



Statutes of Québec 2020

NATIONAL ASSEMBLY OF QUÉBEC

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

QUÉBEC OFFICIAL PUBLISHER



Statutes of Québec 2020

assented to between 1 January 2020 and 31 December 2020

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NOTE

This volume contains essentially the text of the public and private Acts assented to in 2020.

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known on 31 December 2020, a list of the Acts, regulations, orders in council or ministerial orders amended, replaced, repealed or enacted by the Act, and the explanatory notes, if any.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 2020 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 2020, is now available on the website of Les Publications du Québec.

A table of concordance lists the chapter number in the *Compilation of Québec Laws and Regulations* assigned to certain Acts passed between 1 January 2020 and 31 December 2020.

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

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

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2020, chapter 1

AN ACT TO AMEND MAINLY THE EDUCATION ACT WITH REGARD TO SCHOOL ORGANIZATION AND GOVERNANCE

Bill 40

Introduced by Mr. Jean-François Roberge, Minister of Education and Higher Education

Introduced 1 October 2019

Passed in principle 28 November 2019

Passed 8 February 2020

Assented to 8 February 2020

Coming into force: 8 February 2020, except

(1) sections 1, 3, 4 and 9, paragraph 3 of section 11, paragraph 2 of section 16, sections 21, 22, 25 and 27, paragraph 1 of section 32, paragraph 1 of section 34, section 35, paragraph 1 of section 36, paragraph 2 of section 38, sections 39 and 41, paragraph 1 of section 44, paragraph 2 of section 46, sections 49, 50 and 52 to 64, paragraph 2 of section 65, sections 66, 70 to 76 and 78, subparagraphs *a* and *b* of paragraph 1 and paragraph 2 of section 80, sections 83, 84 to 86, 88, 90 and 92 to 96, subparagraph *b* of paragraph 1 and paragraph 2 of section 97, sections 99 to 104, 106 to 108 and 110 to 116, paragraph 1 of section 117, sections 119 to 125, 127, 129 to 133 and 135, section 139 insofar as it enacts sections 457.6 and 457.8, sections 141 and 144, paragraph 3 of section 145, paragraph 2 of section 148, and sections 161, 163 to 181, 185 to 188, 265, 267 to 306, 308 to 312 and 314, which come into force on 15 June 2020 insofar as they concern a French-language school service centre and on 5 November 2020 insofar as they concern an English-language school service centre;

(2) sections 2, 5 and 8, section 33, section 51, paragraph 1 of section 65, subparagraph *c* of paragraph 1 of section 80, sections 109, 118 and 136, section 139 insofar as it enacts section 457.7.1, section 142 insofar as it enacts section 459.5.5, section 143, paragraphs 1 and 2 of section 145, and sections 151, 166, 167, 176, 177, 182 and 183, which come into force on 1 July 2020;

(3) section 10, paragraphs 1 and 2 of section 11, sections 12 to 15, paragraph 1 of section 16, sections 17 to 19, 20, 23, 24, 26 and 28 to 31, paragraph 2 of section 36, section 37, paragraph 1 of section 38, sections 42 and 43 and section 45, which come into force on 1 August 2020;

(4) section 40, paragraph 1 of section 46, sections 47, 48, 67 and 69, paragraph 2 of section 117, sections 126 and 128, section 139 insofar as it enacts section 457.7, and section 142 insofar as it enacts section 459.5.4, which come into force on 5 November 2020;

(cont'd on next page)

Coming into force: *(cont'd)*

(5) sections 91, 98 and 140, which come into force on 1 July 2020 insofar as they concern a French-language school service centre and on 1 July 2021 insofar as they concern an English-language school service centre;

(6) section 105, which comes into force on 1 July 2020 insofar as it concerns a French-language school service centre and on 5 November 2020 insofar as it concerns an English-language school service centre; and

(7) sections 6, 7, paragraph 2 of section 32, paragraph 2 of section 34, paragraph 2 of section 44, and sections 138 and 266, which come into force on 1 July 2021.

Legislation amended:

Civil Code of Québec

Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1)

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

Financial Administration Act (chapter A-6.001)

Tax Administration Act (chapter A-6.002)

Act respecting land use planning and development (chapter A-19.1)

Archives Act (chapter A-21.1)

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

Act respecting the Autorité des marchés publics (chapter A-33.2.1)

Act respecting the Barreau du Québec (chapter B-1)

Building Act (chapter B-1.1)

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

Charter of the French language (chapter C-11)

Charter of Ville de Longueuil (chapter C-11.3)

Cities and Towns Act (chapter C-19)

Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1)

Code of Civil Procedure (chapter C-25.01)

Professional Code (chapter C-26)

Labour Code (chapter C-27)

Municipal Code of Québec (chapter C-27.1)

General and Vocational Colleges Act (chapter C-29)

Act respecting the Commission municipale (chapter C-35)

Municipal Powers Act (chapter C-47.1)

Act respecting the conservation and development of wildlife (chapter C-61.1)

Act respecting the Conservatoire de musique et d'art dramatique du Québec (chapter C-62.1)

Act respecting contracting by public bodies (chapter C-65.1)

Forestry Credit Act (chapter C-78)

Act to promote forest credit by private institutions (chapter C-78.1)

Act respecting collective agreement decrees (chapter D-2)

Act respecting the development of Québec firms in the book industry (chapter D-8.1)

Act to promote workforce skills development and recognition (chapter D-8.3)

Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1)

Act respecting duties on transfers of immovables (chapter D-15.1)

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

Act respecting school elections (chapter E-2.3)

(cont'd on next page)

Legislation amended: (cont'd)

Election Act (chapter E-3.3)
Act respecting private education (chapter E-9.1)
Pay Equity Act (chapter E-12.001)
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)
Expropriation Act (chapter E-24)
Act respecting Financement-Québec (chapter F-2.01)
Act respecting municipal taxation (chapter F-2.1)
Act respecting workforce management and control within government departments, public sector bodies and networks and state-owned enterprises (chapter G-1.011)
Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03)
Act respecting the Cree Nation Government (chapter G-1.031)
Hydro-Québec Act (chapter H-5)
Taxation Act (chapter I-3)
Public Infrastructure Act (chapter I-8.3)
Act respecting the Institut de la statistique du Québec (chapter I-13.011)
Act respecting the Institut de tourisme et d'hôtellerie du Québec (chapter I-13.02)
Education Act (chapter I-13.3)
Derivatives Act (chapter I-14.01)
Act respecting the laicity of the State (chapter L-0.3)
Anti-Corruption Act (chapter L-6.1)
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 respecting the Ministère des Finances (chapter M-24.01)
Act respecting the Ministère des Relations internationales (chapter M-25.1.1)
Act respecting the Ministère du Conseil exécutif (chapter M-30)
Act respecting labour standards (chapter N-1.1)
Act to ensure the occupancy and vitality of territories (chapter O-1.3)
Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1)
Consumer Protection Act (chapter P-40.1)
Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1)
Roadside Advertising Act (chapter P-44)
Environment Quality Act (chapter Q-2)
Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)
Act respecting the Québec Pension Plan (chapter R-9)
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)
Regulations Act (chapter R-18.1)
Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)
Public Health Act (chapter S-2.2)
Educational Childcare Act (chapter S-4.1.1)
Act respecting the Naskapi Development Corporation (chapter S-10.1)
Act respecting the Makivik Corporation (chapter S-18.1)
Act respecting the Québec sales tax (chapter T-0.1)
Transport Act (chapter T-12)
Securities Act (chapter V-1.1)
The Cree Villages and the Naskapi Village Act (chapter V-5.1)

(cont'd on next page)

Legislation amended: (cont'd)

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

Act respecting the Fédération des commissions scolaires du Québec (1960-61, chapter 140)

Act to amend the Education Act (2016, chapter 26)

Explanatory notes

The purpose of this Act is mainly to revise the organization and governance of the school boards, which become school service centres administered by a board of directors composed of parents, community representatives and school service centre staff members.

The processes for designating or electing parent representatives and community representatives to the board of directors are different according to whether the school service centre is a French-language or English-language one. In the case of a French-language school service centre, its territory will be divided into five districts, each represented by a parent who is on the parents' committee and who is designated by the members of that committee. The community representatives, for their part, will be co-opted by the parent representatives and staff representatives sitting on the board of directors. In the case of an English-language school service centre, the parent representatives and community representatives will be elected by universal suffrage. In both French-language and English-language school service centres, the staff representatives on the board of directors will be designated by their peers in accordance with the terms prescribed by regulation. The process for designating the members of the French-language school service centres' boards of directors is established in the Education Act, and the Act respecting school elections is amended to provide for the process for electing the members of English-language school service centres' boards of directors.

Certain functions of school governing boards are modified, the commitment-to-student-success committee is created and certain functions of the parents' committee and the resource allocation committee are revised.

Members of boards of directors and governing boards are required to undergo training developed by the Minister.

As regards professional conduct, an English-language school service centre's board of directors must adopt a code of ethics and professional conduct for certain categories of its members. The standards of ethics and professional conduct applicable to members of French-language school service centres' boards of directors and to members representing the staff of English-language school service centres are instead determined in a regulation of the Minister. The Minister may, among other things, impose the amalgamation of services, determine objectives or targets for the administration, organization or operation of one school service centre or all such centres, more easily obtain students' results on the examinations that the Minister imposes at the elementary and secondary levels, and communicate with school service centre employees and parents in the school network.

Various measures are also included, among which the abolition of the Religious Affairs Committee, the withdrawal of certain particulars in the Education Act concerning spiritual development, a requirement that a school service centre obtain the Minister's authorization to acquire an immovable, an obligation for municipalities to transfer land by gratuitous title to the school service centres, a power granted to school service centres to suspend the payment of taxes in the event of a disaster and a streamlining of the enrollment process for students enrolling in a school service centre other than that of the territory of residence.

Lastly, the Act contains various transitional and consequential provisions.



Chapter 1

AN ACT TO AMEND MAINLY THE EDUCATION ACT WITH REGARD TO SCHOOL ORGANIZATION AND GOVERNANCE

[Assented to 8 February 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

EDUCATION ACT

1. Section 4 of the Education Act (chapter I-13.3) is amended

(1) by striking out “of the school board whose jurisdiction the student comes under” in the first paragraph;

(2) by striking out “by the school board” in the second paragraph;

(3) by replacing “the school board” in the last paragraph by “the school service centre”;

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

““School’s capacity” includes the number of students that a school can take in according to the premises available, the school service centre’s resources and the rules applicable to group formation.”

2. Section 6 of the Act is repealed.

3. Section 9 of the Act is amended by replacing “council of commissioners, the executive committee”, “of the school board” and “council of commissioners to” by “school service centre’s board of directors”, “of the school service centre” and “school service centre’s board of directors to”, respectively.

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

“The school service centre’s board of directors shall dispose of the request within 45 days after receiving it.”

5. Section 19 of the Act is amended

(1) by inserting “and the programs of activities or of studies established by the Minister,” after “school” in the first paragraph;

(2) by replacing the introductory clause of the second paragraph by the following introductory clause:

“The teacher, having key educational expertise, is entitled, in particular,”.

6. The Act is amended by inserting the following section after section 19:

“19.1. Only the teacher is responsible for assigning a result following the evaluation of the achievement of the students entrusted to the teacher’s care, except for the purposes of section 463 in the case where the teacher does not correct the examination and of section 470, and in the event of a review under the last paragraphs of sections 96.15 and 110.12.”

7. The Act is amended by inserting the following section after section 22:

“22.0.1. Teachers must undergo at least 30 hours of continuing education activities per period of two school years beginning on 1 July of every odd-numbered year. They shall choose the continuing education activities that best meet their needs in connection with developing their skill set.

“Continuing education activity” means participating in a structured activity, including a course, seminar, convention or conference organized by the Minister, a university-level educational institution, a school service centre, an educational institution governed by the Act respecting private education (chapter E-9.1), another body or a peer, or under section 96.21.

Reading specialized literature is also recognized as a continuing education activity as is participating as an instructor in such an activity.”

8. Section 36 of the Act is amended by striking out the last sentence of the first paragraph.

9. Section 37 of the Act is amended

(1) in the first paragraph,

(a) by replacing “academic” in subparagraph 1 by “educational”;

(b) by replacing “student” in subparagraph 2 by “educational”;

(c) by replacing “the school board” in subparagraph 5 by “the school service centre”;

(2) by replacing “the school board’s” in the second paragraph by “the school service centre’s”.

10. Section 45 of the Act is repealed.

11. Section 47 of the Act is amended

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

“At the meeting, the parents shall also elect at least two substitute members to the governing board to replace members who are unable to take part in a governing board meeting. However, the number of substitute members may not be greater than the number of parent representatives.”;

(2) by replacing “At the meeting, the parents shall elect” in the second paragraph by “The parents shall also elect”;

(3) by striking out the last paragraph.

12. Section 51.1 of the Act is amended by replacing “47” by “48”.

13. Section 52 of the Act is amended by replacing “the required number of” in the first paragraph by “at least four”.

14. Section 53 of the Act is amended by adding the following paragraph at the end:

“They must, as soon as possible after taking office for a first term, undergo the training for governing board members developed by the Minister in accordance with the second paragraph of section 459.5.”

15. Section 54 of the Act is amended by replacing the second paragraph by the following paragraph:

“Half of the parent representatives are elected for a term beginning on an odd-numbered year and the other half, for a term beginning on an even-numbered year. In the case of a new governing board, the elected parents shall determine who among them is to have a one-year term.”

16. Section 56 of the Act is amended

(1) by inserting “and its vice-chair” after “chair”;

(2) by replacing “of the school board” by “of the school service centre”.

17. Section 58 of the Act is amended by inserting “and the vice-chair” after “chair”.

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

59. The chair of the governing board shall see to the proper operation of the board, preside at its meetings and see to their preparation jointly with the principal.

The chair of the governing board is the board's representative and, in that capacity, shall keep the parents informed of the board's activities."

19. Section 60 of the Act is replaced by the following section:

"60. If the chair is absent or unable to act, the vice-chair shall replace the chair.

If the vice-chair is absent or unable to act, the governing board shall designate a person from among the members who are eligible for the office of chair to exercise the chair's functions and powers."

20. Section 67 of the Act is amended by adding the following paragraph at the end:

"Unless the internal management rules provide otherwise, the agenda for a meeting and the accompanying documents must be sent to the governing board members and their substitutes at least two days before the meeting is to be held."

21. Section 74 of the Act is amended by replacing both occurrences of "student success" and both occurrences of "school board" by "educational success" and "school service centre", respectively.

22. Section 75 of the Act is amended by replacing "to the school board" and "on the expiry of 60 to 90 days after sending it or of another period if the governing board and school board so agree" in the first paragraph by "to the school service centre" and "within 30 days after sending it", respectively.

23. Section 75.1 of the Act is amended by replacing "approving" in the first paragraph by "adopting".

24. The Act is amended by inserting the following section after section 77.1:

"77.2. Based on the principal's proposal, the governing board shall, for childcare referred to in section 256, adopt operating rules established in compliance with the organization framework agreed under that section."

25. Section 78 of the Act is amended

(1) by replacing all occurrences of "school board" by "school service centre", with the necessary modifications;

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

"If the school service centre does not follow up on an advisory opinion of the governing board which requires follow-up, the school service centre must give reasons to the board."

26. The Act is amended by inserting the following sections after section 78:

“78.1. The governing board may also, if authorized to do so by a vote of at least two-thirds of its members, advise the principal on any matter likely to facilitate the proper operation of the school. An advisory opinion of the board may not, however, pertain to the subjects referred to in sections 19, 96.15, 96.20 and 96.21.

If the principal does not follow up on an advisory opinion of the governing board which requires follow-up, the principal must give reasons to the board.

“78.2. The governing board may establish committees to support it in the exercise of its functions. Section 65 applies to those committees, with the necessary modifications.”

