4, a. 292
	2598 , 2016, c. 4, a. 293
	2604 , 2016, c. 4, a. 294
	2605 , 2016, c. 4, a. 294
	2606 , 2016, c. 4, a. 294
	2607 , 2016, c. 4, a. 294
	2617 , 2016, c. 4, a. 294
	2620 , 2016, c. 4, a. 295
	2623 , 2016, c. 4, a. 296
	2626 , 2016, c. 4, a. 296
	2633 , 2016, c. 4, a. 297
	2636 , 2016, c. 4, a. 298
	2646 , 2016, c. 4, a. 299
	2650 , 2016, c. 4, a. 300
	2654 , 2016, c. 4, a. 301
	2658 , 2016, c. 4, a. 302
	2664 , 2016, c. 4, a. 303
	2674 , 2016, c. 4, a. 304
	2680 , 2016, c. 4, a. 305
	2698 , 2016, c. 4, a. 306
	2699 , 2016, c. 4, a. 307
	2700 , 2016, c. 4, a. 308
	2701 , 2016, c. 4, a. 309
	2704 , 2016, c. 4, a. 310
	2708 , 2016, c. 4, a. 311
	2713.4 , 2016, c. 4, a. 312
	2726 , 2016, c. 4, a. 313
	2730 , 2016, c. 4, a. 314
	2735 , 2016, c. 4, a. 315
	2739 , 2016, c. 4, a. 317
	2757 , 2016, c. 4, a. 318
	2759 , 2016, c. 4, a. 319
	2764 , 2016, c. 4, a. 320

TABLE OF AMENDMENTS

Reference	Title Amendments
c. CCQ-1991	<p>Civil Code of Québec — <i>Cont'd</i></p> <p>2766, 2016, c. 4, a. 321 2767, 2016, c. 4, a. 322 2780, 2016, c. 4, a. 323 2784, 2016, c. 4, a. 324 2788, 2016, c. 4, a. 325 2789, 2016, c. 4, a. 326 2791, 2016, c. 4, a. 327 2827, 2016, c. 4, a. 328 2838, 2016, c. 4, a. 329 2848, 2016, c. 4, a. 330 2853, 2016, c. 4, a. 331 2865, 2016, c. 4, a. 332 2866, 2016, c. 4, a. 333 2885, 2016, c. 4, a. 334 2896, 2016, c. 4, a. 335 2906, 2016, c. 4, a. 336 2908, 2016, c. 4, a. 337 2939, 2016, c. 4, a. 338 2941, 2016, c. 4, a. 339 2943, 2016, c. 4, a. 340 2953, 2016, c. 4, a. 341 2954, 2016, c. 4, a. 341 2968, 2016, c. 4, a. 342 2994, 2016, c. 4, a. 344 2999.1, 2016, c. 4, a. 345 3002, 2016, c. 4, a. 346 3014, 2016, c. 4, a. 347 3018, 2016, c. 4, a. 348 3028.1, 2016, c. 4, a. 349 3031, 2016, c. 4, a. 350 3035, 2016, c. 4, a. 351 3038, 2016, c. 4, a. 352 3042, 2016, c. 4, a. 353 3044, 2016, c. 4, a. 354 3063, 2016, c. 4, a. 355 3068, 2016, c. 4, a. 356 3073, 2016, c. 4, a. 357 3085, 2016, c. 4, a. 358 3088, 2016, c. 12, a. 17 3098, 2016, c. 4, a. 359 3099, 2016, c. 4, a. 360 3100, 2016, c. 4, a. 361 3125, 2016, c. 4, a. 362 3126, 2016, c. 4, a. 363 3136, 2016, c. 4, a. 364 3148, 2016, c. 4, a. 365 3155, 2016, c. 4, a. 366 3167, 2016, c. 4, a. 367 3168, 2016, c. 4, a. 368</p>
c. C-24.2	<p>Highway Safety Code</p> <p>4, 2016, c. 8, s. 51 21, 2016, c. 7, s. 85 189, 2016, c. 22, s. 43 214.0.2, 2016, c. 8, s. 52 282, 2016, c. 8, s. 53 293.2, 2016, c. 8, s. 54 315, 2016, c. 8, s. 55 325, 2016, c. 8, s. 56 341, 2016, c. 22, s. 44 492.4, 2016, c. 8, s. 57 492.5, 2016, c. 8, s. 57 492.6, 2016, c. 8, s. 57</p>

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-24.2	Highway Safety Code — <i>Cont'd</i> 506 , 2016, c. 22, s. 45 509 , 2016, c. 8, s. 58 510 , 2016, c. 22, s. 46 619.5 , 2016, c. 7, s. 86 648 , 2016, c. 7, s. 87 648.3 , Ab. 2016, c. 7, s. 88 648.4 , 2016, c. 7, s. 89
c. C-25.01	Code of Civil Procedure 15 , 2016, c. 19, a. 12 16 , 2016, c. 19, a. 13 49 , 2016, c. 12, a. 18 58 , 2016, c. 12, a. 19 139 , 2016, c. 29, a. 23 458 , 2016, c. 12, a. 20 509 , 2016, c. 12, a. 21 698 , 2016, c. 25, a. 40
c. C-25.1	Code of Penal Procedure 130 , 2016, c. 7, a. 183
c. C-27	Labour Code 94 , Ab. 2016, c. 24, s. 51 96 , Ab. 2016, c. 24, s. 51 97 , Ab. 2016, c. 24, s. 51 98 , Ab. 2016, c. 24, s. 51 99 , Ab. 2016, c. 24, s. 51 99.1 , Ab. 2016, c. 24, s. 51 99.1.1 , Ab. 2016, c. 24, s. 51 99.2 , Ab. 2016, c. 24, s. 51 99.3 , Ab. 2016, c. 24, s. 51 99.4 , Ab. 2016, c. 24, s. 51 99.5 , Ab. 2016, c. 24, s. 51 99.6 , Ab. 2016, c. 24, s. 51 99.7 , Ab. 2016, c. 24, s. 51 99.8 , Ab. 2016, c. 24, s. 51 99.9 , Ab. 2016, c. 24, s. 51 99.10 , Ab. 2016, c. 24, s. 51 99.11 , Ab. 2016, c. 24, s. 51
c. C-27.1	Municipal Code of Québec 605.1 , Ab. 2016, c. 17, a. 19 935 , 2016, c. 17, a. 20 936.0.1.1 , 2016, c. 17, a. 21 936.0.13 , 2016, c. 17, a. 22 938.1.2 , 2016, c. 17, a. 23 938.2 , 2016, c. 30, a. 4 938.3.4 , 2016, c. 17, a. 24 954 , 2016, c. 17, a. 25 963 , 2016, c. 7, a. 183 966 , 2016, c. 17, a. 26 975 , 2016, c. 17, a. 27 1021.1 , 2016, c. 17, a. 28 1073 , 2016, c. 7, a. 183
c. C-29	General and Vocational Colleges Act 6.0.2 , 2016, c. 12, s. 22 28.1 , 2016, c. 7, s. 183 28.2 , 2016, c. 7, s. 183 29 , 2016, c. 12, s. 23

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-29	General and Vocational Colleges Act — <i>Cont'd</i> 29.2 , 2016, c. 12, s. 24 29.8 , 2016, c. 12, s. 25 43.1 , 2016, c. 12, s. 26
c. C-33.1	Act respecting the national capital commission 5 , 2016, c. 31, s. 36
c. C-37.01	Act respecting the Communauté métropolitaine de Montréal 96.1 , 2016, c. 8, s. 59 108 , 2016, c. 17, s. 29 109.1 , 2016, c. 17, s. 30 112.0.1 , 2016, c. 17, s. 31 113.2 , 2016, c. 17, s. 32 114 , 2016, c. 30, s. 5 118.1.3 , 2016, c. 17, s. 33 119 , 2016, c. 8, s. 60 158 , 2016, c. 8, s. 62 158.1 , Ab. 2016, c. 8, s. 63 167 , 2016, c. 17, s. 34 232 , 2016, c. 1, s. 144
c. C-37.02	Act respecting the Communauté métropolitaine de Québec 101 , 2016, c. 17, s. 35 102.1 , 2016, c. 17, s. 36 105.0.1 , 2016, c. 17, s. 37 106.2 , 2016, c. 17, s. 38 107 , 2016, c. 30, s. 6 111.1.3 , 2016, c. 17, s. 39 158 , 2016, c. 17, s. 40 219 , 2016, c. 1, s. 144
c. C-38	Companies Act 1 , 2016, c. 29, s. 26
c. C-40	Cemetery Companies Act 14 , 2016, c. 29, s. 26
c. C-40.1	Act respecting Roman Catholic cemetery companies 37 , Ab. 2016, c. 1, s. 113 38 , 2016, c. 1, s. 114 42 , 2016, c. 1, s. 115 52 , 2016, c. 29, s. 26
c. C-44	Gas, Water and Electricity Companies Act 98 , 2016, c. 29, s. 26
c. C-45	Telegraph and Telephone Companies Act 26 , 2016, c. 29, s. 26
c. C-47	Mining Companies Act 23 , 2016, c. 29, s. 26
c. C-60.1	Act respecting intermunicipal boards of transport in the area of Montréal 4 , 2016, c. 17, s. 41 10 , 2016, c. 17, s. 42 12.1 , Ab. 2016, c. 17, s. 43 12.2 , Ab. 2016, c. 17, s. 43 12.3 , Ab. 2016, c. 17, s. 43 Ab. , 2016, c. 8, s. 64

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-61.1	Act respecting the conservation and development of wildlife 5 , 2016, c. 15, s. 22
c. C-63	Act respecting the constitution of certain Churches 15 , 2016, c. 29, s. 26
c. C-65.1	Act respecting contracting by public bodies Sched. I , 2016, c. 17, s. 44
c. C-67.3	Act respecting financial services cooperatives 133 , 2016, c. 7, s. 189 139 , 2016, c. 7, s. 190 140 , Ab. 2016, c. 7, s. 191 141 , 2016, c. 7, s. 192 142 , 2016, c. 7, s. 193 144 , 2016, c. 7, s. 194 149 , 2016, c. 7, s. 195 150 , 2016, c. 7, s. 196 152 , 2016, c. 7, s. 197 154 , 2016, c. 7, s. 198 155 , 2016, c. 7, s. 199 158 , 2016, c. 7, s. 200 159 , 2016, c. 7, s. 201 160 , 2016, c. 7, s. 202 162 , 2016, c. 7, s. 203 163 , 2016, c. 7, s. 204 253.1 , 2016, c. 7, s. 205 259 , 2016, c. 7, s. 206 345 , 2016, c. 7, s. 207 347 , 2016, c. 7, s. 208 366.1 , 2016, c. 7, s. 209 369 , 2016, c. 7, s. 210 386 , 2016, c. 7, s. 211 387 , 2016, c. 7, s. 212 392 , 2016, c. 7, s. 213 399 , 2016, c. 7, s. 214 402 , Ab. 2016, c. 7, s. 215 427 , 2016, c. 7, s. 216 497 , 2016, c. 7, s. 217 550 , 2016, c. 7, s. 218 556 , 2016, c. 7, s. 219 602 , 2016, c. 7, s. 220
c. C-71	Religious Corporations Act 8 , 2016, c. 1, s. 116 19 , 2016, c. 29, s. 26
c. C-81	Public Curator Act 42 , 2016, c. 1, s. 117
c. D-5	Deposit Act Ab. , 2016, c. 7, s. 183
c. D-7	Act respecting municipal debts and loans 34 , 2016, c. 7, s. 183 35 , 2016, c. 7, s. 183 37 , 2016, c. 7, s. 183 38 , 2016, c. 7, s. 183 39 , Ab. 2016, c. 7, s. 183 40 , Ab. 2016, c. 7, s. 183 45 , 2016, c. 7, s. 183

TABLE OF AMENDMENTS

Reference	Title Amendments
c. D-8.3	Act to promote workforce skills development and recognition 1 , 2016, c. 25, s. 2 5 , 2016, c. 25, s. 3 20 , 2016, c. 25, s. 4 21.1.1 , 2016, c. 25, s. 5 22 , 2016, c. 25, s. 6 26 , 2016, c. 25, s. 7 27 , 2016, c. 7, s. 185 30.1 , 2016, c. 7, s. 186 34.1 , 2016, c. 7, s. 187
c. D-15.1	Act respecting duties on transfers of immovables 17 , 2016, c. 35, s. 23
c. E-1.3	Act respecting energy efficiency and innovation <i>(Act respecting energy efficiency and energy conservation standards for certain electrical or hydrocarbon-fuelled appliances)</i> Title , 2016, c. 35, s. 1 1 , Ab. 2016, c. 35, s. 1 2 , Ab. 2016, c. 35, s. 1 3 , Ab. 2016, c. 35, s. 1 4 , Ab. 2016, c. 35, s. 1 5 , Ab. 2016, c. 35, s. 1 6 , Ab. 2016, c. 35, s. 1 7 , Ab. 2016, c. 35, s. 1 8 , Ab. 2016, c. 35, s. 1 9 , Ab. 2016, c. 35, s. 1 10 , Ab. 2016, c. 35, s. 1 11 , Ab. 2016, c. 35, s. 1 12 , Ab. 2016, c. 35, s. 1 13 , Ab. 2016, c. 35, s. 1 14 , Ab. 2016, c. 35, s. 1 15 , Ab. 2016, c. 35, s. 1 16 , Ab. 2016, c. 35, s. 1 17 , Ab. 2016, c. 35, s. 1 18 , Ab. 2016, c. 35, s. 1 19 , Ab. 2016, c. 35, s. 1 33 , 2016, c. 35, s. 1 34 , Ab. 2016, c. 35, s. 1 35 , Ab. 2016, c. 35, s. 1 42 , Ab. 2016, c. 35, s. 1 57 , Ab. 2016, c. 35, s. 1 58 , Ab. 2016, c. 35, s. 1 59 , Ab. 2016, c. 35, s. 1 60 , Ab. 2016, c. 35, s. 1 61 , Ab. 2016, c. 35, s. 1 62 , Ab. 2016, c. 35, s. 1 63 , Ab. 2016, c. 35, s. 1 64 , Ab. 2016, c. 35, s. 1 65 , Ab. 2016, c. 35, s. 1 66 , Ab. 2016, c. 35, s. 1 67 , Ab. 2016, c. 35, s. 1 68 , Ab. 2016, c. 35, s. 1 69 , Ab. 2016, c. 35, s. 1 70 , Ab. 2016, c. 35, s. 1
c. E-2.2	Act respecting elections and referendums in municipalities 61 , 2016, c. 17, s. 45 64 , 2016, c. 17, s. 100 65 , 2016, c. 17, s. 100 86 , 2016, c. 17, s. 46 90.6 , 2016, c. 18, s. 46

TABLE OF AMENDMENTS

Reference	Title Amendments
c. E-2.2	Act respecting elections and referendums in municipalities — <i>Cont'd</i>
	188 , 2016, c. 17, s. 47
	284 , 2016, c. 17, s. 49
	285 , 2016, c. 17, s. 50
	302 , 2016, c. 17, s. 51
	312.6 , 2016, c. 30, s. 7
	317 , 2016, c. 17, s. 52
	318 , 2016, c. 17, s. 53
	387.1 , 2016, c. 17, s. 54
	392 , 2016, c. 17, s. 55
	393 , 2016, c. 17, s. 56
	400.1 , 2016, c. 17, s. 57
	401 , 2016, c. 17, s. 100
	402 , 2016, c. 17, s. 58
	403 , 2016, c. 17, s. 59
	424 , 2016, c. 17, s. 60
	428 , 2016, c. 18, s. 47
	429 , 2016, c. 17, s. 61
	429.1 , 2016, c. 17, s. 62
	431 , 2016, c. 17, s. 63
	436 , 2016, c. 17, s. 64
	440 , 2016, c. 18, s. 48
	440.0.1 , 2016, c. 18, s. 49
	442.1 , 2016, c. 17, s. 65
	442.2 , 2016, c. 17, s. 65
	442.3 , 2016, c. 17, s. 65
	442.4 , 2016, c. 17, s. 65
	442.5 , 2016, c. 17, s. 65
	446.1 , 2016, c. 17, s. 66
	447 , 2016, c. 17, s. 67
	447.1 , 2016, c. 17, s. 68
	449.1 , 2016, c. 17, s. 69
	449.2 , 2016, c. 17, s. 69
	449.3 , 2016, c. 17, s. 69
	474 , 2016, c. 17, s. 100
	474.1 , 2016, c. 17, s. 70
	474.2 , 2016, c. 17, s. 70
	475 , 2016, c. 17, s. 71
	476 , 2016, c. 17, s. 72
	480 , 2016, c. 17, s. 100
	481 , 2016, c. 17, s. 100
	481.1 , 2016, c. 17, s. 73
	483 , 2016, c. 17, s. 74
	483.1 , 2016, c. 17, s. 75
	484.1 , 2016, c. 17, s. 76
	485 , 2016, c. 17, s. 100
	487 , 2016, c. 17, s. 100
	490 , 2016, c. 17, s. 77
	492.1 , 2016, c. 17, s. 78
	498 , 2016, c. 17, s. 79
	499.7 , 2016, c. 17, s. 80
	499.16 , 2016, c. 17, s. 81
	499.16.1 , 2016, c. 17, s. 82
	499.17 , 2016, c. 17, s. 83
	499.19 , 2016, c. 17, s. 84
	499.19.1 , 2016, c. 17, s. 85
	500 , 2016, c. 17, s. 100
	501 , 2016, c. 17, s. 86
	509 , 2016, c. 17, s. 100
	510 , 2016, c. 17, s. 100
	513.1 , 2016, c. 17, s. 88
	513.1.0.1 , 2016, c. 17, s. 89
	513.1.1 , 2016, c. 17, s. 90

TABLE OF AMENDMENTS

Reference	Title Amendments
c. E-2.2	<p>Act respecting elections and referendums in municipalities — <i>Cont'd</i></p> <p>513.1.2, 2016, c. 17, s. 100 513.2, 2016, c. 17, s. 91 594, 2016, c. 17, s. 92 605, 2016, c. 17, s. 100 605.1, 2016, c. 17, s. 93 606, 2016, c. 17, s. 94 607, 2016, c. 17, s. 100 610, 2016, c. 17, s. 100 612, 2016, c. 17, s. 100 612.1, 2016, c. 17, s. 100 614, 2016, c. 18, s. 50 618, 2016, c. 17, s. 100 625.1, 2016, c. 17, s. 100 626, 2016, c. 17, s. 100 626.0.1, 2016, c. 17, s. 100 628.1, 2016, c. 17, s. 95 636, 2016, c. 17, s. 96 642, 2016, c. 17, s. 100 645, 2016, c. 17, s. 97 645.1, 2016, c. 17, s. 98 648, 2016, c. 17, s. 99 659, 2016, c. 17, s. 100</p>
c. E-2.3	<p>Act respecting school elections</p> <p>30.9, 2016, c. 18, s. 51 206.26, 2016, c. 18, s. 52 206.26.0.1, 2016, c. 18, s. 53</p>
c. E-3.3	<p>Election Act</p> <p>40.38.4, 2016, c. 18, s. 1 45.1, 2016, c. 18, s. 2 65, 2016, c. 18, s. 3 88, 2016, c. 18, s. 4 100, 2016, c. 18, s. 5 100.0.1, 2016, c. 18, s. 6 104.1, 2016, c. 18, s. 7 105, 2016, c. 18, s. 8 105.1, 2016, c. 18, s. 9 106, 2016, c. 18, s. 10 115, 2016, c. 18, s. 11 115.1, 2016, c. 18, s. 12 116.1, 2016, c. 18, s. 13 117, 2016, c. 18, s. 14 118, 2016, c. 18, s. 45 122, 2016, c. 18, s. 15 126, 2016, c. 18, s. 16 127.8, 2016, c. 18, s. 17 127.16, 2016, c. 18, s. 45 127.16.1, 2016, c. 18, s. 18 127.17, 2016, c. 18, ss. 19, 45 127.19, 2016, c. 18, s. 45 127.19.1, 2016, c. 18, s. 20 408.1, 2016, c. 18, s. 21 417, 2016, c. 18, s. 22 432.1, 2016, c. 18, s. 23 434.1, 2016, c. 18, s. 24 436, 2016, c. 18, s. 45 485, 2016, c. 18, s. 26 486, 2016, c. 18, s. 27 488, 2016, c. 18, s. 28 488.2, 2016, c. 7, s. 4 490.1, 2016, c. 18, s. 29</p>

TABLE OF AMENDMENTS

Reference	Title Amendments
c. E-3.3	<p>Election Act — <i>Cont'd</i></p> <p>490.2, 2016, c. 18, s. 29 490.3, 2016, c. 18, s. 29 490.4, 2016, c. 18, s. 29 491, 2016, c. 18, s. 30 492, 2016, c. 18, s. 31 493.1, 2016, c. 18, s. 32 495.1, 2016, c. 18, s. 33 496, 2016, c. 18, s. 34 542, 2016, c. 18, s. 35 542.2, 2016, c. 18, s. 36 559.1.1, 2016, c. 18, s. 37 559.1.2, 2016, c. 18, s. 37 563, 2016, c. 18, s. 38 564, 2016, c. 18, s. 39 564.1.1, 2016, c. 18, s. 40 567, 2016, c. 18, s. 41 569, 2016, c. 18, s. 45 572.1, 2016, c. 18, s. 42 572.2, 2016, c. 18, s. 43 573, 2016, c. 18, s. 44</p>
c. E-9.1	<p>Act respecting private education</p> <p>65.1, 2016, c. 12, s. 27 112, 2016, c. 26, s. 57 118, 2016, c. 12, s. 28 119, 2016, c. 12, s. 29 120.1, 2016, c. 12, s. 30 125, 2016, c. 12, s. 31</p>
c. E-15.1.0.1	<p>Municipal Ethics and Good Conduct Act</p> <p>7.1, 2016, c. 17, s. 101 16.1, 2016, c. 17, s. 102 20, 2016, c. 17, s. 103 21, 2016, c. 17, s. 104 22, 2016, c. 17, s. 105 23, 2016, c. 17, s. 106 24, 2016, c. 17, s. 107 35, 2016, c. 17, s. 108</p>
c. E-17	<p>Roman Catholic Bishops Act</p> <p>22, 2016, c. 29, s. 26</p>
c. E-20.001	<p>Act respecting the exercise of certain municipal powers in certain urban agglomerations</p> <p>9, 2016, c. 17, s. 109 118.7, 2016, c. 17, s. 110 118.82.2, Ab. 2016, c. 8, s. 65 118.95, 2016, c. 8, s. 66 118.96, 2016, c. 8, s. 67</p>
c. E-20.1	<p>Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration</p> <p>63, 2016, c. 25, s. 8 67.1, 2016, c. 8, s. 68</p>
c. E-22	<p>Act respecting explosives</p> <p>19.1, 2016, c. 7, s. 183</p>
c. F-1	<p>Act respecting fabriques</p> <p>75, 2016, c. 29, s. 26</p>

TABLE OF AMENDMENTS

Reference	Title Amendments
c. F-2.1	Act respecting municipal taxation 204 , 2016, c. 8, s. 69 204.0.2 , 2016, c. 12, s. 32 236 , 2016, c. 8, s. 70
c. F-3.1.2	Act to establish Fondation, le Fonds de développement de la Confédération des syndicats nationaux pour la coopération et l'emploi 4.2 , 2016, c. 7, s. 181
c. F-3.2.1	Act to establish the Fonds de solidarité des travailleurs du Québec (F.T.Q.) 4.1 , 2016, c. 7, s. 182
c. G-1.02	Act respecting the governance of state-owned enterprises 43 , 2016, c. 27, s. 1 Sched. I , 2016, c. 35, s. 1
c. H-5	Hydro-Québec Act 22.1 , 2016, c. 35, s. 1 39.0.1 , 2016, c. 35, s. 20 48.2 , 2016, c. 35, s. 17
c. I-0.2	Act respecting immigration to Québec Rp. , 2016, c. 3, s. 128
c. I-0.4	Mining Tax Act 1 , 2016, c. 35, s. 23
c. I-3	Taxation Act 776 , 2016, c. 17, s. 111
c. I-8.1	Act respecting offences relating to alcoholic beverages 83 , 2016, c. 7, s. 45; 2016, c. 9, s. 13 85 , 2016, c. 7, s. 46 91 , 2016, c. 9, s. 14 93 , 2016, c. 9, s. 15 103.2 , 2016, c. 7, s. 47 103.5 , 2016, c. 7, s. 48 103.6 , 2016, c. 7, s. 49 103.9 , 2016, c. 7, s. 50 108 , 2016, c. 9, s. 16 109 , 2016, c. 7, s. 51 110.2 , Ab. 2016, c. 7, s. 52 112 , 2016, c. 7, s. 53 113.1 , 2016, c. 7, s. 54 120 , Ab. 2016, c. 7, s. 55
c. I-8.3	Public Infrastructure Act 3 , 2016, c. 8, s. 71 6 , 2016, c. 8, s. 72 57 , 2016, c. 7, s. 183 85 , 2016, c. 7, s. 183
c. I-11	Burial Act Ab. , 2016, c. 1, s. 118
c. I-13.3	Education Act 36 , 2016, c. 26, s. 1 36.1 , 2016, c. 26, s. 2 37 , 2016, c. 26, s. 2 37.1 , 2016, c. 26, s. 2 51.1 , 2016, c. 26, s. 3

TABLE OF AMENDMENTS

Reference	Title Amendments
c. I-13.3	<p>Education Act — <i>Cont'd</i></p> <p>74, 2016, c. 26, s. 4 75, 2016, c. 26, s. 5 77, 2016, c. 26, s. 6 83, 2016, c. 26, s. 7 96.8, 2016, c. 26, s. 8 96.13, 2016, c. 26, s. 9 96.14, 2016, c. 26, s. 10 96.15, 2016, c. 26, s. 11 96.24, 2016, c. 26, s. 12 96.25, 2016, c. 26, s. 13 97, 2016, c. 26, s. 14 97.1, 2016, c. 26, s. 15 97.2, 2016, c. 26, s. 15 109, 2016, c. 26, s. 16 109.1, 2016, c. 26, s. 17 110.3.1, 2016, c. 26, s. 18 110.10, 2016, c. 26, s. 19 110.12, 2016, c. 26, s. 20 118.3, 2016, c. 26, s. 21 143, 2016, c. 26, s. 22 143.0.1, 2016, c. 26, s. 23 143.0.2, 2016, c. 26, s. 23 143.2, 2016, c. 26, s. 24 145, 2016, c. 26, s. 25 148, 2016, c. 26, s. 26 169, 2016, c. 26, s. 27 174, 2016, c. 26, s. 28 176.1, 2016, c. 26, s. 29 179, 2016, c. 26, s. 30 183, 2016, c. 26, s. 31 187, 2016, c. 26, s. 32 190, 2016, c. 26, s. 33 193, 2016, c. 26, s. 34 193.2, 2016, c. 26, s. 35 193.3, 2016, c. 26, s. 35 193.4, 2016, c. 26, s. 35 193.5, 2016, c. 26, s. 35 207.1, 2016, c. 26, s. 36 209.1, 2016, c. 26, s. 37 209.2, 2016, c. 26, s. 37 218, 2016, c. 26, s. 38 220, 2016, c. 26, s. 39 220.1, 2016, c. 26, s. 40 220.2, 2016, c. 26, s. 41 221.1, 2016, c. 26, s. 42 245.1, 2016, c. 26, s. 43 261, 2016, c. 26, s. 44 266.1, 2016, c. 12, s. 33 275, 2016, c. 26, s. 45 275.1, 2016, c. 26, s. 45 275.2, 2016, c. 26, s. 45 402, 2016, c. 26, s. 46 451, 2016, c. 26, s. 47 457.5, 2016, c. 26, s. 48 459.1, 2016, c. 26, s. 49 459.2, 2016, c. 26, s. 50 459.3, 2016, c. 26, s. 50 459.4, 2016, c. 26, s. 51 459.5, 2016, c. 26, s. 52 459.6, 2016, c. 26, s. 52 473.1, 2016, c. 26, s. 53 476, 2016, c. 7, s. 183</p>

TABLE OF AMENDMENTS

Reference	Title Amendments
c. I-13.3	Education Act — <i>Cont'd</i> 477 , 2016, c. 12, s. 34 477.1 , 2016, c. 7, s. 183 478.3 , 2016, c. 12, s. 35 478.5 , 2016, c. 26, s. 55 479 , 2016, c. 26, s. 56
c. I-14	Education Act for Cree, Inuit and Naskapi Native Persons 220 , 2016, c. 7, s. 183 307 , 2016, c. 7, s. 183
c. I-14.01	Derivatives Act 119 , 2016, c. 7, s. 177 127 , 2016, c. 7, s. 178
c. I-16.0.1	Act respecting Investissement Québec 12.1 , 2016, c. 35, s. 23 21 , 2016, c. 35, s. 1 35.1 , 2016, c. 35, s. 23 35.2 , 2016, c. 35, s. 23 35.5 , 2016, c. 35, s. 23 35.13 , 2016, c. 35, s. 23
c. I-17	University Investments Act 6.1 , 2016, c. 7, s. 183 6.2 , 2016, c. 7, s. 183
c. J-3	Act respecting administrative justice 25 , 2016, c. 1, s. 119 30 , 2016, c. 3, s. 108 3 (Sched. I) , 2016, c. 1, s. 120; 2016, c. 28, s. 64 6 (Sched. I) , 2016, c. 3, s. 109 Sched. III , 2016, c. 23, s. 63; 2016, c. 35, s. 23
c. L-0.2	Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies <i>(Act respecting medical laboratories and organ and tissue conservation)</i> Title , 2016, c. 1, s. 121 1 , 2016, c. 1, s. 122 32 , Ab. 2016, c. 1, s. 124 33 , Ab. 2016, c. 1, s. 124 38 , 2016, c. 1, s. 125 40.4 , Ab. 2016, c. 1, s. 126 43 , Ab. 2016, c. 1, s. 127 51 , Ab. 2016, c. 1, s. 128 52 , Ab. 2016, c. 1, s. 128 53 , Ab. 2016, c. 1, s. 128 54 , Ab. 2016, c. 1, s. 129 55 , Ab. 2016, c. 1, s. 129 56 , Ab. 2016, c. 1, s. 129 57 , Ab. 2016, c. 1, s. 129 58 , Ab. 2016, c. 1, s. 129 59 , Ab. 2016, c. 1, s. 129 60 , Ab. 2016, c. 1, s. 129 61 , Ab. 2016, c. 1, s. 129 62 , Ab. 2016, c. 1, s. 129 63 , Ab. 2016, c. 1, s. 129 64 , Ab. 2016, c. 1, s. 129 69 , 2016, c. 1, s. 130 70 , Ab. 2016, c. 1, s. 131

TABLE OF AMENDMENTS

Reference	Title Amendments
c. L-4	Winding-up Act 34 , 2016, c. 29, s. 26
c. L-6	Act respecting lotteries, publicity contests and amusement machines 3 (Sched. I) , 2016, c. 7, s. 56
c. L-6.1	Anti-Corruption Act 27 , 2016, c. 34, s. 42
c. M-13.1	Mining Act 1 , 2016, c. 35, s. 23 3 , 2016, c. 35, s. 23 8 , 2016, c. 35, s. 23 13 , 2016, c. 35, s. 23 18 , 2016, c. 35, s. 23 64 , 2016, c. 35, s. 23 100 , 2016, c. 35, s. 23 144 , 2016, c. 1, s. 132 157 , Ab. 2016, c. 35, s. 23 158 , Ab. 2016, c. 35, s. 23 159 , Ab. 2016, c. 35, s. 23 160 , Ab. 2016, c. 35, s. 23 161 , Ab. 2016, c. 35, s. 23 162 , Ab. 2016, c. 35, s. 23 163 , Ab. 2016, c. 35, s. 23 164 , Ab. 2016, c. 35, s. 23 165 , Ab. 2016, c. 35, s. 23 166 , Ab. 2016, c. 35, s. 23 168 , Ab. 2016, c. 35, s. 23 169 , Ab. 2016, c. 35, s. 23 169.1 , Ab. 2016, c. 35, s. 23 169.2 , Ab. 2016, c. 35, s. 23 170 , Ab. 2016, c. 35, s. 23 172 , Ab. 2016, c. 35, s. 23 173 , Ab. 2016, c. 35, s. 23 174 , Ab. 2016, c. 35, s. 23 175 , Ab. 2016, c. 35, s. 23 176 , Ab. 2016, c. 35, s. 23 177 , Ab. 2016, c. 35, s. 23 178 , Ab. 2016, c. 35, s. 23 179 , Ab. 2016, c. 35, s. 23 180 , Ab. 2016, c. 35, s. 23 181 , Ab. 2016, c. 35, s. 23 182 , Ab. 2016, c. 35, s. 23 183 , Ab. 2016, c. 35, s. 23 184 , Ab. 2016, c. 35, s. 23 185 , Ab. 2016, c. 35, s. 23 186 , Ab. 2016, c. 35, s. 23 187 , Ab. 2016, c. 35, s. 23 188 , Ab. 2016, c. 35, s. 23 189 , Ab. 2016, c. 35, s. 23 190 , Ab. 2016, c. 35, s. 23 191 , Ab. 2016, c. 35, s. 23 192 , Ab. 2016, c. 35, s. 23 193 , Ab. 2016, c. 35, s. 23 194 , Ab. 2016, c. 35, s. 23 194.0.1 , Ab. 2016, c. 35, s. 23 194.1 , Ab. 2016, c. 35, s. 23 194.2 , Ab. 2016, c. 35, s. 23 195 , Ab. 2016, c. 35, s. 23 196 , Ab. 2016, c. 35, s. 23 197 , Ab. 2016, c. 35, s. 23 198 , Ab. 2016, c. 35, s. 23

TABLE OF AMENDMENTS

Reference	Title Amendments
c. M-13.1	<p data-bbox="420 306 620 329">Mining Act — <i>Cont'd</i></p> <p data-bbox="420 342 661 365">199, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 365 661 388">200, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 388 661 412">202, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 412 661 435">203, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 435 661 458">204, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 458 661 482">205, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 482 661 505">206, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 505 620 528">217, 2016, c. 35, s. 23</p> <p data-bbox="420 528 620 551">218, 2016, c. 35, s. 23</p> <p data-bbox="420 551 661 575">227, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 575 661 598">230, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 598 620 621">235, 2016, c. 1, s. 133</p> <p data-bbox="420 621 661 645">254, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 645 620 668">267, 2016, c. 35, s. 23</p> <p data-bbox="420 668 661 691">273, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 691 661 715">274, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 715 661 738">275, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 738 661 761">276, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 761 661 784">277, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 784 661 808">279, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 808 620 831">281, 2016, c. 35, s. 23</p> <p data-bbox="420 831 620 854">291, 2016, c. 35, s. 23</p> <p data-bbox="420 854 620 878">304, 2016, c. 35, s. 23</p> <p data-bbox="420 878 620 901">306, 2016, c. 35, s. 23</p> <p data-bbox="420 901 642 924">306.1, 2016, c. 35, s. 23</p> <p data-bbox="420 924 620 947">310, 2016, c. 35, s. 23</p> <p data-bbox="420 947 661 971">313, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 971 681 994">313.1, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 994 620 1017">314, 2016, c. 35, s. 23</p> <p data-bbox="420 1017 620 1041">316, 2016, c. 35, s. 23</p> <p data-bbox="420 1041 661 1064">366, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 1064 661 1087">367, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 1087 661 1111">368, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 1111 661 1134">369, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 1134 661 1157">370, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 1157 661 1180">371, Ab. 2016, c. 35, s. 23</p> <p data-bbox="420 1180 661 1204">376, Ab. 2016, c. 35, s. 23</p>
c. M-15.001	<p data-bbox="420 1139 1090 1184">Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail</p> <p data-bbox="420 1197 588 1220">2, 2016, c. 25, s. 9</p> <p data-bbox="420 1220 620 1243">3.1, 2016, c. 25, s. 10</p> <p data-bbox="420 1243 620 1266">3.2, 2016, c. 25, s. 10</p> <p data-bbox="420 1266 620 1290">15, 2016, c. 25, s. 11</p> <p data-bbox="420 1290 620 1313">17, 2016, c. 25, s. 12</p> <p data-bbox="420 1313 649 1336">17.0.1, 2016, c. 25, s. 13</p> <p data-bbox="420 1336 649 1360">19, Ab. 2016, c. 25, s. 14</p> <p data-bbox="420 1360 649 1383">20, Ab. 2016, c. 25, s. 14</p> <p data-bbox="420 1383 620 1406">21, 2016, c. 25, s. 15</p> <p data-bbox="420 1406 620 1430">22, 2016, c. 25, s. 16</p> <p data-bbox="420 1430 649 1453">30, Ab. 2016, c. 25, s. 17</p> <p data-bbox="420 1453 666 1476">30.1, Ab. 2016, c. 25, s. 17</p> <p data-bbox="420 1476 649 1499">31, Ab. 2016, c. 25, s. 17</p> <p data-bbox="420 1499 649 1523">32, Ab. 2016, c. 25, s. 17</p> <p data-bbox="420 1523 649 1546">33, Ab. 2016, c. 25, s. 17</p> <p data-bbox="420 1546 649 1569">34, Ab. 2016, c. 25, s. 17</p> <p data-bbox="420 1569 649 1593">35, Ab. 2016, c. 25, s. 17</p> <p data-bbox="420 1593 649 1616">36, Ab. 2016, c. 25, s. 17</p> <p data-bbox="420 1616 620 1639">38, 2016, c. 25, s. 18</p> <p data-bbox="420 1639 620 1662">40, 2016, c. 25, s. 19</p> <p data-bbox="420 1662 620 1686">45, 2016, c. 25, s. 20</p> <p data-bbox="420 1686 630 1709">45.1, 2016, c. 25, s. 21</p>

TABLE OF AMENDMENTS

Reference	Title Amendments
c. M-15.001	Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail — <i>Cont'd</i> 57.2 , 2016, c. 15, s. 23 68.2 , 2016, c. 29, s. 24 68.2.1 , 2016, c. 29, s. 25
c. M-16.1	Act respecting the Ministère de l'Immigration et des Communautés culturelles (<i>Act respecting the Ministère de l'Immigration, de la Diversité et de l'Inclusion</i>) Title , 2016, c. 3, s. 110 1 , 2016, c. 3, s. 111 2 , 2016, c. 3, s. 111 3 , 2016, c. 3, s. 111 4 , 2016, c. 3, s. 111 5 , Ab. 2016, c. 3, s. 112 6 , Ab. 2016, c. 3, s. 112 7 , 2016, c. 3, s. 113
c. M-17.1	Act respecting the Ministère de la Culture et des Communications 13 , 2016, c. 31, s. 37 22.3 , 2016, c. 31, s. 38
c. M-19.2	Act respecting the Ministère de la Santé et des Services sociaux 11.2 , Ab. 2016, c. 7, s. 10 11.3 , Ab. 2016, c. 7, s. 10 11.4 , Ab. 2016, c. 7, s. 10 11.5 , Ab. 2016, c. 7, s. 10 11.7 , Ab. 2016, c. 7, s. 10
c. M-24.01	Act respecting the Ministère des Finances 4.1 , 2016, c. 7, s. 1 4.2 , 2016, c. 7, s. 1 4.3 , 2016, c. 7, s. 1 4.4 , 2016, c. 7, s. 1
c. M-25.2	Act respecting the Ministère des Ressources naturelles et de la Faune 12 , 2016, c. 35, s. 1 17.12.12 , 2016, c. 7, s. 170; 2016, c. 35, ss. 1, 23 17.12.15 , 2016, c. 7, s. 183 17.12.16 , Ab. 2016, c. 35, s. 1 17.12.19 , 2016, c. 35, s. 23 17.12.21 , 2016, c. 35, s. 23 17.12.22 , 2016, c. 35, s. 23 17.12.23 , 2016, c. 35, s. 23
c. M-28	Act respecting the Ministère des Transports 11 , 2016, c. 8, s. 73 11.1 , 2016, c. 8, s. 74 11.1.2 , 2016, c. 8, s. 75 12.21.8 , 2016, c. 8, s. 76 12.21.9 , 2016, c. 8, s. 76 12.21.10 , 2016, c. 8, s. 76 12.30 , 2016, c. 8, s. 77; 2016, c. 22, s. 47 12.32 , 2016, c. 22, s. 48 12.32.1 , 2016, c. 8, s. 78; 2016, c. 22, s. 49 12.32.1.1 , 2016, c. 8, s. 79
c. M-30	Act respecting the Ministère du Conseil exécutif 3.33 , 2016, c. 7, s. 83 3.41.1 , 2016, c. 31, s. 39 3.41.2 , 2016, c. 31, s. 39 3.41.3 , 2016, c. 31, s. 39

TABLE OF AMENDMENTS

Reference	Title Amendments
c. M-30	Act respecting the Ministère du Conseil exécutif — <i>Cont'd</i> 3.41.4 , 2016, c. 31, s. 39 3.41.5 , 2016, c. 31, s. 39 3.41.6 , 2016, c. 31, s. 39
c. M-30.001	Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs 15.4.2 , 2016, c. 35, s. 1 15.4.3 , 2016, c. 35, s. 1
c. M-35.1	Act respecting the marketing of agricultural, food and fish products 161 , 2016, c. 7, s. 183
c. M-44	National Museums Act 4 , 2016, c. 32, s. 1 5 , 2016, c. 32, s. 1 6 , 2016, c. 32, s. 1 7 , 2016, c. 32, s. 3 8 , 2016, c. 32, s. 3 9 , 2016, c. 32, s. 3 10 , 2016, c. 32, s. 3 10.1 , 2016, c. 32, s. 3 11 , 2016, c. 32, s. 3 12 , 2016, c. 32, s. 3 13 , 2016, c. 32, s. 3 14 , 2016, c. 32, s. 3 15 , 2016, c. 32, s. 3 16 , 2016, c. 32, s. 3 17 , 2016, c. 32, s. 3 18 , 2016, c. 32, s. 3 19 , 2016, c. 32, s. 3 20 , 2016, c. 32, s. 3 21 , 2016, c. 32, s. 3 22 , 2016, c. 32, s. 3 22.1 , 2016, c. 32, s. 3 22.2 , 2016, c. 32, s. 3 22.3 , 2016, c. 32, s. 3 22.4 , 2016, c. 32, s. 3 22.5 , 2016, c. 32, s. 3 22.6 , 2016, c. 32, s. 3 22.7 , 2016, c. 32, s. 3 22.8 , 2016, c. 32, s. 3 22.9 , 2016, c. 32, s. 3 22.10 , 2016, c. 32, s. 3 22.11 , 2016, c. 32, s. 3 22.12 , 2016, c. 32, s. 3 22.13 , 2016, c. 32, s. 3 22.14 , 2016, c. 32, s. 3 22.15 , 2016, c. 32, s. 3 22.16 , 2016, c. 32, s. 3 22.17 , 2016, c. 32, s. 3 31 , 2016, c. 32, s. 5 31.1 , 2016, c. 32, s. 5 33 , 2016, c. 32, s. 6 38.1 , 2016, c. 32, s. 7 38.2 , 2016, c. 32, s. 7
c. N-1.1	Act respecting labour standards 3.1 , 2016, c. 34, s. 43 122 , 2016, c. 34, s. 44 140 , 2016, c. 34, s. 45