27. Section 82 of the Act is amended

- (1) by replacing “to the school board” by “to the school service centre”;
- (2) by adding the following paragraph at the end:

“The annual report shall be prepared in accordance with the regulation made under section 457.6.”

28. The Act is amended by inserting the following section after section 89.1:

“89.2. At least once per school year, the governing board must consult the students or a group of students on matters relevant to the operation of the school, including the extracurricular activities proposed, the design and organization of premises and of the schoolyard and the social climate. The consultation must also allow students to comment on matters of their choosing.

The board may also consult with the student committee or the association representing the students, and may request its collaboration in developing the list of matters to be submitted to student consultation.”

29. Section 96.2 of the Act is amended by replacing “fostering their child’s success” by “their child’s educational success”.

30. Section 96.6 of the Act is amended, in the first paragraph,

- (1) by replacing “fostering success” by “their educational success”;
- (2) by inserting “as well as in the student consultation held by the governing board under the first paragraph of section 89.2” at the end.

31. Section 96.13 of the Act is amended, in the first paragraph,

(1) by inserting the following subparagraph after subparagraph 2.1:

“(2.2) send parents any document the governing board addresses to them;”;

(2) by replacing “, their participation in the life of the school and their collaboration in fostering success” in subparagraph 3 by “and their participation in school life and in educational success”.

32. Section 96.15 of the Act is amended

(1) by replacing “the school board” in subparagraph 4 of the first paragraph by “the school service centre”;

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

“The standards and procedures for the evaluation of achievement referred to in subparagraph 4 of the first paragraph may not have the effect of allowing a student’s result to be reviewed by the principal. However, they must allow the principal to ask the teacher to whose care the student is entrusted to review the result assigned to the student or, if the teacher is absent or unable to act, to entrust the review to another teacher, in accordance with the conditions and procedures determined by regulation of the Minister. The principal must give reasons in writing for his or her request for the grade review.”

33. Sections 96.17 and 96.18 of the Act are amended

(1) by replacing “following a request, with reasons, made by” by “with the consent of”;

(2) by inserting “, after consulting with the teacher,” after “the principal may”.

34. Section 96.21 of the Act is amended

(1) by replacing “the school board” in the first paragraph by “the school service centre”;

(2) by adding “, and shall ensure that all teachers fulfill their continuing education obligation” at the end of the third paragraph.

35. Section 97.1 of the Act is amended

(1) in the first paragraph,

(a) by replacing “academic” in subparagraph 1 by “educational”;

(b) by replacing “student” in subparagraph 2 by “educational”;

(c) by replacing “the school board” in subparagraph 5 by “the school service centre”;

(2) by replacing “the school board’s” in the second paragraph by “the school service centre’s”.

36. Section 102 of the Act is amended

(1) by replacing “the school board” in subparagraphs 3 and 5 of the second paragraph by “the school service centre”;

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

“They must, as soon as possible after taking office for a first term, undergo the training for governing board members developed by the Minister in accordance with the second paragraph of section 459.5.”

37. Section 104 of the Act is repealed.

38. Section 107 of the Act is amended

(1) by inserting “and its vice-chair” after “chair”;

(2) by replacing “of the school board” by “of the school service centre”.

39. Section 109 of the Act is amended

(1) by replacing “student success” and “school board’s” in the first paragraph by “educational success” and “school service centre’s”, respectively;

(2) by replacing “student success” and “school board” in the second paragraph by “educational success” and “school service centre”, respectively.

40. Section 109.1 of the Act is amended by replacing “to the school board” and “on the expiry of 60 to 90 days after sending it or of another period if the governing board and school board so agree” in the first paragraph by “to the school service centre” and “within 30 days after sending it”, respectively.

41. Section 110 of the Act is amended

(1) by replacing all occurrences of “school board” by “school service centre”, with the necessary modifications;

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

“If the school service centre does not follow up on an advisory opinion of the governing board which requires follow-up, the school service centre must give reasons to the board.”

42. The Act is amended by inserting the following sections after section 110:

“110.0.1. The governing board may also, if authorized to do so by a vote of at least two-thirds of its members, advise the principal on any matter likely to facilitate the proper operation of the centre. An advisory opinion of the board may not, however, pertain to the subjects referred to in sections 19, 96.20, 96.21 and 110.12.

If the principal does not follow up on an advisory opinion of the governing board which requires follow-up, the principal must give reasons to the board.

“110.0.2. The governing board may establish committees to support it in the exercise of its functions. Section 65 applies to those committees, with the necessary modifications.”

43. Section 110.4 of the Act is amended

(1) by replacing “80 to 82” by “75.1 to 75.3, 77, 80 to 82, 83.1, 89.2”;

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

“The document referred to in the fourth paragraph of section 75.1 and the second paragraph of section 83.1 must also be distributed to the students.”

44. Section 110.12 of the Act is amended

(1) by replacing “the school board” in subparagraph 3 of the first paragraph by “the school service centre”;

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

“The standards and procedures for the evaluation of achievement referred to in subparagraph 3 of the first paragraph may not have the effect of allowing a student’s result to be reviewed by the principal. However, they must allow the principal to ask the teacher to whose care the student is entrusted to review the result assigned to the student or, if the teacher is absent or unable to act, to entrust the review to another teacher, in accordance with the conditions and procedures determined by regulation of the Minister. The principal must give reasons in writing for his or her request for the grade review.”

45. Section 110.13 of the Act is amended by inserting “Section 96.7.1, the third, fourth, fifth and sixth paragraphs of section 96.12, subparagraph 1.2 of the first paragraph of section 96.13 and” before “Sections”.

46. Section 111 of the Act is amended

(1) by replacing “French language school boards and the other, of territories for English language school boards” and “the Commission scolaire du Littoral established” in the first paragraph by “French-language school service centres and the other, of territories for English-language school service centres” and “Centre de services scolaire du Littoral established”, respectively;

(2) by replacing “school board” in the second and third paragraphs by “school service centre”, with the necessary modifications.

47. Sections 116 to 120 of the Act are replaced by the following:**“DIVISION I.1****“CHANGES TO SCHOOL SERVICE CENTRE TERRITORIES**

“116. The Government may, by order, at the request of a school service centre or of a majority of parents of students or electors, as applicable, domiciled in the territory of a same school service centre, or of its own motion after consulting with the interested school service centres, make any change to the school service centre territories concerned.

The Government shall determine the school service centre having jurisdiction over any changed or new territory and may, to that end, prescribe that a school service centre cease to exist or establish a new school service centre. It shall determine, after consulting with the interested school service centres, the name of the new school service centre, if applicable.

The order comes into force on 1 July following the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the order.

Until the coming into force of the territorial changes, a school service centre established under the second paragraph shall exercise only the functions necessary to prepare its first school year. On the coming into force of the territorial changes, it shall acquire all the attributes conferred on a school service centre under this Act.

Similarly, until the coming into force of the territorial changes, an existing school service centre whose territory is changed in accordance with the first paragraph or that acquires jurisdiction over a new territory in accordance with the second paragraph shall exercise, with respect to the new territory, only the functions necessary to prepare the school year as of which the territorial changes come into force. On the coming into force of the territorial changes, it shall fully exercise its jurisdiction over the entirety of the new territory.

The termination of a school service centre ordered pursuant to the second paragraph takes effect on the date of coming into force of the territorial changes.

“117. The Minister may, by regulation, establish a transitional scheme applicable to the school service centres affected by the territorial changes for the period beginning on the day of publication of the order, or on any later date indicated in the order, and ending one year after the day of coming into force of those changes.

The scheme may prescribe rules relating to the transition, which may, in particular, concern the establishment, composition or operation of a transitional board of directors. If applicable, such rules apply despite the Act respecting school elections (chapter E-2.3). Such rules may also concern a school service centre’s functions and powers during the transition period.

In particular, the Minister may, in the scheme, specify the rules allowing a school service centre to succeed another and the manner in which the rights and obligations of a school service centre whose territory is changed are transferred.

“118. The Minister shall rule on any dispute among the school service centres during the transition period preceding the coming into force of the territorial changes, except disputes relating to the distribution and transfer of employees who are represented by a certified association within the meaning of the Labour Code (chapter C-27) or of employees for whom a regulation of the Minister made under section 451 provides a special recourse.

“119. In the event of territorial changes that cause a transfer of ownership to a school service centre, the latter becomes the owner of the immovable covered by the registration in the land register of a notice stating the facts which resulted in the transfer, including the order for territorial changes, and describing the immovable concerned.

“120. Any judicial or administrative proceedings to which a school service centre that ceases to exist on the coming into force of the territorial changes is a party are continued by the school service centre determined by the Government under section 116, without continuance of suit.”

48. Section 121 of the Act is repealed.

49. The heading of Division III of Chapter V of the Act is replaced by the following heading:

“SCHOOL SERVICE CENTRE’S BOARD OF DIRECTORS”.

50. Sections 143 to 143.2 of the Act are replaced by the following:

“143. A French-language school service centre shall be administered by a board of directors composed of 15 members, as follows:

(1) five parent representatives who are parents of students attending an institution under the school service centre’s jurisdiction, who are members of

the parents' committee, who are not members of the school service centre's staff and each of whom represents a district;

(2) five members of the school service centre's staff, including one teacher, one non-teaching professional staff member, one support staff member, one principal of an educational institution and one member of the executive staff; and

(3) five community representatives who are domiciled in the school service centre's territory and who are not members of the school service centre's staff, that is,

(a) one person with expertise in governance, in ethics, in risk management or in human resources management;

(b) one person with expertise in finance or accounting or in financial or physical resources management;

(c) one person from the community, sport or cultural sector;

(d) one person from the municipal, health, social services or business sector; and

(e) one person aged 18 to 35.

The members are designated in accordance with this Act and the regulation made under section 455.2.

“143.1. An English-language school service centre shall be administered by a board of directors composed of the following members:

(1) between 8 and 17 parent representatives who are parents of students attending an institution under the school service centre's jurisdiction, who are not members of the school service centre's staff and who sit as parent representatives on the governing board of a school or vocational training centre;

(2) between 4 and 13 community representatives who are domiciled in the school service centre's territory and who are not members of the school service centre's staff, including

(a) at least one person with expertise in governance, in ethics, in risk management or in human resources management;

(b) at least one person with expertise in finance or accounting or in financial or physical resources management;

(c) at least one person from the community, municipal, sport, cultural, health, social services or business sector; and

(d) at least one person aged 18 to 35; and

(3) four members of the school service centre’s staff, including one teacher, one non-teaching professional staff member, one support staff member and one principal of an educational institution.

The members referred to in subparagraph 1 or 2 of the first paragraph are elected or appointed in accordance with the Act respecting school elections (chapter E-2.3), whereas those referred to in subparagraph 3 of the first paragraph are designated in accordance with this Act and the regulation made under section 455.2.

“143.2. In addition to having the qualifications required by sections 143 and 143.1, candidates for a seat on a French-language school service centre’s board of directors and candidates for a staff representative seat on an English-language school service centre’s board of directors must meet the conditions prescribed by the regulation made under section 455.2.

“143.3. The members of a school service centre’s board of directors are designated for three-year terms.

Designation processes shall be held in two of every three years to allow two or three members of each category to be designated each time.

The members designated shall take office on 1 July following their designation, except those referred to in subparagraph 3 of the first paragraph of section 143, who shall take office as and when they are designated. They must, within 30 days after taking office, swear an oath before the school service centre’s director general, or before the person designated by the latter, to fulfill the duties of their office faithfully and to the best of their judgment and ability. An entry of the oath is made in the Minutes of Proceedings of the school service centre.

This section does not apply to members whose election is governed by the Act respecting school elections (chapter E-2.3), which provides for the duration of their term and for their taking office. The second paragraph does not apply to representatives of English-language school service centre staff.

“143.4. Despite subparagraph 1 of the first paragraph of section 143, a parent representative who is no longer a member of the parents’ committee may apply for the renewal of his or her term as a parent representative on the school service centre’s board of directors, provided that one of his or her children is still attending the school of whose governing board he or she was a member.

“143.5. The fact that the representatives of a group fall short of the required number shall not prevent the formation of the school service centre’s board of directors.

“§1.1.—Process for designating parent representatives to French-language school service centres’ boards of directors

“143.6. The parent representatives referred to in subparagraph 1 of the first paragraph of section 143 shall be designated by the parents’ committee, in accordance with the regulation made under section 455.2.

“143.7. The French-language school service centre’s director general must ensure that the parent representatives to the board of directors are designated within the required time.

The director general must see to the application of the rules prescribed by this Act and by the regulation made under section 455.2.

“143.8. The school service centre’s director general shall divide the school service centre’s territory into five districts, in accordance with the criteria and terms determined by the regulation made under section 455.2.

“143.9. The school service centre’s director general shall send the Minister a report indicating the names of the persons designated to sit on the school service centre’s board of directors as parent representatives and shall publish it on the school service centre’s website.

“§1.2.—Process for designating school service centre staff representatives

“143.10. The school service centre staff members referred to in subparagraph 2 of the first paragraph of section 143 shall be designated by their peers, in accordance with the regulation made under section 455.2.

“143.11. The school service centre’s director general must ensure that the staff representatives to the board of directors as well as their substitutes are designated within the required time.

The director general must see to the application of the rules prescribed by this Act and by the regulation made under section 455.2.

“143.12. The school service centre’s director general shall send the Minister a report indicating the names of the persons designated to sit on the school service centre’s board of directors as staff representatives and the names of their substitutes and shall publish it on the school service centre’s website.

“§1.3.—Process for designating community representatives to French-language school service centres’ boards of directors

“143.13. The community representatives referred to in subparagraph 3 of the first paragraph of section 143 shall be designated by the members referred to in subparagraphs 1 and 2 of the first paragraph of that section, in accordance with the regulation made under section 455.2.

“143.14. The school service centre’s director general must ensure that the community representatives to the board of directors are designated within the required time.

The director general must see to the application of the rules prescribed by this Act and by the regulation made under section 455.2.

“143.15. The school service centre’s director general shall send the Minister a report indicating the names of the persons designated as community representatives to sit on the school service centre’s board of directors and shall publish it on the school service centre’s website.”

51. Sections 144 to 153 of the Act are repealed.

52. Sections 154 and 155 of the Act are replaced by the following sections:

“154. The chair of the school service centre’s board of directors or, in the chair’s absence, the director general, shall call the members of the school service centre’s board of directors to a first meeting which must be held not later than 1 September of each school year.

“155. At its first meeting, the school service centre’s board of directors shall appoint a chair and a vice-chair, if those seats are vacant, from among its members sitting as parent representatives.

The terms of office of the chair and the vice-chair end at the same time as their terms as members of the school service centre’s board of directors, unless they are removed by a vote of at least two-thirds of the board members.”

53. Section 155.1 of the Act is repealed.

54. Section 157 of the Act is amended by replacing “vice-chair shall be filled within 30 days” by “chair or vice-chair shall be filled within 30 days in accordance with the rules governing the appointment of the member to be replaced”.

55. Section 158 of the Act is amended by replacing “another commissioner designated by the council of commissioners for that purpose” by “another member sitting on the school service centre’s board of directors as a parent representative designated by the board of directors for that purpose”.

56. Section 160 of the Act is amended

(1) by replacing “council of commissioners” by “school service centre’s board of directors”;

(2) by striking out “entitled to vote”.

57. Section 161 of the Act is amended, in the first paragraph,

(1) by replacing “council of commissioners” by “school service centre’s board of directors”;

(2) by striking out “and entitled to vote”.

58. Section 162 of the Act is amended

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

“The school service centre’s board of directors must, by by-law, set its operating rules.”;

(2) by replacing “council of commissioners” in the second paragraph by “school service centre’s board of directors”;

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

“Unless the operating rules provide otherwise, the agenda for a meeting and the accompanying documents must be sent to the members at least two days before the meeting is to be held.”

59. Section 163 of the Act is amended by replacing the first two paragraphs by the following paragraphs:

“The chair or two members of the school service centre’s board of directors may ask that a special meeting of the board be called.

The meeting is called by a notice sent to each member of the school service centre’s board of directors by the secretary general, at least two days before the meeting is to be held. The notice must be accompanied by the documents necessary for the meeting.”

60. Section 164 of the Act is amended by replacing “commissioners” by “members of the school service centre’s board of directors”.

61. Section 165 of the Act is amended by replacing “commissioner” in the second paragraph by “member of the school service centre’s board of directors”.

62. The Act is amended by inserting the following section after section 167:

167.1. The school service centre’s director general and a member of the centre’s executive staff designated by his or her peers shall take part in the meetings of the centre’s board of directors but they are not entitled to vote.”

63. Section 168 of the Act is amended

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

“Only board members, the school service centre’s director general, the executive staff member referred to in section 167.1, and the persons authorized to do so by the board of directors may take part in the deliberations of the school service centre’s board of directors.”;

(2) by replacing “commissioners” in the second paragraph by “members of the school service centre’s board of directors”;

(3) by replacing “council of commissioners” in the third paragraph by “school service centre’s board of directors”.

64. Section 169 of the Act is amended by replacing all occurrences of “council of commissioners” and “commissioner” by “school service centre’s board of directors” and “board member”, respectively.**65.** Section 174 of the Act is amended

(1) by replacing “or to the resource allocation committee” in the third paragraph by “, to the resource allocation committee or to the commitment-to-student-success committee”;

(2) by replacing both occurrences of “council of commissioners” by “school service centre’s board of directors”.

66. Section 175 of the Act is replaced by the following section:

“**175.** The members of the school service centre’s board of directors are not remunerated.

However, they are entitled, according to the standards established by the Government, to an attendance allowance and to the reimbursement of reasonable expenses incurred in the exercise of their functions.

The allowance and reimbursement are borne by the school service centre.”

67. Section 175.1 of the Act is amended

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

“The English-language school service centre’s board of directors must, by by-law, adopt a code of ethics and professional conduct for its members sitting as parent representatives or community representatives.”;

(2) in the second paragraph,

(a) by replacing “commissioners, and may prescribe standards that vary according to the various classes of commissioners or that apply only to certain classes of commissioners” in the introductory clause by “members of the school service centre’s board of directors referred to in the first paragraph, and may prescribe standards that vary according to the categories of members or that apply only to certain categories of members”;

(b) by adding “held by the members of the school service centre’s board of directors” at the end of subparagraph 1;

(c) by striking out subparagraph 3;

(3) by replacing “the council of commissioners or employee of a school board” in the third paragraph by “the school service centre’s board of directors or employee of the centre”;

(4) by replacing “The school board” in the fourth paragraph by “The school service centre”;

(5) by replacing “commissioner’s” in the last paragraph by “board member’s”;

(6) by replacing both remaining occurrences of “commissioners” by “members of the school service centre’s board of directors”, with the necessary modifications.

68. Section 175.3 of the Act is amended by inserting “or 457.8” after “175.1”.

69. Section 175.4 of the Act is amended

(1) by replacing “Any member of the council of commissioners” and both occurrences of “of the school board” in the first paragraph by “Any member of an English-language school service centre’s board of directors sitting on the board as a parent representative or community representative” and “of the school service centre”, respectively;

(2) by replacing all occurrences of “council” in the second paragraph by “board”.

70. The Act is amended by inserting the following after section 175.4:

“§3. — *Vacancies*

175.5. This subdivision applies to members of a French-language school service centre’s board of directors and to members of an English-language school service centre’s board of directors referred to in subparagraph 3 of the first paragraph of section 143.1.

The rules concerning a vacancy in another seat on an English-language school service centre’s board of directors are provided for in Chapter IX of the Act respecting school elections (chapter E-2.3).

“175.6. A vacancy on a school service centre’s board of directors occurs when a member no longer has a qualification required by section 143 or 143.1, becomes ineligible for the seat he or she holds, is disqualified from sitting, becomes incapable, resigns, dies or has his or her term revoked.

However, the following do not entail the loss of qualification as a member:

(1) in the case of a parent representative, the fact that the representative’s child ceases to attend a school that comes under the school service centre’s jurisdiction or that the representative ceases to be a member of the parents’ committee; or

(2) in the case of a community representative, the fact that the representative establishes his or her domicile outside the school service centre’s territory or that the representative no longer meets the profile for the seat to which he or she was designated.

“175.7. A vacancy on a school service centre’s board of directors occurs when a member fails to attend three consecutive meetings of the board of directors without a reason considered valid by the board. The member’s term ends at the close of the next meeting, unless the member attends that meeting.

However, the board of directors may, at that meeting, grant the member a period of grace until the next regular board meeting if he or she was in fact unable to attend the meetings. In such a case, the member’s term ends on the day of that next meeting, unless the member attends that meeting.

“175.8. A member of a school service centre’s board of directors may resign from office by notifying the school service centre’s secretary general in writing.

The member’s term ends on the date the notice is sent or on any later date indicated in it.

The secretary general shall send the notice to the school service centre’s board of directors at the next meeting.

“175.9. On ascertaining a fact referred to in either section 175.6 or 175.7, the school service centre’s secretary general shall notify the board of directors accordingly at the next meeting.

“175.10. A vacancy in a parent representative seat on a school service centre’s board of directors is filled, for the unexpired portion of the term, by following the prescribed procedure for designating the member to be replaced.

“175.10.1. A vacancy in a community representative seat on a school service centre’s board of directors is filled, for the unexpired portion of the term, by all the members of the school service centre’s board of directors designating a person who has the required qualifications and meets the conditions required to fill the seat.

“175.11. A vacancy in a staff representative seat on a school service centre’s board of directors is filled, for the unexpired portion of the term, by a substitute member previously designated for that purpose or, where there is no designated substitute, by following the prescribed procedure for designating the member to be replaced.”

71. Section 176 of the Act is amended

(1) by replacing “the council of commissioners” in the first paragraph by “an English-language school service centre’s board of directors as a parent representative or a community representative”;

(2) by replacing “members of the council of commissioners”, “the council of commissioners” and “the school board is deemed” in the third paragraph by “members of an English-language school service centre’s board of directors sitting as parent representatives or community representatives”, “an English-language school service centre’s board of directors” and “an English-language school service centre is deemed”, respectively.

72. The Act is amended by inserting the following heading before section 176.1:

“§4. — Functions, duties and responsibilities of the members of a school service centre’s board of directors”.

73. Section 176.1 of the Act is amended

(1) by replacing “The members of the council of commissioners shall exercise” and “the members of the council of commissioners” in the introductory clause by “The members of the school service centre’s board of directors shall exercise” and “the board members”, respectively;

(2) by striking out paragraph 1;

(3) by replacing “school board” in paragraph 2 and “school board’s” in paragraph 3 by “school service centre” and “school service centre’s”, respectively;

(4) by replacing “council of commissioners” and “council members” in paragraph 4 by “school service centre’s board of directors” and “board members”, respectively;

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

“They must, as soon as possible after taking office for a first term, undergo the training developed by the Minister for members of boards of directors, in accordance with the second paragraph of section 459.5.”

74. Section 177.3 of the Act is repealed.

75. The heading of Division IV of Chapter V of the Act is amended by striking out “SCHOOL BOARD”.

76. Sections 179 to 182 of the Act are repealed.

77. The Act is amended by inserting the following heading before section 183:

“§1.—*Advisory committee on management*”.

78. Section 184 of the Act is amended

(1) by replacing “Every school board that divides its territory into administrative regions may, for the same purposes, replace” and “of the school board” in the first paragraph by “Every school service centre may replace” and “of the school service centre”, respectively;

(2) by replacing “The school board” in the second paragraph by “The school service centre”.

79. The Act is amended by inserting the following heading before section 185:

“§2.—*Advisory committee on services for handicapped students and students with social maladjustments or learning disabilities*”.

80. Section 187 of the Act is amended

(1) in the first paragraph,

(a) by replacing “the school board” in subparagraph 1 by “the school service centre”;

(b) by striking out “and the school board” in subparagraph 2;

(c) by replacing “the school board on its” in subparagraph 3 by “the commitment-to-student-success committee on the”;

(2) by replacing “the school board” in the second paragraph by “the school service centre”.

81. The Act is amended by inserting the following heading before section 188:

“§3.—*Advisory committee on transportation*”.

82. The Act is amended by inserting the following heading before section 189:

“§4.—*Parents’ committee*”.

83. Section 191 of the Act is amended

(1) by replacing “Every school board that divides its territory into administrative regions may, for the same purposes, replace” in the first paragraph by “Every school service centre may replace”;

(2) by replacing “The school board” in the third paragraph by “The school service centre”.

84. Section 192 of the Act is replaced by the following section:

“**192.** The functions of the parents’ committee are

(1) to raise awareness of the value of public education among all the parents of students attending one of the school service centre’s schools;

(2) to propose to the school service centre ways of supporting parents’ involvement in their role with their child in order to foster their child’s success at school;

(3) to propose to the school service centre ways of facilitating communication between parents and school staff members;

(4) to promote parents’ participation in the activities of the school and of the school service centre and, to that end, to designate parents to take part in the various committees established by the school service centre;

(5) to inform the school service centre of parents’ needs, especially their training needs, as identified by the school representatives and by the representative of the advisory committee on services for handicapped students and students with social maladjustments or learning disabilities;

(6) to develop, with the school service centre’s support, a policy on financial contributions and propose the policy to the school service centre for adoption; and

(7) to advise the school service centre on the special school projects offered or considered in its schools, on any matter likely to ensure the best possible operation of the school service centre and on any matter on which it must be consulted.”

85. Section 193 of the Act is amended

(1) in the first paragraph,

(a) by striking out subparagraph 3.1;

(b) by inserting the following subparagraph after subparagraph 7:

“(7.1) the childcare provided at school;”;

(c) by striking out subparagraphs 8 to 10;

(d) by replacing both remaining occurrences of “school board” and “school board’s” by “school service centre” and “school service centre’s”, respectively;

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

“Moreover, the parents’ committee may, on its own initiative, make recommendations to the school service centre regarding the matters referred to in the first paragraph. It may also waive a consultation on a matter referred to in subparagraph 1, 2, 3, 5, 5.1, 6 or 6.1 of the first paragraph. In such a case, it must so inform the school service centre in writing, and it shall do the same if it wishes to put an end to the waiver.”

86. The Act is amended by inserting the following section after section 193:

“**193.0.1.** At the request of the parents’ committee, the school service centre shall send parents any document that the parents’ committee addresses to them.

The school service centre shall also forward to the parents’ committee any document that a parent wishes to send to the committee.”

87. The Act is amended by inserting the following heading before section 193.1:

“§5. — *Governance and ethics committee, audit committee and human resources committee*”.

88. Section 193.1 of the Act is amended

(1) by replacing “council of commissioners” in the introductory clause of the first paragraph by “school service centre’s board of directors”;

(2) by replacing the second, third and fourth paragraphs by the following paragraphs:

“The governance and ethics committee shall, among other things, assist the members of the school service centre’s board of directors in applying the standards of ethics and professional conduct. It shall also develop the criteria and terms for evaluating the operation of the school service centre’s board of directors. Lastly, it shall ensure that all the members of the board of directors and of the governing boards undergo the training developed by the Minister under the second paragraph of section 459.5.

The audit committee shall, among other things, assist the members of the school service centre’s board of directors in seeing to the establishment of internal control mechanisms and to the optimal use of the school service centre’s resources. The committee must secure the assistance of at least one member of the school service centre’s staff with accounting or financial expertise.

The human resources committee shall, among other things, assist the members of the school service centre’s board of directors in developing an expertise and experience profile and selection criteria for persons to be appointed by the school service centre under section 96.8, 110.5 or 198. It shall also propose to the school service centre’s board of directors criteria for evaluating the school service centre’s director general. In addition, it shall develop a management succession planning program for the school service centre.”;

(3) by replacing “council of commissioners” in the last paragraph by “school service centre’s board of directors”.

89. The Act is amended by inserting the following heading before section 193.2:

“§6. — *Resource allocation committee*”.

90. Section 193.3 of the Act is amended

(1) by replacing “The resource allocation committee must set up a consultation process” in the first paragraph by “The function of the resource allocation committee is to make recommendations to the school service centre’s board of directors”;

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

“To that end, the committee shall set up a consultation process allowing it to obtain all the necessary information on the needs of the various sectors.”;

(3) by replacing “Each school board” in the third paragraph by “Under the consultation process, each school service centre”;

(4) by replacing all occurrences of “council of commissioners” in the last paragraph by “school service centre’s board of directors”.

91. The Act is amended by inserting the following after section 193.5:

“§7.—*Commitment-to-student-success committee*

“**193.6.** The school service centre must establish a commitment-to-student-success committee composed of not more than 18 members, as follows:

- (1) the school service centre’s director general or the person the director general designates;
- (2) at least two members of a school’s teaching staff;
- (3) at least one member of an adult education centre’s teaching staff;
- (4) at least one member of a vocational training centre’s teaching staff;
- (5) at least one non-teaching professional staff member;
- (6) at least one support staff member;
- (7) at least one principal of a school providing preschool education or elementary education;
- (8) at least one principal of a school providing secondary education;
- (9) at least one principal of a vocational training centre;
- (10) at least one principal of an adult education centre;
- (11) one member of the executive staff responsible for educational services; and
- (12) one member from the education research sector.

One of the members must have experience working with handicapped students or students with social maladjustments or learning disabilities.

The leadership of the commitment-to-student-success committee is entrusted to the school service centre’s director general or the person the director general designates under subparagraph 1 of the first paragraph.

“**193.7.** The functions of the commitment-to-student-success committee are

- (1) to develop and propose to the school service centre a commitment-to-success plan in accordance with section 209.1;
- (2) to analyse students’ results and make recommendations to the school service centre on the implementation of the commitment-to-success plan approved by the school service centre;

(3) to promote, among the institutions of the school service centre, educational practices, including evaluation practices, that are based on research and relevant to the policy directions set out in the commitment-to-success plan; and

(4) to advise the school service centre on any matter relating to student success.

“193.8. In developing the commitment-to-success plan, the commitment-to-student-success committee shall consult with, 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 student committees.

The parents’ committee and advisory committee on management may, among other things, make recommendations on the content of the school service centre’s commitment-to-success plan.

“193.9. The director general or any other member designated by the commitment-to-student-success committee must present the commitment-to-success plan proposed by the committee to the school service centre’s board of directors for approval. If the board of directors does not approve the plan, it must give reasons for its decision at the meeting where the plan is rejected. A copy of the minutes of the meeting of the board of directors containing the decision with reasons must be sent to the commitment-to-student-success committee.

“§8. — General provisions”.

92. Section 200 of the Act is amended by replacing “voting members of the council of commissioners” by “members of the school service centre’s board of directors”.

93. Section 201 of the Act is amended

(1) by replacing “council of commissioners and the executive committee in the exercise of their” in the first paragraph by “school service centre’s board of directors in the exercise of its”;

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

“The director general is responsible for the day-to-day management of the school service centre’s activities and resources. He shall see that the decisions of the school service centre’s board of directors are carried out and shall perform the duties that the board assigns to him.

The director general shall also see to the establishment of such relations as are conducive to the implementation of partnerships with the municipalities for the benefit of communities and more specifically, in this regard, to compliance with section 211 and subparagraph 4 of the first paragraph of section 266. To that end, he shall meet, at least twice per year, with the representatives of the following municipalities whose territory is situated entirely or partially within the school service centre’s territory:

- (1) the regional county municipalities;
- (2) the local municipalities whose territory is not situated within the territory of a regional county municipality or within that of an urban agglomeration referred to in subparagraph 3; and
- (3) the central municipality of the urban agglomerations of Îles-de-la-Madeleine, La Tuque, Longueuil, Montréal and Québec.