TABLE OF AMENDMENTS

Reference	Title Amendments
c. O-1.3	Act to ensure the occupancy and vitality of territories 4 , 2016, c. 8, s. 80
c. O-9	Act respecting municipal territorial organization 176.22 , 2016, c. 24, s. 52
c. P-2.2	Act to facilitate the payment of support 26 , 2016, c. 25, s. 22
c. P-8	Act respecting Forillon Park and its surroundings 5 , 2016, c. 1, s. 134
c. P-9.0001	Act respecting the sharing of certain health information 4 , 2016, c. 1, s. 145
c. P-9.002	Cultural Heritage Act 179.1 , 2016, c. 31, s. 40 179.2 , 2016, c. 31, s. 40 179.3 , 2016, c. 31, s. 40 179.4 , 2016, c. 31, s. 40 179.5 , 2016, c. 31, s. 40 179.6 , 2016, c. 31, s. 40 179.7 , 2016, c. 31, s. 40 179.8 , 2016, c. 31, s. 40 261.1 , 2016, c. 31, s. 41 261.1.1 , 2016, c. 31, s. 41 261.2 , 2016, c. 31, s. 41
c. P-9.01	Act respecting commercial fishing and commercial harvesting of aquatic plants 41 , 2016, c. 7, s. 183 45 , 2016, c. 7, s. 183
c. P-9.1	Act respecting liquor permits 25 , 2016, c. 7, s. 21 26 , Ab. 2016, c. 7, s. 22 27 , Ab. 2016, c. 7, s. 22 28 , 2016, c. 7, s. 23 29 , 2016, c. 7, s. 24 30 , 2016, c. 7, s. 25 33 , 2016, c. 7, s. 26 35.1 , 2016, c. 7, s. 27 40 , 2016, c. 7, s. 28 42 , 2016, c. 1, s. 145 46.1 , 2016, c. 7, s. 29 47 , 2016, c. 7, s. 30 50 , 2016, c. 7, s. 31 53 , 2016, c. 7, s. 69 55 , 2016, c. 7, s. 70 63 , 2016, c. 7, s. 32 66 , 2016, c. 7, s. 33 68 , 2016, c. 7, s. 34 69.1 , 2016, c. 7, s. 35 72.1 , 2016, c. 9, s. 17 74 , 2016, c. 7, s. 36 74.1 , 2016, c. 7, s. 37 79 , 2016, c. 7, s. 71 82 , 2016, c. 7, s. 38 83 , 2016, c. 7, s. 39 84 , 2016, c. 7, s. 40 85.1 , 2016, c. 7, s. 73 85.2 , 2016, c. 7, s. 73 86 , 2016, c. 1, s. 145; 2016, c. 7, s. 74

TABLE OF AMENDMENTS

Reference	Title Amendments
c. P-9.1	Act respecting liquor permits — <i>Cont'd</i> 86.0.1 , 2016, c. 7, s. 75 86.3 , Ab. 2016, c. 7, s. 76 87 , 2016, c. 7, s. 77 87.1 , 2016, c. 7, s. 78 89.1 , 2016, c. 7, s. 79 96 , 2016, c. 7, s. 41 97 , 2016, c. 7, s. 42 102 , 2016, c. 7, s. 43 114 , 2016, c. 7, s. 80
c. P-9.3	Pesticides Act 91 , 2016, c. 7, s. 183
c. P-12	Podiatry Act 13 , 2016, c. 1, s. 145
c. P-16	Act respecting the special powers of legal persons 54 , 2016, c. 29, s. 26
c. P-29	Food Products Act 33.2.1 , 2016, c. 7, s. 183
c. P-30.01	Petroleum Products Act 5 , 2016, c. 35, s. 18
c. P-32	Public Protector Act 11 , 2016, c. 34, s. 46 13 , 2016, c. 34, s. 47 35.1 , 2016, c. 7, s. 5
c. P-34.1	Youth Protection Act 38 , 2016, c. 12, s. 36 38.3 , 2016, c. 12, s. 37 45.1 , 2016, c. 12, s. 38 45.2 , 2016, c. 12, s. 39 46 , 2016, c. 12, s. 40 50 , 2016, c. 12, s. 41 50.1 , 2016, c. 12, s. 42 57.2 , 2016, c. 12, s. 43 57.2.1 , 2016, c. 12, s. 44 70.2 , 2016, c. 12, s. 45 91 , 2016, c. 12, s. 46
c. P-40.1	Consumer Protection Act 260.33 , 2016, c. 7, s. 12 260.34 , 2016, c. 7, s. 12 260.35 , 2016, c. 7, s. 12 260.36 , 2016, c. 7, s. 12 260.37 , 2016, c. 7, s. 12 277 , 2016, c. 7, s. 13 278 , 2016, c. 7, s. 14 292 , 2016, c. 7, s. 15 305 , 2016, c. 7, s. 16 352 , 2016, c. 7, s. 17
c. P-41.1	Act respecting the preservation of agricultural land and agricultural activities 1 , 2016, c. 35, s. 23
c. P-42	Animal Health Protection Act 11.12 , 2016, c. 1, s. 135

TABLE OF AMENDMENTS

Reference	Title Amendments
c. P-42.1	Crop Health Protection Act 17, 2016, c. 7, s. 183
c. P-44.1	Act respecting the legal publicity of enterprises 1, 2016, c. 29, s. 1 2, 2016, c. 29, s. 2 4, Ab. 2016, c. 29, s. 3 5, 2016, c. 29, s. 4 6, 2016, c. 29, s. 5 7, 2016, c. 29, s. 6 8, 2016, c. 29, s. 7 9, 2016, c. 29, s. 8 11, 2016, c. 29, s. 9 46, 2016, c. 29, s. 10 59, 2016, c. 29, s. 11 66, 2016, c. 29, s. 11 73, 2016, c. 29, s. 12 83, 2016, c. 29, s. 13 84, 2016, c. 29, s. 13 89, 2016, c. 29, s. 14 124, 2016, c. 29, s. 15 146, 2016, c. 29, s. 16 147, Ab. 2016, c. 29, s. 17 158.1, 2016, c. 29, s. 18 159, 2016, c. 29, s. 18 160.1, 2016, c. 29, s. 19 161, 2016, c. 29, s. 19 162, 2016, c. 29, s. 19 162.1, 2016, c. 29, s. 19 300, 2016, c. 29, s. 20
c. Q-2	Environment Quality Act 31.5, 2016, c. 35, s. 23 31.65, 2016, c. 35, s. 23 53, 2016, c. 35, s. 19 93, 2016, c. 1, s. 145
c. R-0.2	Act respecting the determination of the causes and circumstances of death 1, 2016, c. 1, s. 136 78, 2016, c. 1, s. 138 80, 2016, c. 1, s. 139
c. R-5	Act respecting the Régie de l'assurance maladie du Québec 2.0.13, 2016, c. 28, s. 65 16.0.1, 2016, c. 28, s. 66 19.1, 2016, c. 28, s. 67 19.2, 2016, c. 28, s. 67 20.1, 2016, c. 28, s. 68 21, 2016, c. 28, s. 69 21.1, 2016, c. 28, s. 70 23, 2016, c. 28, s. 71 25, 2016, c. 28, s. 72 39, 2016, c. 28, s. 73 40.1, 2016, c. 28, s. 74
c. R-6.01	Act respecting the Régie de l'énergie 2, 2016, c. 35, s. 2 5, 2016, c. 35, s. 3 7, 2016, c. 35, s. 4 25, 2016, c. 35, ss. 1, 5 26, 2016, c. 35, s. 6 32.1, 2016, c. 35, s. 1

TABLE OF AMENDMENTS

Reference	Title Amendments
c. R-6.01	<p>Act respecting the Régie de l'énergie — <i>Cont'd</i></p> <p>49, 2016, c. 35, ss. 1, 7 52.1, 2016, c. 35, s. 21 52.4, 2016, c. 35, s. 22 58.1, 2016, c. 35, s. 8 72, 2016, c. 35, s. 9 73, 2016, c. 35, s. 10 85.40, 2016, c. 35, s. 1 85.41, 2016, c. 35, s. 1 85.42, 2016, c. 35, s. 1 85.43, 2016, c. 35, s. 1 85.44, 2016, c. 35, s. 1 100.0.1, 2016, c. 35, s. 11 100.1, 2016, c. 35, s. 12 100.2, 2016, c. 35, s. 13 100.3, 2016, c. 35, s. 14 112, 2016, c. 35, s. 15 113, 2016, c. 35, s. 16 114, 2016, c. 35, s. 1</p>
c. R-6.1	<p>Act respecting the Régie des alcools, des courses et des jeux</p> <p>2, 2016, c. 7, s. 18 29, 2016, c. 7, s. 81</p>
c. R-8.2	<p>Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors</p> <p>Sched. C, 2016, c. 8, s. 81</p>
c. R-9.1	<p>Act respecting the Pension Plan of Certain Teachers</p> <p>22, 2016, c. 14, s. 1</p>
c. R-9.3	<p>Act respecting the Pension Plan of Elected Municipal Officers</p> <p>18, 2016, c. 8, s. 82</p>
c. R-10	<p>Act respecting the Government and Public Employees Retirement Plan</p> <p>19, 2016, c. 14, s. 2 23, 2016, c. 14, s. 3 26, 2016, c. 14, s. 4 28, 2016, c. 14, s. 5 29, 2016, c. 14, s. 6 33, 2016, c. 14, s. 7 34.2, 2016, c. 14, s. 8 38, 2016, c. 14, s. 9 59.5, 2016, c. 14, s. 10 59.6, 2016, c. 14, s. 11 59.6.0.1, 2016, c. 14, s. 12 59.6.0.2, 2016, c. 14, s. 13 85.3, 2016, c. 14, s. 14 109.4, 2016, c. 14, s. 15 109.9, 2016, c. 14, s. 16 114.1, 2016, c. 14, s. 17 115, 2016, c. 14, s. 18 115.2, 2016, c. 14, s. 19 115.10.2, 2016, c. 14, s. 20 115.10.5, 2016, c. 14, s. 21 115.10.7, 2016, c. 14, s. 22</p>
c. R-11	<p>Act respecting the Teachers Pension Plan</p> <p>16, 2016, c. 14, s. 23 20, 2016, c. 14, s. 24 22, 2016, c. 14, s. 25 23, 2016, c. 14, s. 26</p>

TABLE OF AMENDMENTS

Reference	Title Amendments
c. R-11	Act respecting the Teachers Pension Plan — <i>Cont'd</i> 26 , 2016, c. 14, s. 27 28.2 , 2016, c. 14, s. 28 28.3 , 2016, c. 14, s. 29 28.5 , 2016, c. 14, s. 30 29 , 2016, c. 14, s. 31 33.2 , 2016, c. 14, s. 32
c. R-12	Act respecting the Civil Service Superannuation Plan 58 , 2016, c. 14, s. 33 60.1 , 2016, c. 14, s. 34 62.4 , 2016, c. 14, s. 35 66.2 , 2016, c. 14, s. 36 69 , 2016, c. 14, s. 37 90 , 2016, c. 14, s. 38 99.6 , 2016, c. 14, s. 39 99.7 , 2016, c. 14, s. 40 99.9 , 2016, c. 14, s. 41
c. R-12.1	Act respecting the Pension Plan of Management Personnel 49 , 2016, c. 14, s. 42 56 , 2016, c. 14, s. 43
c. R-13.1	Act respecting the land regime in the James Bay and New Québec territories 64 , 2016, c. 35, s. 23 89 , 2016, c. 35, s. 23 149 , 2016, c. 35, s. 23 173 , 2016, c. 35, s. 23 191.46 , 2016, c. 35, s. 23 191.68 , 2016, c. 35, s. 23
c. R-15.1	Supplemental Pension Plans Act 128 , 2016, c. 13, s. 68 318.5 , 2016, c. 13, s. 69
c. R-16	Act respecting retirement plans for the mayors and councillors of municipalities 42.0.1 , 2016, c. 17, s. 112 42.0.2 , 2016, c. 17, s. 112
c. R-20	Act respecting labour relations, vocational training and workforce management in the construction industry 19 , 2016, c. 17, s. 113
c. S-2.2	Public Health Act 46 , 2016, c. 1, s. 140
c. S-4.1.1	Educational Childcare Act 101.21 , 2016, c. 34, s. 48 101.22 , 2016, c. 34, s. 48 101.23 , 2016, c. 34, s. 48 101.24 , 2016, c. 34, s. 48 101.25 , 2016, c. 34, s. 48 101.26 , 2016, c. 34, s. 48 101.27 , 2016, c. 34, s. 48 101.28 , 2016, c. 34, s. 48 101.29 , 2016, c. 34, s. 48 101.30 , 2016, c. 34, s. 48 101.31 , 2016, c. 34, s. 48 101.32 , 2016, c. 34, s. 48 101.33 , 2016, c. 34, s. 48 109 , 2016, c. 34, s. 49 115.1 , 2016, c. 34, s. 50

TABLE OF AMENDMENTS

Reference	Title Amendments
c. S-4.1.1	<p>Educational Childcare Act — <i>Cont'd</i></p> <p>117.1, 2016, c. 34, s. 51 117.2, 2016, c. 34, s. 51 118, 2016, c. 34, s. 52 119, 2016, c. 34, s. 52</p>
c. S-4.2	<p>Act respecting health services and social services</p> <p>9.2, 2016, c. 28, s. 75 16.1, 2016, c. 28, s. 76 19, 2016, c. 28, s. 77 21, 2016, c. 12, s. 47 78, 2016, c. 28, s. 78 114.1, 2016, c. 1, s. 141 114.2, 2016, c. 1, s. 141 349.1, 2016, c. 1, s. 142 468, 2016, c. 7, s. 183 469, 2016, c. 7, s. 183 531.0.1, 2016, c. 28, s. 79</p>
c. S-5	<p>Act respecting health services and social services for Cree Native persons</p> <p>178.0.2, 2016, c. 7, s. 183 178.0.3, 2016, c. 7, s. 183</p>
c. S-6.01	<p>Act respecting transportation services by taxi</p> <p>1, 2016, c. 22, s. 1 2, 2016, c. 22, s. 2 3, Ab. 2016, c. 22, s. 3 4, 2016, c. 22, s. 4 5, 2016, c. 22, s. 5 5.1, 2016, c. 22, s. 6 5.2, 2016, c. 22, s. 6 6, 2016, c. 22, s. 7 6.1, 2016, c. 22, s. 8 10, 2016, c. 22, s. 9 10.1, 2016, c. 22, s. 10 32, 2016, c. 22, s. 11 33, 2016, c. 22, s. 12 34, 2016, c. 22, s. 13 34.1, 2016, c. 22, s. 14 34.2, 2016, c. 22, s. 15 50, 2016, c. 22, s. 16 55, 2016, c. 22, s. 17 59.1, 2016, c. 22, s. 18 59.2, 2016, c. 22, s. 18 59.3, 2016, c. 22, s. 18 60, 2016, c. 22, s. 19 62, 2016, c. 22, s. 20 66, 2016, c. 22, s. 22 67, 2016, c. 22, s. 23 67.1, 2016, c. 22, s. 24 67.2, 2016, c. 22, s. 24 71, 2016, c. 22, s. 25 71.1, 2016, c. 22, s. 26 71.2, 2016, c. 22, s. 26 71.3, 2016, c. 22, s. 26 71.4, 2016, c. 22, s. 26 71.5, 2016, c. 22, s. 26 71.6, 2016, c. 22, s. 26 71.7, 2016, c. 22, s. 26 72, Ab. 2016, c. 22, s. 27 73, Ab. 2016, c. 22, s. 27 79, 2016, c. 22, s. 28 80, 2016, c. 22, s. 29</p>

TABLE OF AMENDMENTS

Reference	Title Amendments
c. S-6.01	Act respecting transportation services by taxi — <i>Cont'd</i> 82 , 2016, c. 22, s. 30 83.1 , 2016, c. 22, s. 31 88 , 2016, c. 22, s. 32 89 , 2016, c. 22, s. 33 89.1 , 2016, c. 22, s. 34 89.2 , 2016, c. 22, s. 35 107 , 2016, c. 22, s. 36 112 , 2016, c. 22, s. 37 112.1 , 2016, c. 22, s. 38 117 , 2016, c. 22, s. 39 118 , 2016, c. 22, s. 40 118.1 , 2016, c. 22, s. 40 118.2 , 2016, c. 22, s. 40 120.1 , 2016, c. 22, s. 41 127.1 , 2016, c. 22, s. 42
c. S-6.2	Act respecting pre-hospital emergency services 172 , 2016, c. 1, s. 145
c. S-8	Act respecting the Société d'habitation du Québec 1 , 2016, c. 17, s. 114 52 , 2016, c. 17, s. 115 58.1.1 , 2016, c. 17, s. 116 58.1.2 , 2016, c. 17, s. 116 58.1.3 , 2016, c. 17, s. 116 58.6 , 2016, c. 17, s. 117 61 , 2016, c. 17, s. 118 62 , 2016, c. 17, s. 119 68.12 , 2016, c. 17, s. 120 68.13 , 2016, c. 17, s. 120 68.14 , 2016, c. 17, s. 120 92 , 2016, c. 17, s. 121
c. S-10.002	Act respecting the Société de développement des entreprises culturelles 35 , 2016, c. 7, s. 129
c. S-11.0102	Act respecting the Société de financement des infrastructures locales du Québec 6 , 2016, c. 8, s. 83
c. S-11.011	Act respecting the Société de l'assurance automobile du Québec 2 , 2016, c. 8, s. 84
c. S-13	Act respecting the Société des alcools du Québec 24 , 2016, c. 9, s. 1 24.1 , 2016, c. 9, s. 2 24.1.1 , 2016, c. 9, s. 3 24.2 , 2016, c. 9, s. 4 26 , 2016, c. 9, s. 5 28 , 2016, c. 9, s. 6 33.2 , 2016, c. 7, s. 57; 2016, c. 9, s. 7 34 , 2016, c. 9, s. 8 34.1 , 2016, c. 9, s. 9 37 , 2016, c. 9, s. 10 53 , 2016, c. 9, s. 11 61 , 2016, c. 9, s. 12
c. S-13.1	Act respecting the Société des loteries du Québec 16 , 2016, c. 7, s. 19 17.0.1 , 2016, c. 7, s. 58 17.1 , 2016, c. 7, s. 20 17.2 , 2016, c. 7, s. 20 22.1 , Ab. 2016, c. 7, s. 84

TABLE OF AMENDMENTS

Reference	Title Amendments
c. S-30.01	Act respecting public transit authorities 3 , 2016, c. 8, s. 85 4 , 2016, c. 8, s. 86 5 , 2016, c. 8, s. 87 9 , 2016, c. 31, s. 42 16.2 , 2016, c. 8, s. 88 64 , 2016, c. 8, s. 89 65 , 2016, c. 8, s. 90 78 , 2016, c. 8, s. 91 78.1 , 2016, c. 8, s. 92 87 , 2016, c. 8, s. 93 89.1 , 2016, c. 8, s. 94 90 , 2016, c. 8, s. 95 95 , 2016, c. 17, s. 122 96.1 , 2016, c. 17, s. 123 99.1 , 2016, c. 17, s. 124 103.2 , 2016, c. 17, s. 125 104 , 2016, c. 30, s. 8 108.1.3 , 2016, c. 17, s. 126 116 , 2016, c. 8, s. 96 119 , 2016, c. 17, s. 127 130 , 2016, c. 8, s. 97 130.1 , 2016, c. 8, s. 98 131 , 2016, c. 8, s. 99 132 , 2016, c. 8, s. 100 133 , 2016, c. 8, s. 101 134 , 2016, c. 8, s. 102 135 , 2016, c. 8, s. 103 151 , 2016, c. 8, s. 104 158 , 2016, c. 8, s. 105 159 , Ab. 2016, c. 8, s. 106 161 , 2016, c. 8, s. 107 162 , 2016, c. 8, s. 107 168 , 2016, c. 8, s. 107 169 , 2016, c. 8, s. 107 171 , 2016, c. 8, s. 107 176 , 2016, c. 8, s. 107 177 , 2016, c. 8, s. 107 178 , Ab. 2016, c. 8, s. 108
c. S-31	National Benefit Societies Act 7 , 2016, c. 29, s. 26
c. S-31.1	Business Corporations Act 494 , 2016, c. 29, s. 26
c. S-32	Act respecting societies for the prevention of cruelty to animals 4 , 2016, c. 29, s. 26
c. S-40	Professional Syndicates Act 30 , 2016, c. 29, s. 26
c. T-0.01	Tobacco Act 2 , 2016, c. 7, s. 59 17 , 2016, c. 7, s. 60
c. T-1	Fuel Tax Act 1 , 2016, c. 8, s. 109 2 , 2016, c. 8, s. 110 10.1 , 2016, c. 8, s. 111 55.2 , 2016, c. 8, s. 112

TABLE OF AMENDMENTS

Reference	Title Amendments
c. T-8.1	Act respecting the lands in the domain of the State 52 , 2016, c. 35, s. 23
c. T-11.001	Act respecting the remuneration of elected municipal officers 31 , 2016, c. 17, s. 128; 2016, c. 30, s. 9 31.0.1 , 2016, c. 17, s. 129 31.0.2 , 2016, c. 17, s. 129 31.0.3 , 2016, c. 17, s. 129 31.0.4 , 2016, c. 30, s. 10 31.1.1 , 2016, c. 30, s. 11 31.1.2 , 2016, c. 30, s. 11 31.5.1 , 2016, c. 17, s. 130 31.5.2 , 2016, c. 17, s. 130 31.5.3 , 2016, c. 17, s. 130 31.5.4 , 2016, c. 17, s. 130 31.5.5 , 2016, c. 17, s. 130 31.5.6 , 2016, c. 17, s. 130
c. T-12	Transport Act 36 , 2016, c. 22, s. 50 48.18 , 2016, c. 8, s. 113 48.19 , 2016, c. 17, s. 131 48.20 , Ab. 2016, c. 17, s. 132 48.21 , Ab. 2016, c. 17, s. 132 48.22 , Ab. 2016, c. 17, s. 132 48.27 , 2016, c. 8, s. 114 48.30 , 2016, c. 17, s. 133 48.38 , 2016, c. 8, s. 115 48.39 , 2016, c. 17, s. 134 88.1 , 2016, c. 8, s. 116 88.7 , Ab. 2016, c. 8, s. 117 88.9 , Ab. 2016, c. 8, s. 117 88.14 , 2016, c. 8, s. 118 88.14.1 , 2016, c. 8, s. 119
c. T-15.1	Act to establish the Administrative Labour Tribunal Sched. I , 2016, c. 8, s. 120
c. T-16	Courts of Justice Act 6 , 2016, c. 33, s. 1 7 , 2016, c. 33, s. 2 21 , 2016, c. 33, s. 3 32 , 2016, c. 33, s. 4 57 , Ab. 2016, c. 7, s. 183 85 , 2016, c. 33, s. 5
c. V-1.1	Securities Act 29 , 2016, c. 7, s. 155 109.6.1 , 2016, c. 7, s. 157 109.7 , 2016, c. 7, s. 157 109.8 , 2016, c. 7, s. 157 109.9 , 2016, c. 7, s. 157 214.1 , 2016, c. 7, s. 159 265 , 2016, c. 7, s. 160 308.2.1 , 2016, c. 7, s. 162 308.2.1.1 , 2016, c. 7, s. 163 308.2.1.2 , 2016, c. 7, s. 163 308.2.1.3 , 2016, c. 7, s. 163 308.2.1.4 , 2016, c. 7, s. 163 308.2.1.5 , 2016, c. 7, s. 163 308.2.1.6 , 2016, c. 7, s. 163 318.2 , 2016, c. 7, s. 164

TABLE OF AMENDMENTS

Reference	Title Amendments
c. V-1.1	Securities Act — <i>Cont'd</i> 323.8.1 , 2016, c. 7, s. 165 323.8.2 , 2016, c. 7, s. 166 331 , 2016, c. 7, s. 167 331.1 , 2016, c. 7, s. 168
c. V-5.01	Auditor General Act 67 , 2016, c. 7, s. 6
c. V-6.1	Act respecting Northern villages and the Kativik Regional Government 209 , 2016, c. 17, s. 135 383 , 2016, c. 17, s. 136 408 , 2016, c. 1, s. 144

2- ACTS NOT INCLUDED IN THE COMPILATION OF QUÉBEC LAWS AND REGULATIONS

1993, c. 70	Act to amend the Act respecting the Ministère des Communautés culturelles et de l'Immigration 3 , 2016, c. 3, s. 114 8 , Ab. 2016, c. 3, s. 114 9 , Ab. 2016, c. 3, s. 114 11 , 2016, c. 3, s. 114
2001, c. 58	Act to amend the Act respecting immigration to Québec Ab. , 2016, c. 3, s. 115
2004, c. 18	Act to amend the Act respecting immigration to Québec 2 , Ab. 2016, c. 3, s. 116 6 , Ab. 2016, c. 3, s. 116 10 , 2016, c. 3, s. 116
2004, c. 37	Act to amend the Securities Act and other legislative provisions 32 , 2016, c. 7, s. 169
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 , 2016, c. 7, s. 7 10.1 , 2016, c. 7, s. 8 18 , 2016, c. 7, s. 9
2013, c. 32	Act to amend the Mining Act 67 , 2016, c. 1, s. 143

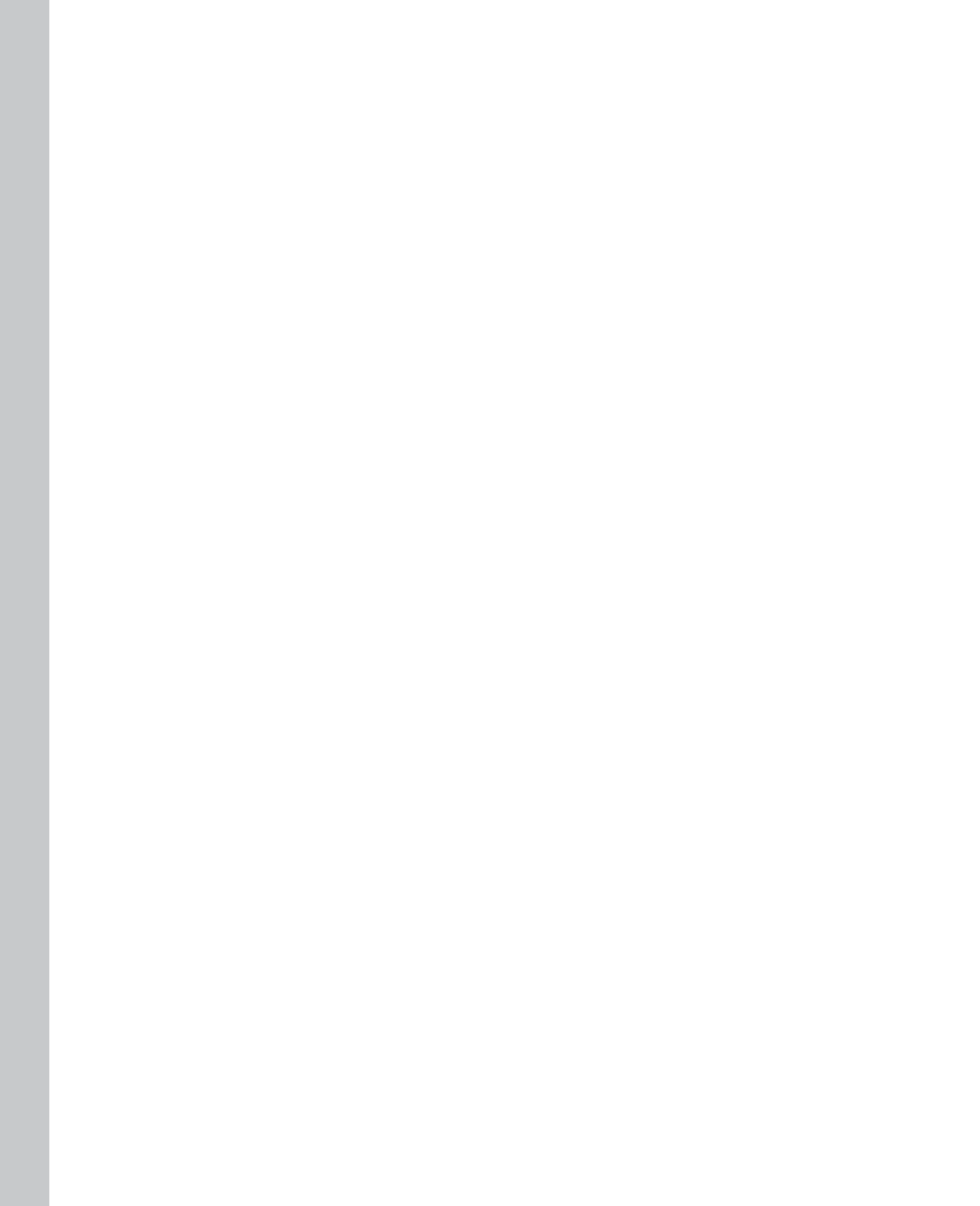
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National Assembly of Québec

**TABLE OF GENERAL AMENDMENTS
TO PUBLIC ACTS IN 2016**

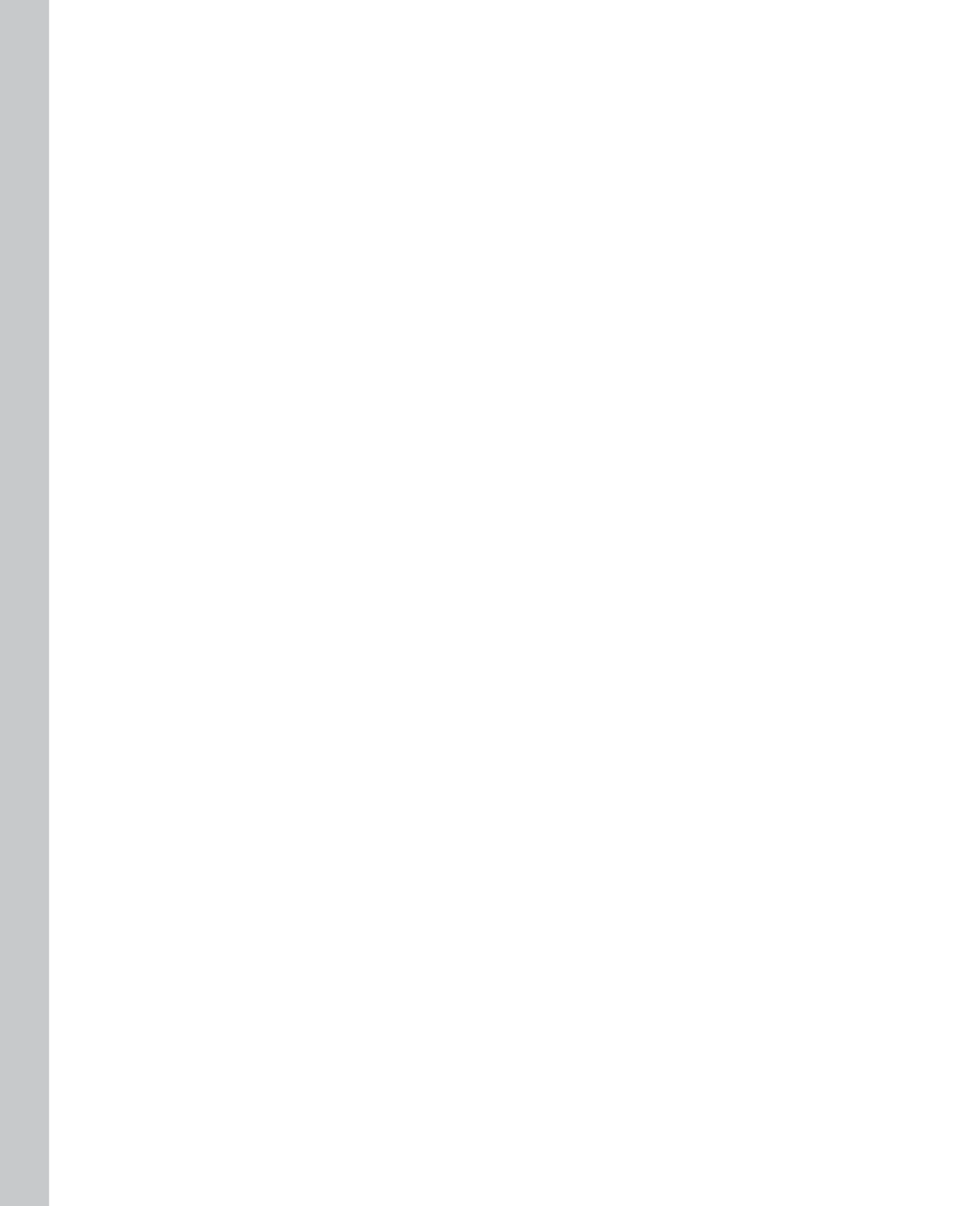
The entries below are references to legislative provisions passed in 2016 which amend generally or affect one or several Acts rather than specific sections.

Title	Reference
Funeral Operations Act	2016, c. 1, s. 146 (Bill 66)
Act respecting mainly the implementation of certain provisions of the Budget Speech of 26 March 2015	2016, c. 7, ss. 125-127, 149, 179, 183 (Bill 74)
Act to amend various municipal-related legislative provisions concerning such matters as political financing	2016, c. 17, s. 145 (Bill 83)
Act to allow a better match between training and jobs and to facilitate labour market entry	2016, c. 25, s. 45 (Bill 70)
Act to implement the 2030 Energy Policy and to amend various legislative provisions	2016, c. 35, s. 23 (Bill 106)



**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
2016, chapter 1	chapter A-5.02
2016, chapter 3	chapter I-0.2.1
2016, chapter 7	chapter D-5.1
2016, chapter 8	chapter A-33.3
2016, chapter 8	chapter O-7.3
2016, chapter 8	chapter R-25.01
2016, chapter 11	chapter J-0.1.1.1
2016, chapter 13	chapter R-26.2.1
2016, chapter 15	chapter I-0.01
2016, chapter 23	chapter A-33.02
2016, chapter 24	chapter R-8.3
2016, chapter 34	chapter D-11.1
2016, chapter 35	chapter H-4.2
2016, chapter 35	chapter T-11.010



**LIST OF LEGISLATIVE PROVISIONS WHOSE COMING INTO FORCE
HAS BEEN DETERMINED BY PROCLAMATION OR ORDER
IN COUNCIL AS OF 31 DECEMBER 2016**

Reference	Title Date of coming into force
1964	An Act respecting the Revised Statutes, 1964 1965-09-09
1965, c. 10	An Act to amend the Territorial Division Act 1966-04-18 ss. 1-78
1965, c. 11	An Act to amend the Legislature Act and the Executive Power Act 1966-04-18 s. 1
1965, c. 17	An Act to amend the Courts of Justice Act 1966-09-01 ss. 1-4, 22, 26-41
1965, c. 51	An Act to amend the Professional Syndicates Act 1965-11-01 ss. 3, 4
1965, c. 59	Blind Persons Allowances Act 1966-02-14 ss. 1-22
1965, c. 60	Disabled Persons Assistance Act 1966-02-14 ss. 1-21
1965, c. 61	Aged Persons Assistance Act 1966-02-14 ss. 1-21
1965, c. 67	An Act to amend the Education Act 1966-05-15 s. 10
1965, c. 80	Code of Civil Procedure 1966-09-01 ss. 1-951
1966-67, c. 18	An Act to amend the Courts of Justice Act 1968-03-11 ss. 2, 3
1966-67, c. 21	An Act to amend the Liquor Board Act 1968-03-01 ss. 1, 4, 5, 7, 9-11, 12 (par. a), 13-16, 19-22, 24, 26
1966-67, c. 24	Quebec National Library Act 1968-01-01 ss. 1-16
1966-67, c. 61	An Act to again amend the Education Act 1970-09-15 s. 1
1966-67, c. 72	Financial Institutions, Companies and Cooperatives Department Act 1968-05-28 ss. 1-24
1966-67, c. 73	Quebec Deposit Insurance Act 1970-07-01 ss. 23, 24, 29, 33
1968, c. 42	An Act to amend the Animal Health Protection Act 1972-01-01 s. 1

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1968, c. 48	An Act to establish the Office for the Prevention and Treatment of Alcoholism and other Toxicomanias 1970-05-01 ss. 1-17
1968, c. 67	Private Education Act 1969-07-02 ss. 9, 15, 23, 73
1968, c. 82	An Act respecting civil marriage 1969-04-01 ss. 1-15
1969, c. 21	Probation and Houses of Detention Act 1973-10-01 s. 17
1969, c. 51	Manpower Vocational Training and Qualification Act 1971-01-01 ss. 64-95, 99 1971-03-06 ss. 59-61
1969, c. 58	Wild-life Conservation Act 1970-06-15 ss. 1-83
1969, c. 59	An Act to amend the Hotels Act 1975-05-07 ss. 1-9
1969, c. 61	Stuffing and Upholstered and Stuffed Articles Act 1973-01-01 ss. 1-38
1969, c. 63	Social Aid Act 1970-09-10 Div. V, ss. 30-41, 65 1970-11-01 Div. I, II, III, IV, VI, VII, VIII, IX, except ss. 58, 59 1972-05-01 s. 60
1969, c. 67	An Act to amend the Education Act 1970-03-31 ss. 1-9
1970, c. 10	An Act to again amend the Courts of Justice Act 1971-10-30 ss. 1, 2
1970, c. 27	An Act to amend the Mining Act 1971-12-01 ss. 11-18, 20-23, 32
1971, c. 20	Québec Liquor Corporation Act 1993-09-30 s. 25 (3 rd par.), date from which a beer distributor's permit may be issued
1971, c. 33	Petroleum Products Trade Act 1973-01-01 ss. 1-29, 36 1974-05-01 ss. 30-35
1971, c. 47	An Act to amend the Health Insurance Act and the Health Insurance Board Act 1972-05-23 s. 3 1972-08-01 ss. 1, 2, 9-17, exceptions excluded 1974-01-01 ss. 1 (par. <i>f</i> (part)), 2 (2 nd par. (par. <i>b</i>)), 16 (part) 1974-05-01 s. 15 (par. <i>a</i> , subpar. <i>c</i> ¹)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1971, c. 48	An Act respecting health services and social services 1972-06-01 ss. 1-148, 150-168
1971, c. 50	Real Estate Assessment Act 1972-10-15 s. 129 1972-11-30 ss. 130, 132
1971, c. 81	Public Curatorship Act 1972-06-01 ss. 1-48
1972, c. 4	An Act to amend the Territorial Division Act 1973-09-25 ss. 1, 2
1972, c. 14	Legal Aid Act 1973-06-04 ss. 2-10, 22 (par. <i>a, j</i>), 24-28, 50-55, 57, 58, 60, 62-79, 82, 83, 91-94
1972, c. 42	Public Health Protection Act 1974-04-17 ss. 25-35
1972, c. 49	Environment Quality Act 1975-01-22 ss. 54-56, 58, 59, 64, 66, 67 1984-05-16 s. 45
1972, c. 52	An Act respecting the General Investment Corporation of Québec 1973-04-27 ss. 4, 6-9, 12-14
1972, c. 53	An Act to amend the Québec Pension Plan 1973-05-01 ss. 4-8, 66, 68
1972, c. 55	Transport Act 1973-05-24 ss. 52-73, 182, 183 (par. <i>b</i>) 1973-07-09 ss. 98, 101 (part), 102 1973-07-18 s. 101 (part) 1974-05-13 ss. 101 (part), 125 1974-05-27 s. 101 (part) 1974-08-14 ss. 99, 100
1973, c. 26	An Act to amend the Animal Health Protection Act 1987-07-01 s. 31
1973, c. 30	An Act to amend the Health Insurance Act and the Québec Health Insurance Board Act 1974-01-01 s. 15 1975-05-07 s. 17 1975-06-11 ss. 1 (par. <i>a</i>), 2 (par. <i>d</i>), 3-5, 8, 13 (par. <i>e</i>)
1973, c. 37	An Act to amend the Transport Act 1973-08-06 s. 4
1973, c. 38	Expropriation Act 1975-06-19 ss. 68-87, 143, 144, 145 1976-04-01 ss. 34-44, 48-66, 88, 92, 98, 99, 103, 104, 110-112, 114-117, 121, 136, 139-142

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1973, c. 43	Professional Code 1974-09-01 s. 101 1974-10-27 ss. 241-244 1975-02-12 ss. 239, 240
1973, c. 46	Medical Act 1974-09-01 s. 37 (1 st par.)
1973, c. 50	Denturologists Act 1974-06-01 ss. 1-19
1973, c. 54	Hearing-aid Acousticians Act 1974-10-21 s. 17
1973, c. 55	Podiatry Act 1974-10-21 s. 19
1973, c. 56	Chiropractic Act 1974-10-21 s. 15
1974, c. 6	Official Language Act 1976-01-01 ss. 78-99 1976-01-28 s. 34 1976-09-01 ss. 26-29, 39
1974, c. 10	An Act to amend the Civil Service Superannuation Plan 1977-07-01 ss. 2, 4, 5, 6 (s. 16 <i>c</i>), 11, 14, 16, 17 (s. 52 <i>a</i>), 26
1974, c. 13	Bailiffs Act 1975-09-20 ss. 2-21, 26-34, 36, 38
1974, c. 14	An Act to amend the Liquor Permit Control Commission Act 1975-05-26 s. 59 1975-07-01 ss. 1, 8-10, 12, 13 (par. <i>a</i>), 16, 18-22, 23 (par. <i>a, d</i>), 24 (par. <i>c</i>), 30, 32, 39, 40, 56, 64-67, 73, 75, 82
1974, c. 15	Intergovernmental Affairs Department Act 1976-06-01 s. 21
1974, c. 31	Crop Insurance Act 1977-04-15 ss. 23 (1 st par.), 30, 31, 34, 35, 37, 43, 44 (4 th , 5 th par.) 1977-05-18 ss. 32, 33, 36, 38-42, 45 1977-10-19 s. 44 (1 st , 2 nd , 3 rd par.)
1974, c. 33	An Act to amend the Act to promote credit to farm producers 1975-06-01 ss. 1-13
1974, c. 35	Agricultural Products and Food Act 1975-07-15 ss. 1-5, 6 (except 1 st par. (par. <i>b</i>)), 7-42, 44-53
1974, c. 39	Social Affairs Commission Act 1975-08-01 ss. 1-74

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1974, c. 40	An Act to amend the Health Insurance Act and the Québec Health Insurance Board Act 1975-04-11 s. 15 (par. <i>j</i> , except “or research scholarships”, par. <i>k</i>) 1975-05-07 s. 21 1975-06-11 s. 5 1975-07-16 ss. 15 (par. <i>j</i> , “or research scholarships”), 18 1979-04-04 s. 4
1974, c. 42	An Act to amend the Act respecting health services and social services 1980-11-04 s. 66
1974, c. 53	Travel Agents Act 1975-04-30 ss. 1-43
1974, c. 59	An Act respecting the protection of children subject to ill-treatment 1975-04-11 ss. 1 (ss. 14 <i>a</i> -14 <i>g</i> , 14 <i>i</i>), 2-4 1975-10-04 s. 1 (ss. 14 <i>h</i> , 14 <i>j</i> -14 <i>q</i>)
1974, c. 61	An Act to amend the Transport Act 1974-08-14 ss. 1, 2, 4-11 1974-08-28 s. 3
1974, c. 63	An Act to amend the Teachers Pension Plan 1975-07-01 ss. 1 (par. <i>b</i>), 3, 5, 9, 10
1974, c. 67	An Act to amend the Trust Companies Act 1975-09-24 ss. 4, 8
1974, c. 70	An Act respecting insurance 1976-10-20 ss. 1-274, 276-336, 340-481 1979-11-21 s. 275
1975, c. 6	Charter of human rights and freedoms 1976-06-28 ss. 1-56, 66-89, 91-96
1975, c. 7	An Act to amend the Territorial Division Act 1980-01-01 ss. 1-23
1975, c. 12	An Act to constitute the “Société québécoise d’information juridique” 1976-04-01 ss. 1-26
1975, c. 45	An Act to amend the Transport Act and other legislation 1976-05-03 ss. 7, 37 1976-08-04 s. 30
1975, c. 50	An Act to amend the Construction Industry Labour Relations Act 1976-09-15 s. 3 (ss. 32 <i>m</i> , 32 <i>n</i>)
1975, c. 58	An Act to repeal the Health Units Act 1976-04-01 s. 1
1976, c. 22	An Act to amend the Petroleum Products Trade Act 1987-06-10 ss. 1-8