The director general is the school service centre’s official spokesperson. As such, the director general shall publicly state the position of the school service centre on any matter affecting it, such as when the director general is involved, on the school service centre’s behalf, in various organizations devoted to local and regional development.”

94. Section 202 of the Act is amended by replacing “council of commissioners or the executive committee, as the case may be” by “school service centre’s board of directors”.

95. Section 204 of the Act is amended

- (1) by inserting the following paragraph after the first paragraph:

“To that end, despite the first paragraph, any person residing in the territory of another school service centre to whom the school service centre provides services comes under the jurisdiction of the school service centre.”;

- (2) by replacing all occurrences of “school board” by “school service centre”.

96. Section 207.1 of the Act is replaced by the following section:

“207.1. The mission of a school service centre is to establish educational institutions in its territory, to support those institutions and to accompany them by procuring access to the goods and services and offering the optimal conditions enabling them to provide students with quality educational services and see to their educational success, so that the population may attain a higher level of knowledge, social development and qualification.

To that end, while showing due regard for the principle of subsidiarity, the school service centre organizes the educational services offered in its institutions and ensures their quality as well as the effective, efficient, fair and environmentally responsible management of its human, physical and financial resources.

The school service centre also sees to the promotion and enhancement of public education in its territory, in collaboration with its educational institutions and the parents' committee, and contributes, to the extent provided for by law, to its region's social, economic and cultural development.

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.”

97. Section 209 of the Act is amended

(1) in the first paragraph,

(a) by replacing “213 to 215.1” in subparagraph 2 by “213, 214, 214.3 or 215.1”;

(b) by replacing all occurrences of “school board” by “school service centre”, with the necessary modifications;

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

“In addition, a school service centre shall provide the educational services provided for in an agreement referred to in section 213 or 214. It shall also provide the services provided for in a decision of the Minister pursuant to section 468, to the extent indicated in that decision.”

98. Section 209.1 of the Act is amended

(1) by replacing “school board shall establish” in the first paragraph by “school service centre shall approve, on the proposal of the commitment-to-student-success committee.”;

(2) by replacing the introductory clause and subparagraph 1 of the second paragraph by the following:

“The commitment-to-success plan that the school service centre may update as needed, on the recommendation of the commitment-to-student-success committee, must contain

(1) a description of the context in which the school service centre acts, particularly the needs of its institutions, the main challenges it faces, and the characteristics and expectations of the community it serves;”;

(3) by striking out the third paragraph;

(4) by replacing all occurrences of “school board” in the fourth paragraph by “school service centre”.

99. Section 209.2 of the Act is replaced by the following section:

“209.2. The school service centre must ensure that any terms prescribed by the Minister under the first paragraph of section 459.3 are complied with.”

100. Section 210.1 of the Act is amended by replacing “The school board” and both occurrences of “schools” by “The school service centre” and “institutions”, respectively, with the necessary modifications.

101. Section 212 of the Act is amended

(1) by replacing “the school board” in the introductory clause of the first paragraph by “the school service centre”;

(2) by replacing “chair of the school board and the commissioner of the electoral division concerned” in subparagraph 4 of the second paragraph by “chair of the school service centre’s board of directors and of a parent representative sitting on that board”.

102. Section 212.1 of the Act is amended

(1) by replacing “After consulting with the parents’ committee, the school board” in the first paragraph by “On the proposal of the parents’ committee, the school service centre”;

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

“If the parents’ committee fails or refuses to submit a proposal to the school service centre within the period specified by the school service centre, which must be of at least 30 days, the latter may act without such a proposal.”

103. Section 213 of the Act is amended

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

“Under the terms of an agreement entered into under this section, a school service centre may also organize on-the-job training and apprenticeship internships.”;

(2) by replacing all occurrences of “school board” by “school service centre”, with the necessary modifications.

104. Section 214 of the Act is amended

(1) by replacing “A school board” in the first paragraph by “A school service centre”;

(2) by replacing “A school board” and “it determines” in the second paragraph by “A school service centre” and “the latter determines”, respectively;

(3) by replacing “of the school board” in the third paragraph by “of the school service centre”;

(4) by striking out the last paragraph.

105. The Act is amended by inserting the following sections after section 215.1:

“215.2. The school service centres must facilitate the sharing of resources and services, especially administrative resources and services, with each other, with other public bodies, including municipalities, or with educational institutions governed by the Act respecting private education (chapter E-9.1) if sharing allows them, in pursuing their mission, to fulfill efficiency and cost-benefit requirements in the management of human, financial and physical resources.

For those purposes, the Minister may request a school service centre to produce an analysis evaluating opportunities to share resources and services with another school service centre.

Following this analysis, the Minister may make recommendations or require that measures facilitating the sharing of resources or services be put in place between two school service centres.

“215.3. A school service centre may, within the framework of an agreement by which another school service centre undertakes to provide services to it, delegate in writing to that school service centre or to a member of its staff any power allowing the agreement to be carried out.”

106. The Act is amended by inserting the following section after section 219:

“219.1. At the Minister’s request and subject to the terms the Minister determines, the school service centre sends parents or members of its staff any document that the Minister addresses to them.”

107. Section 220 of the Act is amended

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

“Every school service centre shall prepare an annual report in accordance with the regulation made under section 457.6 in order to give 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.”;

(2) by replacing “In the report, the school board shall state separately for each school the nature of the complaints reported to the director general of the school board by the principal” in the second paragraph by “In the report, the school service centre must state separately, for each of its educational institutions, the nature of the complaints reported to its director general by their principals”;

(3) by replacing “The school board” in the third paragraph by “The school service centre”.

108. Section 220.1 of the Act is amended

(1) by replacing “Every school board” in the first paragraph by “Every school service centre”;

(2) by inserting the following sentence at the end of the second paragraph: “The school service centre’s annual report must have been made public in accordance with the third paragraph of section 220 at the time of the public notice, which must mention the report.”;

(3) by replacing “commissioners” in the third paragraph by “school service centre’s board members”.

109. Section 226 of the Act is repealed.

110. Section 239 of the Act is amended

(1) by replacing both occurrences of “school board” in the first paragraph by “school service centre”, with the necessary modifications;

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

“The enrollment criteria must give priority to students coming under the jurisdiction of the school service centre under the first paragraph of section 204 and, from among them, as far as possible, to students whose place of residence is nearest to the school premises, to those who have a sister, a brother or another student who they live with attending the school and to other students who already attend the school.

If the number of enrollment applications for students referred to in the second paragraph does not exceed the school’s capacity, the enrollment criteria must then give priority to students from another territory who already attend the school.

The enrollment criteria must be adopted and put into force at least 15 days before the beginning of the student enrollment period; a copy of them must be sent to each governing board by the same time limit.”

III. Section 240 of the Act is amended

(1) by replacing “a school board” in the first paragraph by “a school service centre” and “qu’il” in that paragraph in the French text by “que ce dernier”;

(2) in the second paragraph,

(a) by replacing “The school board” by “The school service centre”;

(b) by adding the following sentence at the end: “It must give priority to students coming under its jurisdiction within the meaning of the first paragraph of section 204.”

II2. Section 243 of the Act is amended

(1) by replacing “Every school board” by “Every school service centre”;

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

“The school service centre shall send the Minister the results obtained by students on each examination imposed by the Minister.”

III3. Section 250 of the Act is amended

(1) by replacing “Every school board shall arrange and offer reception and referral services” in the first paragraph by “Every school service centre shall organize and offer reception, referral, counselling and support services”;

(2) by replacing “Elle” in the second paragraph in the French text by “Il”.

II4. Section 253 of the Act is amended

(1) by replacing “Every school board” by “Every school service centre”;

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

“The school service centre shall send the Minister the results obtained by students on each examination imposed by the Minister.”

II5. Section 259 of the Act is amended

(1) by replacing “Every school board” in the first paragraph by “Every school service centre”, with the necessary modifications;

(2) by replacing “Every school board” and “of the council of commissioners and of the executive committee and those determined by the school board” in the second paragraph by “Every school service centre” and “of the school service centre’s board of directors and those determined by the school service centre”, respectively.

116. Section 267 of the Act is amended

(1) by replacing all occurrences of “school board” in the first and second paragraphs by “school service centre”, with the necessary modifications;

(2) by replacing “The school board may also, with the authorization of and subject to the conditions determined by the Minister, enter into an agreement with another school board, a general and vocational college, a private educational institution governed by the Act respecting private (chapter E-9.1) or an enterprise that meets the conditions determined by the Minister in a regulation under paragraph 7 of section 111 of that Act and offers a vocational training program” in the third paragraph by “The school service centre may also, with the authorization of and subject to the conditions determined by the Minister, enter into a partnership agreement”.

117. Section 272 of the Act is amended, in the first paragraph,

(1) by replacing “school board” by “school service centre”;

(2) by inserting “acquire an immovable, grant a dismemberment of the right of ownership, or” after “Minister.”.

118. The Act is amended by inserting the following sections after section 272:

“272.1. A school service centre may not, without the authorization of the Minister, construct, enlarge, develop, convert, demolish, replace or substantially renovate its immovables if the estimated total cost of the project is greater than the amounts determined by the regulation made under section 457.7.

This section does not apply to asset maintenance work, whatever the estimated cost of the work.

For the purposes of this section, “asset maintenance work” means all the work required to ensure the security of persons and property, stop the deterioration of immovables and ensure their conservation.

“272.2. A school service centre may, in accordance with sections 272.3 to 272.13, require a local municipality to transfer an immovable to it, by gratuitous title, for the purpose of building or enlarging a school or centre.

It may not, however, require that there be a building on the immovable concerned.

“272.3. Each school year, the school service centre shall send the local municipalities and regional county municipalities whose territory is situated entirely or partially within its own a forecast of its space requirements compliant with the regulation of the Minister.

On receiving the forecast, the municipalities shall send the school service centre any information relating to their development that is likely to influence the school service centre's space requirement forecast. The regional county municipalities must also send the school service centre any relevant information relating to school infrastructure planning that is entered on their land use and development plans.

For the purposes of this section and sections 272.5 and 272.10, the powers and responsibilities conferred on a regional county municipality or its council are, in the case of the urban agglomerations of Îles-de-la-Madeleine, La Tuque, Longueuil, Montréal and Québec, exercised by the central municipality or its urban agglomeration council, respectively.

“272.4. After revising its forecast if need be, the school service centre shall determine its needs in terms of immovables to be acquired for the purpose of building or enlarging a school or centre and, where applicable, it shall establish a draft space requirement plan.

The draft space requirement plan must delimit the sector within which any immovable to be acquired must be situated and describe the required characteristics of the immovable, including its minimum area. The characteristics must at least include those prescribed by government regulation.

“272.5. The school service centre shall send its draft space requirement plan to each local municipality whose territory includes, in whole or in part, the sector delimited by the draft plan. It shall also send it to any local municipality a portion of whose territory is likely to be served by the proposed school or centre as well as to each regional county municipality in whose territory a local municipality referred to in this section is situated.

The council of a local municipality or regional county municipality must send the school service centre an opinion on the draft space requirement plan within 45 days after receiving it.

“272.6. At the expiry of the 45-day period, the school service centre shall adopt the space requirement plan, with or without amendments, and send it to each local municipality and each regional county municipality whose territory includes, in whole or in part, the sector delimited by the plan. If applicable, the school service centre shall indicate the amendments that were made to the plan to take into account any opinion received from a municipal council.

“272.7. The council of a local municipality referred to in section 272.6 must approve or refuse the school service centre's space requirement plan within 45 days after receiving it. A copy of the resolution must be sent by the municipality to the school service centre and to the regional county municipality whose territory includes that of the municipality.

If the council fails to approve or refuse the plan within that period, the plan is deemed to have been approved.

“272.8. Once the space requirement plan has been approved or refused by the municipalities, the school service centre shall submit it to the Minister for approval. To that end, the school service centre shall inform the Minister of whether the plan was approved or refused by the municipalities and, if it was refused, the reasons for the refusal. It shall also send the Minister the opinions received from the municipalities with respect to the draft plan and indicate, if applicable, the amendments made to the plan to take those opinions into account.

The Minister may require that the school service centre amend its plan and order that the local municipalities referred to in section 272.6 be consulted on such amendments.

The Minister shall approve the plan after consulting with the Minister of Municipal Affairs, Regions and Land Occupancy and any other minister concerned.

“272.9. The school service centre’s space requirement plan takes effect on the date it is approved by the Minister.

The school service centre shall, as soon as possible, notify the local municipalities and the regional county municipalities referred to in section 272.6 of the date on which the plan takes effect and send them a copy of it.

“272.10. If the sector identified in the school service centre’s space requirement plan is included in the territory of only one local municipality, that municipality must, within two years after the plan takes effect, transfer to the school service centre an immovable that is situated in that sector and that meets the characteristics set out in the plan.

Subject to the third paragraph, if the sector delimited in the space requirement plan is situated within the territory of two or more local municipalities, those municipalities must determine together which of them must transfer an immovable and the choice must be approved by the council of each municipality.

If all the municipalities referred to in the second paragraph are situated in the territory of the same regional county municipality, the latter’s council shall determine which municipality must transfer an immovable.

The school service centre and the municipality that is required to transfer an immovable may, in accordance with the regulation made under section 452.1, agree on a time limit other than the one prescribed in the first paragraph and on the transfer of an immovable that is not situated in the sector delimited in the plan.

They may also, with the Minister’s approval, agree on the transfer of an immovable that does not meet the characteristics set out in the school service centre’s space requirement plan. The Minister shall approve the transfer after consulting with the Minister of Municipal Affairs, Regions and Land Occupancy and any other minister concerned.

“272.11. The school service centre may refuse the transfer of an immovable on which there is a building. Such a refusal does not terminate the municipality’s obligation to transfer an immovable.

If the school service centre accepts the transfer of an immovable that includes a building, it must pay to the municipality the market value of the building established by a chartered appraiser mandated by the school service centre.

“272.12. If the local municipality has not transferred an immovable to the school service centre on the expiry of the time limit prescribed in the first paragraph of section 272.10, the school service centre may itself acquire an immovable situated in the territory of that municipality in the sector delimited in the school service centre’s space requirement plan at that municipality’s expense. However, if no local municipality has been designated in accordance with the second or third paragraph of section 272.10, the immovable may be acquired in the territory of any of the municipalities referred to in those paragraphs.

The municipality in whose territory the immovable is situated must reimburse the amount corresponding to the cost of acquiring the land to the school service centre.

The other conditions and procedures governing the acquisition of an immovable by a school service centre or the reimbursement by a local municipality of the cost of acquiring the immovable are prescribed by a government regulation made under section 452.1.

An immovable acquired under this section is deemed to be usable for its intended purpose.

“272.13. Despite sections 272.3 to 272.11, the Minister may, following the loss or deterioration, by superior force, of an immovable or building or for serious health or safety reasons, order that section 272.2 applies according to the conditions and procedures that the Minister determines.

If the municipality fails to transfer an immovable, section 272.12 applies, with the necessary modifications.

“272.14. If warranted by the circumstances, the Minister may cancel the obligation to transfer an immovable.

“272.15. The school service centre to which a local municipality has transferred an immovable or reimbursed the cost of acquiring land must, if it decides to divest itself of that immovable, offer the local municipality to acquire the immovable by gratuitous title.

“272.16. A local municipality that has incurred expenses to comply with its obligations under section 272.2 may require a financial contribution from another local municipality if the school or centre established is intended to serve students from the territory of that other local municipality.

If a municipality has transferred to a school service centre an immovable that the municipality did not need to acquire in order to fulfill its obligation under section 272.10, the value of the municipal assessment of the transferred immovable is considered to be an expense incurred by the municipality.

The expenses incurred by a municipality are reduced by any payment received from a school service centre under the second paragraph of section 272.11.

The amount of the financial contribution is set by agreement, taking into account such things as the distribution of students by their municipalities of origin. The school service centre concerned shall, on request, provide the municipalities with data on the municipalities of origin of the students served by the school or centre as well as any other data that it holds which could be useful for the purpose of entering into the agreement.

If the municipality requires a contribution from two or more municipalities, a single agreement must be entered into by all the municipalities concerned. The amount of the contribution may vary between municipalities.

If the municipalities are unable to enter into an agreement setting the amount of the contribution, the municipality that incurred the expenses may ask the Minister of Municipal Affairs, Regions and Land Occupancy to mandate the Commission municipale du Québec to conduct a study on the contribution to be paid by each municipality concerned. Sections 24.7 to 24.15 of the Act respecting the Commission municipale (chapter C-35) apply, with the necessary modifications.

“272.17. A local municipality may exercise a pre-emptive right with respect to any immovable in its territory that it is likely to acquire with a view to transferring the immovable to a school service centre to comply with its obligations under section 272.2, excluding immovables 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).

The local municipality’s pre-emptive right may only be exercised to acquire an immovable for which a notice of the municipality’s pre-emptive right has been registered. It is exercised by preference over any other holder of such a right in the immovable, subject to section 56 of the Cultural Heritage Act (chapter P-9.002) and section 68.3 of the Act respecting the Société d’habitation du Québec (chapter S-8).

“272.18. The notice of the municipality’s pre-emptive right must identify the immovable concerned and describe the purpose for which it may be acquired.

The notice must be notified to the owner of the immovable and takes effect on being registered in the land register. It is valid for a period of 10 years from the registration date.

“272.19. The owner of an immovable for which a notice of the municipality’s pre-emptive right has been issued may not, on pain of nullity, alienate the immovable for the benefit of a person other than a person to whom the owner is related within the meaning of the Taxation Act (chapter I-3) if the owner has not notified to the municipality a notice of intention to alienate the immovable.

The owner’s notice must state the price of the proposed alienation, the conditions to which it is subject, and the name of the person who intends to acquire the immovable. If the immovable is alienated, in whole or in part, for a non-monetary consideration, the notice must include a reliable and objective estimate of the value of that consideration.

“272.20. The municipality may, not later than 90 days following notification of the notice of intention to alienate, notify a notice to the owner of its intention to exercise its pre-emptive right and to acquire the immovable at the price and on the conditions stated in the notice of intention to alienate, subject to any modifications subsequently agreed on with the owner. If the notice of intention to alienate contains an estimate of the value of a non-monetary consideration, the price must be increased by an equal amount.

The municipality may, during that period, require from the owner any information allowing it to assess the condition of the immovable. It may also, after giving 48 hours’ prior notice, access the immovable to conduct, at its own expense, any study or analysis it considers useful.

If the municipality does not notify the notice provided for in the first paragraph to the owner within the 90-day period, it is deemed to have waived its pre-emptive right.

If the municipality decides not to exercise its pre-emptive right and the proposed alienation occurs, it shall have the notice of its pre-emptive right removed from the land register.

“272.21. If the municipality exercises its pre-emptive right, it must pay the price of the immovable within 60 days after notifying the notice of its intention to acquire the immovable. If the municipality cannot pay the amount to the owner, it may deposit it, on the owner’s behalf, at the office of the Superior Court.

Sections 53.15 to 53.17 of the Expropriation Act (chapter E-24) apply, with the necessary modifications.

In the absence of a notarial contract, the municipality becomes the owner of the immovable by registering a notice of transfer of ownership in the land register; the notice must include a description of the immovable, the price and conditions of its acquisition, and the date on which the municipality will take possession of the immovable.

The notice of transfer must be served on the owner at least 30 days before it is registered in the land register.

To be registered, the notice must be accompanied by documents confirming that the price has been paid to the owner or deposited at the office of the Superior Court and proof that the notice has been served on the owner.

The school service centre may exercise the pre-emptive right registered by a municipality in the land register, to the extent and on the conditions determined by government regulation.

“272.22. If the municipality exercises its pre-emptive right, it must compensate the person who intended to acquire the immovable for reasonable expenses incurred during negotiation of the price and conditions of the proposed alienation.”

119. Section 275 of the Act is amended by replacing “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” by “Taking into account the recommendations made by the resource allocation committee under the fifth paragraph of section 193.3, the school service centre”.

120. Section 275.1 of the Act is amended

(1) by replacing “The school board” and “fourth” in the first paragraph by “The school service centre” and “fifth”, respectively;

(2) by replacing “of the school board” in the last paragraph by “of the school service centre”.

121. Section 277 of the Act is amended

(1) by replacing “as he determines” in the first paragraph by “as the latter determines”;

(2) by replacing all occurrences of “school board” and “school board’s” by “school service centre” and “school service centre’s”, respectively, with the necessary modifications.

122. Section 279 of the Act is amended by replacing “he determines” and “of the school board” by “the latter determines” and “of the school service centre”, respectively.

123. Section 282 of the Act is amended by replacing “Every school board” and “he determines” by “Every school service centre” and “the latter determines”, respectively.

124. Section 288 of the Act is amended

(1) by replacing “as he prescribes” in the first paragraph by “as the latter prescribes”;

(2) by replacing all occurrences of “school board” by “school service centre”, with the necessary modifications.

125. Section 300 of the Act is amended

(1) by replacing “he may request” in the fifth paragraph by “he requests”;

(2) by replacing all occurrences of “school boards” and “school board” by “school service centres” and “school service centre”, respectively, with the necessary modifications.

126. Section 305 of the Act is amended by replacing “of a school board” and “that school board” by “of an English-language school service centre” and “that school service centre”, respectively.

127. Section 306 of the Act is amended

(1) by replacing “list of electors of another school board” in the last paragraph by “list of electors of the English-language school service centre having jurisdiction over the territory where the immovable is situated”;

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

“An owner referred to in the first paragraph who has not made an election in accordance with the second paragraph is presumed to have elected to pay the school tax to the French-language school service centre in the territory where the owner’s immovable is situated.”;

(3) by replacing all occurrences of “school board” by “school service centre”, with the necessary modifications.

128. Section 315 of the Act is amended

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

“The school service centre may, at the request of an owner who shows that by reason of the occurrence of a disaster in the school service centre’s territory, the owner has been recognized as eligible, for the owner’s immovables, under a financial assistance or compensation program referred to in Division II of Chapter VII of the Civil Protection Act (chapter S-2.3), extend the payment deadline by fixing another date when the single payment or each of the equal payments may be made.”;

(2) by replacing “the school board” in the last paragraph by “the school service centre”.

129. Section 402 of the Act is amended

(1) in the first paragraph,

(a) by replacing subparagraph 1 by the following subparagraph:

“(1) each school service centre on the island of Montréal shall designate one person from among the members of its board of directors sitting as parent representatives or community representatives;”;

(b) by replacing “school boards” in subparagraph 2 by “school service centres”;

(2) by replacing “a school board” and “commissioners of that school board” in the second paragraph by “a school service centre” and “members of that school service centre’s board of directors”, respectively.

130. Section 403 of the Act is amended by replacing “A school board may designate another of its commissioners as a substitute to sit and vote in the commissioner’s stead when that commissioner” by “A school service centre may designate another member of its board of directors as a substitute to sit and vote in the member’s stead when that member”.

131. Section 411 of the Act is amended by replacing all occurrences of “Council” and “school board” by “Comité” and “school service centre”, respectively.

132. Section 415 of the Act is amended by replacing “176” and ““commissioner”” by “175.3” and ““member of a school service centre’s board of directors””, respectively.

133. Section 420 of the Act is amended by replacing “Sections 200 to 201.2” in the second paragraph by “Section 200, the first and second paragraphs of section 201 and sections 201.1 and 201.2”.

134. Sections 424 to 427 of the Act are repealed.

135. Section 428 of the Act is replaced by the following section:

“**428.** The Comité shall receive the government subsidies required to repay the loans it has contracted for its purposes and for the purposes of the school service centres on the island of Montréal.”

136. The Act is amended by inserting the following section after section 452:

“**452.1.** The Government may, by regulation, determine any conditions or procedures other than those provided for in sections 272.3 to 272.15, for the purposes of section 272.2.

The regulation may prescribe or provide for, in particular,

(1) the information that the school service centre and the municipalities concerned must exchange, at specified intervals and within specified time limits;

(2) the authorizations that the school service centre must obtain from the Minister;

(3) the conditions and procedures allowing a school service centre and a local municipality to agree on a time limit other than the one prescribed in the first paragraph of section 272.10 or on the transfer of an immovable that is not situated in the sector delimited in the school service centre’s space requirement plan;

(4) the school service centre’s powers, including exercising the pre-emptive right registered in the land register by the municipality, and the financial obligations incumbent on the municipality when it fails to transfer an immovable within the prescribed time limit;

(5) the characteristics that an immovable acquired by a school service centre for the purpose of building or enlarging a school or centre must have; and

(6) the conditions and procedures governing the acquisition of an immovable by a school service centre under section 272.12 and for the determination and reimbursement of amounts owing to the school service centre by the local municipality following the application of that section as well as, failing payment by the local municipality, the terms for payment of the amounts owing to the school service centre, the interest payable by the local municipality and the possibility for the Government to offset those amounts against any amount owing to the local municipality by the Government or a government department or body.”

137. The Act is amended by inserting the following section after section 455.1:

“**455.2.** The Government may, by regulation, determine the terms, conditions and standards for designating the members of a French-language school service centre’s board of directors and for designating the members of an English-language school service centre’s board of directors referred to in subparagraph 3 of the first paragraph of section 143.1.

The Government may, in particular, prescribe

(1) the criteria and terms applicable to the division of a French-language school service centre’s territory into districts; and

(2) the time limits and terms applicable to the process for designating members of a school service centre’s board of directors as well as the conditions they must satisfy.

The regulation may establish standards that vary according to the categories of members on school service centres’ boards of directors. It may also allow certain designation terms to be determined by the persons responsible for designating a category of members.”

138. Section 457.1 of the Act is amended by adding the following paragraph at the end:

“(4) the conditions and procedures governing the review of a result as provided for in section 96.15 or 110.12.”

139. The Act is amended by inserting the following sections after section 457.5:

“**457.6.** The Minister may, by regulation, prescribe the information that a school service centre’s or governing board’s annual report must contain as well as the form of the report.

“**457.7.** The Government may, by regulation, determine the amounts applicable for the purposes of the authorization required by the school service centre for work mentioned in section 272.1.

“**457.7.1.** The Minister may, by regulation, determine the standards and procedures applicable to a school service centre’s space requirement forecast provided for in section 272.3.

“**457.8.** The Minister shall determine, by regulation, the standards of ethics and professional conduct applicable to the members of a French-language school service centre’s board of directors and to the members of an English-language school service centre’s board of directors sitting as staff representatives.

The regulation may, in particular,

(1) determine the duties and obligations of board members referred to in the first paragraph as well as those they must comply with after the expiry of their terms and the period of compliance;

(2) establish prevention measures, in particular rules concerning the disclosure of interests;

(3) deal with the identification of conflict of interest situations;

(4) regulate or prohibit practices relating to the attendance allowance and to the reimbursement of reasonable expenses incurred by board members, subject to section 175;

(5) establish the procedure governing examinations of and inquiries into conduct that may contravene the standards determined by the Minister, prescribe appropriate penalties and designate the authorities that are to determine or impose such penalties; and

(6) determine the cases in and procedure according to which board members may be temporarily relieved of their duties.

The regulation may establish standards that vary according to the categories of board members referred to in the first paragraph.”

140. Section 459.4 of the Act is amended

(1) by replacing “and the school board” in the second paragraph by “and the school service centre, after consulting with the commitment-to-student-success committee,”;

(2) by replacing all occurrences of “school board” by “school service centre”, with the necessary modifications.

141. Section 459.5 of the Act is amended

(1) by replacing “school boards” by “school service centres”;

(2) by striking out “, and shall see that it is distributed”;

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

“The Minister shall also develop the content of the training for governing board members and members of the boards of directors of school service centres.

The Minister shall distribute the documents provided for in the first and second paragraphs to the persons they are intended for.”

142. The Act is amended by inserting the following sections after section 459.5.3:

“459.5.4. The Minister may determine, for all the school service centres or in light of the situation of one or certain centres, objectives or targets relating to their administration, organization or operation.

“459.5.5. At the request of a local municipality or on the Minister’s own initiative, the Minister may require that a school service centre report to him, within the time he indicates, on the means implemented by the school service centre to encourage the use of its immovables by the municipality, in accordance with section 266. The Minister may, after receiving the report, make recommendations to the school service centre and the municipality or order that the municipality be given access to the school service centre’s facilities, on the conditions he determines.”

143. Section 461 of the Act is amended by striking out the fourth paragraph.

144. Section 466 of the Act is amended

(1) by replacing “determined by him” in the last paragraph by “the latter determines”;

(2) by replacing all occurrences of “school boards” and “school board” by “school service centres” and “school service centre”, respectively, with the necessary modifications.

145. Section 474 of the Act is amended

(1) by striking out “as the result of a disaster, theft or vandalism” at the end of the first paragraph;

(2) by inserting “up to the amount of the subsidy granted or that the Minister is called on to grant” at the end the second paragraph;

(3) by replacing all occurrences of “school board” by “school service centre”, with the necessary modifications.

146. The heading of Division II.1 of Chapter VII of the Act is replaced by the following heading:

“COMITÉ D’AGRÉMENT DES PROGRAMMES DE FORMATION À L’ENSEIGNEMENT”.

147. The Act is amended by striking out the following headings before section 477.13:

“§3. — *Comité d’agrément des programmes de formation à l’enseignement*

“1. — *Establishment*”.

148. Section 477.14 of the Act is amended

(1) in the first paragraph,

(a) by replacing “nine” in the introductory clause by “10”;

(b) by replacing subparagraph 2 by the following subparagraph:

“(2) four preschool-, elementary- or secondary-level teachers;”;

(2) by replacing “school boards” in the fifth paragraph by “school service centres”.

149. The Act is amended by striking out the following heading after section 477.14:

“2.—*Mission and functions*”.

150. Section 477.15 of the Act is amended

(1) by replacing “for the elementary and secondary levels” at the end of the first paragraph by “for the preschool, elementary and secondary levels”;

(2) by replacing “at the elementary and secondary levels” in subparagraph 3 of the second paragraph by “at the preschool, elementary and secondary levels”.

151. Subdivision 4.1 of Division II.1 of Chapter VII of the Act, comprising sections 477.18.1 to 477.18.3, is repealed.

152. The Act is amended by striking out the following heading before section 477.19:

“§5.—*Operation*”.

153. Section 477.19 of the Act is amended by replacing “of the committees” in the first paragraph by “of the committee”.

154. Section 477.22 of the Act is amended by replacing “of the committees” by “of the committee”.

155. Section 477.24 of the Act is amended by replacing “of a committee” by “of the committee”.

156. Section 477.25 of the Act is amended by replacing “The committees may hold their meetings” by “The committee may hold its meetings”.

157. Section 477.26 of the Act is amended by replacing “of the committees”, “they need” and “their” by “of the committee”, “it needs” and “its”, respectively.

158. The Act is amended by striking out the following heading after section 477.26:

“§6.—*Annual report*”.

159. Section 477.27 of the Act is amended by replacing “The committees shall” by “The committee may” and “leurs activités” in the French text by “ses activités”.

160. Section 477.28 of the Act is amended by replacing “the reports” and “receiving them” by “the report” and “receiving it”, respectively.

161. Section 480 of the Act is amended, in the first paragraph,

(1) by inserting “member of the school service centre’s board of directors,” before “commissioner”;

(2) by replacing all occurrences of “school board” by “school service centre”, with the necessary modifications.