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1976, c. 46	An Act approving the Agreement concerning James Bay and Northern Québec 1977-10-31 ss. 2 (par. 1-5, 7), 3, 4, 5
1976, c. 51	An Act to prolong and amend the Act to promote conciliation between lessees and property-owners 1977-04-01 ss. 2, 3, 8, 10, 11
1976, c. 58	An Act respecting the city of Hull 1981-08-19 ss. 1, 2
1977, c. 20	Youth Protection Act 1979-01-15 ss. 2-11, 23-27, 30, 32-137, 140, 146, 147, 150-153, 155
1977, c. 52	An Act to amend the Cities and Towns Act 1978-08-01 ss. 21, 22
1977, c. 53	An Act to amend the Municipal Code 1978-08-01 s. 37
1977, c. 55	An Act to amend the Environment Quality Act 1984-05-16 ss. 1, 2
1977, c. 60	An Act to facilitate conversion to the international system of units (SI) and to other customary units 1983-11-01 ss. 16, 18, 19
1977, c. 62	An Act to amend the Charter of the Québec Deposit and Investment Fund 1979-04-11 ss. 4, 5, 8-11
1977, c. 68	Automobile Insurance Act 1978-07-05 ss. 140, 236
1978, c. 7	An Act to secure the handicapped in the exercise of their rights 1979-08-01 s. 92 1980-11-15 ss. 68, 69, 70 (2 nd par.) 1983-01-01 s. 63
1978, c. 9	Consumer Protection Act 1979-04-04 ss. 1 (subpar. <i>i, j, l, p</i>), 291-299, 301-304, 350-352, 362 (2 nd , 3 rd par.), 363 1980-04-30 ss. 1 (subpar. <i>a-h, k, m-o</i>), 2-5, 6 (par. <i>a, b</i>), 7-155, 156 (subpar. <i>a-g, i</i>), 157-222, 224-245, 247-255, 257-290, 300, 305-307, 309-349, 353-361, 362 (1 st par.) 1981-03-01 ss. 256, 308 1982-06-02 s. 223
1978, c. 18	An Act respecting certain legislative provisions 1979-04-04 ss. 28, 29, 31, 32, 36, 37 1979-05-09 ss. 14, 15
1978, c. 22	An Act to promote the parole of inmates and to amend the Probation and Houses of Detention Act 1979-04-04 ss. 19-48, 51, 52, 54 1979-05-09 ss. 55, 56

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1978, c. 36	An Act respecting lotteries, racing, publicity contests and amusement machines 1980-07-30 ss. 20 (part), 23 (part), 24-26, 27 (part), 28 (part), 29, 30, 31 (2 nd par.), 34 (part), 36 (part), 38-44, 45 (part), 46, 53 (part), 56, 57, 67 (part), 70 (part), 73, 77 (part), 125 (part)
1978, c. 54	An Act to amend the Electricians and Electrical Installations Act and the Building Contractors Vocational Qualifications Act 1979-03-01 ss. 1-23, 35 1980-04-01 ss. 24-34
1978, c. 55	An Act to amend the Pipe-Mechanics Act and to again amend the Building Contractors Vocational Qualifications Act 1980-04-01
1978, c. 56	An Act to amend the Stationary Enginemen Act 1981-09-01
1978, c. 57	An Act to amend the Workmen's Compensation Act and other legislation 1981-01-01 s. 67 1981-03-11 s. 24
1978, c. 64	An Act to amend the Environment Quality Act 1984-05-16 s. 18
1978, c. 66	An Act to amend the Charter of the General Investment Corporation of Québec 1979-08-15 s. 5
1978, c. 75	An Act to amend the Highway Code 1979-09-17 ss. 2, 3, 5, 7
1978, c. 98	An Act approving the Northeastern Québec Agreement 1979-07-04 ss. 2 (par. 1-5, 7), 3, 4
1979, c. 1	An Act to amend the Health Insurance Act and other legislation 1982-03-24 s. 40 (par. <i>a</i> , <i>b</i>)
1979, c. 17	An Act to amend the Adoption Act 1980-10-08 ss. 3 (s. 37.3), 4 (s. 41 (1 st par., subpar. <i>f</i>)) 1981-04-15 s. 3 (s. 37.2)
1979, c. 25	An Act respecting the legislation provided for in the Northeastern Québec Agreement and amending other legislation 1981-09-10 ss. 105 (s. 31 <i>i</i> (2 nd par.)), 111-114, 116-119, 122-128, 131-139, 142, 145 (ss. 763-765, 790, 792) 1985-07-01 s. 145 (ss. 766-779, 782-789, 791, 793, 794)
1979, c. 27	An Act to amend the Maritime Fisheries Credit Act 1980-03-13 ss. 1-4
1979, c. 31	An Act to amend the Companies Act and other legislation 1980-09-17 ss. 11, 12, 28, 29, 33 1980-12-17 s. 48 1980-12-30 ss. 19 (s. 31.1), 20 (s. 32 (part)), 30 (s. 132.1), 31 (s. 133 (part)), 35, 36, 37 (par. <i>a</i>), 38, 39, 45-47

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1979, c. 45	An Act respecting labour standards 1980-04-16 ss. 1-4, 5 (par. 1-3), 6-28, 29 (par. 1-3, 5), 30-38, 39 (par. 1-5, 8-12), 40-69, 71-74, 76, 77 (part), 78-111, 113-135, 139-171 1981-04-01 s. 75
1979, c. 48	An Act to establish the Régie du logement and to amend the Civil Code and other legislation 1980-03-15 s. 126 1980-07-01 ss. 4, 6, 7, 14, 85, 128 1980-10-01 ss. 1-3, 5, 8-13, 15-84, 86-125, 127, 129, 132-146
1979, c. 51	An Act respecting land use planning and development 1985-06-01 s. 261 (par. 4) 1985-09-01 s. 261 (par. 7) 1993-07-01 s. 261 (par. 6) 1995-01-01 s. 261 (par. 10)
1979, c. 56	Election Act 1980-07-10 ss. 1, 177-215, 220, 231, 232, 238, 239, 289-308, 313, 314 1980-08-15 ss. 2-176, 216-219, 221-230, 233-237, 240-288, 309-312
1979, c. 63	An Act respecting occupational health and safety 1981-01-01 s. 271 1981-01-01 ss. 9-51, 53-57, 62-67, 98-103, 127-136, 178-192, 194-197, 216-222, 227-246, 252, 265, 267, 273, 275, 278-282, 284-286, 289-301, 303-310, 313-324, 326 1981-02-25 ss. 110, 111, 247 (2 nd par.) 1982-05-26 ss. 58-61, 198-203 1982-12-01 ss. 52, 112-126 1983-10-22 ss. 68-86, 268, 327 1984-09-08 ss. 87-97
1979, c. 64	An Act respecting the protection of persons and property in the event of disaster 1980-09-01 ss. 1-16, 18, 19 (1 st par.), 20-22, 24-44, 46, 48-60
1979, c. 67	An Act to amend the Police Act 1980-06-01 ss. 1-50
1979, c. 68	An Act respecting the development of Québec firms in the book industry 1981-02-12 ss. 1, 6-14, 38, 39, 48-50, 52 1981-06-01 ss. 2-5, 15-37, 40-47, 51, schedule
1979, c. 70	An Act respecting the collection of certain debts 1981-04-01 ss. 2-4, 45-63, 65-70 1981-07-01 ss. 1, 5-24, 26-44, 64
1979, c. 71	An Act respecting liquor permits 1980-06-01 ss. 2-24, 42 (par. 1), 64, 86 (1 st par. (subpar. 9), 2 nd par.), 114-118, 120 (par. 1), 121, 122, 128, 132 (par. 2, 4, 5), 133 (par. 3), 137, 141, 144, 146, 148, 149, 160, 163, 164, 165, 169, 170, 172, 173, 175, 176 1980-10-15 ss. 1, 25-41, 42 (par. 2), 43-47, 50, 51 (2 nd par.), 52-63, 65-85, 86 (1 st par. (subpar. 1-8, 10)), 87-113, 119, 120 (par. 2), 123-127, 130, 131, 132 (par. 1, 3 (part)), 133 (par. 2, 4), 134, 135 (part), 136, 138-140, 142, 143, 145, 147, 150-159, 161, 162, 166-168, 171, 174 1981-01-01 ss. 48, 49, 51 (1 st par.), 129, 132 (par. 3 (part)), 133 (par. 1), 135 (part)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1979, c. 73	An Act to amend the Crop Insurance Act and the Act respecting farm income stabilization insurance 1981-01-21 ss. 1-22
1979, c. 75	An Act respecting pressure vessels, and other legislation 1980-04-01 ss. 1-38, 50-52
1979, c. 84	Grain Act 1981-02-01 ss. 1-66
1979, c. 85	An Act respecting child day care 1980-10-16 ss. 1-4, 7-31, 34-45, 74-76, 80-86, 88-96
1979, c. 86	An Act respecting safety in sports 1980-06-25 ss. 1-20, 22-25, 54-57, 71-74 1982-12-30 ss. 21, 26-30, 47-53, 58, 61-65 1987-06-23 ss. 32-38, 40-46, 59, 60, 66-69 1987-09-28 s. 70
1980, c. 11	An Act to amend various legislative provisions 1981-03-01 s. 113
1980, c. 18	An Act to amend the Act respecting the Government and Public Employees Retirement Plan, the Act respecting the Teachers Pension Plan and the Act respecting the Civil Service Superannuation Plan 1981-11-01 ss. 2, 3
1980, c. 27	An Act to amend the Act respecting the Société québécoise d'initiatives pétrolières 1981-04-01 ss. 1-9
1980, c. 29	An Act to amend the Forestry Credit Act 1981-07-09 ss. 1-3
1980, c. 32	An Act respecting the conservation of energy in buildings 1981-11-01 ss. 5, 16, 17 1983-02-01 ss. 1-4, 6-15, 18-26
1980, c. 39	An Act to establish a new Civil Code and to reform family law 1981-04-02 ss. 1 (Civil Code of Québec, aa. 407-422, 440-458, 460-524, 572-594, 633-659), 2-5, 7, 8, 10-32, 34-58, 61, 62, 65-67, 72, 74-79 1982-12-01 ss. 1 (Civil Code of Québec, aa. 406, 431-439, 459, 525-537, 556-559, 568, 570, 595-632), 6, 33, 59, 60, 64 (3 rd par.), 68, 69, 70 (2 nd par.), 71 (1 st par.), 73 1986-06-01 s. 1 (Civil Code of Québec, aa. 547, 549, 550)
1981, c. 2	An Act to amend the Youth Protection Act 1981-08-01 ss. 1-27
1981, c. 3	An Act to amend the Civil Service Act 1981-06-23 ss. 1, 2, 3 (s. 50 (subpar. <i>a</i> and <i>b</i>)) 1982-07-02 s. 5 1982-08-12 s. 3 (par. <i>c</i>)
1981, c. 6	An Act respecting the Société du Palais des congrès de Montréal 1981-07-16 ss. 1-31

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1981, c. 7	Highway Safety Code 1981-11-01 ss. 58, 59, 143, 163-165, 273, 477-479, 510, 511, 562, 563, 568 1982-01-01 ss. 1-57, 60, 61, 63-66, 68, 70-94, 125-129, 132-162, 166-168, 172-179, 512-529, 533-550, 554-561, 564, 565 1982-04-01 ss. 118-124, 194-263, 265-272, 274-476, 482, 484, 486, 489-491, 498-503, 505-509 1982-06-01 ss. 95-117, 169-171, 180-193, 480, 481, 485, 487, 488, 492-497, 504, 530 (1 st par.), 531, 532, 551-553, 556 1983-01-01 s. 69 1984-03-14 ss. 62, 67 1985-07-01 s. 264
1981, c. 8	An Act to amend the Transport Act and other legislation 1981-09-01 ss. 1, 2 (par. 4, 5), 3, 6, 15, 18, 19, 21, 22, 24-28, 31-35, 38 1981-12-16 ss. 4, 20, 36, 37 1982-01-20 ss. 2 (par. 1, 3), 5, 7-11, 13, 14, 16, 17 1982-11-17 ss. 23, 30 1983-08-01 s. 29 (s. 80 (par. 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

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1981, c. 32	An Act to amend the Act to establish the Régie du logement and to amend the Civil Code and other legislation 1982-02-17 ss. 2, 16 1982-06-09 ss. 10, 18
1982, c. 2	An Act to amend various legislative provisions respecting municipalities 1982-08-12 s. 121
1982, c. 8	An Act respecting the Société du Grand Théâtre de Québec 1982-07-01 ss. 1-41
1982, c. 9	An Act respecting the Société de la Place des Arts de Montréal 1982-07-01 ss. 1-43
1982, c. 13	An Act respecting public agricultural lands 1984-07-01 ss. 1-73
1982, c. 17	An Act to provide for the carrying out of the family law reform and to amend the Code of Civil Procedure 1982-12-01 ss. 1, 3-28, 29 (Code of Civil Procedure, aa. 813-817.4, 818.1-819.4, 821-827.1), 30-41, 43-80, 81 (par. 1, 2), 83-87 1983-10-01 ss. 2, 42
1982, c. 26	Cooperatives Act 1983-03-30 ss. 328, 329 1983-06-08 ss. 244, 245, 271, 279, 282 1983-12-21 ss. 1-243, 246-270, 272-278, 280, 281, 283-327
1982, c. 27	An Act respecting the revocation of mining rights and amending the Mining Act 1982-09-15 ss. 1-15
1982, c. 29	An Act to promote the establishment of young farmers 1982-09-01 ss. 1-34
1982, c. 30	An Act respecting Access to documents held by public bodies and the Protection of personal information 1983-10-01 ss. 155-157, 168, 169, 178 1984-07-01 ss. 9-15, 17-68, 71-102, 122-130, 132-154, 158-167, 170-173, 175-177 1985-07-01 ss. 69, 70 1986-01-01 s. 16
1982, c. 31	An Act to amend certain legislation concerning the financing of political parties and concerning municipal elections 1982-06-30 ss. 1-59, 62-118 1982-10-10 ss. 60, 61
1982, c. 32	An Act to amend the Summary Convictions Act, the Code of Civil Procedure and other legislation 1982-06-23 ss. 64-69, 71, 72, 97, 99 1983-01-01 ss. 1-30 1983-04-01 s. 59
1982, c. 33	An Act to amend various legislation respecting pension plans 1982-08-18 ss. 1, 21, 30, 36 (s. 115), 40

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1982, c. 37	An Act to amend the Labour Code, the Code of Civil Procedure and other legislation 1982-06-30 ss. 20-26, 28, 29 1982-08-03 ss. 1, 4, 6 (ss. 111.0.15, 111.0.16, 111.0.18-111.0.26), 17, 27 1982-11-10 s. 6 (ss. 111.0.1-111.0.3, 111.0.5-111.0.7, 111.0.14) 1982-12-01 ss. 2, 3, 5, 6 (ss. 111.0.8-111.0.11, 111.0.13, 111.0.17), 16, 18, 19 1985-06-19 ss. 7-10, 13
1982, c. 38	An Act to amend various fiscal laws 1983-01-01 s. 23
1982, c. 40	An Act to amend the Act to preserve agricultural land 1982-07-01 ss. 1-15
1982, c. 48	Securities Act 1983-01-19 ss. 150, 160, 300, 301, 331-335, 348, 353, 354 1983-04-06 ss. 1-149, 151-159, 161-299, 302-330, 336-338, 340-347, 349-352 1983-12-21 s. 339
1982, c. 49	An Act to amend the Autoroutes Act and other legislation 1983-01-01 ss. 1-10, 12-23 1983-01-20 s. 11
1982, c. 50	An Act respecting the Ministère du Commerce extérieur 1983-01-12 ss. 1-22
1982, c. 51	An Act respecting the abolition of compulsory retirement in the public and parapublic sector pension plans and amending various legislation respecting such plans 1983-01-01 ss. 45, 122
1982, c. 52	An Act respecting the Inspector General of Financial Institutions and amending various legislation 1983-04-01 ss. 1-30, 32-35, 37-43, 45-52, 56-233, 235-263, 266-273, Schedule I 1983-04-01 ss. 264, 265
1982, c. 54	An Act respecting the integration of the administration of the electoral system 1983-01-01 ss. 1-59
1982, c. 55	An Act respecting the transfer of property in stock 1984-07-03 ss. 1-6
1982, c. 58	An Act to amend various legislation 1983-04-01 s. 1 1983-12-21 s. 22 1984-01-18 ss. 75 (s. 178.0.2), 76 (s. 178.1) 1987-03-18 ss. 41, 42, 43
1982, c. 59	An Act to amend the Automobile Insurance Act and other legislation 1983-01-01 ss. 1-4, 5 (par. 1, 3), 12, 15, 19, 20, 24, 27-30, 48, 49, 54, 59-61, 63, 64, 66, 70-73 1983-03-01 ss. 31-35, 62, 67-69 1983-07-01 ss. 6-9, 10 (s. 26 (3 rd par.)), 13, 14, 16-18, 21, 23, 36 (par. 2) 1984-01-01 ss. 25, 26, 47, 53, 55, 56 1984-03-14 ss. 10 (s. 26 (2 nd par.)), 11, 38-41, 50, 52 1984-05-16 ss. 57, 58

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1982, c. 61	An Act to amend the Charter of human rights and freedoms 1983-10-01 ss. 1-4, 5 (s. 18.2), 6 (par. 1), 7-20, 21 (ss. 86.8-86.10), 22, 23, 28, 29, 31-35 1984-06-01 s. 5 (s. 18.1) 1985-06-26 ss. 21 (ss. 86.1, 86.2 (2 nd par.), 86.3-86.7), 24, 26, 27
1982, c. 62	An Act respecting the National Assembly 1983-02-09 ss. 33-36, 38, 40, 41, 42-56, 66, 74, 77-79, 116, 128-132, 133, 134, 136-139, 140, 155 (to the extent that it repeals ss. 14, 16, 27-33 and 37 of the Interpretation Act), 159, Schedule II 1983-05-04 ss. 86-115, 117-127, 147, 164 1983-05-18 ss. 57-65, 67-73, 75, 76, 80-85, 135, 141 (2 nd par.), 167 (1 st par.) 1989-06-07 ss. 37, 39, 155 to the extent that it repeals ss. 15, 20, 21, 23-26, 34-36
1983, c. 7	An Act to amend the Act to promote farm improvement 1983-06-08 ss. 1-6
1983, c. 8	An Act to amend the Act to promote credit to farm producers 1983-06-08 ss. 1-4, 6-8
1983, c. 10	An Act to amend the Deposit Insurance Act 1984-06-01 ss. 2-4, 28, 32 1991-12-01 s. 35
1983, c. 15	An Act to amend the Hydro-Québec Act and the Act respecting the exportation of electric power 1983-06-28 ss. 1-47
1983, c. 16	An Act to promote forest credit by private institutions 1984-06-30 ss. 1-71
1983, c. 20	An Act to amend certain fiscal legislation 1984-01-01 s. 5
1983, c. 21	An Act to amend the Expropriation Act, the Civil Code and the Act respecting the Communauté urbaine de Montréal 1983-10-01 ss. 8, 12, 14, 17, 19-34
1983, c. 23	An Act to promote the advancement of science and technology in Québec 1983-08-17 ss. 1-64, 98-101, 103-109, 111, 113 (s. 55 (par. 16, 18)), 114, 115, 127-131 1984-01-25 ss. 65 (par. 2), 66-79, 81, 83-93, 94 (2 nd par.), 95 (2 nd , 3 rd par.), 96, 97, 113 (s. 55 (par.17)), 116, 119-124 respecting the Fonds de recherche en santé du Québec 1984-01-25 ss. 102, 110 1984-11-28 ss. 65 (par. 1), 66-80, 83-93, 94 (1 st par.), 95 (1 st , 3 rd par.), 96, 97, 117-124 to the extent that they relate to the Fonds pour la formation de chercheurs et l'aide à la recherche 1984-11-28 s. 112
1983, c. 25	An Act to amend the Act respecting assistance for tourist development 1983-09-15 ss. 1-13
1983, c. 26	An Act to amend various legislative provisions respecting housing and consumer protection 1983-09-01 ss. 10, 12 (par. 2)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1983, c. 27	An Act respecting the Société québécoise des transports 1983-07-05 ss. 1-38
1983, c. 28	An Act to amend the Code of Civil Procedure, the Civil Code and other legislation 1983-12-01 ss. 10, 28-35 1985-02-25 s. 43
1983, c. 30	An Act to amend the Act respecting the Société des alcools du Québec and other legislation 1983-10-19 ss. 1-14 (s. 83), 15-28
1983, c. 37	Cinema Act 1983-12-14 ss. 1-8, 15-35, 38, 40-62, 65-75, 123-134, 136, 137, 145-148, 167-172, 185-187, 192, 193, 202, 209-211 1984-02-20 ss. 9-14, 36, 37, 39, 207, 208 1984-04-11 ss. 63, 64, 191 1985-03-13 ss. 76-78, 80-82, 84-90, 135 (1 st par. (subpar. 1, 7), 2 nd par.), 138-144, 149-153, 173-176, 178-181, 195, 196, 200, 201, 203-206 1985-04-01 ss. 100, 197 1985-10-08 s. 83 1988-09-30 ss. 79, 91-96, 97 (1 st par., 2 nd par. (subpar. 1-5, 7)), 98, 99, 101-104, 106-108, 110, 117-122, 135 (1 st par. (subpar. 2, 3, 5, 6)), 154-166, 177, 182-184, 194
1983, c. 38	Archives Act 1987-08-21 ss. 69, 71 1989-08-30 ss. 58, 63, 80 1990-04-02 ss. 73, 81 1991-04-19 s. 79 1992-02-05 s. 72 1993-04-01 s. 70 1994-04-27 ss. 64, 66, 67
1983, c. 39	An Act respecting the conservation and development of wildlife 1984-06-06 ss. 1-25, 27, 28, 31-37, 39, 41, 44, 45, 47, 48, 50, 52-66, 69-74, 77-128, 162, 164-197 1984-06-15 ss. 30, 38, 40, 129-132, 133 (1 st par.), 134-139, 142-146, 150-161, 163 1985-11-27 ss. 140, 141 1988-01-13 s. 148 1988-03-09 ss. 147, 149 1989-03-01 ss. 49, 51, 75, 76 1989-08-23 s. 29 1992-08-06 ss. 42, 67, 68 1993-07-29 s. 26 1999-04-22 s. 43
1983, c. 40	An Act respecting the Société immobilière du Québec 1984-02-15 ss. 1-17, 53, 61, 66, 96, 97, 98 1984-03-14 ss. 18, 22-45, 54-60, 67, 68, 72-76, 79-82, 84, 91, 92 (except Div. II and ss. 19, 20), 93-95 1984-04-01 ss. 85-87 1984-09-25 ss. 19, 21 1984-09-30 ss. 46-52 1984-10-01 ss. 20, 62, 63-65, 69-71, 77, 78, 83, 88-90, 92 (Div. II and ss. 19, 20)
1983, c. 41	An Act respecting the determination of the causes and circumstances of death 1984-11-21 ss. 5-33, 163-169, 183, 184, 189, 212, 213 1986-03-03 ss. 1-4, 34-162, 170-182, 185-188, 190-211

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1983, c. 42	An Act respecting the Agence québécoise de valorisation industrielle de la recherche 1984-01-25 ss. 1-42
1983, c. 47	An Act to amend various fiscal laws in view of instituting a new right of appeal for taxpayers 1984-09-30 ss. 1-10
1983, c. 49	An Act to amend various fiscal laws 1984-01-01 ss. 7-9, 18-21, 23, 36, 37, 39 (in respect of individuals only), 43-45, 49-53 1984-05-01 s. 17 1984-08-08 s. 39 in respect of the department corporations and mandataries
1983, c. 52	National Museums Act 1984-05-16 ss. 1-22, 26-41, 44-52, 55-57 1984-11-09 ss. 23, 24, 25, 42, 43, 53, 54
1983, c. 54	An Act to amend various legislative provisions 1984-03-14 s. 13 1984-04-25 s. 21 (s. 78 (4 th par.)) 1985-01-09 s. 44
1983, c. 55	Public Service Act 1984-02-02 ss. 28, 29, 87-89, 136, 137, 153, 164, 174 1984-03-21 ss. 162, 169-171, 173 1984-04-01 ss. 1-27, 30-41, 51, 52, 54-86, 90-135, 138-152, 154-161, 163, 165-168, 172 1985-02-01 ss. 42-50, 53
1983, c. 56	An Act to amend the Charter of the French language 1984-02-01 ss. 1-53
1984, c. 4	An Act to amend the Youth Protection Act and other legislation 1984-04-04 ss. 3, 15, 20, 21, 22 (par. 1), 26, 27, 33, 38, 44, 46, 62-85 1984-04-16 ss. 1, 2, 4-14, 16-19, 22 (par. 2), 23-25, 28-32 (ss. 57.2, 57.3), 34-37, 39-43, 45, 47-61
1984, c. 8	An Act respecting the Société de développement des coopératives 1984-06-06 ss. 1-51
1984, c. 12	An Act respecting the civil aspects of international and interprovincial child abduction 1984-12-12 ss. 41, 46, 47 1985-01-01 ss. 1-40, 42-45
1984, c. 16	An Act respecting commercial fisheries and aquaculture and amending other legislation 1985-11-15 ss. 1-3, 5-10, 12-68
1984, c. 17	An Act to amend the Act respecting commercial establishments business hours 1984-08-15 ss. 1-8
1984, c. 19	An Act respecting the leasing of water-powers of the Péribonca river to the Aluminum Company of Canada Limited 1984-09-07 ss. 1-10

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1984, c. 23	An Act to amend various legislation respecting transport 1984-12-12 ss. 7, 12, 26-30 1985-03-13 s. 3
1984, c. 26	An Act to amend the Code of Civil Procedure and other legislation 1984-07-03 ss. 34, 35, 36 1984-08-08 ss. 37, 38, 42, 43 1984-11-01 ss. 1-5, 11, 13, 14, 19, 23-28, 30-33, 39, 40 1985-01-01 ss. 6-10, 12, 15-18, 20, 22
1984, c. 27	An Act to amend various legislation 1995-06-30 s. 84
1984, c. 30	An Act respecting beer and soft drinks distributor's permits 1984-06-27 ss. 1, 5, 10, 11, 12 1984-07-15 ss. 2, 3, 4, 6, 7, 8, 9
1984, c. 33	An Act to amend the National Museums Act 1984-12-19 ss. 1, 3, 13, 15 1985-04-01 ss. 2, 4-12, 14
1984, c. 36	An Act respecting the Ministère du Tourisme and amending other legislation 1984-12-20 ss. 1-52
1984, c. 41	An Act to amend the Securities Act 1985-08-01 ss. 8, 14-16, 20, 33 1987-06-04 ss. 1 (par. 2), 36, 37, 40 (ss. 110-118, 120, 123 (1 st par.), 124, 125, 127-142, 145-147.7, 147.8 (part), 147.9-147.12, 147.15, 147.16, 147.19-147.23), 53, 54 1987-07-16 s. 40 (ss. 119, 121, 122, 126, 143, 144, 147.13, 147.14, 147.17, 147.18)
1984, c. 42	An Act respecting the Société de transport de la Ville de Laval 1985-02-01 ss. 1-145
1984, c. 43	An Act respecting the leasing of water-powers of the du Lièvre river to Les Produits forestiers Bellerive Ka'N'Enda Inc. 1985-03-06 ss. 1-10
1984, c. 46	An Act to amend the Civil Code, the Code of Civil Procedure and other legislation 1985-04-01 ss. 5-14
1984, c. 47	An Act to amend various legislation 1985-02-22 ss. 23-25, 191, 192, 195, 196, 197 1985-03-01 s. 137 1985-03-13 s. 22 1985-03-13 ss. 217-225 1985-04-01 s. 207 1985-12-15 ss. 128-132 1986-04-30 s. 31
1984, c. 51	Election Act 1985-03-13 ss. 1-93, 95-563 1985-07-01 s. 94
1984, c. 54	An Act respecting the Société des établissements de plein air du Québec 1985-03-20 ss. 1-56

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1985, c. 9	An Act respecting Québec business investment companies 1985-08-14 ss. 1-19
1985, c. 12	An Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors 1985-06-19 ss. 1-56, 70-91, 93-101, schedules A, B, C 1985-08-01 s. 92 (ss. 111.16-111.20 of the Labour Code) 1985-08-01 ss. 57-69
1985, c. 13	An Act respecting the Société du Parc des expositions agro-alimentaires 1985-07-10 ss. 1-40
1985, c. 14	Cullers Act 1985-09-01 ss. 1-46
1985, c. 15	Restauration Merit Act 1985-12-01 ss. 1-12
1985, c. 16	Fishermen's Merit Act 1985-12-01 ss. 1-12
1985, c. 17	An Act to amend the Act respecting insurance and other legislation 1985-09-11 ss. 1-100
1985, c. 20	An Act to amend the Act respecting the Montréal Museum of Fine Arts 1985-09-01 ss. 1-12
1985, c. 21	An Act respecting the Ministère de l'Enseignement supérieur, de la Science et de la Technologie and amending various legislation 1985-07-15 ss. 1-30, 32, 35-74, 80-85, 96-106 1985-08-15 ss. 31, 33, 34
1985, c. 23	An Act to amend various legislation respecting social affairs 1992-08-01 ss. 1, 2, 4
1985, c. 24	An Act to amend the Cultural Property Act and other legislation 1986-04-02 ss. 1-46
1985, c. 29	An Act to amend various legislation respecting the administration of justice 1985-11-27 ss. 17-19, 42 (s. 103.1), 44-47 1986-03-03 ss. 16, 20, 21, 38-41, 42 (ss. 103.2-103.6), 43 1989-05-01 ss. 7-11
1985, c. 30	An Act to amend various legislation 1985-10-16 ss. 26-28 1985-10-23 ss. 40-52
1985, c. 34	Building Act 1985-10-31 ss. 87-111, 130, 140-149, 154, 156-159, 217, 220, 222, 223, 225 (Title of Div. III.2, ss. 9.14-9.34), 228 (par. 1), 229 (par. 2), 233, 236, 237, 241 (ss. 20.8-21, 21.2-23), 244, 246, 248, 250, 251, 255 (par. 1), 256, 261 (ss. 19.8-20, 20.2-21.2), 298, 300

COMING INTO FORCE DETERMINED

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>

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1985, c. 62	An Act respecting the Société mutuelle de réassurance du Québec 1985-12-16 ss. 1-60
1985, c. 66	An Act respecting a trust created for the benefit of Phyllis Barbara Bronfman 1986-07-23 s. 4 (3 rd par.)
1985, c. 68	An Act respecting the Collège militaire Royal de Saint-Jean 1985-08-28 ss. 1-5
1986, c. 12	An Act to amend the Highway Safety Code 1986-08-29 ss. 1-15
1986, c. 17	An Act to amend the Tobacco Tax Act in order to counter the misappropriation of tax by intermediaries 1986-09-01 ss. 1-10
1986, c. 18	An Act to amend the Fuel Tax Act in order to counter the misappropriation of tax by intermediaries 1986-09-01 ss. 1-12
1986, c. 21	An Act respecting the Coopérative régionale d'électricité de Saint-Jean-Baptiste de Rouville and repealing the Act to promote rural electrification by means of electricity cooperatives 1986-11-05 ss. 1-26
1986, c. 45	An Act to amend the Hotels Act 1986-07-22 ss. 1-9
1986, c. 50	An Act to amend the Act respecting safety in sports 1987-06-23 ss. 1-17
1986, c. 52	An Act respecting the Ministère des Approvisionnements et Services and amending various legislation 1986-07-09 ss. 1-28
1986, c. 53	An Act to amend the Animal Health Protection Act 1986-09-03 ss. 1-20
1986, c. 54	An Act to amend the Act to promote the development of agricultural operations 1986-08-20 ss. 3, 5, 7-10, 13
1986, c. 57	An Act to amend the Act respecting health services and social services 1986-08-09 ss. 1-3, 5-11 1986-11-12 s. 4
1986, c. 58	An Act respecting various financial provisions relating to the administration of justice 1987-01-01 ss. 18, 72
1986, c. 60	An Act respecting the sale of the Raffinerie de sucre du Québec 1986-09-18 ss. 4-9, 11-15, 18
1986, c. 62	An Act to amend the Civil Code, the Registry Office Act and the Territorial Division Act 1986-11-15 ss. 1, 2, 4 (par. 5, 12 except that part which concerns the territory included in the registration division of Montmorency), 5

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1986, c. 62	An Act to amend the Civil Code, the Registry Office Act and the Territorial Division Act – <i>Cont'd</i> 1987-03-14 s. 4 (par. 14, 17) 1987-04-04 s. 4 (par. 2, 6) 1987-06-20 s. 4 (par. 13, 18) 1988-03-31 s. 4 (par. 3, 15) 1988-06-24 s. 4 (par. 9, 10, 11 (Nicolet)) 1988-07-01 s. 4 (par. 11 (Yamaska)) 1988-09-09 s. 4 (par. 16 (Iberville)) 1988-09-16 s. 4 (par. 16 (Napierville))
1986, c. 64	An Act to amend the Act respecting municipal and intermunicipal transit corporations and other legislation respecting public bodies providing public transportation 1986-07-16 ss. 1-30
1986, c. 66	An Act to amend the Act respecting intermunicipal boards of transport in the area of Montréal, the Cities and Towns Act and the Municipal Code of Québec 1986-07-16 ss. 1-18
1986, c. 67	An Act to amend the Transport Act, the Act respecting the Ministère des Transports and the Roads Act 1986-07-16 ss. 1-12
1986, c. 71	An Act to amend the Interpretation Act and to again amend the Act respecting the National Assembly 1989-12-20 s. 2
1986, c. 81	An Act to repeal the Act respecting the Société de cartographie du Québec 1987-05-01 s. 1
1986, c. 82	An Act to repeal the Act respecting the Institut national de productivité 1990-08-29 s. 1
1986, c. 86	An Act respecting the Ministère du Solliciteur général and amending various legislation 1986-12-10 ss. 1-48
1986, c. 91	Highway Safety Code 1987-06-29 ss. 1-10, 12-75, 81-83, 85-104, 107-116, 127-142, 146-150, 167-179, 187, 188, 189 (par. 1, 3), 190, 191, 195-206, 210-331, 333-387, 390-412, 415-495, 497-520, 521 (par. 4, 7-11), 522-602, 612-617, 620-623, 625-638, 640-649, 651-653, 655, 657-659, 661, 664, 665, 668, 669 1987-06-30 ss. 603-611 1987-12-01 ss. 11, 76-80, 105, 106, 117-126, 143-145, 151-166, 180, 181 (1 st par.), 182-186, 192, 193, 207-209, 388, 521 (par. 1, 2, 3, 6), 639, 654, 656, 666, 667, 670, 671 1988-05-01 ss. 181 (2 nd par.), 189 (par. 2) 1988-05-04 ss. 413, 414 1988-06-01 ss. 84, 194 1990-09-01 s. 521 (par. 5) 2008-09-03 s. 332
1986, c. 95	An Act to amend various legislation having regard to the Charter of human rights and freedoms 1987-02-15 ss. 1-30, 32, 34-68, 70, 71, 75, 79-120, 121 (par. 1), 122-229, 231-302, 304-353, 358 1987-04-01 s. 230 1988-08-01 ss. 31, 33, 69, 72-74, 76-78, 121 (par. 2, 3)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1986, c. 97	An Act to again amend the Animal Health Protection Act 1990-06-15 ss. 1-12
1986, c. 104	An Act to amend the Youth Protection Act with reference to international adoptions 1987-08-17 ss. 1-3
1986, c. 106	An Act to again amend the Act respecting health services and social services 1987-01-07 ss. 1-9, 11 1987-10-25 s. 10
1986, c. 107	An Act to amend the Official Time Act 1987-02-01 ss. 1, 2
1986, c. 110	An Act to amend the Act respecting the Société de développement industriel du Québec 1987-03-01 ss. 2, 13, 14
1987, c. 10	An Act to amend the Act respecting the Société d'habitation du Québec 1987-04-01 ss. 1-43
1987, c. 12	Tourist Establishments Act 1991-06-27 ss. 1-55
1987, c. 20	An Act to repeal the Act respecting the Société du Parc des expositions agro-alimentaires 1989-02-01 ss. 1-4
1987, c. 25	An Act to amend the Environment Quality Act 1987-11-01 ss. 2-15
1987, c. 29	Pesticides Act 1988-07-07 ss. 1-10, 14-62, 63 (par. 1), 64-104, 108-134 2003-03-05 ss. 11-13, 63 (par. 2), 105-107
1987, c. 31	An Act respecting the funding of the Fondation pour la conservation et la mise en valeur de la faune et de son habitat 1987-07-17 ss. 1-5
1987, c. 35	An Act to amend the Grain Act and the Farm Products Marketing Act 1987-07-16 ss. 1-16
1987, c. 40	An Act to amend various legislative provisions respecting securities 1987-07-15 ss. 4, 5, 29-31 1988-07-21 ss. 3, 6
1987, c. 44	An Act respecting adoption and amending the Youth Protection Act, the Civil Code of Québec and the Code of Civil Procedure 1987-08-17 ss. 1-17
1987, c. 50	An Act to amend the Courts of Justice Act 1988-09-01 s. 3 (par. 4) 1989-06-14 s. 3 (par. 2)
1987, c. 51	The Marine Products Processing Act 1987-07-22 ss. 1-55

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1987, c. 52	An Act to amend the Territorial Division Act with respect to certain registration divisions 1989-07-04 ss. 1, 2
1987, c. 64	Mining Act 1988-07-06 ss. 273-277 1988-10-24 ss. 1-272, 278-383
1987, c. 65	An Act respecting prearranged funeral services and sepultures 1988-03-01 ss. 1-90
1987, c. 71	An Act to amend the Cinema Act and the Act respecting the Société de développement des industries de la culture et des communications 1988-03-30 ss. 1-4, 15, 17, 34 (par. 1, 3, 4), 35-49, 52-61 1988-09-30 ss. 20-25, 27-33, 34 (par. 2) 1988-10-12 ss. 5-14, 16, 51 1989-03-01 ss. 18, 50
1987, c. 73	An Act respecting the Conseil de la conservation et de l'environnement 1988-04-27 ss. 1-28
1987, c. 80	An Act respecting the use of petroleum products 1991-07-11 ss. 1-82
1987, c. 86	An Act respecting farm financing 1988-07-13 ss. 6, 64, 95, 111, 159, 160 1988-08-11 ss. 1-5, 7-63, 65-94, 96-110, 112-158
1987, c. 94	An Act to amend the Highway Safety Code and other legislation 1988-06-01 ss. 38, 47, 63, 64, 66, 67, 70 (ss. 519.10, 519.13, 519.20, 519.24-519.34, 519.36, 519.37, 519.39-519.41, 519.43, 519.45, 519.48, 519.49, 519.51, 519.52, 519.55-519.62), 79, 82, 100 1988-07-01 ss. 10 (ss. 80.1, 80.2), 13, 17 (s. 94 (2 nd par., par. 1, 2)), 22, 23, 32 (s. 187.1), 36 (par. 1) 1988-12-14 ss. 58 (s. 388 (par. 2)), 106 1989-01-01 ss. 17 (s. 94 (1 st and 2 nd par., par. 3-5)), 104, 105 1989-02-06 s. 70 (ss. 519.9, 519.42) 1989-04-13 ss. 10 (ss. 80.3, 80.4), 32 (s. 187.2), 59, 70 (ss. 519.11, 519.12, 519.21, 519.23, 519.38, 519.44, 519.50, 519.53) 1989-06-01 ss. 34, 48, 70 (ss. 519.4-519.8, 519.15-519.19, 519.22, 519.35, 519.46, 519.47) 1990-06-01 s. 101
1987, c. 95	An Act respecting trust companies and savings companies 1988-05-18 s. 408 1988-06-09 ss. 1-312, 315-407, 409, 410 1989-07-01 ss. 313, 314
1987, c. 96	Code of Penal Procedure 1990-10-01 ss. 1-7, 17-54, 55 (1 st , 2 nd par.), 56-61, 62, 63 (offence reports), 64, 65, 66 (1 st , 2 nd par.), 67-70, 71 (par. 1, 2 except the words "statement of offence or", 3-7), 72-86, 88, 89, 90 (1 st par.), 92-128, 143, 150-155, 169 (1 st , 2 nd par.), 170-173, 174 (par. 1-4, 6-8), 175-179, 181-183, 184 (1 st par. (subpar. 1-3, 5-8)), 184 (2 nd par.), 185 (except the reference to subpar. 4 of s. 184), 186, 189-221, 222 (2 nd par.), 223-229, 231-243, 244 (except the second sentence of the 2 nd par.), 245, 246 (except the words "or under article 165"), 247-249, 250 (1 st par.), 251-256, 257 (1 st par.), 258-260, 265, 266 (except the words "or the proceeds of the sale thereof"), 267, 268 (except the words "or, even if he was not a party to the proceedings, the Attorney General"),

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1987, c. 96	Code of Penal Procedure – <i>Cont'd</i> 269, 270 (1 st par.), 271-290, 291 (except the words “and the Attorney General, even if he was not a party to the proceedings,”), 292, 293, 294 (the following words: “An appeal shall be brought before the Court of Appeal sitting at Montréal or at Québec according to where an appeal from a judgment in a civil matter would lie”), 295-315, 316 (1 st par.), 317-362, 364, 365, 367-386 and the schedule
1993-11-01	ss. 8-16, 55 (3 rd par.), 62, 63, 66 (3 rd par.), the words “statement of offence or” in 71 (par. 2), 87, 90 (2 nd par.), 91, 129-142, 144-146, 147 (1 st , 3 rd par.), 148, 149, 156-168, 169 (3 rd par.), 174 (par. 5), 180, 184 (1 st par. (subpar. 4)), 185 (reference to subpar. 4 of s. 184), 187 (1 st par.), 188, 222 (1 st , 3 rd par.), 230, 261, 262 (1 st par.), 263, 264, 266 (the words “or the proceeds of the sale thereof” in par. 6), 268 (the words “or, even if he was not a party to the proceedings, the Attorney General”), 291 (the words “and the Attorney General, even if he was not a party to the proceedings,”), 363, 366
1996-07-15	ss. 187 (2 nd par.), 244 (2 nd par. (2 nd sentence)), 250 (2 nd par.), 257 (2 nd par.), 262 (2 nd par.), 270 (2 nd par.), 294 (the words “or, also, where the judgment was rendered in the judicial district contemplated in the second paragraph of article 187, according to where the appeal from the judgment would lie if it had been rendered in the district where proceedings were instituted”), 316 (2 nd par.)
1987, c. 97	An Act respecting truck transportation 1988-01-13 ss. 1-9, 11-13, 16-50, 52-62, 64-100, 102-130 1988-06-30 ss. 10, 14, 15, 51, 63 1989-02-01 s. 101
1987, c. 103	An Act respecting horse racing 1988-03-31 ss. 1-144
1987, c. 141	An Act respecting Les Clairvoyants, Compagnie Mutuelle d'Assurance de Dommages 1988-04-15 ss. 1-14
1988, c. 3	An Act to amend the Act respecting farm-loan insurance and forestry-loan insurance 1988-08-11 ss. 1-14
1988, c. 6	An Act respecting the Conseil de la famille 1988-09-28 ss. 1-30
1988, c. 8	An Act respecting the Régie des télécommunications 1988-11-09 ss. 1-99
1988, c. 9	An Act to amend the Mining Act 1988-07-06 s. 48 1988-10-24 ss. 1-47, 49-66
1988, c. 14	Roadside Advertising Act 1989-09-15 ss. 1-38
1988, c. 19	An Act respecting municipal territorial organization 1996-09-01 s. 235
1988, c. 21	An Act to amend the Courts of Justice Act and other legislation to establish the Court of Québec 1988-08-17 s. 74 (par. 2) 1988-08-31 ss. 1-16, 19-73, 74 (par. 1), 75-166