162. Section 706 of the Act is repealed.

163. The Act is amended by replacing all occurrences of “council of commissioners” by “school service centre’s board of directors”.

AMENDING PROVISIONS

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

164. Section 10 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is amended by replacing “, or by the school board, where the institution comes under such a board” by “or, where the institution comes under the jurisdiction of a school service centre or school board, by that centre or board”.

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

165. Section 5 of the Act respecting land use planning and development (chapter A-19.1) is amended by inserting “, a school service centre” before “or a school board” in the last paragraph.

166. Section 117.15 of the Act is amended by adding the following paragraph at the end:

“Despite the first and third paragraphs, a municipality may, to comply with its obligations under sections 272.10 and 272.12 of the Education Act (chapter I-13.3),

(1) transfer any land referred to in the first paragraph to a school service centre; and

(2) use the amounts paid into the special fund provided for in the second paragraph to acquire an immovable with a view to transferring it to a school service centre or to pay the amount owing to the school service centre that has acquired an immovable in its place.”

167. The Act is amended by inserting the following section after section 117.16:

“117.16.1. A municipality may use the regulatory powers provided for in this division to obtain land or amounts to enable it to comply with its obligations under sections 272.10 and 272.12 of the Education Act (chapter I-13.3). When a municipality uses those powers for such a purpose, sections 117.1 to 117.16 apply, with the necessary modifications and subject to the following:

(1) despite section 117.4, the municipality may in all cases require the transfer of land whose area exceeds 10% of the area of the site, but must then pay the owner an amount equivalent to the value of the portion of land that exceeds that percentage, calculated in accordance with section 117.6;

(2) except in the case provided for in subparagraph 1, if, with respect to the same site, the municipality requires the transfer of land or the payment of an amount under this section and section 117.1, the total contribution required from the owner may not exceed the limits provided for in section 117.4; and

(3) transferred land and amounts paid into the special fund referred to in the second paragraph of section 117.15 must be used only for the purposes set out in the fourth paragraph of that section.

If it appears that land or amounts cannot be used for the purposes set out in the first paragraph, the municipality may use them in accordance with the first and third paragraphs of section 117.15.”

ACT RESPECTING PREARRANGED FUNERAL SERVICES AND SEPULTURES

168. Section 26 of the Act respecting prearranged funeral services and sepultures (chapter A-23.001) is amended by inserting “, school service centre” before “or school board” in the second paragraph.

ACT RESPECTING THE AUTORITÉ DES MARCHÉS PUBLICS

169. Section 32 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) is amended by inserting “school service centre,” and “governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)” after “However, in the case of a” and “school board”, respectively, in the second paragraph.

ACT RESPECTING THE BARREAU DU QUÉBEC

170. Section 136 of the Act respecting the Barreau du Québec (chapter B-1) is amended by inserting “, a school service centre” after “municipality” in paragraph *h*.

CIVIL CODE OF QUÉBEC

171. Article 1339 of the Civil Code of Québec is amended

(1) by inserting “a school service centre or” after “in Canada, or” in paragraph 2;

(2) by inserting “, school service centres” after “municipalities” in paragraph 6.

172. Article 2651 of the Code is amended by inserting “, school service centres” after the first occurrence of “claims of municipalities” in paragraph 5.

173. Article 2654.1 of the Code is amended by inserting “, school service centres” after “municipalities” in the first paragraph.

CHARTER OF THE FRENCH LANGUAGE

174. Section 208.1 of the Charter of the French language (chapter C-11) is amended by inserting “as a member of a school service centre’s board of directors or” after “office” in the first paragraph.

CHARTER OF VILLE DE LONGUEUIL

175. Section 25 of Schedule C to the Charter of Ville de Longueuil (chapter C-11.3) is amended by replacing “any school board, regional or local,” by “any school service centre”.

CITIES AND TOWNS ACT

176. The Cities and Towns Act (chapter C-19) is amended by inserting the following section after section 556:

“556.1. A loan by-law relating to any of the following objects requires only the approval of the Minister:

(1) the acquisition of an immovable for the purpose of transferring it to a school service centre in accordance with section 272.10 of the Education Act (chapter I-13.3) as well as the work done on the immovable before the transfer; or

(2) the payment of the amount owing to a school service centre under section 272.12 of that Act.”

177. Section 570 of the Act is amended by adding the following subparagraph after subparagraph *c* of the first paragraph:

“(d) expropriate any immovable property or part thereof that it intends to transfer to a school service centre under section 272.2 of the Education Act (chapter I-13.3).”

CODE OF ETHICS AND CONDUCT OF THE MEMBERS OF THE NATIONAL ASSEMBLY

178. Section 10 of the Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1) is amended by replacing “or a school board” by “, a school service centre’s board of directors or a school board council”.

179. Section 56 of the Code is amended by replacing “any school board governed by the Education Act (chapter I-13.3) or” in paragraph 5 by “any school service centre governed by the Education Act (chapter I-13.3), any school board governed by”.

CODE OF CIVIL PROCEDURE

180. Article 36 of the Code of Civil Procedure (chapter C-25.01) is amended

(1) by inserting “, a school service centre” after “municipality” in the first paragraph;

(2) by inserting “, a school service centre” after “municipality” in the second paragraph.

PROFESSIONAL CODE

181. Section 37 of the Professional Code (chapter C-26) is amended by inserting “, to school service centres” after “municipalities” in paragraph *j*.

MUNICIPAL CODE OF QUÉBEC

182. The Municipal Code of Québec (chapter C-27.1) is amended by inserting the following article after article 1061:

“1061.0.1. A loan by-law relating to any of the following objects requires only the approval of the Minister:

(1) the acquisition of an immovable for the purpose of transferring it to a school service centre in accordance with section 272.10 of the Education Act (chapter I-13.3) as well as the work done on the immovable before the transfer; or

(2) the payment of the amount owing to a school service centre under section 272.12 of that Act.”

183. Article 1097 of the Code is amended by adding the following subparagraph after subparagraph 3 of the first paragraph:

“(4) expropriate any immovable or part of an immovable that it intends to transfer to a school service centre under section 272.2 of the Education Act (chapter I-13.3).”

GENERAL AND VOCATIONAL COLLEGES ACT

184. Section 6 of the General and Vocational Colleges Act (chapter C-29) is amended

(1) by inserting “, including an immovable under co-ownership” at the end of subparagraph *h* of the first paragraph;

(2) by inserting “or acquire an immovable under co-ownership” after “paragraph” in the second paragraph.

ACT RESPECTING THE COMMISSION MUNICIPALE

185. Section 76 of the Act respecting the Commission municipale (chapter C-35) is amended by replacing “school board or *fabrique*” in the second paragraph by “school service centre, school board or *fabrique*”.

ACT RESPECTING CONTRACTING BY PUBLIC BODIES

186. Section 8 of the Act respecting contracting by public bodies (chapter C-65.1) is amended by inserting “governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)” after “school board” in the second paragraph.

ACT TO PROMOTE WORKFORCE SKILLS DEVELOPMENT AND RECOGNITION

187. Section 7 of the Act to promote workforce skills development and recognition (chapter D-8.3) is amended by replacing paragraph 1 by the following paragraph:

“(1) the schools, vocational training centres and adult education centres of the school service centres and of the school boards as well as the school service centres and the school boards;”.

ACT TO FACILITATE THE DISCLOSURE OF WRONGDOINGS
RELATING TO PUBLIC BODIES

188. Section 2 of the Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1) is amended by replacing “school boards governed by the Education Act (chapter I-13.3) or” in paragraph 5 by “school service centres governed by the Education Act (chapter I-13.3), school boards governed by”.

ACT RESPECTING ELECTIONS AND REFERENDUMS IN
MUNICIPALITIES

189. Section 285.2 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by inserting “, school service centres” before “and school boards” in the first paragraph.

ACT RESPECTING SCHOOL ELECTIONS

190. The title of the Act respecting school elections (chapter E-2.3) is replaced by the following title:

“ACT RESPECTING SCHOOL ELECTIONS TO ELECT CERTAIN
MEMBERS OF THE BOARDS OF DIRECTORS OF ENGLISH-
LANGUAGE SCHOOL SERVICE CENTRES”.

191. Section 1 of the Act is replaced by the following section:

“**1.** This Act applies to all English-language school service centres as regards the election of parent representatives and community representatives to their boards of directors.

It also applies to French-language school service centres but only for the purpose of updating the permanent list of electors.”

192. Section 1.1 of the Act is amended, in the second paragraph,

(1) by replacing “of a school board chooses to vote at the election of the commissioners of an English language school board” by “of a school service centre chooses to vote at the election of members to the board of directors of an English-language school service centre”;

(2) by replacing “that school board, or runs for office within an English language school board,” by “or runs for office in that school service centre”.

193. Section 2 of the Act is replaced by the following section:

“**2.** An election shall be held every three years on the first Sunday of June.”

194. Section 3 of the Act is repealed.

195. Section 4 of the Act is amended, in the first paragraph,

(1) by replacing “the commissioners” and “qualified to be commissioners” in the first paragraph by “the parent representatives and community representatives who are to sit on the English-language school service centre’s board of directors” and “who have the required qualifications to be eligible”, respectively;

(2) by adding the following sentence at the end: “The persons appointed are deemed to have been elected and declared elected on the day of their appointment and take office on the same day.”

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

“CHAPTER II.1

“ELECTION TERRITORY

“4.1. Parent representatives shall be elected to the board of directors of an English-language school service centre by universal suffrage of the electors in the territory of the electoral division concerned.

Community representatives shall be elected to the board of directors by universal suffrage of the electors in the entire territory of the English-language school service centre.”

197. The heading of Chapter III of the Act is replaced by the following heading:

“DIVISION INTO ELECTORAL DIVISIONS FOR THE PURPOSE OF ELECTING PARENT REPRESENTATIVES”.

198. The Act is amended by inserting the following section after the heading of Chapter III:

“5. Every English-language school service centre’s territory shall be divided into electoral divisions for the purpose of electing parent representatives to the school service centre’s board of directors.”

199. Section 6 of the Act is amended

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

“6. The number of electoral divisions shall vary from 8 to 12 according to the number of electors of the English-language school service centre set out in the document referred to in section 7.4. There shall be”;

(2) by striking out paragraph 1;

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

“(2) 8 divisions if there are fewer than 30,000 electors;”.

200. Section 7.3 of the Act is amended by replacing “of the school board” and “15 February of the year” by “of the English-language school service centre” and “30 September of the second year”, respectively.

201. Section 7.5 of the Act is amended by replacing “council of commissioners shall, after 15 February but not later than 1 June of the year preceding the year in which the general election is to be held, adopt” by “English-language school service centre’s board of directors shall, after 30 September of the second year preceding the year in which the general election is to be held but not later than 1 February of the year preceding that election, adopt”.

202. Section 9.5 of the Act is amended

(1) by replacing “council of commissioners” in the first paragraph by “English-language school service centre’s board of directors”;

(2) by replacing “of the council” and “of the school board” in the second paragraph by “of the board” and “of the English-language school service centre”, respectively;

(3) by replacing “of the school board”, “council members” and “sitting of the council” in the third paragraph by “of the English-language school service centre’s board of directors”, “board members” and “sitting of the board”, respectively;

(4) by replacing “council” in the fourth paragraph by “board”.

203. Section 9.6 of the Act is amended

(1) by replacing “31 December” in the first paragraph by “31 August”;

(2) by replacing all occurrences of “council of commissioners”, “school board” and the short form “council” by “English-language school service centre’s board of directors”, “English-language school service centre” and “board”, respectively, with the necessary modifications;

(3) by striking out both occurrences of “who have the right to vote”.

204. Section 9.7 of the Act is amended

(1) by replacing “council of commissioners” and both occurrences of “of the school board” in the introductory clause of the first paragraph by “English-language school service centre’s board of directors” and “of the English-language school service centre”, respectively;

(2) by striking out the fourth paragraph.

205. Section 9.13 of the Act is amended by replacing “of the school board into electoral divisions comes into force on 31 March of the year in which” by “of the English-language school service centre into electoral divisions comes into force on 1 November of the year preceding the year in which”.

206. Section 9.14 of the Act is amended

(1) by replacing “of any school board whose council” in the first paragraph by “of any English-language school service centre whose board of directors”;

(2) by replacing “of the school board” and “ask the school board” in the third paragraph by “of the English-language school service centre” and “ask the latter”, respectively;

(3) by replacing “school board” in the fourth paragraph by “English-language school service centre”, with the necessary modifications.

207. Section 10.3 of the Act is amended

(1) by replacing “of the school board into electoral divisions, the director general of the school board” in the first paragraph by “of the English-language school service centre into electoral divisions, the director general of the centre”, with the necessary modifications;

(2) by replacing “1 June” in the second paragraph by “2 January”;

(3) by replacing both occurrences of “of the school board” in the second and third paragraphs by “of the English-language school service centre”.

208. The Act is amended by inserting the following after section 10.3:

“CHAPTER III.0.1

“ATTRIBUTION OF EXPERTISE PROFILES FOR THE PURPOSE OF ELECTING COMMUNITY REPRESENTATIVES

“II.0.1. The number of community representative seats shall vary from 4 to 13 according to the number of electoral divisions established in the school service centre’s territory in accordance with sections 6 and 7, minus the number of staff representative seats on the board of directors of the English-language school service centre under subparagraph 3 of the first paragraph of section 143.1 of the Education Act (chapter I-13.3).

11.0.2. The profiles shall be attributed to the community representative seats in the order in which they are set out in subparagraph 2 of the first paragraph of section 143.1 of the Education Act (chapter I-13.3). If the number of community representative seats is greater than four, the profiles shall be attributed to the additional seats according to the same order, and this is repeated until a profile has been attributed to each of the seats.”

209. Section 11.1 of the Act is amended

(1) by replacing “every school board” and “the school board” in the first paragraph by “every English- or French-language school service centre” and “the school service centre”, respectively;

(2) by replacing “A school board” in the second paragraph by “An English-language school service centre”.

210. Sections 11.2 and 11.3 of the Act are amended by replacing “school board” by “English- or French-language school service centre”.

211. Section 11.4 of the Act is amended by replacing “The school board” by “The English- or French-language school service centre”.

212. Section 15 of the Act is amended

(1) by replacing “a school board” and “commissioners of that school board” in the first paragraph by “an English-language school service centre” and “the members of that centre’s board of directors”, respectively;

(2) by replacing “by any school board having jurisdiction over the territory in which the elector is domiciled may vote at the election of the commissioners of the French language school board, unless he has chosen to vote at the election of the commissioners of the English language school board having jurisdiction over the territory in which he is domiciled” in the second paragraph by “by an English- or French-language school service centre having jurisdiction over the territory in which the elector is domiciled may vote at the election of the members of the English-language school service centre’s board of directors, if the elector so chooses”;

(3) by replacing “English language school board” and “that school board” in the third paragraph by “English-language school service centre” and “that English-language school service centre”, respectively, with the necessary modifications;

(4) by replacing “by either of the school boards” in the fourth paragraph by “by either of the school service centres”.

213. Section 17 of the Act is amended by replacing “a school board” in the second paragraph by “a school service centre”.

214. Section 18 of the Act is amended by replacing “of the English language school board, who shall inform the returning officer or, outside election proceedings, the director general of the French language school board” in the first paragraph by “of the English-language school service centre”.

215. Section 18.1 of the Act is amended by replacing “at an English language school board”, “of another English language school board” and “of the latter school board” by “at an English-language school service centre”, “of another English-language school service centre” and “of the latter English-language school service centre”, respectively.

216. Section 20 of the Act is replaced by the following sections:

“20. Every person who, on polling day, meets the following conditions may be elected to a parent representative seat on an English-language school service centre’s board of directors:

(1) be the parent of a child referred to in section 1 of the Education Act (chapter I-13.3) and admitted to educational services provided by the school service centre;

(2) be entitled to have his name entered on the school service centre’s list of electors;

(3) have been domiciled in the school service centre’s territory for six months or more; and

(4) sit as a parent representative on the governing board of a school or of a vocational training centre that is under the jurisdiction of the school service centre or as a parent representative on the school service centre’s board of directors.

“20.1. Every person who, on polling day, meets the following conditions may be elected to a community representative seat on an English-language school service centre’s board of directors:

(1) be entitled to have his name entered on the school service centre’s list of electors;

(2) have been domiciled in the school service centre’s territory for six months or more; and

(3) meet the profile set out in subparagraph 2 of the first paragraph of section 143.1 of the Education Act (chapter I-13.3), for the seat for which he is running.”

217. Section 21 of the Act is amended

(1) in the first paragraph,

(a) by replacing “school commissioner” in the introductory clause by “elected member of an English-language school service centre’s board of directors”;

(b) by inserting the following subparagraph after subparagraph 2:

“(2.1) municipal council members;”;

(c) by replacing “of the school board” in subparagraphs 4 and 4.1 by “of the English-language school service centre”;

(2) by replacing “school commissioner of any school board” in the last paragraph by “elected member of an English-language school service centre’s board of directors”.

218. Section 38 of the Act is amended

(1) in the first paragraph,

(a) by replacing subparagraph 0.1 by the following subparagraph:

“(0.1) the seats on the English-language school service centre’s board of directors that are open for nominations and, if applicable, the profiles for the community representative seats for which a poll must be held;”;

(b) by replacing “for the office of chair or for another seat on the council” in paragraph 3 by “for a parent representative or community representative seat”;

(2) by replacing “by any school board” in the second paragraph by “by an institution that is under the jurisdiction of any of the school service centres”.

219. Section 39 of the Act is amended

(1) by replacing “of the school board and indicating whether an elector may exercise his right to vote at a French language or English language school board, and whether” in the first paragraph by “of the English-language school service centre and indicating whether”;

(2) by replacing “to the school board” in the fifth paragraph by “to the English-language school service centre”.

220. Section 53 of the Act is repealed.

221. Section 58.2 of the Act is amended by replacing “of the English language school board or, if the English language school board in the territory of the division in which the domicile of the elector is situated has no board of revisors, to a board of revisors of the French language school board” in the second paragraph by “of the English-language school service centre”.

222. Section 60 of the Act is amended by replacing “the office of chair, a copy of the list of electors for the school board” by “a community representative seat, a copy of the list of electors for the English-language school service centre”.

223. Section 69 of the Act is amended

(1) by replacing “the division for which” by “the seat for which”;

(2) by striking out “except in the case of a candidate for the office of chair.”.

224. Section 71 of the Act is amended, in the first paragraph,

(1) by inserting “, in the case of a candidate for a parent representative seat,” after “10 electors”;

(2) by replacing “the office of chair, by at least 50 electors from the territory of the school board for which the nomination paper is filed” by “a community representative seat, from the English-language school service centre’s territory”.

225. Section 72 of the Act is amended, in the first paragraph,

(1) by inserting “, in the case of a candidate for a parent representative seat,” after “knowledge”;

(2) by replacing “the office of chair, electors from the territory of the school board” by “a community representative seat, they are electors from the English-language school service centre’s territory”.

226. Section 74 of the Act is amended by replacing “one school board or for more than one electoral division of a school board” by “one English-language school service centre or for more than one seat on its board of directors”.

227. Section 85 of the Act is amended, in the first paragraph,

(1) by replacing “for an electoral division” in the introductory clause by “for a parent representative seat in an electoral division or for a community representative seat”;

(2) by replacing “for the office of chair and for each division where” in subparagraph 1 by “for each community representative seat, according to the profile required, and for each parent representative seat in an electoral division where”.

228. Section 99 of the Act is amended by replacing “for the election of the chair and ballot papers for the election of the other commissioners” in the first paragraph by “for the parent representative seats and ballot papers for each of the community representative seats”.

229. Section 102 of the Act is amended

(1) in the first paragraph,

(a) by replacing “of the school board” in subparagraph 3 by “of the English-language school service centre”;

(b) by replacing “the election of the chair, a mention of the office of chair” in subparagraph 4 by “a community representative seat, an indication of the profile concerned”;

(2) by replacing “concerned” in the second paragraph by “or profile concerned”.

230. Section 116 of the Act is replaced by the following section:

“116. The deputy returning officer shall give the elector who has been admitted to vote a ballot paper for the parent representative seat and, if applicable, a ballot paper for each of the community representative seats. The deputy returning officer must detach the counterfoil of each ballot paper after initialling it in the spaces reserved for that purpose.”

231. Section 147 of the Act is amended by inserting “or, in the case of a candidate for a community representative seat, in which all or part of the territory of the English-language school service centre is situated” at the end.

232. Section 156 of the Act is amended

(1) by replacing “office of chair” in the second paragraph by “community representative seat concerned”;

(2) by replacing “and third” in the third paragraph by “, third and fourth”.

233. Section 160 of the Act is amended

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

“The members elected to the board of directors shall take office on 1 July following the declaration of election.”;

(2) by replacing “Every commissioner” and “his” in the second paragraph by “They” and “their”, respectively.

234. Section 160.1 of the Act is amended

(1) in the first paragraph,

(a) by striking out “office of commissioner for”;

(b) by replacing “council of commissioners or the executive committee” by “English-language school service centre’s board of directors”;

(2) by striking out “office of commissioner for” in the second paragraph.

235. Section 163 of the Act is amended by replacing “the electoral division he represents” by “his seat on the English-language school service centre’s board of directors”.

236. Section 164 of the Act is amended

(1) by replacing “school commissioner” in the first paragraph by “elected member of the English-language school service centre’s board of directors”;

(2) by replacing “of the school board” in the second paragraph by “of the English-language school service centre”.

237. Section 171 of the Act is amended by replacing “of a school board” and “of commissioners of the school board” by “of an English-language school service centre” and “for a seat on the school service centre’s board of directors”, respectively.

238. Section 173 of the Act is amended by replacing “of a school commissioner” and “of the school commissioner” by “of a member of an English-language school service centre’s board of directors” and “of such a member”, respectively.

239. Section 181 of the Act is amended by replacing “as a school commissioner” by “as a member of an English-language school service centre’s board of directors”.

240. The heading of Chapter IX of the Act is replaced by the following heading:

“VACANCIES, BY-ELECTIONS AND APPOINTMENTS”.

241. The heading of Division I of Chapter IX of the Act is replaced by the following heading in the French text:

“VACANCE”.

242. Section 191 of the Act is amended

(1) by replacing “a school commissioner” in the introductory clause by “an elected member of an English-language school service centre’s board of directors”;

(2) by replacing “council of commissioners, unless the council” in paragraph 3 by “English-language school service centre’s board of directors, unless the board”;

(3) by replacing “council” in paragraph 4 by “board”;

(4) by replacing “commissioner” in paragraph 5 by “elected member of an English-language school service centre’s board of directors”;

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

“However, the term of an elected member of an English-language school service centre’s board of directors does not end,

(1) in the case of a parent representative, because the representative’s child ceases to attend an institution that comes under the school service centre’s jurisdiction or the representative ceases to be a member of a governing board; or

(2) in the case of a community representative, because the representative establishes his domicile outside the school service centre’s territory or no longer meets the profile for the seat to which he was elected.”

243. Section 193 of the Act is amended

(1) by replacing “term of a commissioner”, “of the council of commissioners” and “commissioner attends” in the first paragraph by “term of an elected member of an English-language school service centre’s board of directors”, “of the board” and “member attends”, respectively;

(2) by replacing “council may”, “commissioner”, “council sitting” and “commissioner’s term” in the second paragraph by “board may”, “member”, “sitting of the board” and “board member’s term”, respectively;

(3) by replacing both occurrences of “council”, both occurrences of “commissioner’s” and “of the school board” in the third paragraph by “board”, “member’s” and “of the English-language school service centre”, respectively;

(4) by replacing “commissioner” in the fourth paragraph by “member”.

244. Section 194 of the Act is amended

(1) by replacing “a commissioner who ceases after his election to meet the requirements for election set forth in section 20” in the first paragraph by “an elected member of an English-language school service centre’s board of directors who, after being elected, ceases to meet the eligibility requirements set forth in section 20 or 20.1, as applicable,”;

(2) by replacing “of a school board in which a person is a candidate for, holds or has held a seat on the council of commissioners may bring an action to declare that person” in the second paragraph by “of the English-language school service centre may bring an action to have a person who is running for, holds or has held a seat on the school service centre’s board of directors declared”;

(3) by replacing “the school board” in the third paragraph by “the English-language school service centre”.

245. Section 199 of the Act is amended

(1) by replacing “on the council of commissioners”, “council of commissioners shall” and “of a school commissioner” in the first paragraph by “in a seat reserved for an elected member”, “English-language school service centre’s board of directors shall” and “to fill that seat”, respectively;

(2) by replacing “on the council of commissioners” and “council of commissioners may” in the second paragraph by “in a seat reserved for an elected member” and “English-language school service centre’s board of directors may”, respectively;

(3) by replacing “The school board” in the third paragraph by “The English-language school service centre”;

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

“The person thus appointed is deemed to have been elected and is declared elected on the day of his appointment and takes office on that same day.”

246. Section 200 of the Act is amended

(1) by replacing “on the council of commissioners” in the first paragraph by “in a seat reserved for an elected member on an English-language school service centre’s board of directors” and by striking out “of the school board”;

(2) by replacing “council of commissioners” in the third paragraph by “English-language school service centre’s board of directors”;

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

“Despite section 160, the member elected to an English-language school service centre’s board of directors in a by-election shall take office on the date of the declaration of election.”

247. Section 200.1 of the Act is repealed.

248. Section 200.2 of the Act is amended

(1) by replacing “of the school board” in the first paragraph by “of the English-language school service centre”;

(2) by replacing “are declared elected on the day of their appointment” in the third paragraph by “declared elected on the day of their appointment and take office on the same day”.

249. Section 203.1 of the Act is amended

(1) by replacing “a member of the council of commissioners of a school board” in the first paragraph by “an elected member of an English-language school service centre’s board of directors”;

(2) by replacing “eight” in the third paragraph by “six”.

250. Section 206.6 of the Act is amended by replacing “from 1 January of the year in which” in the second paragraph by “from 1 October of the year preceding the year in which”.

251. Section 206.7 of the Act is amended

(1) in the first paragraph,

(a) by replacing subparagraph 2 by the following subparagraph:

“(2) the name of the English-language school service centre where he intends to be a candidate for election to the board of directors”;

(b) in subparagraph 4,

i. by replacing “of the school board for which” by “of the English-language school service centre for which”;

ii. by striking out the last sentence;

(2) by replacing “the school board mentioned” in the third paragraph by “the English-language school service centre mentioned”.

252. Section 206.9 of the Act is amended by replacing both occurrences of “31 December” by “2 August”.

253. Section 206.14 of the Act is amended by replacing the last sentence by the following sentence: “He shall remit the balance to the director general of the English-language school service centre, who shall deposit it into the centre’s general fund.”

254. Section 206.47 of the Act is amended

(1) in the first paragraph,

(a) by replacing “for the election to the office of chair of the board” and “of the school board” in subparagraph 1 by “in the case of an election for a community representative seat” and “of the English-language school service centre”, respectively;

(b) by replacing “for any other office of commissioner” in subparagraph 2 by “in the case of an election for a parent representative seat”;

(2) by replacing “of a school board” in the second paragraph by “of an English-language school service centre”;

(3) by replacing “31 December”, “school boards”, “the office of the chair” and “per school board” in the third paragraph by “30 July”, “English-language school service centres”, “community representative seats” and “per English-language school service centre”, respectively;

(4) by replacing “school boards” in the fifth paragraph by “English-language school service centres”.

255. Section 206.56 of the Act is amended by replacing “31 December” by “2 August”.

256. Section 209.3 of the Act is amended by replacing “of the school board not later than 1 April of the year immediately following each fiscal year” in the first paragraph by “of the English-language school service centre not later than 1 October of the year following the last fiscal year”.

257. Section 209.6 of the Act is replaced by the following section:

“209.6. The balance of the sums held by an authorized candidate in his election fund on 2 August of the year following that of polling day must be remitted to the director general of the English-language school service centre to be deposited into the centre’s general fund. The goods held by the authorized candidate on that date belong and shall be remitted to the centre.”

258. Section 209.33 of the Act is amended

(1) by replacing “on 31 December” and “council of commissioners” in the first paragraph by “on 2 August” and “English-language school service centre’s board of directors”, respectively;

(2) by replacing “council of commissioners” in the second paragraph by “English-language school service centre’s board of directors”.

259. Section 209.34 of the Act is amended

(1) by replacing “of the school board” and “council of commissioners” in the first paragraph by “of the English-language school service centre” and “English-language school service centre’s board of directors”, respectively;

(2) by replacing “31 December”, “of the school board” and “council member” in the second paragraph by “2 August”, “of the English-language school service centre” and “board member”, respectively.

260. Section 209.36 of the Act is amended by replacing “council of commissioners consequently loses the right to receive the remuneration or allowance provided for” by “English-language school service centre’s board of directors consequently loses the right to receive the allowance or reimbursement provided for”.

261. Section 210 of the Act is amended by replacing “a candidate for the office of school commissioner” and “the office of chair or another seat on the council” in the first paragraph by “running for a seat reserved for an elected member on an English-language school service centre’s board of directors” and “a community representative or parent representative seat”.

262. Section 211 of the Act is amended, in the first paragraph,

(1) by replacing “of the school board” by “of the English-language school service centre”;

(2) by inserting “for a parent representative seat” after “by-election”.

263. Section 213 of the Act is amended

(1) by replacing “is not eligible as a commissioner” in paragraph 1 by “does not have the required qualifications to be an elected member of an English-language school service centre’s board of directors”;

(2) by replacing “the office of chair of a school board, is not an elector of the school board” in paragraph 2 by “a community representative seat, is not an elector of the English-language school service centre”;

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

“(3) offers himself as a candidate in more than one electoral division of a same English-language school service centre,

“(3.1) offers himself simultaneously as a candidate for a parent representative seat and a community representative seat,”;

(4) by replacing “the office of chair of the school board, that they are electors of the school board,” in paragraph 6 by “a community representative seat, that they are electors of the English-language school service centre,”.

264. Unless the context indicates otherwise, the Act is amended

(1) by replacing all occurrences of “school board” and “school boards” by “English-language school service centre” and “English-language school service centres”, respectively, with the necessary modifications;

(2) by replacing all occurrences of “the council of commissioners” in sections 21.3, 21.4, 84 and 209 by “an English-language school service centre’s board of directors” and both remaining occurrences of “council” in section 21.3 by “board”;

(3) by replacing all occurrences of “council of commissioners” and the short form “council” by “English-language school service centre’s board of directors” and “board”, respectively;

(4) by replacing “a commissioner” in sections 195 and 197 by “an elected member of an English-language school service centre’s board of directors”;

(5) by replacing all occurrences of “commissioner” and “school commissioner” by “elected member of the English-language school service centre’s board of directors” and by replacing “school commissioners” by “elected members of the English-language school service centre’s board of directors”, with the necessary modifications.

ACT RESPECTING PRIVATE EDUCATION

265. Section 36 of the Act respecting private education (chapter E-9.1) is amended by inserting “and, for the purposes of the evaluation referred to in section 243 of the Education Act (chapter I-13.3), to the transmission to the Minister of students’ results for each of those examinations” at the end of the first paragraph.