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1988, c. 24	An Act to again amend the Act respecting the conservation and development of wildlife with regard to wildlife habitats 1992-08-06 ss. 3, 4 1993-07-29 ss. 1, 2, 5-8
1988, c. 32	An Act respecting the Société de promotion économique du Québec métropolitain and amending the Act respecting the Société Inter-Port de Québec 1988-08-31 ss. 1-45
1988, c. 33	An Act to amend the Act respecting the Communauté urbaine de Québec and other legislation concerning industrial promotion and development 1989-11-01 ss. 3, 5
1988, c. 36	An Act to amend the Hydro-Québec Act 1988-06-30 ss. 1-6
1988, c. 39	An Act to amend the Act respecting the conservation and development of wildlife and the Parks Act 2008-06-25 s. 9
1988, c. 41	An Act respecting the Ministère des Affaires internationales 1988-12-21 ss. 1-103
1988, c. 42	An Act respecting the Bibliothèque nationale du Québec 1989-04-01 ss. 1-62
1988, c. 45	An Act to amend the Consumer Protection Act 1988-12-14 ss. 1, 3-5, 7 1989-08-03 ss. 2, 6, 8-15
1988, c. 46	An Act to amend various legislation respecting public security 1989-01-01 ss. 1, 3-9, 24, 25 1989-04-01 ss. 2, 10-23, 26-31
1988, c. 47	An Act to amend the Act respecting health services and social services and other legislation 1988-12-21 ss. 4 (par. 1), 5 1989-03-08 ss. 2 (ss. 149.1-149.4, 149.6-149.25, 149.27, 149.29, 149.30, 149.33, 149.34), 4 (par. 2, 4), 7, 8, 14, 15, 17-24, 26-30 1989-07-17 ss. 1, 2 (ss. 149.5, 149.26, 149.28, 149.31, 149.32), 3, 4 (par. 3), 6, 9, 16, 25 1990-09-01 ss. 11-13
1988, c. 49	An Act to amend the Environment Quality Act and other legislation 1989-02-22 ss. 1, 2, 4 (par. 1, 3), 5-7, 9 (par. 1, 2), 10, 11, 12 (par. 1), 13-17, 18 (s. 106.1), 19-27, 30-36, 38-57 1993-04-28 ss. 3, 8, 9 (par. 3), 12 (par. 2), 18 (s. 106.2), 28, 29, 37 1993-12-02 s. 4 (par. 2)
1988, c. 51	An Act respecting income security 1989-07-01 ss. 41, 43, 137 1989-08-01 ss. 1-40, 42, 45, 62-84, 86-97, 100-136, 141, 142
1988, c. 52	An Act to repeal the Act respecting the Société du parc industriel et commercial aéroportuaire de Mirabel 1990-10-03 ss. 1, 2

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1988, c. 56	An Act to amend the Code of Civil Procedure in respect of the collection of support payments 1992-01-22 s. 1 (s. 553.10)
1988, c. 57	An Act to ensure safety in guided land transport 1989-05-17 ss. 1-3, 19-22, 24-26, 28, 30-35, 37-43, 48, 69-88 2000-05-01 ss. 50-62, 63 (1 st par.), 64-68 2001-01-01 ss. 4-18, 23, 27, 29, 36, 44-47, 49
1988, c. 61	An Act to amend the Act respecting occupational health and safety 1989-03-22 ss. 1, 2 (ss. 62.2-62.21), 3-6 1989-10-01 s. 2 (s. 62.1)
1988, c. 64	Savings and Credit Unions Act 1989-03-15 ss. 1-344, 346-447, 448 (1 st par.), 449-513, 516-572, 574-593 1990-01-01 ss. 514, 515
1988, c. 65	An Act to amend the Jurors Act 1989-06-15 ss. 1-10
1988, c. 67	An Act to amend the Transport Act 1989-02-08 ss. 1-6, 8-10 1990-06-01 s. 7
1988, c. 69	An Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters 1989-12-01 ss. 8, 10, 29, 43-45, 48, 54
1988, c. 74	An Act respecting certain aspects of the status of municipal judges 1989-05-17 s. 3 (s. 609)
1988, c. 75	An Act respecting police organization and amending the Police Act and various legislation 1989-04-26 ss. 1-13, 20, 27-34, 37-46, 91-100, 104, 135-141, 143, 144, 203, 204, 272 1990-06-27 s. 35 1990-08-31 ss. 14-19, 21-26, 236, 244-254 1990-09-01 ss. 36, 47-88, 108-134, 169-201, 205-210, 212-222, 224-235, 237-240, 242, 243, 255-271, Schedule I, Schedule II 2000-03-29 s. 202
1988, c. 84	Education Act 1997-08-13 ss. 111, 112, 205, 207, 516-521, 523, 524, 526, 527, 530-535, 537-540 1998-01-01 ss. 262, 263, 402
1988, c. 95	An Act respecting Laurentian Mutual Insurance 1988-12-31 ss. 1-27
1989, c. 1	Election Act 1990-04-15 s. 1 (subpar. 4)
1989, c. 7	An Act to amend the Act to preserve agricultural land 1989-07-01 ss. 1, 4, 19 (par. 3), 20, 21, 24, 25, 26, 29, 31, 33 (1 st par.), 35 1989-08-02 ss. 3, 5-18, 19 (par. 1, 2), 22, 23, 27, 28, 30, 32, 33 (2 nd , 3 rd par.), 34
1989, c. 13	An Act respecting the examination of complaints from customers of electricity distributors 1989-07-12 ss. 10, 23, 33 1989-09-01 ss. 1-9, 11-22, 24-32

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1989, c. 22	An Act to amend the Act respecting the National Assembly 1990-05-09 s. 1
1989, c. 25	An Act to amend the Chartered Accountants Act 1990-04-15 s. 1 (par. 1)
1989, c. 36	An Act respecting school elections 1990-04-15 s. 12 (par. 4)
1989, c. 38	Supplemental Pension Plans Act 1990-09-01 ss. 89, 107-110, 244 (1 st par. (subpar. 7)), 264 (1 st par. (subpar. 3))
1989, c. 47	An Act to amend the Automobile Insurance Act 1990-01-01 ss. 1-10, 11 (except for the words “and the amount of his indemnity” in the 2 nd par. of s. 179.3), 12-15
1989, c. 48	An Act respecting market intermediaries 1989-07-12 ss. 30, 39, 115-135, 184-203, 210-212, 215-221, 254-256, 259-262 1989-09-20 s. 204 1989-10-01 ss. 91-114 1989-11-01 ss. 58-90, 136-160 1991-05-01 ss. 1 (def. of “market intermediary in insurance business”, “market intermediary in damage insurance” and “market intermediary in insurance of persons”), 2 (1 st par.), 14 (1 st par.) 1991-09-01 ss. 1 (definitions not in force), 2 (2 nd par.), 3-13, 14 (2 nd , 3 rd , 4 th par.), 15-25, 27, 28, 29 (except second sentence of 1 st par.), 31-38, 40-48, 161-183, 205-209, 213, 214, 222-253, 257, 258
1989, c. 51	An Act to amend the Charter of human rights and freedoms concerning the commission and establishing the Tribunal des droits de la personne 1990-06-27 ss. 14, 15 1990-09-01 ss. 16 (ss. 100-102), 22 1990-12-10 ss. 1-13, 16 (ss. 103-133), 17-21
1989, c. 52	An Act respecting municipal courts and amending various legislation 1991-04-01 ss. 1-66, 68-205, 207-218, Schedule I (par. 1-59, 62-130)
1989, c. 54	An Act respecting the Public Curator and amending the Civil Code and other legislative provisions 1990-04-15 ss. 1-154, 156-207
1989, c. 55	An Act to amend the Civil Code of Québec and other legislation in order to favour economic equality between spouses 1989-07-01 ss. 1-47
1989, c. 57	An Act to amend the Bailiffs Act 1989-09-13 ss. 1-22, 24-35, 38 1990-02-14 ss. 23, 36, 37
1989, c. 66	An Act to amend the Act respecting electrical installations 1990-08-02 s. 12
1989, c. 114	An Act to amend the Act to incorporate the Roberval and Saguenay Railway Company 1989-12-13 ss. 1-4

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1990, c. 4	An Act to amend various legislative provisions respecting the implementation of the Code of Penal Procedure 1990-10-01 ss. 1-292, 294-590, 592-743, 746-1126, 1128-1258 1993-11-01 ss. 744, 745, 1127
1990, c. 5	An Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan 1990-09-01 ss. 1-53
1990, c. 13	An Act respecting the marketing of agricultural, food and fish products and amending various legislation 1990-09-12 ss. 1-229
1990, c. 29	An Act respecting adoption and amending the Civil Code of Québec, the Code of Civil Procedure and the Youth Protection Act 1990-09-24 ss. 1-16
1990, c. 32	An Act to amend various legislative provisions respecting the pension plans of the public and parapublic sectors 1990-09-01 s. 46 (par. 2)
1990, c. 38	An Act to amend the Act respecting the Ministère des Transports 1991-04-01 ss. 1-3
1990, c. 41	An Act respecting the Conseil métropolitain de transport en commun and amending various legislation 1994-07-20 ss. 72, 82, 86-97, 99
1990, c. 54	An Act to amend the Act respecting the Barreau du Québec 1991-09-30 ss. 2, 78, 81 1994-01-06 s. 43
1990, c. 60	An Act to amend the Retail Sales Tax Act and other fiscal legislation 1991-01-01 ss. 1-63
1990, c. 64	An Act respecting the Ministère des Forêts 1991-01-30 ss. 1-43
1990, c. 71	An Act to repeal the Act respecting the Agence québécoise de valorisation industrielle de la recherche 1991-04-01 ss. 1-6
1990, c. 75	An Act to amend the Pharmacy Act 1998-07-01 ss. 1-10
1990, c. 77	An Act to amend the Securities Act 1991-03-15 ss. 1, 2, 5-10, 12-28, 31-58 1991-08-01 ss. 4, 29 1992-04-15 s. 30
1990, c. 78	An Act to amend the Education Act and the Act respecting private education 1997-08-13 s. 18
1990, c. 80	An Act to amend the Agricultural Products, Marine Products and Food Act 1992-01-01 s. 5 (par. 2, subpar. <i>m</i> and <i>n</i>)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1990, c. 81	An Act to amend the Act respecting the Société québécoise d'initiatives agro-alimentaires 1991-03-15 ss. 1-3
1990, c. 82	An Act to amend the Act respecting transportation by taxi 1991-05-01 ss. 2 (par. 2), 6, 7, 12 (par. 4), 13
1990, c. 83	An Act to amend the Highway Safety Code and other legislative provisions 1991-02-01 ss. 2 (par. 1, 2, 4-7), 15-17, 20-23, 25, 48, 49, 62, 67, 92, 94, 96-111, 113-128, 130-138, 141-147, 149, 150, 158, 161, 163, 164, 167-171, 172 (ss. 473, 473.1), 173-186, 188, 189, 191-195, 203, 205, 207, 211, 212, 218, 224, 232, 235, 238, 240, 254 1991-11-13 ss. 209, 213 1991-11-14 ss. 3-6, 8-11, 13, 14, 18, 19, 24, 26-29, 31-34, 36, 37 (par. 2), 43 (par. 1), 44-47, 51 (par. 1), 52, 53 (par. 1, 3), 54, 56, 60, 61, 69, 70, 75-79, 81-85, 87-91, 93, 95, 214 (par. 1), 216 (s. 553 (1 st par.)), 217 (par. 1), 220 (par. 1), 226 (par. 1-11), 227 (par. 1, 2, 4, 6, 9), 227 (par. 3 concerning par. 6 and 6.4 of s. 619), 228, 231, 242 (par. 1), 244-250, 261, 262 1999-08-01 s. 241 (as regards s. 645.3 of the Highway Safety Code (R.S.Q., chapter C-24.2)) 2000-01-27 s. 140 (par. 1, 3)
1990, c. 86	An Act to amend the Act respecting insurance and other legislation 1991-03-15 ss. 1-5, 6 (par. 2), 7, 12, 14 (ss. 93.154-93.154.3), 16 (ss. 93.238-93.238.3), 20, 22-35, 38, 39 (ss. 285.1-285.3, 285.5-285.11, 285.17-285.26), 45-56, 61, 63, 64 1991-07-01 ss. 6 (par. 1), 8-11, 13, 14 (s. 93.154.4), 15, 16 (s. 93.238.4), 17-19, 21, 36, 37, 39 (ss. 285.4, 285.12-285.16), 40-44, 57-60, 62
1990, c. 88	An Act to again amend the Financial Administration Act 1991-01-16 s. 2 1991-04-24 s. 1
1990, c. 91	An Act to amend the Charter of the city of Québec 1990-10-01 s. 12
1990, c. 98	An Act respecting The Laurentian Mutual Management Corporation and The Laurentian Life Insurance Company Inc. 1991-01-01 ss. 1-31
1991, c. 13	An Act to amend the Act respecting the Québec Pension Plan and other legislation 1991-10-25 ss. 1-7
1991, c. 15	An Act to amend the Fuel Tax Act 1991-09-01 ss. 1 (par. 3, 4, 6 to the extent that s. 23 of the Fuel Tax Act (R.S.Q., chapter T-1), as enacted by s. 10, applies to an importer; 7, 8 to the extent that the abovementioned s. 23, as enacted by s. 10, applies to a refiner; 9 to the extent that par. 10 uses the word "vehicle", and par. 10 except, with respect to par. 10, to the extent that the abovementioned s. 23, as enacted by s. 10, applies to a motor vehicle), 8 (par. 1, 2, 4), 10 to the extent that it enacts ss. 23, 23.1, 25, 28 excluding the words "or to a wholesale dealer who does not hold a collection officer's permit required by section 27", 30 excluding: in that part preceding subparagraph a of the first paragraph, the words "or a permit, or refuse to renew the permit"; in subparagraph c of the first paragraph, the words "or a permit"; subparagraph g of the first paragraph; in subparagraph h of the first paragraph, the words "a permit or"; in subparagraph i of the first paragraph, the words "permit or"; in the second paragraph, the words "or the permit"; s. 31.1 excluding, in the first paragraph, the words "or of a permit"; s. 31.2 excluding: in the first paragraph, the words "or permit";

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1991, c. 15	An Act to amend the Fuel Tax Act – <i>Cont'd</i> in the fifth paragraph, the words “or permit”; s. 31.3, s. 31.4 excluding the words “or permit” and s. 31.5 excluding, in the first paragraph, the words “or permit” of the Fuel Tax Act (R.S.Q., chapter T-1), and s. 20 to the extent that it enacts s. 43.2 of the Fuel Tax Act (R.S.Q., chapter T-1)
	1992-04-01 ss. 1 (except par. 3, 4 and 6-10, to the extent that they were put into force by O.C. 1205-91), 2-7, 8 (par. 3), 9, 10 (except ss. 23, 23.1, 25, 28, 30 and 31.1-31.5 of R.S.Q., chapter T-1 that it enacts, to the extent that they were put into force by O.C. 1205-91), 11-19, 20 (except s. 43.2 of R.S.Q., chapter T-1 that it enacts), 21-34
1991, c. 16	An Act to amend the Tobacco Tax Act
	1991-10-09 ss. 1, where it replaces or enacts the definitions of the words: “manufacturer”, “package” and “tobacco”, but to the extent that s. 13.1 of the Tobacco Tax Act (R.S.Q., chapter I-2), as amended by s. 7, uses the words “package” and “tobacco”; “retail vendor” to the extent that s. 13.1 of the Tobacco Tax Act (R.S.Q., chapter I-2), as amended by s. 7, and s. 17.10 of the Tobacco Tax Act (R.S.Q., chapter I-2), as enacted by s. 21, apply to a retail vendor; “retail sale” to the extent that s. 13.1 of the Tobacco Tax Act (R.S.Q., chapter I-2), as amended by s. 7, applies to a retail sale, 7, 14 to the extent that it enacts that part preceding par. <i>a</i> and par. <i>b</i> and <i>e</i> of s. 14.2 of the Tobacco Tax Act (R.S.Q., chapter I-2), and s. 21 to the extent that it enacts ss. 17.10 and 17.11 of the Tobacco Tax Act (R.S.Q., chapter I-2)
	1992-03-01 ss. 1 (except the definitions of the words “manufacturer”, “package”, “tobacco”, “retail vendor” and “retail sale”), 2-6, 8-13, 14 (except for that part preceding par. <i>a</i> , <i>b</i> and <i>e</i> of s. 14.2), 15-20, 21 (except for ss. 17.10 and 17.11), 22-24
1991, c. 20	An Act to repeal the Stamp Act and amending various legislative provisions
	1992-05-01 ss. 1-11
1991, c. 21	An Act to amend the Cinema Act
	1991-09-18 s. 52 (s. 168 (1 st par. (subpar. 2), 2 nd par.))
	1991-10-22 ss. 6-9, 28, 29
	1992-01-01 ss. 2-5, 10, 11, 14 (ss. 83, 83.1)
	1992-04-01 ss. 14 (s. 81), 15 (ss. 86, 86.1)
	1992-06-15 ss. 1, 12, 13, 14 (ss. 82, 82.1), 15 (ss. 85, 86.2), 16-27, 30-51, 52 (ss. 167, 168 (1 st par. (subpar. 1, 3-11))), 53-62
1991, c. 23	An Act to amend the Mining Act
	1991-11-14 ss. 1, 2, 3, 5, 8
	1995-03-09 ss. 4, 6, 7, 9, 10
1991, c. 24	An Act to amend the Consumer Protection Act
	1992-05-15 ss. 14, 15, 18
	1992-06-30 ss. 1-13, 16, 17, 19
1991, c. 26	An Act to amend various legislative provisions respecting the establishment of the register fund of the Ministère de la Justice
	1992-01-01 ss. 1-7
1991, c. 28	An Act respecting the energy efficiency of electrical or hydrocarbon-fuelled appliances
	1992-10-01 ss. 1-19
1991, c. 33	An Act to amend the amount of fines in various legislation
	1991-11-15 ss. 1-145

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1991, c. 37	<p>Real Estate Brokerage Act</p> <p>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</p> <p>1993-05-17 ss. 178-181</p> <p>1993-12-15 s. 184</p> <p>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</p> <p>1994-08-01 s. 79</p>
1991, c. 42	<p>An Act respecting health services and social services and amending various legislation</p> <p>1992-06-17 ss. 478 (assistance to victims of violence), 479, 480, 481, 482, 484</p> <p>1992-07-01 s. 148 (2nd, 3rd, 4th par.)</p> <p>1992-08-01 ss. 571, 572, 583</p> <p>1992-09-30 ss. 559, 560, 569, 574 (par. 1), 577 (par. 1), 581 (par. 1, 2, 3), 592</p> <p>1992-10-01 ss. 1-108, 110-118, 148 (1st par.), 160-164, 166-172, 173 (par. 2-5), 174-192, 194-213, 214 (except subpar. d of subpar. 7 of 1st par.), 215-258, 260-338, 340, 343-359, 367, 368, 369 (except subpar. 3 of 1st par.), 370-396, 405 (1st par., 2nd 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</p> <p>1993-01-20 ss. 588, 590</p> <p>1993-04-01 ss. 259 (1st sentence), 568</p> <p>1993-09-01 s. 564</p> <p>1993-09-01 ss. 109, 214 (subpar. d of subpar. 7 of 1st par.), 360 (1st par.), 361-366, 369 (1st par. (subpar. 3)), 565, 566, 581 (par. 5, 6), 582, 584</p>
1991, c. 43	<p>An Act to amend the Act to promote the parole of inmates and the Act respecting probation and houses of detention</p> <p>1992-04-01 ss. 1, 2</p> <p>1992-06-15 ss. 3-23</p>
1991, c. 49	<p>An Act to amend the Tourist Establishments Act</p> <p>1993-11-10 ss. 1, 4 (par. 2), 10 (par. 1, 6), 12, 13</p>
1991, c. 51	<p>An Act to amend the Act respecting liquor permits and the Act respecting the Société des alcools du Québec</p> <p>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</p> <p>1992-05-20 s. 20</p> <p>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</p>
1991, c. 53	<p>An Act to repeal the Act to ensure continuity of electrical service by Hydro-Québec</p> <p>1992-04-15 s. 1</p>
1991, c. 58	<p>An Act to amend the Automobile Insurance Act and the Act to amend the Automobile Insurance Act and other legislation</p> <p>1993-07-01 s. 14</p>
1991, c. 59	<p>An Act to amend the Transport Act</p> <p>1993-05-31 s. 4</p>
1991, c. 62	<p>An Act to amend the Act respecting the Société d'habitation du Québec and other legislation</p> <p>1993-07-07 ss. 3, 6, 7</p>
1991, c. 64	<p>Civil Code of Québec</p> <p>1994-01-01 ss. 1-3168</p>

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1991, c. 72	An Act to amend the Act respecting the Ministère des Approvisionnements et Services and other legislation 1992-04-01 ss. 4 (par. 2 to the extent that it concerns the mail and messenger services fund) (par. 3 relating to the supplies and services fund to the extent that it concerns goods supplied by the General Purchasing Director), 15 1992-04-01 ss. 4 (par. 1, 3 with respect to the provisions not affected by O.C. 305-92), 16 1993-08-18 ss. 1 (ss. 7.2-7.5), 18
1991, c. 73	An Act to amend the Financial Administration Act and other legislation 1993-08-18 ss. 1-13
1991, c. 74	An Act to amend the Building Act and other legislation 1995-09-01 ss. 68 (par. 5) (in any respect other than the qualification of contractors and owner-builders), 70 (par. 2) (in any respect other than the qualification of contractors and owner-builders) 1997-01-15 ss. 72 (par. 2), 73 (par. 2) 2000-11-07 ss. 2 (in all respects other than the qualification of contractors and owner-builders), 3, 5, 6, 8, 9 (to the extent that it enacts section 11.1 of the Building Act (R.S.Q., chapter B-1.1) in all respects other than the qualification of contractors and owner-builders), 10-12, 14, 15, 52-55, 56 (to the extent that it enacts sections 128.1, 128.4 (with regard to the revocation of the recognition of a person referred to in section 16 of the Act), 128.5 and 128.6 of the Building Act), 60, 61, 93 (par. 1, 2), 97, 98, 100 (in all respects other than the qualification of contractors and owner-builders), 116 (to the extent that it replaces section 282 of the Building Act with regard to buildings and facilities intended for public use to which Chapter I of the Building Code approved by Order in Council 953-2000 dated 26 July 2000 applies and to the extent that it replaces section 283 of the Building Act in all respects) and section 169 to the extent that it refers to sections 20, 26, 27, 33, 34, 113, 114, 116, 119, 123-128, 132-134, 139 of the Building Act 2002-10-01 ss. 16, 17, 20-23, 24 (to the extent that it refers to ss. 37-37.4, 38.1 and 39 of the Building Act (R.S.Q., chapter B-1.1)), 50, 51, 56 (to the extent that it enacts ss. 128.3, 128.4 (with regard to the revocation of the recognition of a person referred to in s. 35) of the Building Act) 2003-01-01 s. 13 (with regard to electrical installations to which Chapter V of the Construction Code approved by Order in Council 961-2002 dated 21 August 2002 applies) 2004-10-21 s. 116 (to the extent that it replaces s. 282 of the Building Act (R.S.Q., chapter B-1.1) with regard to mechanical lifts and with regard to elevators and other elevating devices to which Chapter IV of the Construction Code, approved by Order in Council 895-2004 dated 22 September 2004, applies) 2005-02-17 s. 24 (to the extent that it refers to s. 38 of the Building Act (R.S.Q., chapter B-1.1)) 2006-01-01 s. 116 (to the extent that it replaces s. 282 of the Building Act (R.S.Q., chapter B-1.1) with regard to elevators and other elevating devices to which Chapter IV of the Safety Code, approved by Order in Council 896-2004 dated 22 September 2004, applies) 2006-06-21 s. 116 (with regard to public baths) 2012-05-03 s. 116 (with regard to amusement rides and devices) 2013-03-18 s. 116 (in all respects) 2015-06-13 s. 13 (in all respects)
1991, c. 80	An Act to amend the Environment Quality Act 1993-06-09 ss. 1 (par. 4), 6 (s. 70.19) 1997-12-01 ss. 1 (par. 1, 2, 3), 2-5, 6 (with respect to ss. 70.1-70.18 of R.S.Q., chapter Q-2), 7-16
1991, c. 82	An Act to amend the charter of the city of Montréal 1993-01-11 ss. 6, 11-26, 29-32

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1991, c. 84	An Act to amend the Charter of the city of Québec 1994-04-15 ss. 39-41, 43, 45 (s. 601 <i>b</i> (1 st par.)), 47
1991, c. 85	An Act to amend the charter of the city of Longueuil 1993-05-31 ss. 1-3
1991, c. 87	An Act respecting the city of Saint-Hubert 1993-05-01 s. 48
1991, c. 106	An Act respecting Aéroports de Montréal 1992-08-29 ss. 1-7
1992, c. 5	An Act to amend the Act respecting the Ministère des Communautés culturelles et de l'Immigration 1992-05-19 ss. 1-12
1992, c. 11	An Act to amend the Act respecting industrial accidents and occupational diseases, the Act respecting occupational health and safety and the Health Insurance Act 1992-09-23 ss. 29, 30, 44 (par. 3), 45, 83 1992-10-01 ss. 4, 8 (par. 1, 3), 32 (par. 1), 40, 43, 44 (par. 1), 48, 65-69, 71 (s. 176.7.1), 72-74, 75 (ss. 176.16, 176.16.1 (1 st par.)), 76, 84, 86 1992-10-28 ss. 49-64, 88, 89 1992-11-01 ss. 1-3, 5-7, 10-28, 31, 32 (par. 2), 33-39, 41, 42, 44 (par. 2), 46, 47, 70, 71 (ss. 176.7.2, 176.7.3, 176.7.4), 75 (s. 176.16.1 (2 nd par.)), 77, 78, 80-82, 85, 87
1992, c. 17	An Act to amend the Act respecting the Société des alcools du Québec and other legislation 1992-06-30 ss. 1-20
1992, c. 18	An Act to amend the Financial Administration Act and the Act respecting municipal debts and loans 1992-08-19 ss. 1-6
1992, c. 20	An Act to amend the Courts of Justice Act and to make various provisions respecting the establishment of the judicial district of Laval 1992-08-31 ss. 1-11
1992, c. 21	An Act to amend various legislative provisions concerning the application of the Act respecting health services and social services and amending various legislation 1992-09-30 ss. 104, 381 1992-10-01 ss. 2-9, 17-20, 22-40, 46-52, 56, 59-61, 68 (ss. 619.2-619.4, 619.8-619.15, 619.18-619.46, 619.48-619.68), 69-77, 79-81, 83-100, 101 (par. 1, 2, 4), 102, 103, 106-110, 114, 116-299, 300 (par. 1, 2), 311 (par. 1), 320 (par. 2), 322, 327 (par. 1), 328, 329 (par. 2), 330, 333-364, 370-375 1993-04-28 s. 68 (s. 619.27 (2 nd par.); date of application) 1993-04-28 ss. 78, 82, 300 (par. 3, 4), 301-310, 311 (par. 2), 312-319, 320 (par. 1), 321, 323-326, 327 (par. 2), 329 (par. 1), 331, 332 1993-05-01 s. 68 (s. 619.13 (1 st par.)) 1993-07-01 ss. 268-273 1993-09-01 s. 113
1992, c. 24	An Act to amend various legislative provisions concerning regional affairs 1993-04-01 s. 7 (Note: Section 6 repealing the Act respecting the Office de planification et de développement du Québec (R.S.Q., chapter O-3) comes into force on 1 April 1993, by virtue of the same Order in Council)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1992, c. 32	An Act respecting the Société de financement agricole and amending other legislative provisions 1993-06-17 ss. 1-52
1992, c. 44	An Act respecting the Société québécoise de développement de la main-d'œuvre 1992-09-01 ss. 1-15, 47-54, 67-69, 71 (par. 2), 73 (par. 2), 74, 81, 95, 96 1993-03-24 ss. 21, 23, 30, 39, 77, 78 (1 st par.), 84-91, 94 1993-04-01 ss. 16-20, 22, 24-29, 31-38, 40-46, 55-66, 70, 71 (par. 1), 72, 73 (par. 1), 75, 76, 78 (2 nd par.), 79, 80, 82, 83, 92, 93
1992, c. 50	An Act to amend the Financial Administration Act and the Act respecting the Ministère des Approvisionnements et Services 1993-08-18 ss. 1-3
1992, c. 56	An Act to amend the Environment Quality Act 1993-02-15 s. 14
1992, c. 57	An Act respecting the implementation of the reform of the Civil Code 1994-01-01 ss. 1-716, 719
1992, c. 61	An Act respecting the implementation of certain provisions of the Code of Penal Procedure and amending various legislative provisions 1993-11-01 ss. 1-8, 10-25, 27-34, 36-40, 43, 44, 47-49, 51-54, 56, 58, 60-64, 67, 71, 75-88, 91, 93-99, 101-128, 131-168, 171-174, 178-193, 195-197, 200, 201, 204, 205, 207-210, 213, 216, 218-234, 237, 239-245, 248, 250-253, 255-260, 262, 264, 266, 267, 269-273, 276, 277, 279, 280, 282, 283, 285-293, 295-301, 303, 304, 309-316, 319, 320, 322-325, 328-330, 332, 334-344, 346-348, 350, 351, 353-376, 378, 380-382, 384-387, 389-392, 396, 397, 399, 400, 402-404, 407-412, 414-416, 418-422, 424-426, 428-439, 443-446, 449-456, 458-467, 471-474, 476-479, 483-490, 492, 496-498, 500-506, 508-510, 514-516, 518, 520-525, 527, 528, 530-533, 535-538, 540, 542-544, 546-550, 552, 553, 555-560, 562, 565, 566, 568-570, 572-582, 584, 586, 587, 589, 591, 593-597, 600-608, 610-620, 622-624, 626-639, 641-645, 647-656, 658, 662-678, 680-690, 692-699, 701-704
1992, c. 63	An Act to amend the Code of Civil Procedure with respect to the recovery of small claims 1993-11-01 ss. 1-20
1992, c. 64	An Act respecting the Conseil des aînés 1993-10-27 ss. 1-24
1992, c. 66	An Act respecting the Conseil des arts et des lettres du Québec 1993-07-07 ss. 1-50
1993, c. 1	An Act to amend the Code of Civil Procedure regarding family mediation 1997-05-01 s. 4 (to the extent that that section enacts the first sentence of a. 827.2 of the Code of Civil Procedure)
1993, c. 3	An Act to amend the Act respecting land use planning and development and other legislative provisions 1997-04-16 s. 31 (par. 3)
1993, c. 12	An Act to amend the Act respecting transportation by taxi 1996-01-01 ss. 2, 4, 24 (ss. 90.6, 91.1), 27

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1993, c. 17	An Act respecting the protection of personal information in the private sector 1994-01-01 ss. 1-4, 10-21, 22 (1 st par. (subpar. 1, 3), 2 nd par.), 23 (1 st par.), 27-114 1994-07-01 ss. 5-9, 22 (1 st par. (subpar. 2)), 23 (2 nd par.), 24-26
1993, c. 18	An Act to amend the Animal Health Protection Act 2004-12-08 ss. 6-8
1993, c. 21	An Act to amend the Agricultural Products, Marine Products and Food Act and to repeal the Act respecting the bread trade 1993-11-10 ss. 2, 4
1993, c. 22	An Act to amend the Tourist Establishments Act and to repeal certain legislative provisions 1993-11-10 ss. 1-7
1993, c. 23	An Act to amend the Financial Administration Act, the Act respecting the Ministère des Approvisionnements et Services and other legislative provisions 1993-08-18 ss. 1-9
1993, c. 25	An Act to amend the General and Vocational Colleges Act and other legislative provisions 1993-07-14 s. 11 (s. 18 (3 rd par. (subpar. e))) 1993-08-31 s. 11 (s. 18 (4 th par.))
1993, c. 26	An Act respecting the Commission d'évaluation de l'enseignement collégial and amending certain legislative provisions 1993-07-14 ss. 1-30, 31 (par. 2, 3, 4), 32-48 1993-08-31 s. 31 (par. 1)
1993, c. 29	An Act to amend the Act respecting Attorney General's prosecutors 1993-08-11 s. 3
1993, c. 30	An Act to amend the Code of Civil Procedure and the Charter of human rights and freedoms 1994-01-01 ss. 2-4, 6-8, 10-16, 18
1993, c. 34	An Act respecting the Société du Centre des congrès de Québec 1994-05-30 s. 32
1993, c. 37	An Act respecting the conditions of employment in the public sector and the municipal sector 1993-09-15 ss. 1-19, 26, 27, 29-39, 43-55, 57 1993-10-01 ss. 20-25, 28, 40-42, 56
1993, c. 38	An Act to amend the Professional Code and the Nurses Act 1993-09-15 ss. 2 (par. 20), 3 (par. 2), 5 (par. 1), 7
1993, c. 39	An Act respecting the Régie des alcools, des courses et des jeux and amending various legislative provisions 1993-07-14 ss. 1-22, 23 (par. 1, 2, 4, 5, 6), 24, 25 (par. 1, 2, 3, 7), 26-40, 48-55, 56 (ss. 52.1-52.11, 52.13-52.15), 57-75, 77-97, 100 (1 st par.), 101, 102, 104-107, 109-111, 114-117 1993-10-27 ss. 23 (par. 3), 25 (par. 4, 5, 6), 41-47, 76, 98, 99, 100 (2 nd par.), 103, 108
1993, c. 40	An Act to amend the Charter of the French language 1993-12-22 ss. 1-69

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1993, c. 42	An Act to amend the Highway Safety Code 1993-09-01 ss. 1-28, 30-32 1993-11-01 s. 29
1993, c. 45	An Act to amend the Supplemental Pension Plans Act 1998-02-25 s. 1
1993, c. 48	An Act respecting the legal publicity of sole proprietorships, partnerships and legal persons 1993-12-15 ss. 58-60, 63-65, 97-99, 537-539 1994-01-01 ss. 1-57, 61, 62, 66-96, 100-519, 521-526, 528-536 1994-07-01 ss. 520, 527
1993, c. 49	An Act to amend the Act respecting the Société québécoise d'initiatives agro-alimentaires 1994-01-01 ss. 1-5, 7-12 1994-04-27 s. 6
1993, c. 55	An Act to amend the Forest Act and to repeal various legislative provisions 1994-05-04 s. 30 (par. 1) 1994-09-07 ss. 27, 30 (par. 2)
1993, c. 58	An Act to amend the Act respecting health services and social services 1995-04-01 s. 1 (ss. 530.40, 530.41) 1995-05-01 s. 1 (ss. 530.1-530.10, 530.16, 530.18, 530.20-530.24, 530.27-530.29, 530.31-530.39, 530.42)
1993, c. 61	An Act to amend the Act respecting labour relations, vocational training and manpower management in the construction industry and other legislative provisions 1994-01-01 ss. 11 (par. 1), 89, 90 1994-07-01 ss. 1 (par. 3, 5, 7), 19, 21-33, 35, 40, 43-47, 57 (par. 1, 2) 1995-01-01 ss. 1 (par. 4, 6, 8, 9), 4 (par. 1, 2, 4), 6, 11 (par. 3), 13-18, 20, 34, 36-39, 41, 42, 51, 52, 53 (par. 1) [except for the amendment concerning the second paragraph of the section it amends], 53 (par. 2), 54, 55, 58, 61, 62, 79 1999-01-20 ss. 11 (par. 2), 48, 49, 50, 53 (par. 1, for the amendment concerning the second paragraph of the section it amends), 53 (par. 3), 59, 60
1993, c. 70	An Act to amend the Act respecting the Ministère des Communautés culturelles et de l'Immigration 1994-10-31 ss. 2, 3 (par. 2), 4, 6, 10, 11 (par. 4, 10) 1996-10-01 ss. 11 (par. 1), 12 2006-09-13 ss. 5, 11 (par. 6)
1993, c. 71	An Act to amend the Act respecting the Régie des alcools, des courses et des jeux and various Acts concerning the activities under its supervision 1994-02-03 provisions concerning the activities under the supervision of the Régie 1994-10-01 provisions respecting the renewal of amusement machine licences or registrations and the revocation of such licences or registrations
1993, c. 72	An Act to amend the Code of Civil Procedure and various legislative provisions 1995-05-11 ss. 17, 18, 19
1993, c. 77	An Act to amend the Pesticides Act 1997-04-23 ss. 1-8, 10 (in respect of the repeal of s. 108 of R.S.Q., chapter P-9.3), 12, 13

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1994, c. 2	An Act respecting the Conservatoire de musique et d'art dramatique du Québec 1994-11-01 s. 28 2007-03-31 ss. 6, 13 (2 nd par.), 14-16, 19-27, 52-54, 56-75, 77-80, 83-88, 96-98 2007-09-01 ss. 31-36, 40-46 2007-12-01 ss. 37-39, 47-51
1994, c. 21	An Act respecting the Société de développement des entreprises culturelles 1994-10-19 ss. 1-16, 28, 29 (1 st par. (subpar. 1)), 30 (1 st par.), 40, 41, 65 1995-04-01 ss. 17-27, 29 (1 st par. (subpar. 2), 2 nd par.), 30 (2 nd , 3 rd par.), 31-39, 42-64
1994, c. 23	An Act to amend the Act respecting health services and social services and other legislative provisions 1995-05-01 ss. 4, 6, 8-15, 17-21, 23
1994, c. 24	An Act to amend the Supplemental Pension Plans Act 1995-08-17 s. 7 1995-12-31 ss. 13, 14
1994, c. 28	An Act to amend the Code of Civil Procedure 1995-10-01 ss. 1-26, 28-42
1994, c. 30	An Act to amend the Act respecting municipal taxation and other legislative provisions 1994-12-15 ss. 8, 29-32, 36, 41 (par. 2, 3), 42, 55 (par. 1, 2), 57, 83
1994, c. 35	An Act to amend the Youth Protection Act 1994-09-01 ss. 1-43, 45-51, 52 (par. 1), 54-60, 61 (par. 1, 2), 62-67, 70 1995-09-28 ss. 44, 61 (par. 3)
1994, c. 37	An Act respecting acupuncture 1994-10-15 ss. 46-50 1995-07-01 ss. 2, 5, 8-20, 22-25, 28-33, 36-45
1994, c. 40	An Act to amend the Professional Code and other Acts respecting the professions 1994-10-15 ss. 1-199, 200 (except where it repeals ss. 10 (par. <i>b, c, d, f</i>), 11 of the Architects Act (R.S.Q., chapter A-21)), 201-207, 208 (par. 1), 209-211, 212 (except where it repeals s. 37 (1 st par. (subpar. <i>c, d, e, f, g, h</i>), 2 nd par.) of the Land Surveyors Act (R.S.Q., chapter A-23)), 213-237, 238 (except where it repeals s. 43 (1 st par. (subpar. <i>d</i>)) of the Act respecting the Barreau du Québec (R.S.Q., chapter B-1)), 239-243, 244 (except where it repeals ss. 50 (1 st par. (subpar. <i>b, c, d</i>)), 51, 54 of the Act respecting the Barreau du Québec), 245-277, 279-293, 294 (except where it repeals ss. 21 (1 st par., 2 nd par. except the words “, provided that they are Canadian citizens or comply with section 44 of the Professional Code (chapter C-26)”), 22 (1 st par., 2 nd par. (subpar. <i>a, c, d, e</i>)) of the Chartered Accountants Act (R.S.Q., chapter C-48)), 295-342, 343 (except where it repeals ss. 14, 15 (subsect. 2, except the words “any Canadian citizen and any candidate who fulfils the conditions prescribed by section 44 of the Professional Code”) of the Engineers Act (R.S.Q., chapter I-9)), 344, 345 (except where it repeals s. 17 (1 st par., except the word “Canadian”) of the Engineers Act), 346-405, 406 (except where it repeals ss. 107-112, 113 (par. <i>c, d, e</i>), 114, 118 of the Notarial Act (R.S.Q., chapter N-2)), 407-435, 437-470 1995-11-30 s. 406 (where it repeals ss. 107-112, 113 (par. <i>c, d, e</i>), 114, 118 of the Notarial Act (R.S.Q., chapter N-2)) 1996-07-04 ss. 238 (where it repeals s. 43 (1 st par. (subpar. <i>d</i>)) of the Act respecting the Barreau du Québec (R.S.Q., chapter B-1)), 244 (where it repeals ss. 50 (1 st par. (subpar. <i>b, c, d</i>)), 51, 54 of the Act respecting the Barreau du Québec)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1994, c. 40	An Act to amend the Professional Code and other Acts respecting the professions – <i>Cont'd</i> 1998-07-01 s. 436 (s. 37.1 of the Pharmacy Act (R.S.Q., chapter P-10)) 2002-03-27 ss. 343 (where it repeals ss. 14, 15 (subsect. 2, except the words “any Canadian citizen and any candidate who fulfils the conditions prescribed by section 44 of the Professional Code”) of the Engineers Act (R.S.Q., chapter I-9)), 345 (where it repeals s. 17 (1 st par., except the word “Canadian”) of the Engineers Act) 2011-01-06 ss. 208 (par. 2), 212 (insofar as it repeals s. 37 (1 st par. (subpar. c, d, e, f, g, h), 2 nd par.) of the Land Surveyors Act (R.S.Q., chapter A-23))
1994, c. 41	An Act to amend the Environment Quality Act and other legislative provisions 1996-06-01 s. 21
1995, c. 5	An Act to amend the Hydro-Québec Act 1995-04-03 ss. 1-9
1995, c. 6	An Act to again amend the Highway Safety Code 1995-04-12 s. 16 1995-04-24 ss. 1-15
1995, c. 8	An Act to amend the Act respecting labour relations, vocational training and manpower management in the construction industry and other legislative provisions 1995-06-28 ss. 5, 6, 51-53
1995, c. 9	An Act to amend the Act respecting the Caisse de dépôt et placement du Québec 1995-03-31 ss. 1-9
1995, c. 12	An Act to amend the Police Act and the Act respecting police organization as regards Native police 1995-04-05 ss. 1-5
1995, c. 18	An Act to facilitate the payment of support 1995-12-01 ss. 1-79, 81 (where the collector of support payments is charged with compulsory execution of a judgment awarding support), 82-84, 86, 89-95, 96 (where the collector of support payments is charged with compulsory execution of a judgment awarding support), 99 (except for 1 st par. (subpar. 1)), 101 1996-05-16 ss. 81 and 96 (where the collector of support is charged with compulsory execution of a judgment awarding support), 97, 98, 99 (1 st par. (subpar. 1)) 1997-04-01 ss. 80, 85, 87, 88, 100
1995, c. 23	An Act to establish the permanent list of electors and amending the Election Act and other legislative provisions 1996-05-01 ss. 12 (where it enacts sections 40.2, 40.3 and 40.4 except, in the 3 rd line of the 1 st par., the words “by electors and on the basis of the information transmitted” and except, in the 2 nd and 3 rd lines of the 2 nd par., the words “or by the person responsible for a municipal poll”, 40.7-40.9, 40.11, 40.12, 40.39-40.42), 91 1997-05-31 ss. 12 (where it enacts sections 40.1, 40.4 (in the 3 rd line of the 1 st par., the words “by electors and on the basis of the information transmitted”), 40.5, 40.6), 51, and the amendment appearing in the schedule opposite s. 570 1997-06-01 ss. 12 (where it enacts sections 40.4 (in the 2 nd and 3 rd lines of the 2 nd par., the words “or by the person responsible for a municipal poll”), 40.10), 57-76, 84-90 1997-10-15 ss. 77, 78, 79 (where it enacts s. 39), 80-83

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1995, c. 27	An Act respecting the Commission des droits de la personne et des droits de la jeunesse 1995-11-29 ss. 1-23, 25-41
1995, c. 33	An Act to amend the Act respecting the implementation of the reform of the Civil Code and other legislative provisions as regards security and the publication of rights 2000-11-07 s. 17
1995, c. 38	An Act to amend the Consumer Protection Act 1995-09-20 ss. 1, 2, 3 (par. 2), 4-8, 9 (R.S.Q., chapter P-40.1 (s. 302, 1 st sentence)), 10,11 1997-08-20 ss. 3 (par. 1), 9 (the second sentence of s. 302 of the Consumer Protection Act (R.S.Q., chapter P-40.1) enacted by s. 9)
1995, c. 39	An Act to amend the Code of Civil Procedure and the Act respecting the Régie du logement 1995-09-01 ss. 1-22
1995, c. 41	Court Bailiffs Act 1995-10-01 ss. 1-37
1995, c. 51	An Act to amend the Code of Penal Procedure and other legislative provisions 1996-03-01 ss. 1, 3, 5, 7-9, 12, 13 (par. 2, 3, 4, 5), 15, 16, 19, 20, 22, 27, 31, 33-45, 47-49 1996-07-15 ss. 4, 17, 23, 24 1997-10-01 ss. 6 (s. 62.1 (1 st par.) of the Code of Penal Procedure), 18, 21, 32
1995, c. 55	An Act to amend the Act respecting the Québec Pension Plan and the Automobile Insurance Act 1996-06-01 ss. 1-9
1995, c. 61	An Act to amend the Act respecting the Régie du logement and the Civil Code of Québec 1996-09-01 ss. 1, 2
1995, c. 67	An Act to amend the Cooperatives Act and other legislative provisions 1997-02-14 ss. 1-149, 151-201
1995, c. 69	An Act to amend the Act respecting income security and other legislative provisions 1996-03-01 ss. 10, 14, 21, 26 1996-04-01 ss. 3-7, 9, 17, 23, 25 1996-04-01 ss. 1 (par. 2), 20 (par. 2, 6), 24 1996-07-18 ss. 11, 20 (par. 4 and 7 [but solely in respect of s. 91 (subpar. 24.1 of 1 st par.) of the Act respecting income security]) 1996-07-18 s. 20 (par. 7 [in respect of s. 91 (subpar. 23 and 24 of 1 st par.) of the Act respecting income security]) 1996-08-01 ss. 1 (par. 1), 20 (par. 1) 1996-10-01 ss. 18, 20 (par. 4 [but solely in respect of s. 91 (subpar. 24.2 of 1 st par.) of the Act respecting income security]) 1997-01-01 ss. 12, 13, 20 (par. 5, 8, 9)
1996, c. 6	An Act respecting the implementation of international trade agreements 1996-07-10 ss. 1-10
1996, c. 8	An Act to amend the Act respecting lotteries, publicity contests and amusement machines in respect of international cruise ships 1999-09-08 s. 1

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1996, c. 18	An Act to amend the Act respecting the conservation and development of wildlife 1998-04-29 s. 7
1996, c. 20	An Act respecting the Société de télédiffusion du Québec and amending the Act respecting educational programming and other legislative provisions 1996-12-18 ss. 1-41
1996, c. 21	An Act respecting the Ministère des Relations avec les citoyens et de l'Immigration and amending other legislative provisions 1996-09-04 ss. 1-74
1996, c. 23	An Act to amend the Legal Aid Act 1996-07-17 s. 59 1996-08-28 ss. 42, 43 1996-09-26 ss. 1-5, 6 (ss. 4, 4.1, 4.4-4.13), 7-41, 44-58, 60 1997-01-01 s. 6 (ss. 4.2, 4.3)
1996, c. 24	An Act to amend the Act respecting the Société de récupération, d'exploitation et de développement forestiers du Québec 1996-11-13 s. 8
1996, c. 26	An Act to amend the Act to preserve agricultural land and other legislative provisions in order to promote the preservation of agricultural activities 1997-06-20 ss. 1-89
1996, c. 32	An Act respecting prescription drug insurance and amending various legislative provisions 1996-08-01* ss. 3 (except the words “, or by the insurers insuring transacting group insurance or the administrators of private-sector employee benefit plans,”), 5, 8 (1 st par. except the words “ in Québec”), 9, 11 (1 st , 3 rd par.) (4 th par. except the words “or by an insurer or employee benefit plan, as the case may be”), 12, 13 (1 st sentence which reads: “The maximum contribution for a reference period of one year shall not exceed \$750 per adult;”), 14, 15 (par. 1 except the words “who are not members of a group insurance contract or employee benefit plan that is applicable to a group of persons determined on the basis of current or former employment status, profession or any other habitual occupation and that includes basic plan coverage, and who are not beneficiaries under such a contract or plan;”), 15 (par. 2, 3), 22 (1 st par.) (2 nd par. except the words “ and, with respect to medications provided by an institution, according to the price established in that list”), 31 (*The coming into force of the provisions of the sections referred to in the preceding paragraph have effect: — from 1996-08-01, in respect of the persons referred to in s. 15 (par. 1 to 3) of 1996, c. 32; — on the date or dates determined by the Government, in respect of the other persons eligible for the basic prescription drug insurance plan.) 1996-08-01 ss. 1, 51-82, 87, 88, 89 (par. 1 (3 rd par. of s. 3 of the Health Insurance Act except, in the introductory sentence, the words “and, where applicable, the cost of medications provided as part of the services provided by an institution in accordance with the third paragraph of section 8 of the Act respecting prescription drug insurance and amending various legislative provisions”, except, in subpar. a of 3 rd par. the words “and is not a member of a group insurance contract or employee benefit plan that is applicable to a group of persons determined on the basis of current or former employment status, profession or any other habitual occupation and that includes basic plan coverage, and is not a beneficiary under such a plan”, and except subpar. c of 3 rd par.)), 89 (par. 2 (4 th par. of s. 3 of the Health Insurance Act except the words “and, where applicable, the cost of medications provided as part of the services provided by an institution in

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1996, c. 32	<p data-bbox="419 301 1241 345">An Act respecting prescription drug insurance and amending various legislative provisions – <i>Cont'd</i></p> <p data-bbox="554 354 1241 417">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 data-bbox="419 417 525 439">1996-09-01</p> <p data-bbox="554 417 1241 525">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 data-bbox="419 534 525 555">1997-01-01</p> <p data-bbox="554 534 1241 829">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 data-bbox="419 829 525 851">1997-01-01</p> <p data-bbox="554 829 1241 1616">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>

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1996, c. 32	An Act respecting prescription drug insurance and amending various legislative provisions – <i>Cont'd</i> Act), 89 (par. 2, 4 th par. of s. 3 of the Health Insurance Act, the words “and, where applicable, the cost of medications provided as part of the services provided by an institution in accordance with the third paragraph of section 8 of the Act respecting prescription drug insurance and amending various legislative provisions”), 91 (except 3 rd par. of s. 10 of the Health Insurance Act, introduced by par. 2), 95 (s. 22.1.0.1 of the Health Insurance Act, except, in 3 rd par., the words “or institution”), 96, 97, 106-108, 117
1996, c. 44	An Act to amend the Act respecting the Société générale de financement du Québec 2001-03-31 s. 6 (when it enacts s. 8.1)
1996, c. 51	An Act respecting reserved designations and amending the Act respecting the marketing of agricultural, food and fish products 1997-10-15 ss. 1-27
1996, c. 54	An Act respecting administrative justice 1997-09-24 ss. 16, 17, 61, 63, 64, 68, 69, 70, 79, 80, 86 (1 st par.), 98, 199 1997-09-24 s. 14 (1 st par.) [for the sole purposes of the preceding sections] 1998-04-01 ss. 1-13, 14 (in all other respects), 15, 18-60, 62, 65-67, 71-78, 81-85, 86 (2 nd par.), 87-92, 99-164, 177, 178, 182-198, schedules
1996, c. 56	An Act to amend the Highway Safety Code and other legislative provisions 1997-12-01 ss. 46, 51, 156 1998-12-24 ss. 103, 104 (par. 1), 106, 107 1999-07-01 ss. 99, 121, 137 (par. 6) 1999-07-15 s. 53 1999-08-01 ss. 118, 119 2000-01-27 ss. 82, 93, 149, 150
1996, c. 60	An Act respecting off-highway vehicles 1997-10-02 ss. 1-10, 11 (1 st , 2 nd par. (subpar. 1, 2, 4, 5, 6), 3 rd par.), 12-17, 18 (1 st , 3 rd par.), 19-26, 28-82, 84-87 1998-02-02 ss. 11 (par. 3), 27 1999-09-01 s. 18 (2 nd par.)
1996, c. 61	An Act respecting the Régie de l'énergie 1997-02-05 ss. 8, 165 1997-05-01 s. 134 (with the exception of s. 16 (1 st par.) of R.S.Q., chapter S-41) 1997-05-13 ss. 6, 7, 9, 10, 12, 60-62, 122, 135, 148, 171 1997-06-02 ss. 4, 13-15, 19-22 1997-06-02 ss. 2, 3, 5, 11, 16, 17, 18 (1 st par.), 23, 26-30, 31 (2 nd par.), 33, 34, 37-41, 63-71, 77-79, 81-85, 104-109, 113, 115, 128, 129, 132, 142-144, 146, 157-159, 161, 162, 166, 170; and, as they apply to natural gas, ss. 1, 25, 31 (1 st par., subpar. 1, 2, 4, 5), 32, 35, 36, 42-54, 73-75, 80, 86-103, 110-112, 114 (par. 1-6), 116, 117, 147 1997-10-15 ss. 24, 127, 130, 131, 149-156, 168, and, as they do not apply to natural gas, ss. 1, 25 (1 st par. (subpar. 3), 2 nd par.), 35, 36, 42-47, 75, 87-89, 110-112, 116 (2 nd par., subpar. 4), 117 1997-11-01 ss. 137, 138, 140, 141, and, as they apply to petroleum products, ss. 55-58, 116 1998-01-01 as they do not apply to natural gas, ss. 102, 103 1998-02-11 ss. 18 (2 nd par.), 59, 118, 139 (s. 45.1, par. d of subpar. 1 of 3 rd par. of R.S.Q., chapter U-1.1), 160, 167 (1 st par.), 169, and, as they do not apply to natural gas, ss. 25 (1 st par., subpar. 2), 31 (1 st par., subpar. 4), 86, 90-101, 147

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1996, c. 61	<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.

COMING INTO FORCE DETERMINED

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>

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1997, c. 8	An Act to amend the Election Act and other legislative provisions as regards the permanent list of electors 1998-10-21 ss. 10 (par. 4), 11 (par. 1, the words “and a list of the addresses for which no electors’ names are entered”), 13 (where it enacts s. 198.1 of the Election Act (R.S.Q., chapter E-3.3)) 1999-09-22 ss. 5, 8 (except for the words “as such information appears in the register kept under section 54 of the Public Curator Act (chapter C-81)” in section 40.7.1 enacted by section 8)
1997, c. 16	An Act respecting the Saguenay—St. Lawrence Marine Park 1998-06-12 ss. 1-26
1997, c. 20	An Act to amend the Act to foster the development of manpower training and other legislative provisions 1998-04-01 s. 8 (s. 23.1 of R.S.Q., chapter D-7.1) 1998-02-04 ss. 13, 15 1998-04-01 s. 16
1997, c. 23	An Act to amend the Act respecting the Conseil consultatif du travail et de la main-d’œuvre 1997-11-26 ss. 1, 2
1997, c. 24	An Act to amend the Charter of the French language 1997-09-01 ss. 1, 2, 7-21, 23-26 1998-01-01 ss. 3-6, 22
1997, c. 27	An Act to establish the Commission des lésions professionnelles and amending various legislative provisions 1997-10-29 ss. 24 (enacting ss. 429.1, 429.5 (1 st par.), 429.12 of R.S.Q., chapter A-3.001), 30 (enacting s. 590 of R.S.Q., chapter A-3.001) [for the sole purpose of declaring the Minister of Labour responsible for the provisions of the latter Act concerning the Commission des lésions professionnelles], 62 1998-04-01 ss. 1-23, 24 (ss. 367-429, 429.2-429.4, 429.5 (2 nd par.), 429.6-429.11, 429.13-429.59), 25-29, 31-61, 63-68
1997, c. 29	An Act respecting the Centre de recherche industrielle du Québec 1997-06-30 ss. 1-42
1997, c. 37	An Act to amend the Act respecting safety in sports 2002-04-01 s. 2 (ss. 46.17, 46.18 of the Act respecting safety in sports (R.S.Q., chapter S-3.1))
1997, c. 39	An Act respecting certain flat glass setting or installation work 1997-07-09 ss. 1-3
1997, c. 43	An Act respecting the implementation of the Act respecting administrative justice 1997-09-24 ss. 845 (2 nd par.), 848-850 (as regards persons governed by s. 853), 853 (except the words “Until 1 December 1997”) 1997-09-24 s. 14 (1 st par.) [for the sole purposes of the preceding sections] 1997-10-29 s. 866 (s. 58.1 of the Act to establish the Commission des lésions professionnelles and amending various legislative provisions (1997, chapter 27))

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1997, c. 43	An Act respecting the implementation of the Act respecting administrative justice – <i>Cont'd</i> 1998-04-01 ss. 1-10, 14-105, 111 (par. 1), 121 (par. 1), 124-184, 186-211, 216-337, 340-360, 362, 364-404, 410-565, 567 (par. 3), 568, 576 (par. 1), 577 (par. 1, 3, 4), 578-759, 761-824, 826-832, 833 (except the provisions of the second paragraph respecting proceedings already before the Commission municipale du Québec, in matters of real estate or business tax exemptions), 835-844, 845 (1 st par.), 846, 847, 848-850 (as regards the persons governed by s. 841), 851, 852, 855-864 1998-04-01 ss. 11, 12, 13, 865, 867, 876 (par. 4)
1997, c. 44	An Act respecting the Commission de développement de la métropole 1997-06-20 s. 103
1997, c. 47	An Act to amend the Education Act, the Act respecting school elections and other legislative provisions 1997-08-13 ss. 2, 3, 16, 17, 25, 29-50, 52, 54-59, 61-63, 67-71 1998-07-01 ss. 1, 4-15, 18-24, 26, 27, 28 (subject to s. 68), 51, 53, 60, 64-66
1997, c. 49	An Act to amend the Act respecting the Société de l'assurance automobile du Québec and other legislative provisions 1998-07-02 ss. 4-7, 9
1997, c. 50	An Act to amend various legislative provisions of the pension plans in the public and parapublic sectors 1997-03-22 ss. 52, 53 (effective date)
1997, c. 53	An Act to amend various legislative provisions concerning municipal affairs 1998-07-01 ss. 7 (par. 3), 18 (par. 3), 24 (par. 2), 29 (par. 2), 33 (par. 2), 36 (par. 3), 42 (par. 2), 47 (par. 2), 52 (par. 4)
1997, c. 54	An Act to amend the Act respecting lotteries, publicity contests and amusement machines 1997-09-24 ss. 1-9
1997, c. 55	An Act respecting the Agence de l'efficacité énergétique 1997-10-22 ss. 1-11, 14, 15, 35 1997-12-03 ss. 12, 13, 16-31, 34
1997, c. 58	An Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care 1997-07-02 ss. 1-19, 21 (par. 4), 24 (par. 3), 25-41, 44, 52, 59 (par. 4), 68, 98, 106 (par. 1), 121, 133, 134, 135 (par. 3), 136 (par. 3), 142-155
1997, c. 63	An Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail 1997-09-10 ss. 16, 17 (1 st par. (the part preceding subpar. 1, subpar. 8)), 21-29, 31, 32 1997-12-17 ss. 37, 38 (the part preceding par. 1, par. 2, 5), 40-46 1997-12-17 ss. 58-68, 107 (par. 4), 110, 119 (the part preceding par. 1, par. 2), 135, 145, 147 1998-01-01 ss. 17 (1 st par. (subpar. 1-7)), 18-20, 30, 33-36, 38 (par. 1, 3, 4, 6, 7), 39, 120-123, 136, 137 1998-04-01 ss. 17 (2 nd par.), 69-96, 97 (par. 2, 3), 98-105, 107 (par. 1, 2), 108, 111-118, 119 (par. 1), 125, 127, 129-134, 138 (par. 4), 140-143, 146

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1997, c. 64	An Act to amend the Act respecting the use of petroleum products and other legislative provisions 1999-02-24 ss. 1, 2 (enact. ss. 5, 7, 8 (2 nd par.), 14 (2 nd par.), 22 (subpar. 3), 23, 25 (subpar. 2, 5), 27 (3 rd par.), 37, 39, 41, 50, 51, 54, 59), 14 (enact. ss. 96, 97, 114, 115, 116), 15, 17, 18, 25 (3 rd par.) 1999-04-30 ss. 2 (enact. ss. 1-4, 6, 8 (1 st par.), 9-13, 14 (1 st par.), 15-21, 22 (subpar. 2 of 1 st par., 2 nd par.), 24, 25 (subpar. 1, 4 of 1 st par., 2 nd par.), 26, 27 (1 st , 2 nd , 4 th par.), 28-30, 32-38, 40, 42-49, 52, 53, 55-58, 60-66), 3-13, 14 (enact. ss. 98-113), 16, 19-24, 25 (1 st , 2 nd par.) 1999-07-01 s. 2 (enact. ss. 22 (subpar. 1), 25 (subpar. 3), 31)
1997, c. 75	An Act respecting the protection of persons whose mental state presents a danger to themselves or to others 1998-06-01 ss. 1-60
1997, c. 77	An Act to amend the Public Health Protection Act 1998-02-15 ss. 3-7
1997, c. 78	An Act to amend the Act to ensure safety in guided land transport 2000-01-01 ss. 1, 2, 4, 7, 15-18 2000-05-01 ss. 3, 5, 6, 8-12, 13 (par. 2), 14 (par. 1), 19
1997, c. 80	An Act to amend the Public Curator Act and other legislative provisions relating to property under the provisional administration of the Public Curator 1998-12-16 ss. 36, 37 1999-06-01 s. 31 1999-07-01 ss. 1-27, 29, 30, 33-35, 39-43, 45-61, 62 except as regards funds held in trust by the Joint Committee of the women's clothing industry for the payment of compensation for annual vacation with pay provided for in sections 8.00 to 8.06 of the Decree respecting the women's clothing industry (R.R.Q., 1981, chapter D-2, r. 26), 63-78, 81 2000-10-01 s. 62 as regards funds held in trust by the Joint Committee of the women's clothing industry for the payment of compensation for annual vacation with pay provided for in sections 8.00 to 8.06 of the Decree respecting the women's clothing industry (R.R.Q., 1981, chapter D-2, r. 26)
1997, c. 83	An Act to abolish certain bodies 1998-03-18 ss. 25, 31, 32, 33, 38 (par. 1), 41, 42, 43, 44, 49 (par. 3), 50 (par. 3), 56 (par. 3) 2002-10-01 ss. 29, 30
1997, c. 85	An Act to again amend the Taxation Act, the Act respecting the Québec sales tax and other legislative provisions 1998-09-16 ss. 5-9, 395-399
1997, c. 87	An Act to amend the General and Vocational Colleges Act and other legislative provisions 1998-03-11 ss. 1-5, 7-11, 14, 21, 23-28, 34, 35 1998-07-01 ss. 6, 12, 13, 16-19, 22, 29-33 1999-01-01 ss. 15, 20
1997, c. 90	An Act to amend the Act respecting financial assistance for students 1998-04-01 ss. 1, 2, 3, 13, 14 1998-05-01 ss. 4, 5, 6, 7, 8, 9, 10, 11, 12
1997, c. 91	An Act respecting the Ministère des Régions 1998-04-01 ss. 1-7, 16-66, 68

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1997, c. 96	An Act to amend the Education Act and various legislative provisions 1998-04-01 ss. 107, 109-111, 126 (par. 2), 131, 163, 178, 180-183, 187-191
1998, c. 3	An Act to amend the Act respecting stuffing and upholstered and stuffed articles 2005-10-13 ss. 1-10
1998, c. 5	An Act to amend the Civil Code and other legislative provisions as regards the publication of personal and movable real rights and the constitution of movable hypothecs without delivery 1999-09-17 ss. 1-9, 12, 13, 19, 21, 23, 24, 25
1998, c. 15	An Act to amend the Act respecting immigration to Québec and other legislative provisions 1998-09-07 ss. 8, 10 (par. 8)
1998, c. 17	An Act respecting Investissement-Québec and Garantie-Québec 1998-08-21 ss. 1-83
1998, c. 19	An Act respecting Société Innovatech du Grand Montréal 1998-06-30 ss. 1-45
1998, c. 20	An Act respecting Société Innovatech Régions ressources 1998-06-30 ss. 1-42
1998, c. 21	An Act respecting Société Innovatech Québec et Chaudière-Appalaches 1998-06-30 ss. 1-45
1998, c. 22	An Act respecting Société Innovatech du sud du Québec 1998-06-30 ss. 1-45
1998, c. 24	An Act to amend the Mining Act and the Act respecting the lands in the public domain 1999-12-01 s. 82 (s. 169.2, except par. 3) 2000-11-22 ss. 1 (par. 2), 3 (par. 1), 4-51, 56-70, 75 (par. 3), 102 (par. 2), 103 (except with respect to applications for a licence or lease relating to petroleum, natural gas, brine or underground reservoirs), 105-109, 113 (par. 2), 114, 116, 117 (par. 2, 3), 118-120, 122, 124-126, 127 (par. 1, 3, 4), 128 (par. 1, 3-9, 12 (except with respect to applications for a licence or lease relating to petroleum, natural gas, brine or underground reservoirs)), 129, 130, 133, 134, 136, 142-145, 148-152, 158 2010-01-21 ss. 1 (par. 1), 2, 3 (par. 2-4), 71-74, 75 (par. 1, 2), 76-81, 82 (to the extent that it enacts ss. 169.1 and 169.2 (par. 3)), 83-101, 102 (par. 1), 103 (with respect to applications for a licence or lease relating to petroleum, natural gas or underground reservoirs, and authorizations to produce brine), 104, 113 (par. 1), 115, 117 (par. 1), 123, 127 (par. 2), 128 (par. 2, 10, 11, 12 (with respect to applications for a licence or lease relating to petroleum, natural gas or underground reservoirs, and authorizations to produce brine)), 131, 132, 154-157
1998, c. 27	An Act to amend the Act to promote the parole of inmates 1999-01-27 s. 13
1998, c. 30	An Act to amend the Act respecting municipal courts and the Courts of Justice Act 1998-09-09 ss. 6, 7, 14, 16, 21 1998-10-15 ss. 4, 5, 8-13, 18, 19, 22-28, 30, 31, 36, 40-42, 44 2001-03-28 ss. 15, 37, 38, 39

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1998, c. 33	Tobacco Act 1998-10-01 ss. 67, 71 1998-11-01 ss. 32-40, 55-57
1998, c. 36	An Act respecting income support, employment assistance and social solidarity 1998-08-05 s. 203 1999-10-01 ss. 1-19, 20 (1 st par.), 21-26, 27 (1 st , 2 nd par.), 28-31, 33-55, 58, 67, 68 (except 2 nd par. (subpar. 4, what follows the word “work”)), 69-74, 75 (except 2 nd par. (subpar. 4, what follows the words “Insurance Act”)), 76-78, 79 (except 1 st par., last sentence), 80-95, 96 (1 st , 3 rd par.), 97-155, 156 (par. 1-6, 8-23, 25-30), 158 (1 st par. (subpar. 1-13), 2 nd par.), 159-175, 178-186, 189-202, 204, 206, 209-212, 216, 217, 219-226, 228 (except for the provisions of the first paragraph concerning the report on the implementation of the provisions pertaining to the payment of part of the benefit relating to lodging to the lessor), 229 2000-01-01 ss. 68 (2 nd par. (subpar. 4, what follows the word “work”)), 75 (2 nd par. (subpar. 4, what follows the words “Insurance Act”)), 79 (1 st par., last sentence), 96 (2 nd par.), 158 (1 st par. (subpar. 14)) 2000-11-01 ss. 56, 57, 156 (par. 31)
1998, c. 37	An Act respecting the distribution of financial products and services 1998-08-26 ss. 158-184, 194, 229, 231, 244-248, 251-255, 256 (1 st , 2 nd par.), 257, 284-287, 288 (1 st par.), 296 (2 nd par.), 297 (2 nd par.), 299, 302-311, 312 (1 st par.), 323-326, 504-506, 510, 568, 572, 577, 579, 581 1999-02-24 ss. 1-11, 13 (2 nd par.), 58, 59, 61-65, 70, 72, 185, 189, 190, 193, 195, 196, 200-217, 223-228, 232, 233 (1 st par.), 258-273, 274 (3 rd par.), 279-283, 312 (2 nd par.), 313, 314, 315 (2 nd par.), 316, 319, 321, 322, 327, 328, 331-333, 351, 352, 355-358, 364, 365, 366, 370, 408 (2 nd par.), 411-414, 416, 423, 424, 426, 440, 443, 503, 543, 573 (2 nd par.) 1999-07-19 ss. 45, 57, 66, 67, 73-79, 82 (1 st par.), 104 (1 st par.), 128, 130-134, 144 (1 st par.), 146-157, 197, 218-222, 234-239, 249, 250, 274 (2 nd par. (subpar. 1)), 395-407, 418, 427, 428, 445, 447, 449, 450, 451 (1 st par.), 452, 458, 459, 484, 485, 487, 502, 517-521, 534-542, 544-546, 549 (1 st par.), 550-553, 566, 569, 570, 571, 574, 576 1999-10-01 ss. 12, 13 (1 st par.), 14-16, 18-25, 27, 29, 30, 33-39, 41-44, 46-56, 60, 68, 69, 71, 80, 81, 82 (2 nd par.), 83-103, 104 (2 nd , 3 rd par.), 105-127, 129, 135-143, 144 (2 nd , 3 rd par.), 145, 186-188, 191, 192, 198, 199, 230, 233 (2 nd par.), 240-243, 256 (3 rd par.), 274 (1 st par., 2 nd par. (subpar. 2)), 275-278, 288 (2 nd par.) 289-295, 296 (1 st par.), 297 (1 st par.), 298, 300, 301, 315 (1 st par.), 317, 318, 320, 329, 330, 334-350, 353, 354, 359-363, 367-369, 371-394, 408 (1 st par.), 409, 410, 415, 417, 419-422, 425, 429-439, 441, 442, 444, 446, 448, 451 (2 nd par.), 453-457, 460-483, 486, 488-501, 507-509, 511-516, 522-533, 547, 548, 549 (2 nd , 3 rd par.), 554, 557-565, 567, 573 (1 st par.), 575, 578, 580, 582 1999-10-01 ss. 555, 556 2003-01-01 ss. 17, 26, 31, 32
1998, c. 38	An Act to establish the Grande bibliothèque du Québec 1998-08-05 ss. 1-3, 4 (1 st par. (subpar. 1, 3), 2 nd par.), 5-22, 24-33 1999-05-05 ss. 4 (1 st par. (subpar. 2)), 23
1998, c. 39	An Act to amend the Act respecting health services and social services and amending various legislative provisions 1999-04-01 ss. 171, 207, 208 1999-03-31 ss. 139, 141-149, 202 2001-04-01 ss. 63 (par. 2), 94-97, 160

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1998, c. 40	An Act respecting owners and operators of heavy vehicles 1998-07-21 ss. 1-4, 6-14, 19, 20, 22-46, 48, 49, 51, 54, 55 (par. 1), 55 (par. 2, as regards the definition of “tool vehicle”), 58, 59, 62, 65, 66, 69, 71-76, 78, 79, 94, 117, 120-123, 125, 126, 128 (par. 1), 144 (par. 7, 8, 12), 146-148, 150 (par. 1, 2), 154-162, 171, 172, 174-182 1998-11-27 s. 144 (par. 9, 10) 1998-12-24 ss. 130, 131, 132 1999-02-24 ss. 15 (1 st , 3 rd par.), 16 (1 st par.), 17, 18 1999-04-01 ss. 5, 21, 50, 55 (par. 2 (as regards the definition of “heavy vehicle”)), 56, 57, 60, 61, 63, 67, 70, 77, 80, 82, 84, 85, 86, 88-93, 95, 96, 98, 103, 107, 108, 109 (par. 1 (except as regards the deletion of ss. 413 and 471), par. 3)), 111, 114, 124 (par. 2, 3), 127, 128 (par. 2), 129, 133-140, 149, 151, 163-170, 173 1999-04-29 s. 112 1999-07-01 ss. 15 (2 nd par.), 16 (2 nd par.), 47 1999-06-02 ss. 83, 144 (par. 1-6, 11, 13-18, 20, 21, 23) 1999-07-01 ss. 52, 53, 64, 68, 81, 99-102, 104-106, 109 (par. 2), 118, 119, 124 (par. 1), 141-143, 144 (par. 19, 22, 24), 145, 150 (par. 3), 152, 153 1999-11-01 ss. 115, 116 2000-12-14 ss. 109 (par. 1 (as regards the striking out of section 471)), 110, 113
1998, c. 41	An Act respecting Héma-Québec and the haemovigilance committee 1998-07-08 ss. 1, 2, 4-54, 56-75 1998-09-28 ss. 3, 55
1998, c. 42	An Act respecting Institut national de santé publique du Québec 1998-10-08 ss. 1-3, 4 (1 st par. (subpar. 5), 2 nd par.), 5-48 1999-09-12 s. 4 (1 st par. (subpar. 2, 3, 4)) 2000-04-01 s. 4 (1 st par. (subpar. 1))
1998, c. 44	An Act respecting the Institut de la statistique du Québec 1998-10-14 ss. 1, 14-19, 21-24, 63 1999-04-01 ss. 2-13, 20, 25-62
1998, c. 46	An Act to amend various legislative provisions relating to building and the construction industry 1998-09-08 ss. 1, 3, 25, 41, 42 (par. 1), 43-50, 58, 60-63, 68-70, 81, 82, 84-86, 88-100, 110-113, 120, 122 (par. 1) [which enacts s. 123 (par. 8.4) of the Act respecting labour relations, vocational training and manpower management in the construction industry], 122 (par. 2), 125-135 2000-11-07 ss. 4-7, 9, 30-32, 37 2002-10-01 ss. 8, 10-13 2002-11-20 ss. 71, 73, 75, 76, 78, 80
1998, c. 47	An Act respecting certain facilities of Ville de Montréal 1998-09-25 ss. 1-42
1998, c. 51	An Act to amend the Code of Civil Procedure and other legislative provisions in relation to notarial matters 1999-05-13 ss. 1-25, 27, 29 2000-01-01 s. 26
1998, c. 52	An Act to amend the Election Act, the Referendum Act and other legislative provisions 1999-09-22 ss. 46, 47, 55, 56, 81, 94 (par. 3, 4)
1999, c. 11	An Act respecting Financement-Québec 1999-10-01 ss. 1-68

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1999, c. 13	An Act to amend various legislative provisions relating to building and the construction industry 1999-09-08 ss. 1, 8, 10, 13
1999, c. 14	An Act to amend various legislative provisions concerning de facto spouses 1999-07-01 ss. 18, 19 (on the date of the coming into force of ss. 35 and 65 of 1997, c. 73, under the provisions of s. 98 (par. 2) of that Act) 1999-10-01 ss. 34 (on the date of the coming into force of the provisions of s. 19 of 1998, c. 36 (subpar. 3 of 1 st par.)), 35 (on the date of the coming into force of the provisions of s. 28 of 1998, c. 36 (subpar. 4 of 1 st par.))
1999, c. 16	An Act respecting Immobilière SHQ 1999-12-15 ss. 1-38
1999, c. 26	An Act respecting the Société nationale du cheval de course 1999-09-01 ss. 1-20
1999, c. 30	An Act to amend certain legislative provisions respecting the Public Curator 2000-04-01 ss. 7-15, 17, 18, 19 (par. 1, 3, 4), 20, 24
1999, c. 32	An Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec 1999-08-04 ss. 1, 2 (1 st par., 2 nd par. (subpar. 2)), 3-15, 18-30, 33 2001-09-13 ss. 2 (2 nd par. (par. 1)), 16, 17, 31, 32
1999, c. 34	An Act respecting the Corporation d'hébergement du Québec 1999-12-01 ss. 1-26, 28-40, 42-55, 56 (par. 1), 57-61, 63-77 2000-01-05 ss. 27, 62 2000-04-01 ss. 41, 56 (par. 2)
1999, c. 36	An Act respecting the Société de la faune et des parcs du Québec 1999-09-08 ss. 1-3, 5-23, 33, 35, 36, 169, 170 1999-12-01 ss. 4, 24-32, 34, 37-168
1999, c. 37	An Act to amend the Act respecting prescription drug insurance 1999-09-01 ss. 1, 4-8
1999, c. 38	An Act respecting the transport of bulk material under municipal contracts 2000-09-20 ss. 1-3
1999, c. 41	An Act respecting the Société de développement de la Zone de commerce international de Montréal à Mirabel 2000-03-30 ss. 1-50
1999, c. 45	An Act to amend the Act respecting health services and social services as regards access to users' records 2000-01-01 ss. 1-5
1999, c. 46	An Act to amend the Code of Civil Procedure 2000-02-01 ss. 1-19
1999, c. 47	An Act to amend the Civil Code as regards names and the register of civil status 2002-05-01 s. 8

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1999, c. 49	An Act to amend the Civil Code as regards publication of certain rights by means of a notice 2000-01-01 s. 1
1999, c. 50	An Act to repeal the Grain Act and to amend the Act respecting the marketing of agricultural, food and fish products and other legislative provisions 2002-03-27 ss. 30 (to the extent that it enacts ss. 149.2-149.5 of the Act respecting the marketing of agricultural, food and fish products (R.S.Q., chapter M-35.1)), 31, 47 (to the extent that it repeals ss. 19-22 of the Dairy Products and Dairy Products Substitutes Act (R.S.Q., chapter P-30)), 74
1999, c. 52	An Act to amend the Act respecting labour standards and other legislative provisions concerning work performed by children 2000-07-20 ss. 11 (where it enacts sections 84.6, 84.7 of the Act respecting labour standards), 12
1999, c. 53	An Act to provide for the implementation of agreements with Mohawk communities 1999-11-24 ss. 1-21
1999, c. 65	An Act to amend the Act respecting the Ministère du Revenu and other legislative provisions of a fiscal nature 2000-02-02 ss. 1-4, 6, 7, 9 (par. 1, 2, 3), 11, 13-16, 17 (par. 2), 18, 19, 27, 28 (par. 1), 29 (par. 1, 2, 5), 30-32, 46, 49-53, 54 (par. 2), 55-63, 65-71, 74-76 2002-02-02 ss. 28 (par. 2, 3, 4), 29 (par. 3, 4)
1999, c. 66	An Act to amend the Highway Safety Code and other legislative provisions 2000-04-01 ss. 8, 9, 12, 13, 22-24, 30, 31 2000-12-14 ss. 18, 26 (par. 1), 29 2001-03-01 s. 20 2003-09-03 s. 15 2008-04-01 ss. 10, 26 (par. 2)
1999, c. 69	An Act to again amend the James Bay Region Development Act 2000-09-27 ss. 1-16
1999, c. 75	An Act to amend the Environment Quality Act and other legislation as regards the management of residual materials 2000-05-01 ss. 1-13 (subsections 1, 3, 4, 5 (heading) of Division VII of Chapter I of the Environment Quality Act), 14-54 2001-01-01 subsection 2 of Division VII of Chapter I of the Environment Quality Act, enacted by section 13
1999, c. 77	An Act respecting the Ministère des Finances 2000-11-15 ss. 1-56
1999, c. 84	An Act to delimit the high water mark of the St. Lawrence River in the territory of Municipalité régionale de comté de La Côte-de-Beaupré 2002-10-03 ss. 1-4
1999, c. 89	An Act to amend the Health Insurance Act and other legislative provisions 2000-03-01 ss. 1 (par. 1, 3 (the replacement of “beneficiary” by “insured person”), 4, 5), 2, 3, 8, 11-17, 19, 20, 22-29, 31-37, 38 (par. 3-6), 39-56 2001-05-31 ss. 1 (par. 2, 3 (the replacement of “deemed” by “temporary”)), 4-7, 9, 10 (except the new s. 9.6 of the Health Insurance Act (R.S.Q., chapter A-29) that it introduces), 18, 21, 30, 38 (par. 1, 2)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1999, c. 90	An Act to amend various legislative provisions respecting municipal affairs 2001-01-31 ss. 22-26, 31
2000, c. 8	Public Administration Act 2000-09-06 s. 144 2000-10-01 ss. 1, 2, 12-23, 29-36, 38-56, 58-76, 77 (par. 1-3, 5-10, 12), 78-92, 93 (except to the extent that it repeals sections 22, 49.6 of the Financial Administration Act (R.S.Q., chapter A-6) and Division IX of that Act comprising sections 83-85), 94-98, 100, 103-105, 109, 120-123, 125-143, 145-149, 152, 153, 157-173, 175, 178-182, 186, 188, 191, 201, 219, 221, 222, 224-228, 230, 231, 236, 238, 239, 240 (with the exception of the number and word "10.2 and" in paragraph 3 and paragraphs 4 and 5), 242, 243 (with the exception of the word and number "and 49.6"), 244-253 2001-04-01 ss. 6, 7, 28, 57, 93 (to the extent that it repeals section 49.6 and Division IX comprising sections 83-85 of the Financial Administration Act), 192, the number and word "10.2 and" in paragraph 3 of section 240, and the word and number "and 49.6" in section 243 of that Act 2001-06-20 ss. 37, 93 (to the extent that it repeals s. 22 of the Financial Administration Act (R.S.Q., chapter A-6)), 99, 101, 102, 106-108, 110-119, 124, 150, 151, 154-156, 174, 176, 177, 183-185, 187, 189, 190, 193-200, 202-218, 220, 223, 229, 232-235, 237, 241 2002-04-01 ss. 24-27
2000, c. 9	Dam Safety Act 2002-04-11 ss. 1-18, 19 (1 st , 2 nd , 3 rd , 5 th par.), 20-49
2000, c. 10	An Act to amend the Tourist Establishments Act 2001-12-01 ss. 1-4, 6-33
2000, c. 13	An Act to amend the Professional Code and other legislative provisions 2000-07-12 ss. 1-95
2000, c. 15	Financial Administration Act 2000-11-15 ss. 1-14, 20-32, 46-57, 77-163, 165, 166 (except to the extent that the latter replaces sections 8, 22, 36-36.2, 47, 48, 49.6, 59-69.0.7, 69.5 and Division IX comprising sections 83-85 of the Financial Administration Act (R.S.Q., chapter A-6)), 167 2001-03-01 ss. 67, 68, 69 and 166 (to the extent that it replaces sections 59, 68 and 69 of the Financial Administration Act (R.S.Q., chapter A-6)) 2002-03-01 ss. 15-19, 61-66, 70-76, 164, 166 (to the extent that the latter replaces ss. 8, 36-36.2, 47, 48, 60-67, 69.0.1-69.0.7, 69.5 of the Financial Administration Act (R.S.Q., chapter A-6))
2000, c. 18	An Act respecting the Office Québec-Amériques pour la jeunesse 2000-09-13 ss. 1-34
2000, c. 20	Fire Safety Act 2000-09-01 ss. 1-6, 8-38 (1 st par.), 39-152, 154-185 2001-04-01 ss. 7, 153
2000, c. 21	An Act to amend the Cinema Act 2001-01-01 ss. 1-8
2000, c. 22	An Act to amend the Act respecting the Régie de l'énergie and other legislative provisions 2000-11-15 ss. 68, 69 2001-09-20 ss. 58, 59, 65 2004-03-24 ss. 45 (par. 2), 50 (par. 1 (except the words "the registration fees and"), 2)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2000, c. 28	An Act respecting Nasdaq stock exchange activities in Québec 2000-10-19 ss. 1, 9
2000, c. 29	An Act respecting financial services cooperatives 2000-10-04 ss. 641, 642 2001-07-01 ss. 1-640, 643-683, 685-693, 695-698, 700-701, 704-711, 712 (1 st par.), 713-717, 719-723, 725-728, 730
2000, c. 35	An Act to amend the Transport Act 2000-06-30 ss. 2, 4, 5, 6, 7
2000, c. 36	An Act to amend the Act respecting the Ministère du Revenu as regards the suspension of recovery measures 2000-10-01 ss. 1-14
2000, c. 40	An Act to amend the Animal Health Protection Act and other legislative provisions and to repeal the Bees Act 2004-12-08 ss. 28-33 2005-05-11 s. 4 (to the extent that it introduces s. 3.0.1 (1 st par.) of the Animal Health Protection Act (R.S.Q., chapter P-42))
2000, c. 42	An Act to amend the Civil Code and other legislative provisions relating to land registration 2001-10-09 ss. 1, 2, 10, 11, 13-21, 24-26, 28-32, 41 (where it amends a. 2999.1 (1 st par.) of the Civil Code), 42, 43 (except where it deals with the information referred to in a. 3005 of the Civil Code, on the geodesic reference and geographic coordinates making it possible to describe an immovable), 44-52, 54-58, 60-62, 64, 65, 69, 71-78, 81, 83-86, 88, 89 (except where it strikes out s. 146 (2 nd par.) of the Act respecting the implementation of the reform of the Civil Code), 90, 91 (except where it repeals ss. 151 (1 st sentence), 152 (2 nd par.), 153 (par. 2) of the Act respecting the implementation of the reform of the Civil Code), 92 (except where it repeals s. 155 (par. 2.3, 2.4) of the Act respecting the implementation of the reform of the Civil Code), 93, 96-98, 100-107, 117, 119-127, 129-133, 136, 138-143, 148-153, 155, 157-185, 188, 197-209, 212-214, 216, 218-225, 229-236, 238, 241-245
2000, c. 44	Notaries Act 2002-01-01 ss. 1-25, 27-58, 60, 61, 93-105, 106 (except where it replaces the provisions of the Notarial Act (R.S.Q., chapter N-2) respecting the preservation of notarial acts <i>en minute</i> , the keeping, surrender, deposit and provisional custody of notarial records, the issue of copies and extracts from notarial acts 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)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2000, c. 49	An Act respecting transport infrastructure partnerships 2007-08-15 ss. 23-27, 29
2000, c. 53	An Act respecting La Financière agricole du Québec 2001-04-01 ss. 1, 2, 3 (1 st , 3 rd par.), 4-18, 82, 83 2001-04-17 ss. 3 (2 nd par.), 19-69, 70 (1 st par.), 71-77, 78 (to the extent that it governs the regulations made under the Act respecting the Société de financement agricole (R.S.Q., chapter S-11.0101)), 79-81 2001-09-05 s. 70 (2 nd par.)
2000, c. 57	An Act to amend the Charter of the French language 2001-06-18 ss. 1-5, 6 (except the words “, Cree School Board, Kativik School Board” in s. 29.1 enacted by par.1), 7-15
2000, c. 61	An Act to amend the Maritime Fisheries Credit Act 2001-05-02 ss. 1-7
2000, c. 62	An Act respecting the Société d’Investissement Jeunesse 2001-02-28 ss. 1-4
2000, c. 68	An Act respecting La Société Aéroportuaire de Québec 2000-10-25 ss. 1-7
2000, c. 77	An Act respecting the Mouvement Desjardins 2001-07-01 ss. 1-62, 64, 66, 68, 71 (s. 689 of the Act respecting financial services cooperatives (2000, c. 29))
2001, c. 2	An Act to amend the Election Act and other legislative provisions 2001-05-02 ss. 1-12, 14-21, 23-25, 32-37, 38 (par. 1), 40-44, 48, 50-57
2001, c. 6	An Act to amend the Forest Act and other legislative provisions 2001-06-27 ss. 3-25, 27-29, 31, 34, 35 (to the extent that it enacts s. 43.2), 37, 48, 49, 53, 55, 56 (par. 2, 3), 59, 61, 64-69, 70 (par. 1), 71 (except for s. 84.8 that it enacts), 74-76, 78 (except for ss. 92.0.5 and 92.0.6 that it enacts), 79-90, 91 (except for s. 104.1 that it enacts), 92-98, 99 (par. 1), 100-102, 104-118, 119 (par. 1-4, 8), 120, 121, 122 (except for ss. 184 (2 nd par.), 186.7 (1 st par. (subpar. 3)) and 186.9 that it enacts), 123-129, 131-154, 157 (par. 1), 159, 160, 162, 163, 168, 170-172, 174-176, 182-188 2001-09-01 s. 169 2002-01-01 ss. 164-167, 173 2002-04-01 ss. 1, 54, 58, 158 2002-09-01 ss. 26, 161 2005-11-24 ss. 119 (par. 7), 122 (to the extent that it enacts s. 186.9) 2007-03-31 ss. 70 (par. 4), 91 (to the extent that it enacts s. 104.1), 122 (to the extent that it enacts s. 186.7 (1 st par. (subpar. 3))) 2008-04-01 ss. 60, 77, 130
2001, c. 9	An Act respecting parental insurance 2005-01-10 ss. 82 (to the extent that it concerns the Conseil de gestion de l’assurance parentale), 85 (to the extent that it concerns the Conseil de gestion de l’assurance parentale), 89, 90, 91 (except 2 nd par. (subpar. 2)), 92-110, 111 (except par. 1), 112-120, 152 2005-08-22 any portion not yet in force of s. 88 2005-10-19 s. 150 2005-11-16 any portion not yet in force of s. 82 2006-01-01 any portion not yet in force of ss. 3, 4, 7, 8, 16, 18-21, 23, 26, 34, 38, 82*, 83, 85, 91, 111 2006-01-01 any other section not yet in force * Order in Council 1102-2005 sets 16 November 2005 as the date of coming into force of any portion not yet in force of section 82.

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2001, c. 11	An Act respecting the Bibliothèque nationale du Québec and amending various legislative provisions 2002-03-04 ss. 1-34
2001, c. 12	Geologists Act 2001-08-22 ss. 1-24
2001, c. 15	An Act respecting transportation services by taxi 2002-05-15 ss. 10 (3 rd par.), 79 (1 st par. (subpar. 4, 8)) 2002-06-05 ss. 12 (4 th par.), 88 2002-06-30 ss. 1-9, 10 (1 st , 2 nd par.), 11, 12 (1 st , 2 nd , 3 rd par.), 13-17, 18 (except 3 rd par. (subpar. 1)), 19-25, 26 (except 1 st par. (subpar. 3)), 27-34, 48-71, 79 (1 st par. (subpar. 1-3, 5-7, 9-12), 2 nd , 3 rd , 4 th par.), 80-87, 89-134, 139-151
2001, c. 19	An Act concerning the organization of police services 2001-10-10 s. 1 (par. 1)
2001, c. 23	An Act respecting public transit authorities 2002-02-13 s. 208
2001, c. 24	An Act to amend the Act respecting health services and social services and other legislative provisions 2001-06-29 ss. 6, 7 (to the extent that it introduces s. 126.2 (2 nd par.) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 8, 11 2001-12-19 ss. 1, 2, 55, 56, 58-61, 63, 65, 66, 67 (to the extent that it replaces s. 397.3 of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 68-78, 80-82, 85, 87, 92, 106, 108, 109 2002-04-01 s. 64 2002-05-01 ss. 36-38 2002-08-01 ss. 5, 7 (to the extent that it introduces s. 126.2 (3 rd par.) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 9, 10, 12-34, 39-42, 46, 47, 50-52, 84, 90, 91, 94-101, 104, 107
2001, c. 26	An Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions 2002-02-13 ss. 63 (where it enacts ss. 137.11-137.16 of the Labour Code (R.S.Q., chapter C-27)), 207 2002-10-02 s. 63 (where it enacts ss. 137.17-137.39 of the Labour Code) 2002-10-23 ss. 63 (where it enacts ss. 113, 137.62, 137.63 of the Labour Code), 139, 209, 220 2002-11-25 s. 63 (where it enacts s. 112 of the Labour Code) 2002-11-25 ss. 1-11, 12 (par. 1), 13-24, 25 (par. 2, 3), 26-30, 32 (where it enacts ss. 45.1, 45.2 of the Labour Code), 33-41, 43, 46, 48, 49, 52-56, 59, 63 (where it enacts ss. 114 (except with respect to a complaint, other than that provided for in s. 47.3 of the Labour Code, alleging a contravention of s. 47.2 of the Code), 115, 116 (1 st par.), 117-132, 134-137.10, 137.40-137.61 of the Labour Code), 64 (except par. 3 where it enacts s. 138 (1 st par. (subpar. g, h)) of the Labour Code), 65-72, 83-92, 94-125, 127, 131, 140-150, 151 (par. 1-23, 25), 152-157, 160-172, 174-181, 182 (par. 1, 2, 4), 183-201, 203-205, 208, 210, 212-219 2003-04-01 s. 138 2003-09-01 s. 63 (where it enacts s. 133 of the Labour Code) 2004-01-01 s. 63 (where it enacts ss. 114 (with respect to a complaint, other than that provided for in s. 47.3 of the Labour Code, alleging a contravention of s. 47.2 of the Code), 116 (2 nd par.) of the Labour Code)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2001, c. 29	An Act to amend the Highway Safety Code as regards alcohol-impaired driving 2002-04-21 ss. 3, 4, 21 2002-10-27 ss. 12, 13, 15
2001, c. 32	An Act to establish a legal framework for information technology 2001-10-17 s. 104 2001-11-01 ss. 1-103
2001, c. 35	An Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions 2004-07-15 s. 35 2004-12-08 s. 30 2005-05-11 s. 29 (par. 2)
2001, c. 36	An Act constituting Capital régional et coopératif Desjardins 2001-07-01 s. 32 (s. 689 of the Act respecting financial services cooperatives (2000, c. 29))
2001, c. 38	An Act to amend the Securities Act 2003-06-27 ss. 8-11, 15-17, 18 (par. 2), 19, 20, 24-33, 35-52, 54, 59, 60, 82, 100 2005-06-01 s. 22
2001, c. 43	An Act respecting the Health and Social Services Ombudsman and amending various legislative provisions 2002-04-01 ss. 7-9, 12-28, 38, 39, 41 (ss. 33, 35-40, 44-50, 52-61, 66, 68-72, 76.8-76.14 of the Act respecting health services and social services (R.S.Q., chapter S-4.2))
2001, c. 60	Public Health Act 2003-02-26 ss. 7-17, 18 (the words “as provided in the national public health program”), 19-32, 146, 163 (s. 371 (par. 3, 4) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 164
2001, c. 64	An Act to amend the Act respecting the Barreau du Québec and the Stenographers’ Act 2006-05-01 ss. 2, 5-8
2001, c. 75	An Act to amend certain legislative provisions concerning the conclusion and signing of borrowing transactions and financial instruments 2002-03-01 ss. 1-7
2001, c. 78	An Act to amend various legislative provisions as regards the disclosure of confidential information to protect individuals 2002-03-13 s. 16
2002, c. 17	An Act to amend the Act respecting childcare centres and childcare services and the Act respecting the Ministère de la Famille et de l’Enfance 2004-06-01 ss. 1, 8-11, 13, 14, 18 (par. 1-3, 7), 20, 23
2002, c. 21	An Act to amend the Act respecting municipal courts, the Courts of Justice Act and other legislative provisions 2002-06-26 s. 18 2002-07-01 ss. 1-8, 10-17, 19-53, 55-68 2002-09-01 ss. 9, 54

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2002, c. 22	An Act to amend the Act respecting administrative justice and other legislative provisions 2002-10-02 ss. 32-34 (s. 137.27 of the Labour Code (R.S.Q., chapter C-27) enacted by 2001, c. 26, s. 63) 2005-10-01 s. 7
2002, c. 23	Lobbying Transparency and Ethics Act 2002-11-28 ss. 8-18 (Div. I of Chap. II), 19 (2 nd par.), 20-24, 25, 49-51, 56, 60 (insofar as it relates to a provision of Div. I of Chap. II), 61 (insofar as it relates to s. 25), 69
2002, c. 24	An Act respecting the Québec correctional system 2007-02-05 ss. 1-4, 6-15, 17-58, 59 (except to the extent that it deals with a temporary absence for a family visit), 60-118, 119 (except to the extent that it deals with a temporary absence for a family visit), 120-139, 143-159, 160 (except to the extent that it deals with a temporary absence for a family visit), 161-174, 175 (except to the extent that it deals with a temporary absence for a family visit and to the extent that it deals with communication of the date of the offender's eligibility for a temporary absence for reintegration purposes), 176 (except to the extent that it deals with a temporary absence for a family visit), 177-210 2007-06-04 ss. 59 (to the extent that it deals with a temporary absence for a family visit), 119 (to the extent that it deals with a temporary absence for a family visit), 140-142, 160 (to the extent that it deals with a temporary absence for a family visit), 175 (to the extent that it deals with a temporary absence for a family visit and to the extent that it deals with communication of the date of the offender's eligibility for a temporary absence for reintegration purposes), 176 (to the extent that it deals with a temporary absence for a family visit) 2008-03-03 s. 5
2002, c. 25	An Act to ensure the implementation of the Agreement Concerning a New Relationship Between le Gouvernement du Québec and the Crees of Québec 2003-09-15 s. 17 (to the extent that it enacts ss. 95.11-95.24 of the Forest Act (R.S.Q., chapter F-4.1))
2002, c. 27	An Act to amend the Act respecting prescription drug insurance and other legislative provisions 2002-06-26 s. 15 2002-12-01 ss. 12, 47 2003-01-01 s. 5 2003-02-26 ss. 14, 16, 17, 18, 20, 21, 22 (par. 1), 23 (par. 1), 25, 27, 29, 31 (2 nd par.), 32 (2 nd par.), 41 (par. 2), 42-44 2003-03-01 s. 10 (par. 1, 3) 2005-06-30 ss. 1 (par. 2), 22 (par. 3)
2002, c. 28	An Act to amend the Charter of the French language 2002-10-01 ss. 2-10, 18-24, 43-48
2002, c. 29	An Act to amend the Highway Safety Code and other legislative provisions 2002-09-03 ss. 1, 3-6, 33, 34, 36, 39, 40, 42, 43 (regarding the reference to ss. 251 and 274.2), 45, 46, 53, 55, 56, 57 (regarding s. 492.2), 59-61, 67-70, 72-74, 77, 78 2002-10-27 ss. 2, 7-9, 13-17, 20 (except the reference to s. 202.2.1 in subpar. 1 of 1 st par. and except the 2 nd par.), 21-24, 25 (except par. 2), 26-28, 30-32, 35, 37, 41, 43 (regarding the reference to s. 233.2), 47-52, 54, 57 (regarding s. 492.3), 58, 62-66, 71, 75, 76 2002-12-16 ss. 10-12, 79, 80

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2002, c. 30	An Act to amend the pension plans of the public and parapublic sectors 2003-02-20 ss. 6 (to the extent that it enacts s. 17.2 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2)) except in respect of the category of employees comprised of employees on leave without pay, 10 (par. 3) except in respect of the category of employees comprised of employees on leave without pay, 18 except in respect of the category of employees comprised of employees on leave without pay
2002, c. 33	An Act to amend the Professional Code and other legislative provisions as regards the health sector 2003-01-30 ss. 1 (except where it replaces s. 37 (par. <i>c</i> , <i>m</i> , <i>n</i> and <i>o</i>) of the Professional Code (R.S.Q., chapter C-26)), 2 (except where it adds s. 37.1 (par. 1, 2, 3 (except subpar. <i>i</i>), 4) of the Professional Code), 3, 4 (except where it adds, in s. 39.2 of the Professional Code, a reference to par. 24, 34-36 of its schedule I as well as s. 39.10 of the Professional Code), 5-9, 11, 12 (except where it adds s. 36 (2 nd par. (subpar. 14)) of the Nurses Act (R.S.Q., chapter I-8)), 13-16, 17 (except where it adds s. 31 (2 nd par. (subpar. 10)) of the Medical Act (R.S.Q., chapter M-9)), 18-33 2003-06-01 ss. 1 (where it replaces s. 37 (par. <i>c</i> , <i>m</i> , <i>n</i> and <i>o</i>) of the Professional Code (R.S.Q., chapter C-26)), 2 (where it adds s. 37.1 (par. 1, 2, 3 (except subpar. <i>i</i>), 4) of the Professional Code), 4 (where it adds, in s. 39.2 of the Professional Code, a reference to par. 24, 34-36 of its schedule I as well as s. 39.10 of the Professional Code), 12 (where it adds s. 36 (2 nd par. (subpar. 14)) of the Nurses Act (R.S.Q., chapter I-8)), 17 (where it adds s. 31 (2 nd par. (subpar. 10)) of the Medical Act (R.S.Q., chapter M-9)) 2008-05-29 s. 10 2014-06-25 s. 2 (where it adds s. 37.1 (par. 3 (subpar. <i>i</i>)) of the Professional Code (chapter C-26))
2002, c. 34	An Act respecting the Commission des droits de la personne et des droits de la jeunesse 2008-10-29 s. 1
2002, c. 41	An Act respecting the Observatoire québécois de la mondialisation 2003-01-15 ss. 1-35
2002, c. 45	An Act respecting the Autorité des marchés financiers 2003-02-06 ss. 116 (1 st par., 3 rd par.), 117-152, 153 (except 5 th par.), 154-156, 485, 689 (par. 3) 2003-04-16 ss. 1-3, 20-22, 25-32, 33 (1 st par.), 36, 39-47 2003-12-03 ss. 92, 95, 97-102, 106, 108-115 2004-02-01 ss. 4-19, 23, 24, 33 (2 nd par.), 34, 35, 37, 38, 48-62, 64-91, 93, 94, 96, 103, 104 (2 nd par.), 105, 107, 157-178, 179 (par. 1, 3), 180-196, 197 (par. 1, 3), 198-212, 214 (par. 1, 2), 215-219, 221 (par. 1, 2), 222-230, 231 (par. 1), 232, 240, 241, 243, 244, 246-263, 264 (to the extent that it enacts s. 7 of the Fish and Game Clubs Act (R.S.Q., chapter C-22)), 265, 266 (to the extent that it enacts s. 11 of the Amusement Clubs Act (R.S.Q., chapter C-23)), 267-274, 276-279, 280 (to the extent that it enacts s. 14 of the Cemetery Companies Act (R.S.Q., chapter C-40)), 281, 282 (to the extent that it enacts s. 52 of the Act respecting Roman Catholic cemetery corporations (R.S.Q., chapter C-40.1)), 283, 284, 285 (to the extent that it enacts s. 98 of the Gas, Water and Electricity Companies Act (R.S.Q., chapter C-44)), 286, 288, 289, 291-293, 294 (to the extent that it enacts s. 15 of the Act respecting the constitution of certain Churches (R.S.Q., chapter C-63)), 295-305, 307, 308, 310 (par. 2), 311-314, 316-333, 336, 338, 339, 340 (to the extent that it enacts s. 19 of the Religious Corporations Act (R.S.Q., chapter C-71)), 341, 344-346, 348, 349, 351, 352, 354, 355, 357 (par. 1), 358 (par. 2), 360, 363-372, 374 (par. 1), 375, 376, 379-382, 385, 386, 388, 389, 391-399, 401, 402, 404-406, 407 (par. 4), 408, 410-415, 417, 419-444, 446-458, 460-470, 472-482, 486-489, 492-501, 502 (to the extent that it enacts s. 22 of the Roman Catholic Bishops Act (R.S.Q., chapter E-17)), 503, 505-508, 509 (to the extent that it enacts s. 75 of the Act respecting fabriques (R.S.Q., chapter F-1)), 510, 512, 513, 515-538,

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2002, c. 45	<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 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 2004-08-01 s. 104 (1st par.) 2010-01-01* ss. 342, 343, 361, 378, 384, 390, 400, 403, 416, 418, 483, 484, 491, 727-729 (*Order in Council 1282-2009 postponed the coming into force of those sections.)</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 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 2003-04-01 ss. 1 (3rd par.), 46-57, 67 2005-10-17 ss. 1 (2nd par. (2nd sentence), to the extent that that provision applies in respect of the advisory committee on the prevention of poverty and social exclusion), 21 (2nd par., except the words "and those of the indicators proposed by the Observatoire de la pauvreté et de l'exclusion sociale that were retained"), 22-30, 31 (except 3rd par.), 32 (except 2nd par. (2nd sentence)), 33, 34, 58 (except the words "and those of the indicators proposed by the Observatoire de la pauvreté et de l'exclusion sociale retained by the Minister"), 59 (except the words " , taking into account in particular the indicators proposed by the observatory,"), 60, 62 (to the extent that it concerns ss. 58 and 60), 63, 65 (1st par.), 68</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)) 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>

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2002, c. 66	An Act to amend the Act respecting health services and social services as regards the medical activities, the distribution and the undertaking of physicians 2003-07-01 ss. 5-11, 13, 15 (par. 2, 3), 16-20, 22-24, 29 2003-09-01 s. 28
2002, c. 69	An Act respecting pre-hospital emergency services and amending various legislative provisions 2011-05-31 ss. 63, 67, 69-75, 170, 171
2002, c. 70	An Act to amend the Act respecting insurance and other legislative provisions 2003-02-12 ss. 1-38, 39 (except s. 88.1 of the Act respecting insurance (R.S.Q., chapter A-32) which it replaces), 40-78, 79 (except Div. III.1 of Chapter V of Title III of the Act respecting insurance comprising ss. 200.0.4-200.0.13), 80-147, 149-157, 163, 164, 169, 173-175, 177, 179-186, 188, 189, 191-204 2003-02-26 s. 148 2003-06-25 ss. 170-172
2002, c. 71	An Act to amend the Act respecting health services and social services as regards the safe provision of health services and social services 2011-05-01 s. 15 (s. 431 (2 nd par. (par. 6.2)) of the Act respecting health services and social services (R.S.Q., chapter S-4.2))
2002, c. 78	An Act to amend the Code of Penal Procedure 2003-07-01 ss. 1-7
2003, c. 5	An Act to amend the Highway Safety Code and the Code of Penal Procedure as regards the collection of fines 2004-05-16 ss. 1-7, 8 (except to the extent that it enacts s. 194.3 of the Highway Safety Code (R.S.Q., chapter C-24.2)), 9-30 2004-12-05 s. 8 (to the extent that it enacts s. 194.3 of the Highway Safety Code (R.S.Q., chapter C-24.2))
2003, c. 17	An Act to amend the Act respecting financial assistance for education expenses 2004-05-01 ss. 1-43
2003, c. 18	An Act to amend the Cooperatives Act 2005-11-17 ss. 1-108, 109 (except to the extent that the provisions enact s. 221.2.3 of the Cooperatives Act (R.S.Q., chapter C-67.2)), 110-164, 166-185 2015-10-01 s. 109 (to the extent that the provisions enact s. 221.2.3 of the Cooperatives Act (chapter C-67.2))
2003, c. 23	An Act respecting commercial aquaculture 2004-09-01 ss. 1-80
2003, c. 25	An Act respecting bargaining units in the social affairs sector and amending the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors 2005-08-24 ss. 12-51
2003, c. 29	An Act respecting the Ministère du Développement économique et régional et de la Recherche 2004-03-23 ss. 1-134, 135 (except par. 7-17, 20, 21, 24, 25 (to the extent that it amends s. 35 of the Winding-up Act (R.S.Q., chapter L-4)), 30, 31, 35-37), 136-178

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2004, c. 2	An Act to amend the Highway Safety Code and other legislative provisions 2005-01-01 ss. 6, 8, 12, 15, 30, 41, 55, 62, 76, 77, 79 2006-03-27 ss. 10, 16, 57, 58 (to the extent that it enacts the first paragraph of section 520.2 of the Highway Safety Code (R.S.Q., chapter C-24.2)), 61, 63-65 2007-06-15 ss. 35-39, 42-52, 54, 56 2007-10-01 ss. 33, 34 2008-06-18 ss. 27, 29 2008-10-28 ss. 7, 11, 14 2010-12-16 ss. 2, 5, 21-24, 28, 59 2013-12-01 s. 25
2004, c. 3	An Act to implement the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption and to amend various legislative provisions in relation to adoption 2004-09-01 ss. 26, 27 (par. 1), 28-30 2006-02-01 ss. 1-25, 27 (par. 2), 31-35
2004, c. 6	An Act to amend the Forest Act 2006-05-01 s. 6
2004, c. 11	An Act to repeal the Act respecting the Société de la faune et des parcs du Québec and to amend other legislative provisions 2004-06-30 ss. 1-80
2004, c. 12	An Act to amend the Courts of Justice Act and other legislative provisions as regards the status of justices of the peace 2007-02-21 ss. 1 (ss. 175-177, 178 (2 nd par.), 179 of the Courts of Justice Act (R.S.Q., chapter T-16)), 2-8
2004, c. 25	An Act to amend the Act respecting the Bibliothèque nationale du Québec, the Archives Act and other legislative provisions 2005-12-21 s. 22, except for the amendments in paragraphs 1 and 4 concerning the replacement of the words “the library” 2006-01-31 ss. 1-4, 5 (par. 1), 6-21, 22 (par. 1 concerning the replacement of the words “the library”, 2, 3, 4 concerning the replacement of the words “the library”, 5-7), 23-72, 74-79 2007-11-07 s. 5 (par. 2-4)
2004, c. 30	An Act respecting Services Québec 2005-05-02 ss. 1-3, 19-36, 38-44, 50, 58, 60 2005-06-22 ss. 4-18, 37, 45-49, 51, 53-56, 59
2004, c. 31	An Act to amend the Act to secure the handicapped in the exercise of their rights and other legislative provisions 2006-04-01 ss. 3 (par. 1), 29, 33
2004, c. 32	An Act respecting the Agence des partenariats public-privé du Québec 2005-04-18 ss. 1-3, 19-36, 38-46, 53, 56-69, 71 2005-05-18 ss. 4-18, 37, 47-52, 54, 55, 70
2004, c. 37	An Act to amend the Securities Act and other legislative provisions 2005-03-16 s. 46 2005-09-14 ss. 1 (par. 2-4), 3 (par. 1-4, 6), 4 (par. 2), 7, 8, 9 (par. 1), 10 (par. 3), 11-13, 22, 23 (par. 2), 31 (par. 2), 37 (par. 2, 3), 38 (par. 4) 2009-09-28 s. 32 (to the extent that it enacts s. 308.2 of the Securities Act (R.S.Q., chapter V-1.1))

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2004, c. 39	An Act to amend the Act respecting the Pension Plan of Peace Officers in Correctional Services and other legislative provisions 2006-01-01 ss. 68, 101, 122, 176, 192, 210, 236 2008-04-02 ss. 6 (to the extent that it enacts subdivision 4 of Division IV of Chapter II of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2)), 47 (par. 3) (to the extent that it refers to s. 41.7), 124 (to the extent that it enacts Division III.3 of Chapter VI of Title I of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10)), 136, 137 (par. 7) (to the extent that it refers to s. 109.8 of the Act respecting the Government and Public Employees Retirement Plan), 255 (to the extent that it enacts Division I.3 of Chapter VI of the Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1)), 262, 263 (par. 3) (to the extent that it refers to s. 138.7 of the Act respecting the Pension Plan of Management Personnel)
2004, c. 40	An Act to repeal the Act respecting the establishment of a steel complex by Sidbec and the Act respecting the Société du parc industriel et portuaire Québec-Sud 2005-03-23 ss. 1-17
2005, c. 7	An Act respecting the Centre de services partagés du Québec 2005-06-27 ss. 1-3, 18-36, 38, 39, 45-48, 54, 107, 109 2005-12-06 ss. 4-17, 37, 40-44, 49-53, 55-79, 80 (to the extent that it enacts the first sentence of s. 13 of the Act respecting government services to departments and public bodies (R.S.Q., chapter S-6.1)), 81-106, 108
2005, c. 10	An Act to amend the Act respecting petroleum products and equipment, the Building Act and other legislative provisions 2007-04-01 ss. 1-83
2005, c. 13	An Act to amend the Act respecting parental insurance and other legislative provisions 2005-08-22 any portion not yet in force of s. 50 2005-11-16 s. 70 (to the extent that it concerns s. 82 of the Act respecting parental insurance (2001, c. 9)) 2006-01-01 any portion not yet in force of ss. 2, 4-6, 10, 15, 20, 47, 102, 105 2006-01-01 any other section not yet in force
2005, c. 15	Individual and Family Assistance Act 2005-10-01 s. 191 2007-01-01 ss. 1-63, 64 (except 1 st par., second sentence), 65-73, 84-107, 109-136, 137 (except for the part concerning the Youth Alternative Program and a specific program), 138-156, 157 (except par. 2), 158-175, 180-190, 192, 193, 195, 198, 199 2007-04-01 ss. 74-83, 108, 137 (for the part concerning the Youth Alternative Program and a specific program)
2005, c. 16	An Act to amend the Education Act and the Act respecting private education 2005-11-01 ss. 6-9 2006-09-01 ss. 1-5, 10-14
2005, c. 17	An Act to amend the Act respecting administrative justice and other legislative provisions 2006-01-01 ss. 1-16, 18-30, 32, 48 2006-07-01 ss. 17, 31, 33-42, 44, 45, 49 2007-01-01 ss. 46, 47
2005, c. 18	An Act respecting the Health and Welfare Commissioner 2006-08-14 ss. 2, 14, 17-21, 23, 28, 33, 34, 36, 38-44 2007-10-04 s. 15

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2005, c. 18	An Act respecting the Health and Welfare Commissioner – <i>Cont'd</i> 2008-06-01 ss. 22, 45 2008-09-30 s. 16
2005, c. 19	An Act to amend the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs and other legislative provisions 2005-08-31 s. 2 (to the extent that it introduces s. 17.1.1 (2 nd par.) of the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs (R.S.Q., chapter M-25.2)) 2005-12-08 s. 2 (other than the provisions introducing s. 17.1.1 (2 nd par.) of the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs (R.S.Q., chapter M-25.2))
2005, c. 22	An Act to amend the Building Act and other legislative provisions 2005-12-01 ss. 10 (par. 2, 3), 11, 12 (par. 1), 15-28, 30-38, 40, 41, 45 (par. 5, 6), 46-49, 54, 55 2008-06-25 ss. 1-9, 10 (par. 1, 4), 12 (par. 2), 13, 14, 29, 39, 42-44, 45 (par. 1-4), 50-53
2005, c. 27	An Act to amend the Code of Penal Procedure and the Courts of Justice Act 2006-10-02 ss. 1-21, 23
2005, c. 32	An Act to amend the Act respecting health services and social services and other legislative provisions 2007-02-01 ss. 139, 140 (par. 2), 141 2007-02-14 ss. 244-246, 339 2009-02-01 s. 220 2010-01-01 s. 240 (the words “or a health professional”, “or professional” and “or person to whom the health professional provides health services” in the paragraph introduced by paragraph 2)
2005, c. 33	An Act to amend the Environment Quality Act 2006-01-19 ss. 1-5
2005, c. 34	An Act respecting the Director of Criminal and Penal Prosecutions 2006-02-01 ss. 5 (solely for the purpose of permitting the application of the rules that relate to the selection and appointment of a Deputy Director), 89 (solely for the purpose of permitting the application of the rules that relate to the selection and appointment of a Deputy Director), 90 (1 st par., solely for the purpose of permitting the application of the rules that relate to the selection and appointment of a Deputy Director) 2006-04-01 ss. 2, 3 (except for “During the year that precedes the end of the Director’s term or as soon as the office becomes vacant.”) 2007-03-05 ss. 1 (1 st par.), 4, 6-8, 10-12, 18, 22, 57 (par. 2) 2007-03-15 ss. 5 (for all matters other than those contemplated by Order in Council 53-2006 dated 1 February 2006), 90 (1 st par.) (for all matters other than those contemplated by Order in Council 53-2006 dated 1 February 2006) 2007-03-15 ss. 1 (2 nd par., 3 rd par.), 3 (the words “During the year that precedes the end of the Director’s term or as soon as the office becomes vacant.”), 9, 13-17, 19-21, 23-56, 57 (par. 1), 58-88, 90 (2 nd par., 3 rd par.), 91-94
2005, c. 39	An Act to amend the Act respecting owners and operators of heavy vehicles and other legislative provisions 2011-01-01 s. 3 (insofar as it replaces s. 2 (1 st par. (subpar. 3 (subpar. a))) of the Act respecting owners, operators and drivers of heavy vehicles (R.S.Q., chapter P-30.3) and insofar as it enacts s. 2 (1 st par. (subpar. 4))) 2016-11-20 ss. 4 (par. 2), 30-47

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2005, c. 40	An Act to amend the Act respecting prescription drug insurance and other legislative provisions 2006-04-12 ss. 1, 2, 19, 22 (par. 1), 27 (par. 2), 30, 33-37 2006-08-30 ss. 3-7, 12, 13, 18, 21, 25 (to the extent that it enacts the title of Division III.1 and section 70.3 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01)), 26, 29, 32, 39-41, 46, 47 2007-01-01 s. 14 2007-04-11 ss. 9, 15-17, 20, 22 (par. 3), 23 (to the extent that it enacts ss. 60.1-60.3 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01)), 28 (to the extent that it enacts ss. 84.1, 84.2, 84.4 of the Act respecting prescription drug insurance), 38, 42, 44, 45 2007-10-01 s. 8 2008-04-21 ss. 10, 22 (par. 2), 24, 27 (par. 1) 2009-01-01 ss. 25 (to the extent that it enacts ss. 70.1 and 70.2 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01)), 28 (to the extent that it enacts ss. 84.3 and 84.5 of the Act respecting prescription drug insurance)
2005, c. 41	An Act to amend the Courts of Justice Act and the Act respecting municipal courts 2008-02-13 s. 20
2005, c. 44	An Act to abolish certain public bodies and transfer administrative responsibilities 2007-02-05 ss. 28-34
2006, c. 4	An Act respecting reserved designations and added-value claims 2006-11-06 ss. 7, 8, 12-14, 16-29, 71, 79 2007-12-31 ss. 9 (par. 1, 2, 5 (to the extent that it concerns reserved designations)), 58, 74 2008-06-15 ss. 1-6, 9 (par. 3, 4, 5 (to the extent that it concerns added-value claims)), 10, 11, 15, 30-57, 59-70, 72, 73, 75-78
2006, c. 17	An Act to amend the Election Act to encourage and facilitate voting 2007-02-15 s. 15 (insofar as it enacts ss. 301.19-301.22) 2007-02-15 ss. 13 (insofar as it enacts s. 204 (only for the purposes of the implementation of s. 301.19 (par. 3))), 15 (insofar as it enacts s. 263 (only for the purposes of the implementation of s. 301.21)) 2011-10-26 s. 15 (insofar as it enacts s. 297) 2015-01-28 ss. 2, 4, 13, 14 (insofar as it enacts the words “and including particulars about voting in the advance poll and at the returning officer’s office” in s. 227 (1 st par.)), 24
2006, c. 18	An Act to amend the Act respecting the Office Québec-Amériques pour la jeunesse and the Act respecting the Office franco-québécois pour la jeunesse 2006-08-01 ss. 1-15
2006, c. 23	Private Security Act 2006-09-15 ss. 39, 40, 43-68, 83-89, 107-113, 133 2010-03-03 ss. 1 (par. 1, 2), 2, 4, 5 (1 st par. (subpar. 1, 2)), 6-15, 27-29, 31-33, 35-38, 41 (par. 2 (except the words “and agent licences”)), 42, 69-77, 79-82, 90-106, 114, 115, 118-122, 123 (as regards the provisions respecting agencies), 125, 126, 128, 129, 130 (insofar as the latter section applies to agency licences) 2010-07-22 ss. 1 (par. 3-6), 3, 5 (1 st par. (subpar. 3-5), 2 nd par.), 16-26, 30, 34, 41 (par. 2 (the words “and agent licences”)), 78, 116, 117, 123 (as regards the provisions concerning agents), 124, 127, 130 (insofar as the latter section applies to agent licences), 131, 132

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2006, c. 26	An Act to amend the Act respecting the Conservatoire de musique et d'art dramatique du Québec 2007-03-31 ss. 3, 4, 7, 8, 10, 11, 13, 16, 19, 20 2007-09-01 ss. 5, 6
2006, c. 29	An Act respecting contracting by public bodies 2008-10-01 ss. 1-59
2006, c. 34	An Act to amend the Youth Protection Act and other legislative provisions 2007-07-09 ss. 1-7, 9, 10 (except par. 3), 11-32, 33 (except. par. 1), 34, 37, 38, 40-69, 71-75, 78 2007-11-01 ss. 8, 35, 70 (insofar as it enacts s. 132 (1 st par. (subpar. k)) of the Youth Protection Act (R.S.Q., chapter P-34.1)) 2008-07-07 ss. 10 (par. 3), 33 (par. 1), 36, 70 (insofar as it enacts s. 132 (1 st par. (subpar. i)) of the Youth Protection Act (R.S.Q., chapter P-34.1)) 2009-05-14 ss. 39 (insofar as it enacts ss. 72.9 and 72.10 of the Youth Protection Act (R.S.Q., chapter P-34.1)), 70 (insofar as it enacts s. 132 (1 st par. (subpar. j)) of the Youth Protection Act)
2006, c. 41	An Act to amend the Crime Victims Compensation Act and other legislative provisions 2007-01-16 ss. 2 (to the extent that it enacts s. 5.2 of the Crime Victims Compensation Act (R.S.Q., chapter I-6)), 3, 4, 9 (to the extent that it concerns the amendment made to s. 6 of the Crime Victims Compensation Act by s. 3 of the Act to amend the Crime Victims Compensation Act and other legislative provisions), 10 2007-03-22 ss. 1, 2 (except to the extent that it enacts s. 5.2 of the Crime Victims Compensation Act (R.S.Q., chapter I-6), already in force), 5-8, 9 (except to the extent that it concerns the amendment made to s. 6 of the Crime Victims Compensation Act by s. 3 of the Act to amend the Crime Victims Compensation Act and other legislative provisions, already in force)
2006, c. 43	An Act to amend the Act respecting health services and social services and other legislative provisions 2007-03-01 ss. 1, 3, 7, 8, 15, 17, 32, 53 2008-01-01 ss. 2, 4, 5 (except s. 108 (2 nd par.) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 6, 9-14, 16, 18-31, 33-43, 45-52, 54-57
2006, c. 49	An Act respecting the Commission administrative des régimes de retraite et d'assurances 2007-05-09 ss. 11-26, 135
2006, c. 50	An Act to amend the Securities Act and other legislative provisions 2008-02-01 ss. 28 (par. 3), 30 (par. 2), 36 (to the extent that it enacts s. 89 of the Securities Act (R.S.Q., chapter V-1.1)), 41, 61 (par. 4), 62 (par. 1), 67 (par. 1, 3), 68, 71, 72 (par. 2), 73, 74, 78 (par. 1, 2), 80, 108 (par. 13, 14) 2008-03-17 ss. 16-20, 23, 24, 35 (to the extent that it repeals ss. 84 and 85 of the Securities Act (R.S.Q., chapter V-1.1)), 61 (par. 2), 66 (par. 2), 108 (par. 5 (to the extent that it introduces s. 331.1 (par. 6.1) of the Securities Act)) 2008-06-01 ss. 33, 34, 38 (to the extent that it repeals 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

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2006, c. 53	An Act to amend the Act respecting industrial accidents and occupational diseases and the Workers' Compensation Act 2011-01-01 ss. 6-14, 16, 17 (insofar as it enacts ss. 323.2-323.5 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)), 26 (par. 2), 27 (par. 1, 3)
2006, c. 55	An Act to amend various legislative provisions concerning retirement 2008-04-02 ss. 6, 26, 53
2006, c. 57	An Act respecting the Centre de la francophonie des Amériques 2008-03-19 ss. 1-44
2006, c. 58	An Act to amend the Labour Code and other legislative provisions 2008-04-01 ss. 1, 16, 27-30, 34 (par. 1-4), 35-39, 43, 44, 46-58, 63-65, 73-83
2006, c. 59	An Act respecting the governance of state-owned enterprises and amending various legislative provisions 2011-11-30 s. 43 (par. 1)
2007, c. 2	An Act to implement the Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment 2013-04-01 ss. 1-5
2007, c. 3	An Act to amend the Act to foster the development of manpower training and other legislative provisions 2008-01-01 ss. 5 (par. 2), 7, 8, 14, 15 (par. 3), 17, 18, 23 (par. 2) (to the extent that it enacts s. 27 (par. 5) of the Act to promote workforce skills development and recognition (R.S.Q., chapter D-7.1)), 55
2007, c. 21	An Act to amend the Act respecting the Régie de l'assurance maladie du Québec and to amend other legislative provisions 2009-04-15 s. 32
2007, c. 32	An Act to amend the Act respecting Services Québec and other legislative provisions 2008-02-20 ss. 1-4 2008-04-01 ss. 5-15
2007, c. 38	An Act to promote the maintenance and renewal of public infrastructures 2008-04-30 ss. 1-8
2007, c. 40	An Act to amend the Highway Safety Code and the Regulation respecting demerit points 2008-09-03 ss. 41, 45-51, 53-57, 72, 73 that relates to s. 597.1 (1 st par.) of the Highway Safety Code (R.S.Q., chapter C-24.2), 82, 83, 87, 88 (except “, except fines belonging to a municipality in accordance with an agreement under the second paragraph of section 597.1 of that Code” in par. 1 of s. 12.39.1 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28)), 103 2008-09-17 ss. 59, 64 2008-12-07 ss. 1, 7, 20, 34, 36 (except s. 202.4 (3 rd par.) of the Highway Safety Code (R.S.Q., chapter C-24.2) that it enacts), 37-39, 40 (except s. 209.2.1 (1 st par, subpar. 1) of that Code that it enacts), 42-44, 52, 60, 63, 74, 78 2009-01-01 s. 66 2009-07-01 s. 67 2009-08-19 s. 105

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2007, c. 40	An Act to amend the Highway Safety Code and the Regulation respecting demerit points – <i>Cont'd</i> 2009-12-06 ss. 8, 9, 12, 13, 15, 16 (par. 2 (except for “79,” and “, 185 and 191.2”)), 18, 19, 27, 29, 30, 32, 33, 35 (par. 2), 40 (s. 209.2.1 (1 st par. (subpar. 1)) of the Highway Safety Code (R.S.Q., chapter C-24.2) that it enacts), 68-71, 75, 76, 84-86, 96 2010-01-17 ss. 10, 11 (except for “, a moped”), 17 2010-05-02 s. 11 (the words “, a moped”) 2011-06-19 ss. 14, 16 (par. 2 (with respect to “79,” and “, 185 and 191.2”)), 21-26, 28, 31, 35 (par. 1), 92, 93
2007, c. 41	An Act to amend the Financial Administration Act and the Act respecting the Ministère des Finances 2008-10-08 ss. 1, 2 (to the extent that it enacts ss. 77.3 to 77.7), 5, 6 2008-12-15 ss. 2 (to the extent that it enacts ss. 77.1 and 77.2), 3, 4
2007, c. 43	An Act to amend various legislative provisions concerning pension plans in the public sector 2008-04-02 ss. 40, 81, 158 2008-05-07 ss. 7, 9, 11, 33, 34, 36, 39 (par. 2) (to the extent that it concerns par. 7.3.2), 59-62, 82 (par. 2), 104-107, 110, 117, 119-121, 128, 144-147, 159 (par. 1) 2010-04-01 ss. 4, 13, 23, 24, 27-29, 53, 54, 68, 75, 76, 89, 94, 98, 100, 101, 115, 125, 126, 129, 140, 150, 151, 160, 169 2010-06-07 ss. 6, 8, 25, 26 (par. 2), 35, 37, 39 (par. 2) (to the extent that it concerns s. 130 (par. 7.3.1) of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2)), 41, 63, 64, 71, 77 (par. 2), 80, 82 (par. 3, 4), 83, 90, 91, 148, 149, 152, 153, 154 (par. 2), 157, 159 (par. 2), 161, 167, 168, 170
2008, c. 7	An Act to amend the Act respecting the Autorité des marchés financiers and other legislative provisions 2011-01-01 ss. 109-118, 122, 128, 129, 133 (par. 3), 171
2008, c. 9	Real Estate Brokerage Act 2010-05-01 ss. 1, 2, 3 (except par. 14), 4-128, 130-160, 161 (except 2 nd par.)
2008, c. 11	An Act to amend the Professional Code and other legislative provisions 2008-10-15 ss. 1-30, 32-57, 59-117, 118 (par. 1), 119, 121-226 2009-01-31* ss. 31, 58, 118 (par. 2), 120 (*Order in Council 75-2009 postponed the coming into force of ss. 118 (par. 2) and 120.) 2010-04-01 ss. 118 (par. 2), 120
2008, c. 12	An Act to amend the Financial Administration Act 2008-10-08 ss. 1, 2
2008, c. 13	An Act to amend the Police Act and other legislative provisions 2009-02-11 s. 13 2009-04-01 ss. 1, 2, 5-11, 14, 15
2008, c. 14	An Act to again amend the Highway Safety Code and other legislative provisions 2008-09-03 ss. 98 (par. 1), 118 2008-09-17 s. 48 2008-11-05 s. 136 2008-12-07 ss. 5, 13, 14 (par. 1), 31, 32, 41, 42, 87, 92, 93, 97, 116 2009-12-06 ss. 11 (par. 2), 58

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2008, c. 14	An Act to again amend the Highway Safety Code and other legislative provisions – <i>Cont'd</i> 2010-12-01 ss. 15, 16, 17, 103-110 2011-01-01 ss. 25, 44, 72 ¹ (par. 2) 2011-05-01 s. 37 2013-04-07 ss. 2 (par. 1), 18, 19, 21, 22, 91, 95
2008, c. 18	An Act to amend various legislative provisions respecting municipal affairs 2009-06-01 ss. 91-94, 106 2009-12-01 s. 80 2010-12-30 ss. 88, 108 (Division II.1 of Chapter IV of the Civil Protection Act (R.S.Q., chapter S-2.3)) 2011-03-02 s. 135
2008, c. 24	Derivatives Act 2009-02-01 ss. 1-54, 56, 57, 60-81, 82 (except 2 nd par.), 86-174, 175 (except 1 st par. (subpar. 21, 22)), 176-179, 182-222, 224-239 2009-09-28 ss. 55, 58, 59 2012-04-13 ss. 82 (2 nd par.), 83-85, 175 (1 st par. (subpar. 21, 22))
2008, c. 25	An Act to amend the Act respecting the Government and Public Employees Retirement Plan and other legislation concerning pension plans in the public sector 2010-06-07 ss. 22, 96
2008, c. 29	An Act to amend the Education Act and other legislative provisions 2009-02-11 ss. 26, 30, 35 2009-07-01 ss. 1-8, 19, 20, 22-25, 28, 29, 31-33, 54 2009-09-01 ss. 37, 38 2011-01-01* ss. 36, 39-53 2011-11-06* ss. 9-18, 21, 34 (*Order in Council 813-2010 postponed the coming into force of ss. 9-18, 21, 34, 36, 39-53) 2014-01-01 ss. 36, 39-53 2014-11-02 ss. 9-18, 21, 34
2009, c. 6	An Act respecting the Institut national des mines 2010-06-28 ss. 1-36
2009, c. 8	An Act to amend the Courts of Justice Act and the Act respecting the Ministère de la Justice 2011-04-14 ss. 4, 13
2009, c. 19	An Act to modify the occupational health and safety regime, particularly in order to increase certain death benefits and fines and simplify the payment of the employer assessment 2009-06-18 ss. 1-6, 8-11, 17-20, 29 2011-01-01 ss. 7, 22, 23 (insofar as it replaces s. 315.1 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001) and insofar as it enacts ss. 315.3 and 315.4 of that Act), 24-27
2009, c. 21	An Act to affirm the collective nature of water resources and provide for increased water resource protection 2009-06-18 preamble, ss. 1-17 2011-09-01 ss. 18, 19 (ss. 31.74, 31.88-31.94, 31.96, 31.98-31.108 of the Environment Quality Act (R.S.Q., chapter Q-2)), 21, 22 (s. 46 (par. s (subpar. 2.3, 2.4, 2.6)) of the Environment Quality Act) enacted by par. 2, 26, 27, 30-32, 39, 40

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2009, c. 21	An Act to affirm the collective nature of water resources and provide for increased water resource protection – <i>Cont'd</i> 2014-08-14 ss. 19 (ss. 31.75-31.87, 31.95, 31.97 of the Environment Quality Act (chapter Q-2)), 20, 22 (s. 46 (par. s (subpar. 1-2.2, 2.7)) of the Environment Quality Act) enacted by par. 2, 22 (par. 3), 23-25, 28, 29, 33-38
2009, c. 22	An Act to amend the Act respecting tourist accommodation establishments and other legislative provisions 2011-01-01 ss. 1-18
2009, c. 24	An Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements, and amending various legislative provisions 2010-01-01 ss. 72, 73, 92, 93 2010-03-31 ss. 32-52, 55-57, 60, 64, 69 2012-01-01 ss. 74-88, 90, 91, 94-111, 122, 128 2013-10-01 s. 119
2009, c. 25	An Act to amend the Securities Act and other legislative provisions 2009-09-28 ss. 1-3, 5, 8-32, 34-46, 52-58, 60, 62, 63, 65-75, 77, 79-104, 106-112, 115, 117-135 2010-05-01 s. 113 2010-05-01 s. 116
2009, c. 26	An Act to amend various legislative provisions respecting municipal affairs 2011-01-01 s. 114
2009, c. 28	An Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations 2010-06-23 s. 11 (ss. 187.3.1, 187.3.2, 187.5 - 187.5.6 of the Professional Code (R.S.Q., chapter C-26)) 2012-06-21 s. 11 (ss. 187.1, 187.2, 187.3, 187.4, 187.4.1, 187.4.2, 187.4.3 of the Professional Code (chapter C-26)) 2012-09-20 ss. 1-10, 12-18
2009, c. 30	An Act respecting clinical and research activities relating to assisted procreation 2010-08-05 ss. 1-7, 9-16, 17 (except 1 st par. (subpar. 2,3)), 18-29, 30 (except par. 3), 31-60
2009, c. 33	An Act to amend the Environment Quality Act and other legislative provisions in relation to climate change 2011-12-14 ss. 1 (ss. 46.5-46.17 of the Environment Quality Act (R.S.Q., chapter Q-2)), 2, 6
2009, c. 35	An Act to amend the Professional Code and other legislative provisions 2010-04-01 ss. 19, 20
2009, c. 36	An Act respecting the representation of certain home childcare providers and the negotiation process for their group agreements, and amending various legislative provisions 2009-10-21 ss. 30-48, 56, 57
2009, c. 45	An Act to amend various legislative provisions concerning health 2011-05-31 ss. 4, 6, 39, 43
2009, c. 52	Business Corporations Act 2011-02-14 ss. 1-728

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2009, c. 53	An Act respecting Infrastructure Québec 2010-03-17 ss. 1-64
2009, c. 58	An Act to amend various legislative provisions principally to tighten the regulation of the financial sector 2010-05-01 ss. 139-153 2010-07-15 s. 13 2012-04-13 ss. 158, 159, 177 2012-04-20 ss. 91, 100, 111, 138 (par. 2) 2015-10-28 s. 92
2010, c. 3	Sustainable Forest Development Act 2012-05-30 ss. 315, 320 2012-11-14 ss. 116, 126
2010, c. 4	An Act to amend the Cadastre Act and the Civil Code 2011-06-06 ss. 1, 2, 3
2010, c. 5	An Act giving effect to the Economic Statement delivered on 14 January 2009, to the Budget Speech delivered on 19 March 2009 and to certain other budget statements 2010-09-01 ss. 227 (when it enacts ss. 350.50 and 350.51 of the Act respecting the Québec sales tax (R.S.Q., chapter T-0.1)), 243, 245 2011-11-01* ss. 197-200, 202, 227 (when it enacts ss. 350.52-350.55 of the Act respecting the Québec sales tax (R.S.Q., chapter T-0.1)) (*Note: That 1 November 2011 or, if prior to that date, the first of the dates set in accordance with the following paragraphs <i>a</i> to <i>c</i> in respect of each operator of an establishment providing restaurant services to which the paragraphs apply, be set as the date of coming into force of sections 197 to 200, 202 and section 227, when it enacts sections 350.52 to 350.55 of the Act respecting the Québec sales tax (R.S.Q., chapter T-0.1): (<i>a</i>) the date on which an operator activates in an establishment, after 31 August 2010, a device referred to in section 350.52 of the Act respecting the Québec sales tax, in respect of that establishment; (<i>b</i>) the date on which an operator makes the first supply of a meal in an establishment if the supply is made after 31 August 2010 and is the first supply made in connection with the operation of the establishment, in respect of that establishment; or (<i>c</i>) the date that is 60 days after the date of a notice sent to an operator to the effect that the operator committed an offence against a fiscal law after 20 April 2010; the notice is signed by a public servant who is the head of the Service d'implantation et de suivi des modules d'enregistrement des ventes in the Direction générale adjointe de la recherche fiscale within the Direction générale de la planification, de l'administration et de la recherche of the Ministère du Revenu).
2010, c. 7	An Act respecting the legal publicity of enterprises 2010-11-17 ss. 75-78, 176-178, 180-183, 186-190, 191 (par. 1), 193, 196-198, 200-210, 221, 223-225, 228-231, 235-240, 255, 258, 260, 263, 276-279, 284, 295 (where it replaces Div. III of the Regulation respecting the application of the Act respecting the publicity of sole proprietorships, partnerships and legal persons (R.R.Q., chapter P-45, r. 1)), 301, Schedules I, II and IV 2011-02-14 ss. 1-74, 79-175, 179, 191 (par. 2, 3), 192, 194, 195, 199, 211-220, 222, 226, 227, 232, 233, 241-254, 256, 257, 259, 261, 262, 264-275, 280-283, 285-294, 295 (except where it replaces Div. III of the Regulation respecting the application of the Act respecting the publicity of sole proprietorships, partnerships and legal persons (R.R.Q., chapter P-45, r. 1)), 296, 297, 299, Schedules III and V

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2010, c. 11	An Act to amend the Act respecting the Pension Plan of Management Personnel and other legislation establishing pension plans in the public sector 2010-09-22 ss. 5 (to the extent that it concerns s. 22.1 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1)), 10, 12, 14 (to the extent that it concerns par. 3.3 of Schedule II to that Act), 24 (to the extent that it concerns s. 6.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10)), 25, 26, 31, 33, 35 (to the extent that it concerns par. 2.3 of Schedule I to that Act)
2010, c. 12	An Act to provide a framework for mandatory state financing of certain legal services 2010-08-18 s. 36 2010-09-07 ss. 1-35, 37
2010, c. 15	An Act respecting the Institut national d'excellence en santé et en services sociaux 2011-01-19 ss. 4-9, 12, 13, 54, 56-74, 76, 77, 81-87, 89-93
2010, c. 18	An Act to amend various legislative provisions respecting municipal affairs 2010-12-30 s. 83
2010, c. 30	Code of ethics and conduct of the Members of the National Assembly 2012-01-01 ss. 10-36, 41, 43-50, 56-61, 79, 91-107, 114-129
2010, c. 34	An Act to amend the Highway Safety Code and other legislative provisions 2012-04-15 ss. 28, 35 (par. 2), 102
2010, c. 39	An Act to tighten the regulation of educational childcare 2011-10-15 ss. 14 (to the extent that it enacts ss. 101.3 to 101.20 of the Educational Childcare Act (R.S.Q., chapter S-4.1.1)), 15 (to the extent that it refers to s. 105.2 of the Educational Childcare Act), 23 (to the extent that it refers to s. 105.2 of the Educational Childcare Act), 29
2010, c. 40	An Act to enact the Money-Services Businesses Act and to amend various legislative provisions 2012-01-01 ss. 15, 16 (to the extent that it enacts ss. 22.1 to 22.6 of the Real Estate Brokerage Act (R.S.Q., chapter C-73.2)), 17, 21-24 2014-07-01 ss. 25 (par. 1), 28, 29 (par. 2-4, except where par. 2 and 3 of that section cause "particularly" to be struck from s. 17 (1 st par. (subpar. 7 and 8)) of the Act respecting the legal publicity of enterprises (chapter P-44.1)), 30, 31 (par. 2), 32, 33 (par. 5), 35, 37-42, 44 (par. 4, 6), 47-49, 51, 52, 58
2010, c. 40, Schedule I	Money-Services Businesses Act 2012-04-01 ss. 1 (except 2 nd par. (subpar. 5)), 2, 3 (except to the extent that it concerns the operation of automated teller machines), 4 (except 1 st par. (subpar. 5), 2 nd par.), 5, 6 (except 3 rd par.), 7-57, 59-85 2013-01-01 ss. 1 (2 nd par. (subpar. 5)), 3 (to the extent that it concerns the operation of automated teller machines), 4 (1 st par. (subpar. 5), 2 nd par.), 6 (3 rd par.), 58
2011, c. 10	Unclaimed Property Act 2012-01-01 ss. 30, 57, 64, 81, 92
2011, c. 15	An Act to improve the management of the health and social services network 2013-02-01 ss. 41, 45
2011, c. 17	Anti-Corruption Act 2012-06-01 ss. 41, 43-47, 49, 63, 64

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2011, c. 18	An Act respecting mainly the implementation of certain provisions of the Budget Speech of 17 March 2011 and the enactment of the Act to establish the Northern Plan Fund 2011-08-29 ss. 60-63, 317 (except as concerns the replacement of the Tariff of fees respecting land registration (R.R.Q., chapter B-9, r. 1) by Schedule I to the Act respecting registry offices (R.S.Q., chapter B-9))
2011, c. 22	An Act to prohibit the resale of tickets at a price above that authorized by the producer of the event 2012-06-07 s. 1
2011, c. 26	An Act to amend various legislative provisions mainly concerning the financial sector 2012-04-13 ss. 42, 43 (ss. 82.1-82.7 of the Derivatives Act (2008, chapter 24)), 44, 59, 60, 61 (s. 175 (1 st par. (subpar. 21.1, 22.1) of the Derivatives Act (2008, chapter 24)) 2013-12-31 s. 61 (par. 1)
2011, c. 30	An Act to eliminate union placement and improve the operation of the construction industry 2012-05-02 ss. 3-5, 7 2012-09-01 ss. 25-28 2012-11-28 s. 57 (to the extent that it concerns ss. 107.3-107.6 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20))
2011, c. 35	An Act to prevent, combat and punish certain fraudulent practices in the construction industry and make other amendments to the Building Act 2011-12-14 ss. 22, 29, 30 2014-01-01 ss. 12, 13 2015-01-01 s. 11
2011, c. 37	An Act to amend the Pharmacy Act 2013-09-03* ss. 1-5 *Order in council 871-2013 postponed the coming into force of ss. 1 to 5.
2012, c. 3	An Act to establish the Access to Justice Fund 2012-11-05 ss. 1 (s. 32.0.3 (par. 2) of the Act respecting the Ministère de la Justice (chapter M-19)), 4
2012, c. 9	An Act to dissolve the Société de gestion informatique SOGIQUE 2013-01-01 ss. 1-7
2012, c. 10	An Act respecting the professional recognition of medical electrophysiology technologists 2012-09-20 s. 11 2012-11-21 ss. 1-10, 12-20
2012, c. 16	An Act to prevent skin cancer caused by artificial tanning 2013-02-11 ss. 1-25
2012, c. 20	An Act to promote access to justice in family matters 2012-12-01 ss. 46-50, 54 2013-09-18 ss. 29-41 2014-04-01 ss. 1-28, 42, 45, 51, 53, 56

COMING INTO FORCE DETERMINED

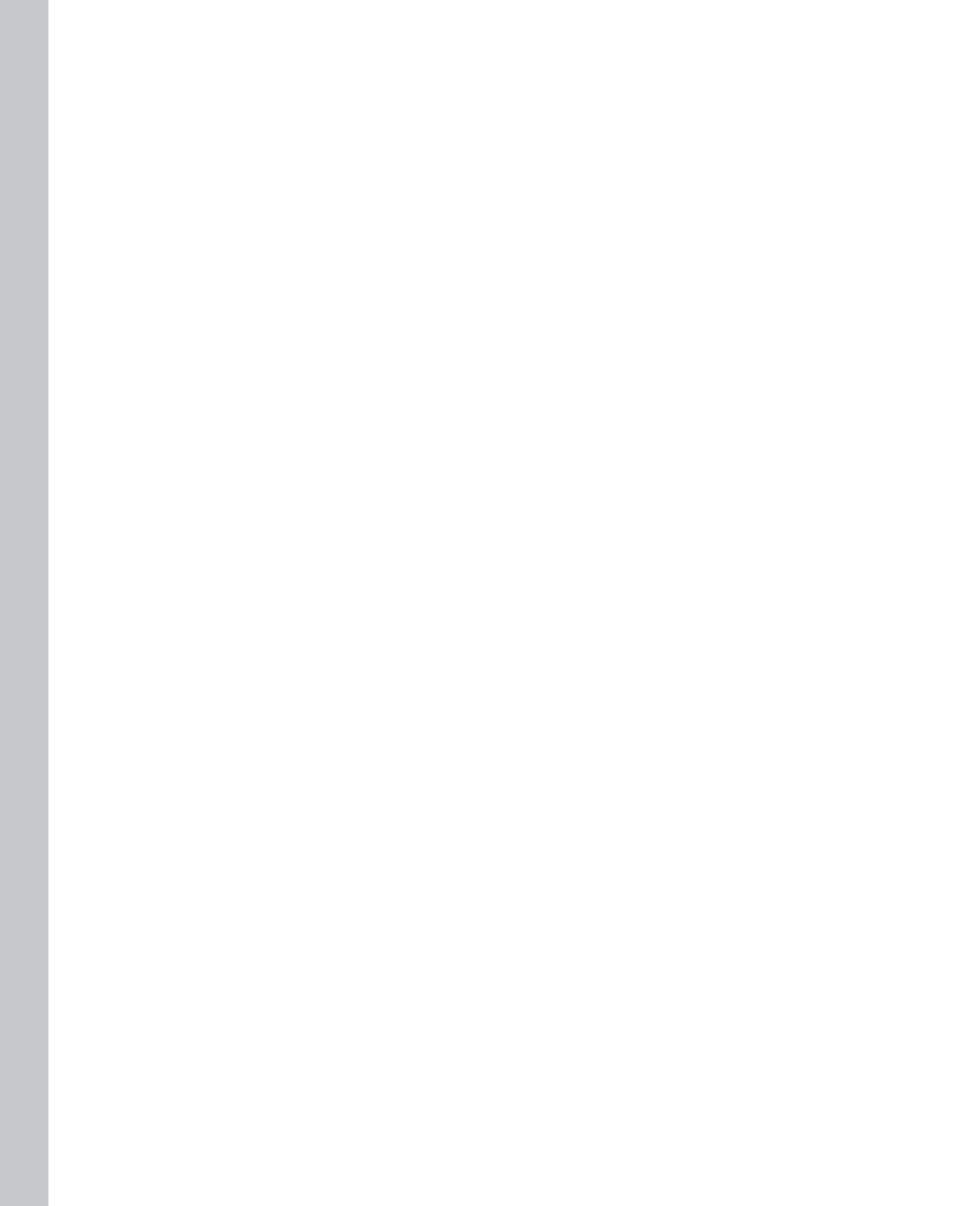
Reference	Title Date of coming into force
2012, c. 23	<p>An Act respecting the sharing of certain health information</p> <p>2012-07-04 ss. 1-6, 120, 121, 130, 132-135, 147-150, 163-166, 168-175, 178, 179 2012-12-01 s. 176 2013-04-15 ss. 153-159 2013-06-20 ss. 7-10, 11 (except 1st par. (subpar. 4-6)), 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 (1st par.), 33-36, 46-49, 51-54, 55 (1st 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 (1st 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</p> <p>2013-11-27 ss. 37, 38 2015-04-01 ss. 25 (par. 1, the words “or sold under pharmaceutical control”), 28 (the words “or a person or partnership”), 31 (the words “or a person or partnership operating a medical imaging laboratory or a medical diagnostic radiology laboratory”), 32 (2nd par.)</p>
2012, c. 25	<p>Integrity in Public Contracts Act</p> <p>2014-11-05 s. 23</p>
2012, c. 30	<p>An Act to amend various legislative provisions concerning municipal affairs</p> <p>2013-06-26 ss. 2, 4-22, 24-32</p>
2012, c. 31	<p>An Act to establish the Health and Social Services Information Resources Fund</p> <p>2013-01-01 ss. 1-6</p>
2013, c. 5	<p>An Act to amend the Election Act with regard to on-campus voting by students in vocational training centres and post-secondary educational institutions</p> <p>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”)</p>
2013, c. 6	<p>An Act to amend the Police Act as concerns independent investigations</p> <p>2016-06-27 ss. 3 (to the extent that it enacts ss. 289.1 to 289.3 and 289.19 to 289.22 of the Police Act (chapter P-13.1)), 4, 5</p>
2013, c. 12	<p>An Act to amend the Professional Code with respect to disciplinary justice</p> <p>2015-07-13 ss. 1, 3 (to the extent that it concerns ss. 115.1, 115.2, 115.4 and 115.6-115.10 of the Professional Code (chapter C-26)), 4, 5 (to the extent that it concerns ss. 117 and 117.1 of the Professional Code (chapter C-26)), 6-21, 23-25, 29-32</p>
2013, c. 15	<p>An Act to amend the Act respecting school elections and other legislative provisions</p> <p>2013-12-11 s. 4 2014-11-02 ss. 5, 6</p>

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2013, c. 16	An Act respecting mainly the implementation of certain provisions of the Budget Speech of 20 November 2012 2016-01-01 s. 53 (to the extent that it enacts s. 17.12.12 (1 st par. (subpar. 6)) of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2), except as concerns the financing of activities relating to the application of the Mining Tax Act (chapter I-0.4) and the regulations); s. 54 (to the extent that it inserts a reference to s. 17.12.20 of the Act respecting the Ministère des Ressources naturelles et de la Faune); s. 55 (to the extent that it enacts s. 17.12.20, except for par. 1, of the Act respecting the Ministère des Ressources naturelles et de la Faune); s. 58 (to the extent that it applies to the mining activity management component of the Natural Resources Fund)
2013, c. 18	An Act to amend various legislative provisions mainly concerning the financial sector 2014-01-15 ss. 77, 78
2013, c. 23	An Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions 2013-11-06 ss. 96, 97, 104-111, 118-126, 137-139, 141 2013-11-13 ss. 1-10, 14-95, 98-103, 112-117, 127-136, 140, 142-168 2014-12-01 ss. 11-13
2013, c. 25	An Act to amend the Public Service Act mainly with respect to staffing 2015-05-29 ss. 1, 3-8, 10-13, 14 (except where it enacts s. 50.1 (1 st par. (subpar. 11))), 15-17, 19, 22 (par. 1-5), 24, 32, 34-36, 39
2013, c. 26	Voluntary Retirement Savings Plans Act 2014-04-16 ss. 14, 28, 29, 31, 39-41, 107-109, 114, 115, 143
2013, c. 27	An Act to amend the Civil Code as regards civil status, successions and the publication of rights 2014-03-01 ss. 1, 2, 5 2014-09-17 s. 29 2015-10-01 ss. 3, 4
2013, c. 32	An Act to amend the Mining Act 2015-05-06 ss. 35, 38 2016-12-14 s. 108
2014, c. 1	An Act to establish the new Code of Civil Procedure 2016-01-01 aa. 1-27, 29-35 (except 4 th par.), 36-302, 303 (except 1 st par. (subpar. 7)), 304-835
2014, c. 2	An Act respecting end-of-life care 2015-12-16 ss. 63, 64 2016-06-15 ss. 52 (2 nd par.), 57, 58 (to the extent that the provisions concern the advance medical directives register)
2014, c. 13	An Act to amend the Act respecting the Barreau du Québec, the Notaries Act and the Professional Code 2015-06-29 ss. 19 (par. 1), 20 (par. 1)
2015, c. 3	An Act to amend the Cooperatives Act and other legislative provisions 2015-10-01 s. 32

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2015, c. 8	An Act mainly to implement certain provisions of the Budget Speech of 4 June 2014 and return to a balanced budget in 2015-2016 2015-07-14 ss. 25-33
2015, c. 16	An Act to amend various legislative provisions mainly concerning shared transportation 2016-01-01 ss. 2, 5, 9 (par. 2), 10, 20-29
2015, c. 20	An Act to group the Commission administrative des régimes de retraite et d'assurances and the Régie des rentes du Québec 2016-01-01 ss. 1-74
2015, c. 22	An Act to modernize the governance of Conservatoire de musique et d'art dramatique du Québec 2016-02-10 ss. 1, 2 (except where it enacts s. 15 of the Act respecting the Conservatoire de musique et d'art dramatique du Québec (chapter C-62.1)), 3-9, 11, 12, 15, 16 2016-04-01 ss. 2 (where it enacts s. 15 of the Act respecting the Conservatoire de musique et d'art dramatique du Québec (chapter C-62.1)), 10, 13, 14
2015, c. 25	An Act to enact the Act to promote access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation 2016-04-11 s. 1 (s. 50 (par. 3), to the extent that it concerns the system designed to allow every insured person, within the meaning of the Health Insurance Act (chapter A-29), to find a physician who agrees to provide medical care to the person)
2015, c. 26	An Act mainly to make the administration of justice more efficient and fines for minors more deterrent 2016-01-01 s. 1 2016-09-15 ss. 3, 9-12, 15-18
2015, c. 31	An Act mainly to improve the regulation of tourist accommodation and to define a new system of governance as regards international promotion 2016-04-15 ss. 1-24
2015, c. 35	An Act to improve the legal situation of animals 2016-03-23 s. 7 (ss. 16, 19 of the Animal Welfare and Safety Act (chapter B-3.1))
2016, c. 7	An Act respecting mainly the implementation of certain provisions of the Budget Speech of 26 March 2015 2016-09-01 ss. 85-93 2017-01-11 ss. 154, 167 2017-04-01 ss. 94-153
2016, c. 8	An Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area 2017-06-01 ss. 3, 4, 47-50, 59-129, 132-134
2016, c. 9	An Act respecting development of the small-scale alcoholic beverage industry 2016-12-14 ss. 1-21



**LIST OF LEGISLATIVE PROVISIONS WHOSE COMING INTO FORCE
HAS YET TO BE DETERMINED BY PROCLAMATION OR ORDER
IN COUNCIL AS OF 31 DECEMBER 2016**

Provisions not in force on 31 December 2016 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. 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 (1 st par., 2 nd par., except the words “, provided that they are Canadian citizens or comply with section 44 of the Professional Code (chapter C-26)”), 22 (1 st par., 2 nd par. (subpar. <i>a, c, d, e</i>)) of the Chartered Accountants Act (R.S.Q., chapter C-48))
1994, c. 41	An Act to amend the Environment Quality Act and other legislative provisions ss. 1-20, 22-33
1995, c. 23	An Act to establish the permanent list of electors and amending the Election Act and other legislative provisions s. 79 (where it enacts s. 39.1)
1995, c. 51	An Act to amend the Code of Penal Procedure and other legislative provisions ss. 2, 6 (except s. 62.1 (1 st par.) of the Code of Penal Procedure), 10, 11, 13 (par. 1, 6), 14, 25, 26, 28-30
1995, c. 52	An Act to amend the Transport Act s. 2
1995, c. 65	An Act respecting the Agence métropolitaine de transport and amending various legislative provisions s. 159
1995, c. 67	An Act to amend the Cooperatives Act and other legislative provisions s. 150
1995, c. 69	An Act to amend the Act respecting income security and other legislative provisions ss. 2, 8, 20 (par. 3)
1996, c. 12	An Act to amend the Financial Administration Act and other legislative provisions ss. 1, 2, 9
1996, c. 18	An Act to amend the Act respecting the conservation and development of wildlife ss. 4, 13
1996, c. 32	An Act respecting prescription drug insurance and amending various legislative provisions ss. 8 (3 rd par., the words “or any other institution recognized for that purpose by the Minister that is situated outside Québec in a region bordering on Québec”), 38 (in subpar. 2 of 1 st par., the words “otherwise binding the policy-holder”) (in subpar. 3 of 1 st par., the words “administered by or on behalf of the policy-holder”), 39 (in subpar. 2 of 1 st par., the words “otherwise binding the plan administrator”) (in subpar. 3 of 1 st par., the words “binding the plan administrator”), 40, 45 (in 1 st sentence, the words “or the plan member” and the 2 nd sentence, which reads: “Any notice of non-renewal or of a

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1996, c. 32	An Act respecting prescription drug insurance and amending various legislative provisions – <i>Cont'd</i> change in the premium or assessment from the insurer must be sent to the last known address of the plan member not later than 30 days preceding the date of expiry.”), 89 (par. 1 (subpar. b)), 91 (3 rd par. of s. 10 of the Health Insurance Act, introduced by par. 2)
1996, c. 50	An Act to amend the Agricultural Products, Marine Products and Food Act and the Environment Quality Act s. 2
1996, c. 53	An Act respecting the Commission administrative des régimes de retraite et d’assurances and amending various legislative provisions as regards pension plans ss. 2, 9, 13 (par. 1)
1996, c. 54	An Act respecting administrative justice Sched. IV (par. 27)
1996, c. 56	An Act to amend the Highway Safety Code and other legislative provisions ss. 84, 108
1996, c. 62	An Act to amend the Act respecting the conservation and development of wildlife s. 1 (par. 1)
1996, c. 69	An Act to amend the Savings and Credit Unions Act ss. 4, 5, 6, 14 (par. 2), 16 (par. 2), 17 (par. 2), 20 (par. 2), 166
1996, c. 71	An Act to amend the Act respecting collective agreement decrees ss. 17, 41 (2 nd , 3 rd , 4 th , 5 th par.)
1997, c. 8	An Act to amend the Election Act and other legislative provisions as regards the permanent list of electors s. 8 (the words “as such information appears in the register kept under section 54 of the Public Curator Act (chapter C-81)” in section 40.7.1)
1997, c. 43	An Act respecting the implementation of the Act respecting administrative justice ss. 106-110, 111 (par. 2), 112-115, 116 (par. 2), 117-120, 121 (par. 2), 122, 123, 833 (2 nd par.) [those provisions respecting proceedings already before the Commission municipale du Québec, in matters of real estate or business tax exemptions], 834, 853 (the words “Until 1 December 1997” of the second and third paragraphs), 854 (the words “until 1 December 1997” of the second paragraph)
1997, c. 59	An Act to amend the Act respecting the Agence métropolitaine de transport s. 1 (s. 21.2)
1997, c. 72	An Act to again amend the Act respecting labour standards ss. 5, 6
1997, c. 77	An Act to amend the Public Health Protection Act ss. 1, 2, 8, 9, 10
1997, c. 78	An Act to amend the Act to ensure safety in guided land transport ss. 13 (par. 1), 14 (par. 2)
1997, c. 123	An Act respecting the Association de villégiature du Mont Sainte-Anne ss. 1-9, schedule

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1998, c. 18	An Act to amend the Professional Code with respect to the title of psychotherapist ss. 1, 2, 3 (ss. 187.1, 187.4)
1998, c. 35	An Act to amend the Roads Act and other legislative provisions ss. 12-14, 16
1998, c. 37	An Act respecting the distribution of financial products and services ss. 28, 40
1998, c. 40	An Act respecting owners and operators of heavy vehicles ss. 87, 97, 109 (par. 1 (as regards the striking out of section 413))
1998, c. 46	An Act to amend various legislative provisions relating to building and the construction industry ss. 29, 35 (par. 1), 36, 38, 39, 40 (to the extent that the provisions do not apply to the vocational qualification of contractors and owner-builders), 55 (to the extent that the provisions do not apply to the vocational qualification of contractors and owner-builders)
1999, c. 14	An Act to amend various legislative provisions concerning de facto spouses ss. 32, 33 (on the date of coming into force of the provisions they amend, that is: s. 76 of 1993, c. 54 (in the definition of "spouse"); s. 197 of 1993, c. 54 (par. 2 of the definition of "spouse"))
1999, c. 35	An Act respecting environmental assessment of the proposed Churchill River hydroelectric development ss. 1-4
1999, c. 50	An Act to repeal the Grain Act and to amend the Act respecting the marketing of agricultural, food and fish products and other legislative provisions ss. 61, 65-67
1999, c. 51	An Act respecting the flag and emblems of Québec ss. 11, 12
1999, c. 79	An Act to amend the Act respecting the Régie des installations olympiques s. 1
1999, c. 88	An Act respecting the amalgamation of Municipalité de Mont-Tremblant, Ville de Saint-Jovite, Municipalité de Lac-Tremblant-Nord and Paroisse de Saint-Jovite ss. 5 and 8 (which come into force on the date on which the order made under s. 3 of that Act comes into force)
1999, c. 89	An Act to amend the Health Insurance Act and other legislative provisions s. 10 (new s. 9.6 of the Health Insurance Act (R.S.Q., chapter A-29) that it introduces)
2000, c. 8	Public Administration Act s. 240 (par. 4, 5)
2000, c. 9	Dam Safety Act s. 19 (4 th par.)
2000, c. 15	Financial Administration Act ss. 33-45, 58-60
2000, c. 20	Fire Safety Act s. 38 (2 nd par.)

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2000, c. 22	An Act to amend the Act respecting the Régie de l'énergie and other legislative provisions ss. 45 (par. 1), 50 (par. 1 (the words "the registration fees and"))
2000, c. 26	An Act to amend the Agricultural Products, Marine Products and Food Act and other legislative provisions ss. 11, 13 (par. 1, 3, 5, 7), 38, 77
2000, c. 28	An Act respecting Nasdaq stock exchange activities in Québec ss. 2-8
2000, c. 35	An Act to amend the Transport Act s. 1
2000, c. 40	An Act to amend the Animal Health Protection Act and other legislative provisions and to repeal the Bees Act ss. 4 (except to the extent that it introduces s. 3.0.1 (1 st par.) of the Animal Health Protection Act (R.S.Q., chapter P-42)), 14 (to the extent that it introduces s. 22.5), 15-18
2000, c. 42	An Act to amend the Civil Code and other legislative provisions relating to land registration ss. 43 (where it deals with the information referred to in a. 3005 of the Civil Code, on the geodesic reference and geographic coordinates making it possible to describe an immovable), 67
2000, c. 44	Notaries Act ss. 26, 59, 62-92, 106 (where it replaces the provisions of the Notarial Act (R.S.Q., chapter N-2) respecting the preservation of notarial acts 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, 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. 45	<p>An Act respecting the Autorité des marchés financiers</p> <p>ss. 116 (2nd par.), 153 (5th par.), 264 (except to the extent that it enacts s. 7 of the Fish and Game Clubs Act (R.S.Q., chapter C-22)), 266 (except to the extent that it enacts s. 11 of the Amusement Clubs Act (R.S.Q., chapter C-23)), 275, 280 (except to the extent that it enacts s. 14 of the Cemetery Companies Act (R.S.Q., chapter C-40)), 282 (except to the extent that it enacts s. 52 of the Act respecting Roman Catholic cemetery corporations (R.S.Q., chapter C-40.1)), 285 (except to the extent that it enacts s. 98 of the Gas, Water and Electricity Companies Act (R.S.Q., chapter C-44)), 287, 290, 294 (except to the extent that it enacts s. 15 of the Act respecting the constitution of certain Churches (R.S.Q., chapter C-63)), 340 (except to the extent that it enacts s. 19 of the Religious Corporations Act (R.S.Q., chapter C-71)), 342, 343, 347, 361, 378, 384, 390, 400, 403, 416, 418, 483, 484, 491, 502 (except to the extent that it enacts s. 22 of the Roman Catholic Bishops Act (R.S.Q., chapter E-17)), 509 (except to the extent that it enacts s. 75 of the Act respecting fabriques (R.S.Q., chapter F-1)), 539, 544 (except to the extent that it enacts s. 34 of the Winding-up Act (R.S.Q., chapter L-4)), 548, 552, 614 (except to the extent that it enacts s. 7 of the National Benefit Societies Act (R.S.Q., chapter S-31)), 616 (except to the extent that it enacts s. 4 of the Act respecting societies for the prevention of cruelty to animals (R.S.Q., chapter S-32)), 620 (except to the extent that it enacts s. 30 of the Professional Syndicates Act (R.S.Q., chapter S-40)), 727-729</p>
2002, c. 61	<p>An Act to combat poverty and social exclusion</p> <p>ss. 1 (2nd par. (2nd sentence), except to the extent that that provision applies in respect of the advisory committee on the prevention of poverty and social exclusion), 21 (2nd par. (the words “and those of the indicators proposed by the Observatoire de la pauvreté et de l’exclusion sociale that were retained”), 31 (3rd par.), 32 (2nd par. (2nd sentence)), 35-45, 58 (the words “and those of the indicators proposed by the Observatoire de la pauvreté et de l’exclusion sociale retained by the Minister”), 59 (the words “, taking into account in particular the indicators proposed by the observatory,”), 65 (except 1st par.)</p>
2002, c. 66	<p>An Act to amend the Act respecting health services and social services as regards the medical activities, the distribution and the undertaking of physicians</p> <p>ss. 1-4, 12, 14, 15 (par. 1), 21</p>
2002, c. 70	<p>An Act to amend the Act respecting insurance and other legislative provisions</p> <p>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</p>
2002, c. 80	<p>An Act to amend the Act respecting labour standards and other legislative provisions</p> <p>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</p>
2003, c. 18	<p>An Act to amend the Cooperatives Act</p> <p>s. 165</p>
2003, c. 29	<p>An Act respecting the Ministère du Développement économique et régional et de la Recherche</p> <p>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)</p>
2004, c. 2	<p>An Act to amend the Highway Safety Code and other legislative provisions</p> <p>ss. 58 (except to the extent that it enacts s. 520.2 (1st par.) of the Highway Safety Code (chapter C-24.2)), 73-75</p>
2004, c. 12	<p>An Act to amend the Courts of Justice Act and other legislative provisions as regards the status of justices of the peace</p> <p>s. 1 (to the extent that it enacts s. 174 of the Courts of Justice Act (R.S.Q., chapter T-16))</p>

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2004, c. 18	An Act to amend the Act respecting immigration to Québec ss. 2, 6, 10 (par. 5)
2004, c. 25	An Act to amend the Act respecting the Bibliothèque nationale du Québec, the Archives Act and other legislative provisions s. 73
2004, c. 30	An Act respecting Services Québec ss. 52, 57
2004, c. 31	An Act to amend the Act to secure the handicapped in the exercise of their rights and other legislative provisions ss. 60, 65, 66, 68 (to the extent that it refers to par. 5 of Schedule 1 to the Act respecting administrative justice (R.S.Q., chapter J-3)), 70 (par. 2)
2004, c. 37	An Act to amend the Securities Act and other legislative provisions ss. 15, 25, 26, 29, 30, 32 (except to the extent that it enacts s. 308.2 of the Securities Act (R.S.Q., chapter V-1.1)), 43 (par. 3), 56, 58, 61, 86
2005, c. 7	An Act respecting the Centre de services partagés du Québec s. 80 (except to the extent that it enacts the first sentence of s. 13 of the Act respecting government services to departments and public bodies (R.S.Q., chapter S-6.1))
2005, c. 12	An Act respecting the reciprocal issue and enforcement of support orders ss. 1-41
2005, c. 15	Individual and Family Assistance Act s. 64 (1 st par., second sentence)
2005, c. 17	An Act to amend the Act respecting administrative justice and other legislative provisions s. 43
2005, c. 27	An Act to amend the Code of Penal Procedure and the Courts of Justice Act s. 24
2005, c. 32	An Act to amend the Act respecting health services and social services and other legislative provisions ss. 25 (par. 4), 50, 184 (par. 3), 189, 221, 228, 229, 239 (1 st par., 3 rd par., 4 th par.), 240 (the words “of a health communication centre or of a podiatrist or midwife operating a private health facility, or the local files or index” in the paragraph proposed by par. 5), 287 (par. 1), 288 (ss. 2.0.1-2.0.5), 295, 302, 303, 304, 308 (par. 39), 322
2005, c. 34	An Act respecting the Director of Criminal and Penal Prosecutions s. 89 (except for the purpose of permitting the application of the rules that relate to the selection and appointment of a Deputy Director)
2005, c. 38	Budget Act giving effect to the Budget Speech delivered on 21 April 2005 and to certain other budget statements ss. 283, 284
2005, c. 39	An Act to amend the Act respecting owners and operators of heavy vehicles and other legislative provisions s. 27 (insofar as it enacts s. 48.3)

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2005, c. 40	An Act to amend the Act respecting prescription drug insurance and other legislative provisions ss. 23 (except to the extent that it enacts ss. 60.1-60.3 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01)), 31, 43
2006, c. 11	An Act to facilitate organ donation ss. 1-4
2006, c. 17	An Act to amend the Election Act to encourage and facilitate voting ss. 3, 15 (insofar as it enacts ss. 262 (1 st par. (subpar. 1), 2 nd par., 3 rd par.), 263 (except for the purposes of the implementation of s. 301.21), 264-280, 301.18 (2 nd par.)), 19 (insofar as it enacts, in s. 327 (1 st par.), the words “and at the returning officer’s office”), 21
2006, c. 24	An Act to reduce the debt and establish the Generations Fund s. 3 (1 st par. (subpar. 3))
2006, c. 38	An Act to amend the Act respecting the enterprise registrar and other legislative provisions ss. 52, 53 (par. 1), 54, 57, 61, 62, 65, 79, 82, 95, 96
2006, c. 50	An Act to amend the Securities Act and other legislative provisions ss. 11, 21, 22, 26, 38 (except to the extent that it repeals ss. 99, 100, 102 and 103 of the Securities Act (R.S.Q., chapter V-1.1)), 65, 70 (par. 3), 89, 108 (par. 4)
2007, c. 21	An Act to amend the Act respecting the Régie de l’assurance maladie du Québec and to amend other legislative provisions s. 10
2007, c. 31	An Act to amend the Act respecting the Régie de l’assurance maladie du Québec, the Health Insurance Act and the Act respecting health services and social services s. 6 comes into force on the date of coming into force of s. 520.9 (1 st par. (subpar. 2)) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)
2007, c. 39	An Act to amend the Forest Act and other legislative provisions s. 34
2007, c. 40	An Act to amend the Highway Safety Code and the Regulation respecting demerit points ss. 6, 36 (s. 202.4 (3 rd par.) of the Highway Safety Code (R.S.Q., chapter C-24.2) that it enacts), 73 (except to the extent that it relates to s. 597.1 (1 st par.) of the Highway Safety Code), 77, 88 (the words “, except fines belonging to a municipality in accordance with an agreement under the second paragraph of section 597.1 of that Code” in s. 12.39.1 (par. 1) of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28)), 95, 97-101
2008, c. 7	An Act to amend the Act respecting the Autorité des marchés financiers and other legislative provisions ss. 47, 76, 82, 83, 131 (insofar as it enacts s. 349.3), 161, 162 (insofar as it repeals s. 297.6), 169
2008, c. 8	An Act to amend the Act respecting health services and social services, the Health Insurance Act and the Act respecting the Régie de l’assurance maladie du Québec ss. 1-26
2008, c. 9	Real Estate Brokerage Act ss. 3 (par. 14), 129, 161 (2 nd par.)
2008, c. 14	An Act to again amend the Highway Safety Code and other legislative provisions ss. 1 (except par. 2), 6, 9 (except par. 1), 14 (except par. 1), 20, 26, 27, 29, 33, 49 (except par. 2, 3), 50 (except par. 2), 51 (except par. 2), 53 (except par. 2), 54 (except par. 3), 72 (except par. 2), 79, 80, 86 (except par. 2-4), 100, 101, 111-115, 119, 124, 126-131

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2008, c. 18	An Act to amend various legislative provisions respecting municipal affairs ss. 77, 78, 82, 86 (par. 2), 95, 130, 131
2008, c. 25	An Act to amend the Act respecting the Government and Public Employees Retirement Plan and other legislation concerning pension plans in the public sector ss. 17, 18, 20
2009, c. 10	An Act to regularize and provide for the development of local slaughterhouses and to amend the Food Products Act s. 30 (par. 3, which comes into force on the date of coming into force of subparagraph <i>n.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. 25	An Act to amend the Securities Act and other legislative provisions ss. 6, 48-51, 105
2009, c. 27	An Act to amend the Act respecting financial services cooperatives and other legislative provisions ss. 2, 8, 10, 11
2009, c. 30	An Act respecting clinical and research activities relating to assisted procreation ss. 8, 17 (1 st par. (subpar. 2, 3)), 30 (par. 3)
2009, c. 51	An Act to amend the Consumer Protection Act and other legislative provisions ss. 1-34
2009, c. 58	An Act to amend various legislative provisions principally to tighten the regulation of the financial sector ss. 5 (par. 1), 18 (to the extent that it enacts s. 40.2.1 (2 nd par.) of the Deposit Insurance Act (chapter A-26)), 75
2010, c. 7	An Act respecting the legal publicity of enterprises ss. 184 (on the date of coming into force of s. 200.0.9 of the Act respecting insurance (R.S.Q., chapter A-32)), 185 (on the date of coming into force of s. 200.0.11 of the Act respecting insurance)
2010, c. 20	An Act to implement certain provisions of the Budget Speech of 30 March 2010, reduce the debt and return to a balanced budget in 2013-2014 s. 39 (par. 2) (on the date of coming into force of s. 54 (par. 1) of the Act to again amend the Highway Safety Code and other legislative provisions (2008, chapter 14))
2011, c. 20	An Act to amend the Environment Quality Act in order to reinforce compliance ss. 47, 48, 49 come into force respectively on the date or dates of coming into force of ss. 35, 36 and 37 of the Act to affirm the collective nature of water resources and provide for increased water resource protection (R.S.Q., chapter C-6.2)

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2011, c. 26	An Act to amend various legislative provisions mainly concerning the financial sector ss. 20 (insofar as it enacts s. 115.2 (2 nd par.) of the Act respecting the distribution of financial products and services (chapter D-9.2)), 61 (except par. 1, 5, 6)
2011, c. 30	An Act to eliminate union placement and improve the operation of the construction industry ss. 8 (insofar as it concerns the labour-referral service for the construction industry), 44, 55, 56, 57 (except insofar as it concerns ss. 107.3 to 107.6 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)), 62 come into force on 9 September 2013, unless their coming into force is set by the Government for an earlier date or dates; s. 48 insofar as it concerns the employee's photo comes into force on the date to be set by the Government
2011, c. 37	An Act to amend the Pharmacy Act ss. 1-5
2012, c. 15	An Act to modify the rules governing the use of photo radar devices and red light camera systems and amend other legislative provisions s. 21 (par. 3, 5) comes into force on the date or dates to be set by the Government, which may not be earlier than the date that is six months after the date on which the first report referred to in section 36 is tabled in the National Assembly
2012, c. 23	An Act respecting the sharing of certain health information ss. 11 (1 st par. (subpar. 4-6)), 22, 24, 25 (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), 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), 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. 11	An Act to amend the Act respecting Héma-Québec and the haemovigilance committee s. 8
2013, c. 16	An Act respecting mainly the implementation of certain provisions of the Budget Speech of 20 November 2012 ss. 53 (to the extent that it enacts s. 17.12.12 (1 st par. (subpar. 6)) of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2), as concerns the financing of activities relating to the application of the Mining Tax Act (chapter I-0.4) and the regulations), 55 (to the extent that it enacts s. 17.12.20 (par. 1) of the Act respecting the Ministère des Ressources naturelles et de la Faune), 158-166
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. 25, 27 (where it enacts s. 116.5)
2013, c. 30	An Act to amend various legislative provisions concerning municipal affairs s. 13

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2014, c. 1	An Act to establish the new Code of Civil Procedure s. 35 (4 th par.)
2014, c. 17	An Act respecting workforce management and control within government departments, public sector bodies and networks and state-owned enterprises ss. 7-10
2015, c. 3	An Act to amend the Cooperatives Act and other legislative provisions ss. 1-4, 8-10, 17-25, 40, 47-54
2015, c. 6	An Act to ensure mainly the recovery of amounts improperly paid as a result of fraud or fraudulent tactics in connection with public contracts ss. 10-17
2015, c. 25	An Act to enact the Act to promote access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation s. 1 (ss. 4-31, 39, 41, 42, 45-47, 49, 50 (par. 3) (except to the extent that it concerns the system designed to allow every insured person, within the meaning of the Health Insurance Act (chapter A-29), to find a physician who agrees to provide medical care to the person), 53, 54, 56, 59-68, 69 (to the extent that it concerns general practitioners), 74, 75, 77-79 of the Act to promote access to family medicine and specialized medicine services (2015, chapter 25, section 1))
2015, c. 26	An Act mainly to make the administration of justice more efficient and fines for minors more deterrent ss. 2, 4, 19-21, 24, 25, 27
2015, c. 35	An Act to improve the legal situation of animals s. 7 (ss. 17, 18, 20 of the Animal Welfare and Safety Act (chapter B-3.1))
2016, c. 1	Funeral Operations Act ss. 1-149
2016, c. 3	Québec Immigration Act ss. 1-129
2016, c. 7	An Act respecting mainly the implementation of certain provisions of the Budget Speech of 26 March 2015 ss. 12 (according to the classes the Government determines), 13-82
2016, c. 12	An Act to amend various legislative provisions to better protect persons ss. 1-3, 6 (par. 1), 8, 11
2016, c. 15	Firearms Registration Act ss. 1-27
2016, c. 22	An Act to amend various legislative provisions respecting mainly transportation services by taxi ss. 14, 15 (par. 1), 18 (to the extent that it concerns s. 59.3 of the Act respecting transportation services by taxi (chapter S-6.01)), 38 (to the extent that it concerns s. 112.1 (par. 2) of the Act respecting transportation services by taxi)
2016, c. 25	An Act to allow a better match between training and jobs and to facilitate labour market entry ss. 22-44

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2016, c. 26	An Act to amend the Education Act ss. 8, 47
2016, c. 28	An Act to extend the powers of the Régie de l'assurance maladie du Québec, regulate commercial practices relating to prescription drugs and protect access to voluntary termination of pregnancy services ss. 39 and 50 (to the extent that they concern s. 8.1.2 of the Act respecting prescription drug insurance (chapter A-29.01)) Note: Sections 27, 31, 32 (par. 1) and 65 come into force on 7 December 2017, unless the Government sets an earlier date or earlier dates for their coming into force.
2016, c. 35	An Act to implement the 2030 Energy Policy and to amend various legislative provisions s. 23



INFORMATION REQUIRED BY LAW TO BE PUBLISHED

None in 2016.



2016, chapter 36
AN ACT RESPECTING VILLE DE SAGUENAY

Bill 212

Introduced by Mr. Serge Simard, Member for Dubuc

Introduced 28 October 2015

Passed in principle 10 June 2016

Passed 10 June 2016

Assented to 10 June 2016

Coming into force: 5 November 2017. However, for the purposes of the 2017 general election, the amendments made by sections 1 to 3 have effect from 10 June 2016.

Order in Council amended:

Order in Council 841-2001 dated 27 June 2001, respecting Ville de Saguenay



Chapter 36

AN ACT RESPECTING VILLE DE SAGUENAY

[Assented to 10 June 2016]

AS there is reason to amend certain provisions relating to the organization of the municipality of Order in Council 841-2001 dated 27 June 2001, respecting the amalgamation of Ville de Chicoutimi, Ville de Jonquière, Ville de La Baie and Ville de Laterrière, and the municipalities of Lac-Kénogami and Shipshaw, amended by Orders in Council 1474-2001 and 334-2002, and by chapters 37, 68 and 77 of the statutes of 2002, chapter 19 of the statutes of 2003, chapter 28 of the statutes of 2005, chapter 18 of the statutes of 2008 and chapter 18 of the statutes of 2010;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 8 of Order in Council 841-2001 dated 27 June 2001, respecting Ville de Saguenay, is amended by replacing “19” by “15”.

2. The Order in Council is amended by inserting the following section after section 10:

“**10.1.** For the purposes of section 12 of the Act respecting elections and referendums in municipalities (CQLR, chapter E-2.2), the electoral districts must be delimited in such a manner that, according to the document provided for in section 12.1 of that Act, the number of electors in each district is not more than 15% above or below the quotient obtained by dividing the total number of electors of each borough by the number of districts in the borough.”

3. Schedule C to the Order in Council is replaced by the following schedule:

“SCHEDULE C

“NUMBER OF COUNCILLORS FOR EACH BOROUGH:

“Chicoutimi	6
Jonquière	6
La Baie	3”.

4. This Act comes into force on 5 November 2017. However, for the purposes of the 2017 general election, the amendments made by sections 1 to 3 have effect from 10 June 2016.

2016, chapter 37
**AN ACT RESPECTING MUNICIPALITÉ DE
SAINTE-ANNE-DE-SOREL**

Bill 215

Introduced by Mr. Sylvain Rochon, Member for Richelieu

Introduced 12 November 2015

Passed in principle 10 June 2016

Passed 10 June 2016

Assented to 10 June 2016

Coming into force: 10 June 2016

Legislation amended: None



Chapter 37

AN ACT RESPECTING MUNICIPALITÉ DE SAINTE-ANNE-DE-SOREL

[Assented to 10 June 2016]

AS it is in the interest of Municipalité de Sainte-Anne-de-Sorel that it be granted certain powers, primarily to allow it to consolidate lots situated in an agricultural zone and to be declared the owner of abandoned lots and lots on which property taxes have not been paid for a number of years;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Municipalité de Sainte-Anne-de-Sorel may, to consolidate land, be declared the owner of an immovable on which municipal taxes have not been paid for three consecutive years and which is situated in the part of its territory bounded on the north by Chemin du Chenal-du-Moine, on the northeast by lots 5 608 943, 5 383 665, 5 555 390 and 4 800 571, on the south by the municipal boundary (Rivière Pot au Beurre) and, on the southwest by the municipal boundary, lots 4 799 211 and 4 799 238 and Rue Saint-Martin, all lots mentioned being in the registration division of Richelieu of the cadastre of Québec.

2. The application is made by a motion presented before the Superior Court sitting in the district in which the immovable is situated. The motion may concern immovables belonging to different owners, provided the name of each owner entered on the assessment roll is indicated for his or her immovable.

The motion may be granted only after publication of a notice in a newspaper in the territory of the municipality requesting all persons who may have rights against the immovables to appear in court within 60 days in order to claim compensation equal to the value of their rights, after deduction of an amount sufficient to pay all outstanding municipal and school taxes. The compensation claimed may not exceed the actual value of an immovable on the date of coming into force of this Act before the deduction.

Publication of the notice replaces service. The notice must state that it is given under this Act.

No appeal lies from the judgment rendered on the motion.

3. The judgment declaring ownership is published at the registry office. The real rights, other than public servitudes, encumbering the immovables concerned are extinguished. The municipality draws up a list of the extinguished rights

and submits an application for cancellation in accordance with the rules applicable to the land register.

4. To consolidate land in order to constitute or reconstitute agricultural operations in the sector to be consolidated, the municipality may acquire an immovable by agreement or by expropriation, lease the immovable, or entrust its operation to a non-profit organization, which the municipality helps fund.

5. Acquisition by agreement or expropriation under section 4 and alienation under section 9, if any, do not constitute an alienation within the meaning assigned by section 1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

6. The municipality may create a financial reserve for the purpose of financing the consolidation of land and its reconversion for agricultural purposes, and may, for the purpose of constituting the reserve, impose and levy an annual surtax not exceeding \$100 on land situated in the sector to be consolidated.

7. The following lands must be exempted from the surtax:

(1) land on which there is a building whose property value exceeds 25% of the property value of the land, according to the assessment roll in force;

(2) an immovable exempt from property taxes;

(3) land forming part of an agricultural operation registered in accordance with a regulation under section 36.15 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (chapter M-14);

(4) land that may be used for purposes other than agriculture under an authorization of the Commission de protection du territoire agricole du Québec or that is subject to acquired rights within the meaning of Chapter VII of the Act respecting the preservation of agricultural land and agricultural activities.

The by-law must set out, among other things, the length of time the reserve will exist and the allocation of the amount, if any, by which the reserve's income exceeds its expenditures. If there is no such provision, any excess amount is paid into the general fund.

8. When, under this Act, the municipality becomes the owner of immovables that are sufficient in area or in number to be used for genuine and sustained agricultural purposes, it submits a plan to the Minister of Energy and Natural Resources relating to a cadastral operation entailing replacement in order to consolidate and renumber the lots. This plan must be authorized by the Minister of Agriculture, Fisheries and Food after the opinion of the Commission de protection du territoire agricole du Québec has been obtained.

- 9.** Within two years after the authorization required under section 8, the municipality must offer for sale, at their actual value, the lots concerned by the cadastral amendment so that they can be used for agricultural purposes, and must so advise the Minister of Agriculture, Fisheries and Food and the regional federation of the Union des producteurs agricoles. The Minister may authorize the transfer of the lots at a price that is lower than their actual value and, if necessary, an extension for the selling of the lots.
- 10.** The title obtained by the municipality under this Act to immovables situated in the sector to be consolidated may not be contested.
- 11.** This Act comes into force on 10 June 2016.

2016, chapter 38
AN ACT RESPECTING VILLE DE CHIBOUGAMAU

Bill 218

Introduced by Mr. Jean Boucher, Member for Ungava

Introduced 11 May 2016

Passed in principle 10 June 2016

Passed 10 June 2016

Assented to 10 June 2016

Coming into force: 10 June 2016

Legislation amended: None



Chapter 38

AN ACT RESPECTING VILLE DE CHIBOUGAMAU

[Assented to 10 June 2016]

AS it is in the interest of Ville de Chibougamau that it be granted certain powers to enable it to foster the construction, renovation and conversion of rental dwellings in order to alleviate the housing shortage in its territory and promote its economic development;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Despite the Municipal Aid Prohibition Act (chapter I-15), Ville de Chibougamau may, by by-law, adopt a housing program. Under the program, it may provide financial assistance for the construction, renovation and conversion of rental dwellings.
- 2.** The program may, among other things, determine the nature of the financial assistance that may be granted.
- 3.** The eligibility period for the program may not extend beyond 31 December 2026.
- 4.** The total financial assistance granted by Ville de Chibougamau, in the form of subsidies or tax credits, may not exceed \$3,000,000.
- 5.** The municipal council sets the program terms and conditions.
- 6.** To secure the performance of the obligations of beneficiaries under the program, protect the value of immovables covered by the program and ensure their conservation, Ville de Chibougamau may, among other things, require hypothecs or other real rights.
- 7.** The mayor's report on the financial position of Ville de Chibougamau under section 474.1 of the Cities and Towns Act (chapter C-19) must include a statement on implementation of the housing program referred to in section 1. The statement must include the number of applications filed the preceding fiscal year and, for each beneficiary, the nature and amount of the financial assistance granted and the number of dwellings concerned.
- 8.** This Act comes into force on 10 June 2016.

2016, chapter 39
AN ACT RESPECTING VILLE DE SHERBROOKE

Bill 219

Introduced by Mr. Guy Hardy, Member for Saint-François

Introduced 12 May 2016

Passed in principle 10 June 2016

Passed 10 June 2016

Assented to 10 June 2016

Coming into force: 10 June 2016

Order in Council amended:

Order in Council 850-2001 dated 4 July 2001, respecting Ville de Sherbrooke



Chapter 39

AN ACT RESPECTING VILLE DE SHERBROOKE

[Assented to 10 June 2016]

AS there is reason to amend certain provisions relating to the municipality's organization contained in Order in Council 850-2001 dated 4 July 2001, respecting 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, amended by Orders in Council 1475-2001, 509-2002 and 1078-2002, and by chapters 37, 68 and 77 of the statutes of 2002, chapter 19 of the statutes of 2003, chapters 20 and 56 of the statutes of 2004, chapter 28 of the statutes of 2005, chapter 60 of the statutes of 2006, chapters 18 and 32 of the statutes of 2008, chapter 18 of the statutes of 2010 and chapter 37 of the statutes of 2015;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Order in Council 850-2001 dated 4 July 2001, respecting Ville de Sherbrooke, is amended by inserting the following section after section 60.8:

“60.9. Despite the Municipal Aid Prohibition Act (chapter I-15), the city may, by by-law, adopt a program to support housing development in that part of its territory delineated in Schedule E by encouraging the acquisition of residential immovables.

For the purposes of the first paragraph, the city may give financial assistance in the form of loans, grants, tax credits or otherwise to individuals or housing cooperatives. Financial assistance given to the same person may not exceed 20 years.

The program may prescribe any criteria according to which the amount of financial assistance may vary and create exemptions for certain classes of recipients.”

2. The Order in Council is amended by adding the following schedule at the end:



3. This Act comes into force on 10 June 2016.

2016, chapter 40
**AN ACT RESPECTING VILLE DE
SAINT-AUGUSTIN-DE-DESMANURES**

Bill 220

Introduced by Mr. Sam Hamad, Member for Louis-Hébert

Introduced 16 November 2016

Passed in principle 9 December 2016

Passed 9 December 2016

Assented to 9 December 2016

Coming into force: 9 December 2016

Legislation amended: None



Chapter 40

AN ACT RESPECTING VILLE DE SAINT-AUGUSTIN-DE-DESMAURES

[Assented to 9 December 2016]

AS certain immovables were unduly omitted from the tax base described in By-law REGVSAD-2012-313 of Ville de Saint-Augustin-de-Desmaures, entitled Règlement d'emprunt n° REGVSAD-2012-313 au montant de 2,5 millions pour le prolongement du système d'aqueduc et d'égout sur la rue Saint-Félix (phase II) (French only);

AS the tax burden under the By-law is not equitably distributed, due to the tax base used;

AS this generates an obvious inequity, which, moreover, departs from the principle that the cost of municipal works financed primarily by a sector tax is to be duly distributed among all those who benefit from the works;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 4 of By-law REGVSAD-2012-313 of Ville de Saint-Augustin-de-Desmaures, entitled Règlement d'emprunt n° REGVSAD-2012-313 au montant de 2,5 millions pour le prolongement du système d'aqueduc et d'égout sur la rue Saint-Félix (phase II) (French only), is replaced by the following section:

“**4.** Pour les dépenses prévues à l'annexe II du présent règlement, il est par le présent règlement exigé et il sera prélevé annuellement, durant le terme de l'emprunt, de chaque propriétaire d'un immeuble imposable situé à l'intérieur du bassin de taxation décrit à l'annexe IV jointe au présent règlement pour en faire partie intégrante, une compensation pour chaque unité résidentielle desservie ou pouvant être desservie par le réseau. La compensation annuelle est établie en fonction des dépenses engagées pour la prolongation du réseau d'égout relativement à 75 % de la somme nécessaire au paiement des intérêts et au remboursement en capital des échéances annuelles du montant prévu au présent règlement, divisée par le nombre d'unités résidentielles.”

2. Annexe IV to the By-law is replaced by the following schedule:

“Annexe IV

Le bassin de taxation correspond à la zone hachurée.



- 3.** The taxation rate shown in Schedule B to By-law REGVSAD-2015-471 of Ville de Saint-Augustin-de-Desmaures, entitled Règlement n° REGVSAD-2015-471 sur les taux de taxes, compensations et divers tarifs pour l'année financière 2016 (French only), for By-law REGVSAD-2012-313 will be modified accordingly by the municipality's treasurer.
- 4.** Sections 1 to 3 have effect as of 2016 and the municipality has 60 days after the coming into force of this Act to send the related tax bills or refunds, as applicable.
- 5.** This Act comes into force on 9 December 2016.

2016, chapter 41

AN ACT TO ALLOW THE CONVERSION AND AMALGAMATION OF L'ASSURANCE MUTUELLE DE L'INTER-OUEST AND L'ASSURANCE MUTUELLE DES FABRIQUES DE MONTRÉAL

Bill 222

Introduced by Mr. Marc Carrière, Member for Chapleau

Introduced 22 November 2016

Passed in principle 9 December 2016

Passed 9 December 2016

Assented to 9 December 2016

Coming into force: 9 December 2016

Legislation amended:

Act to amend the charter of La Mutuelle Ecclésiastique d'Ottawa (1944, 8 George VI, chapter 79)

Act to incorporate the Mutual Assurance Associations of the Fabriques of the Dioceses of Quebec and of Three-Rivers, and of Montreal and Saint Hyacinthe (1853, 16 Victoria, chapter 149)



Chapter 41

AN ACT TO ALLOW THE CONVERSION AND AMALGAMATION OF L'ASSURANCE MUTUELLE DE L'INTER-OUEST AND L'ASSURANCE MUTUELLE DES FABRIQUES DE MONTRÉAL

[Assented to 9 December 2016]

AS L'Assurance Mutuelle de l'Inter-Ouest is an insurer that was constituted on 16 March 1916 under the Act to incorporate “*L'Association d'Assurance Mutuelle des paroisses et des maisons d'éducation et de charité de la vallée de l'Ottawa*” (1916, 6 George V, chapter 100) and continued by the Act to amend the charter of La Mutuelle Ecclésiastique d'Ottawa (1944, 8 George VI, chapter 79), which was amended by the Act to amend the Act to amend the charter of La Mutuelle Ecclésiastique d'Ottawa (2009, chapter 67);

AS L'Assurance mutuelle des fabriques de Montréal is an insurer that was constituted on 23 May 1853 under the Act to incorporate the Mutual Assurance Associations of the Fabriques of the Dioceses of Quebec and of Three-Rivers, and of Montreal and Saint Hyacinthe (1853, 16 Victoria, chapter 149), amended by the acts 18 Victoria, chapter 60; 29 Victoria, chapter 102; 35 Victoria, chapter 18; 41 Victoria, chapter 50; 57 Victoria, chapter 76; 20 George V, chapter 143; 3 George VI, chapter 139; and 6 George VI, chapter 101;

AS the Acts governing these two insurers provide for no conversion or amalgamation mechanism;

AS L'Assurance Mutuelle de l'Inter-Ouest and L'Assurance mutuelle des fabriques de Montréal wish to amalgamate and as it is in the interest of their respective members that they do so;

AS it is expedient to allow the conversion of these insurers into mutual damage-insurance companies governed by the Act respecting insurance (chapter A-32) and to allow their amalgamation, both in accordance with the Act respecting insurance;

AS it is in the interest of L'Assurance Mutuelle de l'Inter-Ouest and L'Assurance mutuelle des fabriques de Montréal that this Act be adopted accordingly;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. In order to allow their conversion into mutual damage-insurance companies governed by the Act respecting insurance (chapter A-32) as well as their amalgamation, L'Assurance Mutuelle de l'Inter-Ouest and L'Assurance

mutuelle des fabriques de Montréal are deemed to be insurance companies constituted under Acts of the Parliament of Québec and mutual insurance companies within the meaning of paragraphs *b* and *c* of section 1 and paragraph *b* of section 175 of the Act respecting insurance.

2. The Act to amend the charter of La Mutuelle Ecclésiastique d'Ottawa (1944, 8 George VI, chapter 79), amended by the Act to amend the Act to amend the charter of La Mutuelle Ecclésiastique d'Ottawa (2009, chapter 67), is repealed from the date appearing on the certificate of conversion issued by the enterprise registrar under section 200.0.3 of the Act respecting insurance.

3. The Act to incorporate the Mutual Assurance Associations of the Fabriques of the Dioceses of Quebec and of Three-Rivers, and of Montreal and Saint Hyacinthe (1853, 16 Victoria, chapter 149), amended by the acts 18 Victoria, chapter 60; 29 Victoria, chapter 102; 35 Victoria, chapter 18; 41 Victoria, chapter 50; 57 Victoria, chapter 76; 20 George V, chapter 143; 3 George VI, chapter 139; and 6 George VI, chapter 101, is repealed from the date appearing on the certificate of conversion issued by the enterprise registrar under section 200.0.3 of the Act respecting insurance.

4. Any acts and formalities performed before 9 December 2016 by the insurers or their respective members or officers in preparation for the insurers' conversion and amalgamation are deemed to have been validly performed if they were performed in compliance with the Act respecting insurance.

5. This Act ceases to have effect one year after the day it is assented to, if the amalgamation of L'Assurance Mutuelle de l'Inter-Ouest and L'Assurance mutuelle des fabriques de Montréal has not yet occurred.

6. This Act comes into force on 9 December 2016.

INDEX

“See” before a chapter number means that the entry opposite does not refer to the main subject of that chapter, but rather to an Act, regulation, order in council or ministerial order amended, replaced, repealed or enacted by that chapter.

Page numbers refer to the first page of the chapter.

Subject	Chapter	Page
A		
Acquisition of farm land by non-residents	See 35	679
Activities of the enterprise registrar to the Ministère du Travail, de l'Emploi et de la Solidarité sociale, Transfer of	29	603
Administrative justice.....	See 1	1
	See 3	71
	See 23	497
	See 28	571
	See 35	679
Administrative Labour Tribunal	See 8	241
Agence métropolitaine de transport	See 8	241
Alcoholic beverage industry, Development of the small-scale	9	323
Amalgamation of L'Assurance Mutuelle de l'Inter-Ouest and L'Assurance mutuelle des fabriques de Montréal, Conversion and	41	921
Amusement clubs.....	See 29	603
Animal health	See 1	1
Anti-corruption.....	See 34	657
Appropriation Act No. 1, 2016–2017.....	2	29
Appropriation Act No. 2, 2016–2017.....	6	133
Auditor General.....	See 7	179
Autorité des marchés financiers.....	See 7	179
Autorité régionale de transport métropolitain.....	See 8	241
B		
Basic prescription drug insurance plan, Cost of certain medications covered by the — calls for tenders.....	16	391
Boards of directors, Presence of young people on — governance of state-owned enterprises	27	567
Budget Speech of 26 March 2015	7	179
Budget Speech of 30 March 2010, reduction of debt and return to a balanced budget in 2013-2014.....	See 7	179
Building Act	See 8	241
Bureau général de dépôts pour le Québec	See 7	179
Burial	See 1	1

Index

Subject	Chapter	Page
Bus Leasing Regulation	See 8	241
Bus Transport Regulation	See 8	241
Business corporations	See 29	603
C		
Calls for tenders—cost of certain medications covered by the basic prescription drug insurance plan	16	391
Cambodia Between 1975 and 1979, Memorial Day for Crimes Against Humanity Committed in	11	335
Cemetery companies	See 29	603
Changes made to delimitation of electoral divisions—National Assembly	5	129
Charbonneau Commission—recommendations on political financing	18	443
Charter of human rights and freedoms	See 19	459
Charter of La Mutuelle Ecclésiastique d’Ottawa	See 41	921
Charter of Ville de Montréal	See 7	179
	See 17	395
	See 30	613
	See 34	657
Charter of Ville de Québec	See 31	621
Chibougamau	38	907
Cinema	See 7	179
Cities and towns	See 7	179
	See 17	395
	See 30	613
Civil Code of Québec	See 1	1
	See 4	97
	See 12	339
	See 19	459
	See 21	475
	See 35	679
Civil Code—consistency between French and English texts	4	97
Civil Code—seniors’ rights as lessees	21	475
Civil service superannuation plan	See 14	373
Clinical and research activities relating to assisted procreation	See 1	1
Code of Civil Procedure	See 12	339
	See 19	459
	See 25	531
	See 29	603
Code of Penal Procedure	See 7	179
Collective agreements and settlement of disputes in the municipal sector, Process of negotiation of	24	515
Collective agreements with a term of more than three years in the public and parapublic sectors	10	331

Index

Subject	Chapter	Page
Commercial aquaculture	See 7	179
Commercial fishing and commercial harvesting of aquatic plants.....	See 7	179
Commercial practices relating to prescription drugs and access to voluntary termination of pregnancy services— Régie de l'assurance maladie du Québec.....	28	571
Commercial practices relating to prescription drugs— Régie de l'assurance maladie du Québec.....	28	571
Communauté métropolitaine de Montréal	See 1	1
	See 8	241
	See 17	395
	See 30	613
Communauté métropolitaine de Québec	See 1	1
	See 17	395
	See 30	613
Companies	See 29	603
Conservation and development of wildlife	See 15	383
Consistency between French and English texts— Civil Code.....	4	97
Constitution of certain Churches.....	See 29	603
Consumer protection	See 7	179
Contracting by public bodies	See 17	395
Conversion and amalgamation of L'Assurance Mutuelle de l'Inter-Ouest and L'Assurance mutuelle des fabriques de Montréal	41	921
Cost of certain medications covered by the basic prescription drug insurance plan— calls for tenders	16	391
Courts of justice.....	See 7	179
	33	653
Crimes Against Humanity Committed in Cambodia Between 1975 and 1979, Memorial Day for.....	11	335
Crop health protection.....	See 7	179
Cultural heritage.....	See 31	621

D

Defined benefit pension plans, Restructuring of university-sector	13	351
Delimitation of electoral divisions, Changes made to — National Assembly.....	5	129
Deposit insurance.....	See 7	179
Deposits	See 7	179
Derivatives.....	See 7	179
Determination of causes and circumstances of death	See 1	1
Development of the small-scale alcoholic beverage industry.....	9	323
Disclosure of wrongdoings relating to public bodies.....	34	657

Index

Subject	Chapter	Page
Dispute, Settlement of—resumption of regular maritime transport services provided by Relais Nordik inc.	20	467
Disputes in the municipal sector, Process of negotiation of collective agreements and settlement of	24	515
Duties on transfers of immovables.....	See 35	679

E

Education.....	See 7	179
	See 12	339
	26	547
Education for Cree, Inuit and Naskapi Native persons.....	See 7	179
Educational childcare.....	See 34	657
Elections	See 7	179
	See 18	443
Elections and referendums in municipalities.....	See 17	395
	See 18	443
	See 30	613
Electoral divisions, Changes made to delimitation of		
— National Assembly.....	5	129
Employees, Pension plans applicable to public sector	14	373
Energy efficiency and innovation	See 35	679
Energy Policy (2030), Implementation of the.....	35	679
Energy Policy, Implementation of the 2030	35	679
English texts, Consistency between French and— Civil Code.....	4	97
Enterprise registrar to the Ministère du Travail, de l'Emploi et de la Solidarité sociale, Transfer of the activities of the	29	603
Environment quality	See 1	1
	See 35	679
Equal access to employment in public bodies.....	See 8	241
Exercise of certain municipal powers in certain urban agglomerations.....	See 8	241
	See 17	395
Explosives.....	See 7	179

F

Fabriques	See 29	603
Family assistance	See 25	531
Fight against transphobia—situation of transgender minors	19	459
Financial administration.....	See 7	179
	See 8	241
	See 35	679
Financial services cooperatives.....	See 7	179
Firearms registration.....	15	383
Fish and game clubs	See 29	603

Index

Subject	Chapter	Page
Fondation, le Fonds de développement de la Confédération		
des syndicats nationaux pour la coopération et l'emploi	See 7	179
Fonds de solidarité des travailleurs du Québec (F.T.Q.).....	See 7	179
Food products.....	See 7	179
Forillon Park and its surroundings	See 1	1
French and English texts, Consistency between— Civil Code.....	4	97
Fuel tax.....	See 8	241
Funeral operations.....	1	1

G

Gas, water and electricity companies.....	See 29	603
General and vocational colleges.....	See 7	179
	See 12	339
Governance of national museums.....	32	641
Governance of shared transportation in the Montréal metropolitan area, Organization and.....	8	241
Governance of state-owned enterprises.....	See 27	567
	See 35	679
Governance of state-owned enterprises— presence of young people on boards of directors.....	27	567
Government and public employees retirement plan.....	See 14	373
Greenhouse gas and other pollutant emissions, Reduction of — zero-emission motor vehicles in Québec.....	23	497

H

Handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration.....	See 8	241
	See 25	531
Health insurance	See 1	1
	See 28	571
Health services and social services	See 1	1
	See 7	179
	See 12	339
	See 28	571
Health services and social services for Cree Native persons.....	See 7	179
Highway Safety Code.....	See 7	179
	See 8	241
	See 22	479
Hospital insurance	See 28	571
Hydro-Québec	See 35	679

I

Immigration	3	71
Immigration to Québec	See 3	71
Implementation of the 2030 Energy Policy.....	35	679

Index

Subject	Chapter	Page
Incorporation of the Mutual Assurance Associations of the Fabriques of the Dioceses of Quebec and of Three-Rivers, and of Montreal and Saint Hyacinthe	See 41	921
Individual and family assistance	See 3	71
Individual and Family Assistance Regulation	See 1	1
Industrial accidents and occupational diseases.....	See 1	1
	See 25	531
Intermunicipal boards of transport in the area of Montréal	See 8	241
	See 17	395
Investissement Québec	See 35	679
J		
Jobs, Match between training and—labour market entry	25	531
L		
L'Assurance Mutuelle de l'Inter-Ouest and L'Assurance mutuelle des fabriques de Montréal, Conversion and amalgamation of.....	41	921
L'Assurance mutuelle des fabriques de Montréal, Conversion and amalgamation of L'Assurance Mutuelle de l'Inter-Ouest and	41	921
Labour Code	See 24	515
Labour market entry—match between training and jobs	25	531
Labour relations, vocational training and workforce management in the construction industry	See 17	395
Labour standards.....	See 34	657
Land regime in the James Bay and New Québec territories.....	See 35	679
Land use planning and development	See 17	395
	See 35	679
Lands in the domain of the State.....	See 35	679
Legal publicity of enterprises	See 29	603
Lessees, Seniors' rights as— Civil Code.....	21	475
Liquor permits	See 1	1
	See 7	179
	See 9	323
Lotteries, publicity contests and amusement machines.....	See 7	179
M		
Maritime transport services provided by Relais Nordik inc., Resumption of regular—settlement of dispute.....	20	467
Marketing of agricultural, food and fish products.....	See 7	179
Match between training and jobs—labour market entry.....	25	531
Medical laboratories, organ and tissue conservation and disposal of human bodies.....	See 1	1

Index

Subject	Chapter	Page
Medications covered by the basic prescription drug insurance plan, Cost of certain — calls for tenders	16	391
Memorial Day for Crimes Against Humanity Committed in Cambodia Between 1975 and 1979	11	335
Mining	See 1	1
	See 35	679
Mining companies	See 29	603
Mining tax	See 35	679
Ministère de l'Emploi et de la Solidarité sociale and Commission des partenaires du marché du travail.....	See 15	383
	See 25	531
	See 29	603
Ministère de l'Immigration et des Communautés culturelles	See 3	71
Ministère de la Culture et des Communications	See 31	621
Ministère de la Santé et des Services sociaux.....	See 7	179
Ministère des Communautés culturelles et de l'Immigration	See 3	71
Ministère des Finances	See 7	179
Ministère des Ressources naturelles et de la Faune	See 7	179
	See 35	679
Ministère des Transports	See 8	241
	See 22	479
Ministère du Conseil exécutif	See 7	179
	See 31	621
Ministère du Développement durable, de l'Environnement et des Parcs.....	See 35	679
Ministère du Travail, de l'Emploi et de la Solidarité sociale, Transfer of the activities of the enterprise registrar to the.....	29	603
Ministerial Order concerning access to public roads for low-speed vehicles.....	See 8	241
Montréal metropolitan area, Organization and governance of shared transportation in the	8	241
Motor vehicles in Québec, zero-emission — reduction of greenhouse gas and other pollutant emissions.....	23	497
Municipal affairs	30	613
Municipal affairs — political financing	17	395
Municipal Code of Québec	See 7	179
	See 17	395
	See 30	613
Municipal debts and loans	See 7	179
Municipal ethics and good conduct	See 17	395
Municipal sector, Process of negotiation of collective agreements and settlement of disputes in the.....	24	515
Municipal taxation	See 8	241
	See 12	339
Municipal territorial organization	See 24	515
Municipalité de Pointe-à-la-Croix	See 17	395

Index

Subject	Chapter	Page
N		
National Assembly.....	See 5	129
National Assembly—changes made to delimitation of electoral divisions.....	5	129
National benefit societies	See 29	603
National capital commission	See 31	621
National capital status—Ville de Québec	31	621
National museums	See 32	641
National museums, Governance of	32	641
Negotiation of collective agreements and settlement of disputes in the municipal sector, Process of.....	24	515
Non-Catholic cemeteries	See 1	1
Northern villages and Kativik Regional Government.....	See 1	1
	See 17	395
O		
Occupancy and vitality of territories	See 8	241
Offences relating to alcoholic beverages	See 7	179
	See 9	323
Order in Council 1229-2005 dated 8 December 2005 (2005, G.O. 2, 5176A) concerning the urban agglomeration of Montréal.....	See 30	613
Order in Council 841-2001 dated 27 June 2001, respecting the amalgamation of Ville de Chicoutimi, Ville de Jonquière, Ville de La Baie and Ville de Laterrière, and the municipalities of Lac-Kénogami and Shipshaw.....	See 36	897
Order in Council 850-2001 dated 4 July 2001, respecting 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.....	See 39	911
Organization and governance of shared transportation in the Montréal metropolitan area	8	241
P		
Payment of support	See 25	531
Pension plan of certain teachers	See 14	373
Pension plan of elected municipal officers	See 8	241
Pension plan of management personnel.....	See 14	373
Pension plans applicable to public sector employees.....	14	373
Pension plans, Restructuring of university-sector defined benefit.....	13	351
Persons, Protection of.....	12	339
Pesticides.....	See 7	179
Petroleum products.....	See 35	679
Petroleum resources	See 35	679

Index

Subject	Chapter	Page
Podiatry	See 1	1
Political financing, Recommendations on—Charbonneau Commission	18	443
Political financing—municipal affairs	17	395
Pollutant emissions, Reduction of greenhouse gas and other —zero-emission motor vehicles in Québec	23	497
Prearranged funeral services and sepultures	See 1	1
Pregnancy services, Access to voluntary termination of —Régie de l'assurance maladie du Québec.....	28	571
Pre-hospital emergency services	See 1	1
Prescription drug insurance	See 16	391
	See 28	571
Prescription drugs, Commercial practices relating to —Régie de l'assurance maladie du Québec.....	28	571
Presence of young people on boards of directors—governance of state-owned enterprises	27	567
Preservation of agricultural land and agricultural activities	See 35	679
Private education	See 12	339
	See 26	547
Process of negotiation of collective agreements and settlement of disputes in the municipal sector	24	515
Process of negotiation of collective agreements in public and parapublic sectors.....	See 8	241
Professional syndicates.....	See 29	603
Protection of persons.....	12	339
Public administration.....	See 7	179
Public and parapublic sectors, Collective agreements with a term of more than three years in the	10	331
Public bodies, Disclosure of wrongdoings relating to	34	657
Public Curator	See 1	1
Public health.....	See 1	1
Public infrastructures	See 7	179
	See 8	241
Public Protector	See 7	179
	See 34	657
Public sector employees, Pension plans applicable to.....	14	373
Public transit authorities.....	See 8	241
	See 17	395
	See 30	613
	See 31	621

R

Recommendations on political financing—Charbonneau Commission	18	443
Reduction of greenhouse gas and other pollutant emissions—zero-emission motor vehicles in Québec	23	497
Régie de l'assurance maladie du Québec.....	See 28	571

Index

Subject	Chapter	Page
Régie de l'assurance maladie du Québec — commercial practices		
relating to prescription drugs and access to voluntary		
termination of pregnancy services	28	571
Régie de l'énergie	See 35	679
Régie des alcools, des courses et des jeux	See 7	179
Registration of firearms	15	383
Regulation respecting biomedical waste	See 1	1
Regulation respecting change of name and of other particulars		
of civil status	See 19	459
Regulation respecting duties and costs payable under the		
Act respecting liquor permits	See 7	179
Regulation respecting environmental impact assessment		
and review	See 35	679
Regulation respecting forest royalties	See 35	679
Regulation respecting immigration consultants	See 3	71
Regulation respecting licences to operate premises where		
films are exhibited to the public, distributor's licences and		
video material retail dealer's licences	See 7	179
Regulation respecting municipalized public transit services	See 8	241
Regulation respecting road vehicle registration	See 7	179
Regulation respecting safety standards for road vehicles	See 22	479
Regulation respecting stamps for films	See 7	179
Regulation respecting student transportation	See 8	241
Regulation respecting the application of the Environment		
Quality Act	See 35	679
Regulation respecting the contribution of motorists to		
public transit	See 8	241
Regulation respecting the declaration of water withdrawals	See 35	679
Regulation respecting the determination of total payroll	See 7	179
Regulation respecting the fees for examination and duties		
payable under the Cinema Act	See 7	179
Regulation respecting the fees for users of the advance rulings		
and written opinions service of the Direction générale de la		
législation et du registraire des entreprises of the Agence		
du revenu du Québec	See 29	603
Regulation respecting the funding of pension plans of the		
municipal and university sectors	See 13	351
Regulation respecting the remuneration of arbitrators	See 24	515
Regulation respecting the signing of certain deeds, documents		
and writings of the Agence du revenu du Québec	See 29	603
Regulation respecting the signing of certain deeds, documents		
and writings of the Ministère de la Culture et des		
Communications	See 7	179
Regulation respecting the terms of sale of alcoholic beverages		
by holders of a grocery permit	See 9	323
Regulation respecting toll road infrastructures operated		
under a public-private partnership agreement	See 8	241

Index

Subject	Chapter	Page
Regulation respecting use of raw materials by holders of a small-scale wine producer's permit	See 9	323
Relais Nordik inc., Resumption of regular maritime transport services provided by—settlement of dispute.....	20	467
Religious corporations	See 1	1
	See 29	603
Remuneration of elected municipal officers	See 17	395
	See 30	613
Réseau de transport métropolitain	See 8	241
Reserved designations and added-value claims	See 7	179
Restructuring of university-sector defined benefit pension plans.....	13	351
Resumption of regular maritime transport services provided by Relais Nordik inc. —settlement of dispute	20	467
Retirement plans for mayors and councillors of municipalities	See 17	395
Rights as lessees, Seniors' — Civil Code.....	21	475
Roman Catholic bishops.....	See 29	603
Roman Catholic cemetery companies	See 1	1
	See 29	603
Rules respecting video lottery machines.....	See 7	179

S

Saguenay	36	897
Saint-Augustin-de-Desmaures.....	40	915
Sainte-Anne-de-Sorel	37	901
School elections	See 18	443
Securities.....	See 7	179
Seniors' rights as lessees — Civil Code.....	21	475
Settlement of dispute — resumption of regular maritime transport services provided by Relais Nordik inc.	20	467
Settlement of disputes in the municipal sector, Process of negotiation of collective agreements and.....	24	515
Shared transportation in the Montréal metropolitan area, Organization and governance of.....	8	241
Sharing of certain health information.....	See 1	1
Sherbrooke	39	911
Situation of transgender minors — fight against transphobia.....	19	459
Small-scale alcoholic beverage industry, Development of the	9	323
Société d'habitation du Québec.....	See 17	395
Société de développement des entreprises culturelles	See 7	179
Société de financement des infrastructures locales du Québec.....	See 8	241
Société de l'assurance automobile du Québec	See 8	241
Société des alcools du Québec.....	See 7	179
	See 9	323
Société des loteries du Québec.....	See 7	179
Societies for the prevention of cruelty to animals	See 29	603
Special powers of legal persons.....	See 29	603

Index

Subject	Chapter	Page
State-owned enterprises, Governance of—presence of young people on boards of directors.....	27	567
Supplemental pension plans	See 13	351
Sustainable forest development	See 7	179
	See 35	679

T

Tax administration	See 7	179
	See 29	603
	See 34	657
Taxation	See 17	395
Taxi, Transportation services by	22	479
Teachers pension plan	See 14	373
Telegraph and telephone companies.....	See 29	603
Term of more than three years in the public and parapublic sectors, Collective agreements with a	10	331
Tobacco	See 7	179
Training and jobs, Match between—labour market entry	25	531
Transfer of the activities of the enterprise registrar to the Ministère du Travail, de l'Emploi et de la Solidarité sociale.....	29	603
Transgender minors, Situation of—fight against transphobia	19	459
Transition énergétique Québec	See 35	679
Transphobia, Fight against—situation of transgender minors.....	19	459
Transport	See 8	241
	See 17	395
	See 22	479
Transportation services by taxi.....	22	479

U

University investments	See 7	179
University-sector defined benefit pension plans, Restructuring of	13	351

V

Ville de Percé, Ville d'Amos and Ville de Rouyn-Noranda	See 17	395
Ville de Québec—national capital status.....	31	621
Voluntary termination of pregnancy services, Access to —Régie de l'assurance maladie du Québec.....	28	571

W

Water Withdrawal and Protection Regulation	See 35	679
Winding-up	See 29	603
Workforce skills development and recognition.....	See 7	179
	See 25	531
Wrongdoings relating to public bodies, Disclosure of	34	657

Index

Subject	Chapter	Page
----------------	----------------	-------------

Y

Young people on boards of directors, Presence of—governance of state-owned enterprises	27	567
Youth protection.....	See 12	339

Z

Zero-emission motor vehicles in Québec—reduction of greenhouse gas and other pollutant emissions.....	23	497
--	-----------------	------------