266. The Act is amended by inserting the following after section 54.11:

“DIVISION V.1

**“PRESCHOOL-, ELEMENTARY- AND SECONDARY-LEVEL
TEACHERS**

“54.12. Teachers must undergo at least 30 hours of continuing education activities per period of two school years beginning on 1 July of every odd-numbered year. They shall choose the continuing education activities that best meet their needs in connection with developing their skill set.

“Continuing education activity” means participating in a structured activity, including a course, seminar, convention or conference organized by the Minister, a university-level educational institution, a school service centre, an educational institution governed by this Act, another body or a peer.

Reading specialized literature is also recognized as a continuing education activity as is participating as an instructor in such an activity.

The institution must see to it that teachers fulfill their continuing education obligation.”

PAY EQUITY ACT

267. Section 21.1 of the Pay Equity Act (chapter E-12.001) is amended by inserting “, school service centres” after “colleges” in subparagraph 3 of the second paragraph.

EXPROPRIATION ACT

268. Section 36 of the Expropriation Act (chapter E-24) is amended by inserting “, school service centre” before “or school board” in the last paragraph.

ACT RESPECTING FINANCEMENT-QUÉBEC

269. Section 4 of the Act respecting Financement-Québec (chapter F-2.01) is amended by replacing “Montréal and school boards” in paragraph 2 by “Montréal and school service centres”.

ACT RESPECTING MUNICIPAL TAXATION

270. Section 1 of the Act respecting municipal taxation (chapter F-2.1) is amended

(1) by inserting “, a school service centre” before “or a school board” in the definition of “public body”;

(2) by replacing “classified as a school board” in the second paragraph by “considered to be a school service centre”.

271. Section 124 of the Act is amended by inserting “, school service centre” before “or school board” in the third paragraph.

272. Section 125 of the Act is amended by inserting “, school service centre” before “or school board”.

273. Section 210 of the Act is amended

(1) by inserting “, school service centre” before “or school board” in the second paragraph;

(2) by inserting “, school service centre” before “or school board” in the fourth paragraph.

274. Section 220.4 of the Act is amended by inserting “, the school service centre” before “or the school board”.

275. Section 245 of the Act is amended, in the first paragraph,

(1) by inserting “, school service centre” before “or school board”;

(2) by replacing “the municipality or board” by “the municipality, school service centre or school board”.

**ACT RESPECTING WORKFORCE MANAGEMENT AND CONTROL
WITHIN GOVERNMENT DEPARTMENTS, PUBLIC SECTOR BODIES
AND NETWORKS AND STATE-OWNED ENTERPRISES**

276. Section 2 of the Act respecting workforce management and control within government departments, public sector bodies and networks and state-owned enterprises (chapter G-1.011) is amended by replacing “school boards governed by the Education Act (chapter I-13.3) or” in paragraph 2 by “school service centres governed by the Education Act (chapter I-13.3), school boards governed by”.

277. Section 16 of the Act is amended by inserting “governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)” after “school board” in the last paragraph.

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

278. Section 8 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03) is amended by inserting “governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)” after “school board” in the last paragraph.

ACT RESPECTING THE CREE NATION GOVERNMENT

279. The Schedule to the Act respecting the Cree Nation Government (chapter G-1.031) is amended by replacing “by a school board” in paragraph 1 by “, school service centre or school board”.

TAXATION ACT

280. Section 39.3 of the Taxation Act (chapter I-3) is amended by inserting “, a member of a school service centre’s board of directors” after “administering such a service”.

281. Section 358.0.3 of the Act is amended by inserting “, a member of a school service centre’s board of directors” after “administering such utilities” in subparagraph *a* of the second paragraph.

282. Section 716.0.1.2 of the Act is amended by replacing “a school board governed by the Education Act (chapter I-13.3) or” in subparagraph *b* of the second paragraph by “a school service centre governed by the Education Act (chapter I-13.3) or a school board governed by”.

283. Section 752.0.10.15.2 of the Act is amended by replacing “a school board governed by the Education Act (chapter I-13.3) or” in subparagraph *b* of the second paragraph by “a school service centre governed by the Education Act (chapter I-13.3) or a school board governed by”.

ACT RESPECTING THE INSTITUT DE LA STATISTIQUE DU QUÉBEC

284. Section 4 of the Act respecting the Institut de la statistique du Québec (chapter I-13.011) is amended

(1) by inserting “school service centres,” before “school boards” in the first paragraph;

(2) by inserting ““school service centres,”” before ““school boards”” in the last paragraph.

ACT RESPECTING THE LAICITY OF THE STATE

285. Schedule III to the Act respecting the laicity of the State (chapter L-0.3) is amended, in paragraph 4,

(1) by replacing “commissioners of school boards established” by “members of the board of directors of a school service centre established”;

(2) by replacing “the Commission scolaire du Littoral” by “the Centre de services scolaire du Littoral”.

ANTI-CORRUPTION ACT

286. Section 3 of the Anti-Corruption Act (chapter L-6.1) is amended by replacing “any school board governed by the Education Act (chapter I-13.3) or” in paragraph 5 by “any school service centre governed by the Education Act (chapter I-13.3) or any school board governed by”.

ACT RESPECTING THE MINISTÈRE DES FINANCES

287. Section 24 of the Act respecting the Ministère des Finances (chapter M-24.01) is amended by replacing “Montréal or a school board” in subparagraph 2 of the first paragraph by “Montréal or a school service centre”.

ACT RESPECTING THE MINISTÈRE DES RELATIONS INTERNATIONALES

288. Section 23 of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1) is amended, in the first paragraph,

(1) by inserting “school service centre,” before “school board”;

(2) by inserting “centres,” after “formed of such”.

ACT RESPECTING THE MINISTÈRE DU CONSEIL EXÉCUTIF

289. Section 3.6.2 of the Act respecting the Ministère du Conseil exécutif (chapter M-30) is amended by inserting the following paragraph before paragraph 1 of the definition of “school body”:

“(0.1) a school service centre;”.

ACT RESPECTING LABOUR STANDARDS

290. Section 39.0.1 of the Act respecting labour standards (chapter N-1.1) is amended by inserting the following paragraph before paragraph 4 of the definition of “employer subject to contribution”:

“(3.1) a school service centre;”.

ROADSIDE ADVERTISING ACT

291. Section 1 of the Roadside Advertising Act (chapter P-44) is amended by inserting “, by a school service centre” before “or by a school board” in subparagraph 1 of the first paragraph.

ENVIRONMENT QUALITY ACT

292. Section 2 of the Environment Quality Act (chapter Q-2) is amended by inserting “, school service centres” before “and school boards” in paragraph g.

ACT RESPECTING THE PROCESS OF NEGOTIATION OF THE COLLECTIVE AGREEMENTS IN THE PUBLIC AND PARAPUBLIC SECTORS

293. Section 1 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) is amended

(1) by inserting “a school service centre,” before “a school board” in the first paragraph;

(2) by replacing “A school board includes a school board within the meaning of the Education Act (chapter I-13.3) or, subject to section 35, within the meaning of” in the second paragraph by ““School service centre” and “school board” include school service centres governed by the Education Act (chapter I-13.3) or, subject to section 35, school boards governed by”.

294. Section 70 of the Act is amended, in the first paragraph,

(1) by inserting “school service centres and” before “school boards”;

(2) by replacing “to the school board or, as the case may be,” by “, as the case may be, to the school service centre, to the school board or”.

295. Schedule A to the Act is amended

(1) by inserting “SCHOOL SERVICE CENTRES AND” before “SCHOOL BOARDS SECTOR” in the heading of Division II;

(2) by inserting “school service centre premises or” before “school board” in paragraph 3 of Division II.

296. Schedule B to the Act is amended

(1) by inserting “SCHOOL SERVICE CENTRES AND” before “SCHOOL BOARDS SECTOR” in section 2 of Division II;

(2) by inserting “school service centre premises or” before “school board” in paragraph 2 of section 2a of Division II.

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

297. Schedule II to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended by replacing “the School boards within the meaning of the Education Act (chapter I-13.3) or” by “School service centres within the meaning of the Education Act (chapter I-13.3), school boards within the meaning of”.

298. Schedule II.2 to the Act is amended by replacing “School boards within the meaning of the Education Act (chapter I-13.3) or” by “School service centres within the meaning of the Education Act (chapter I-13.3) and school boards within the meaning of”.

ACT RESPECTING THE TEACHERS PENSION PLAN

299. Schedule I to the Act respecting the Teachers Pension Plan (chapter R-11) is amended by replacing “every school board and” in paragraph 1 of Division 1 by “every school service centre, school board and”.

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

300. Schedule I to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended by replacing “school boards within the meaning of the Education Act (chapter I-13.3) or within the meaning of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)” in paragraph 2 of section 11 by “school service centres within the meaning of the Education Act (chapter I-13.3), school boards within the meaning of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)”.

301. Schedule IV to the Act is amended by replacing “School boards within the meaning of the Education Act (chapter I-13.3) or the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)” by “School service centres within the meaning of the Education Act (chapter I-13.3) or school boards within the meaning of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)”.

REGULATIONS ACT

302. Section 3 of the Regulations Act (chapter R-18.1) is amended by inserting “of school service centres and” before “of school boards” in paragraph 3.

ACT RESPECTING THE NASKAPI DEVELOPMENT CORPORATION

303. The Schedule to the Act respecting the Naskapi Development Corporation (chapter S-10.1) is amended by inserting “, a school service centre” before “or a school board” in section 1.

ACT RESPECTING THE MAKIVIK CORPORATION

304. The Schedule to the Act respecting the Makivik Corporation (chapter S-18.1) is amended by inserting “, a school service centre” before “or a school board” in section 1.

TRANSPORT ACT

305. Section 88.11 of the Transport Act (chapter T-12) is amended by inserting “, school service centre” before “or school board” in the second paragraph.

ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK REGIONAL GOVERNMENT

306. Section 351.1 of the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1) is amended by inserting “, a school service centre” before “or a school board” in the first paragraph.

ACT TO AMEND THE EDUCATION ACT

307. The Act to amend the Education Act (2016, chapter 26) is amended by striking out sections 22 to 24, section 61, as amended by section 6 of the Act to defer the next general school election and to allow the Government to provide for the use of a remote voting method (2018, chapter 15), and paragraph 3.1 of section 62, as enacted by section 7 of the Act to defer the next general school election and to allow the Government to provide for the use of a remote voting method.

ACT RESPECTING THE FÉDÉRATION DES COMMISSIONS SCOLAIRES DU QUÉBEC

308. Section 2 of the Act respecting the Fédération des commissions scolaires du Québec (1960-61, chapter 140), amended by section 1 of chapter 102 of the statutes of 1969, section 1 of chapter 102 of the statutes of 1974, section 1 of chapter 101 of the statutes of 1991 and section 1 of chapter 104 of the statutes of 1999, is again amended

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

“3. “School service centre” means any school service centre governed by the Education Act (chapter I-13.3), any school board governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14) or the Centre de services scolaire du Littoral governed by the Act respecting the Centre de services scolaire du Littoral (1966-67, chapter 125);”;

(2) by replacing “commissions scolaires” and “school boards” by “centres de services scolaires” and “school service centres”, respectively.

OTHER AMENDING PROVISIONS

309. The following provisions are amended in the following manner, with the necessary modifications:

(1) by inserting “school service centres,” before “regional school boards” in the first paragraph of section 6 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);

(2) by inserting “a school service centre,” before “a school board” in subparagraph *a* of subparagraph 2 of the first paragraph of section 83.1 of the Financial Administration Act (chapter A-6.001);

(3) by inserting “the school service centres,” before “the school boards” in the first paragraph of section 31.1.4 of the Tax Administration Act (chapter A-6.002);

(4) by inserting “School service centres,” before “School boards” in paragraph 6 of the Schedule to the Archives Act (chapter A-21.1);

(5) by inserting “a school service centre,” before “a school board,” in subparagraph 4 of the first paragraph of section 65.4 of the Building Act (chapter B-1.1);

(6) by inserting “a school service centre,” before “a school board” in subparagraph *a* of the first paragraph of section 20 of the Act respecting the Caisse de dépôt et placement du Québec (chapter C-2) and “school service centres,” before “school boards” in section 20.4 of that Act;

(7) by inserting “The school service centres,” before “The school boards” in subparagraph *c* of paragraph 3 of Division A of the Schedule to the Charter of the French language (chapter C-11);

(8) by inserting “a school service centre,” before “a school board” in subsection 1.1 of section 28, in subparagraph 1.1 of the first paragraph of section 29, in the first paragraph of section 29.5 and in subparagraph 2 of the first paragraph of section 500.2 of the Cities and Towns Act (chapter C-19), “for school service centres,” before “for school boards” in the second paragraph of section 29.9.2 of that Act and “by school service centres,” before “by school boards” in the third paragraph of section 99 of that Act;

(9) by inserting “school service centres,” before “school boards” in paragraph 1 of section 111.2 of the Labour Code (chapter C-27) and “a school service centre” before “a school board” in the first paragraph of section 111.6 of that Act;

(10) by inserting “a school service centre,” before “a school board” in article 6.2, in subparagraph 1.1 of the first paragraph of article 7, in the first paragraph of article 14.3 and in subparagraph 2 of the first paragraph of article 1000.2 of the Municipal Code of Québec (chapter C-27.1), “for school service centres,” before “for school boards” in the second paragraph of article 14.7.2 of that Act and “school service centres or” before “school boards” in the second paragraph of article 203 of that Act;

(11) by inserting “a school service centre,” before “a school board” in the first paragraph of section 8 of the Municipal Powers Act (chapter C-47.1);

(12) by inserting “a school service centre,” before “a school board” in paragraph 2 of section 151 of the Act respecting the conservation and development of wildlife (chapter C-61.1);

(13) by inserting “school service centres,” before “school boards” in subparagraph 7 of the first paragraph of section 41 of the Act respecting the Conservatoire de musique et d’art dramatique du Québec (chapter C-62.1);

(14) by inserting “school service centres,” before “school boards” in subparagraph 5 of the first paragraph of section 4 of the Act respecting contracting by public bodies (chapter C-65.1);

(15) by inserting “school service centres,” before “school boards” in the first paragraph of section 46.2 of the Forestry Credit Act (chapter C-78);

(16) by inserting “school service centres,” before “school boards” in the first paragraph of section 55 of the Act to promote forest credit by private institutions (chapter C-78.1);

(17) by inserting “a school service centre,” before “a school board” in paragraph *d* of section 29 of the Act respecting collective agreement decrees (chapter D-2);

(18) by inserting “school service centre,” before both occurrences of “school board” in paragraph *f* of section 17 of the Act respecting duties on transfers of immovables (chapter D-15.1);

(19) by inserting “School service centres,” before “School boards” in section 189 of the Act respecting elections and referendums in municipalities (chapter E-2.2);

(20) by inserting “school service centre,” before “school board” in section 89 of the Act respecting private education (chapter E-9.1);

(21) by inserting “school service centres,” before “school boards” in subparagraph 3 of the second paragraph of section 3 of the Pay Equity Act (chapter E-12.001);

(22) by inserting “a school service centre,” before “a school board” in the first paragraph of section 21 and in section 26.4 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), “school service centres,” before “school boards” in paragraph *a* of section 26 of that Act and “school service centre,” before “school board” in subparagraph *b* of the first paragraph of section 75 of that Act;

(23) by inserting “school service centre,” before “school board” in section 3 of the Act respecting municipal taxation (chapter F-2.1), “the school service centre,” before “the school board” in subparagraph 3 of the second paragraph of section 138.5, “the school service centre,” before both occurrences of “the school board” in subparagraph 4 of the fourth paragraph of section 138.5 of that Act, and “a school service centre,” before “a school board” in paragraph 13 of section 204, in subparagraph *c* of paragraph 1 of section 236 and in subparagraph 5 of the fourth paragraph of section 255 of that Act;

(24) by inserting “school service centres,” before “school boards” in subparagraph 4 of the first paragraph of section 2 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03);

(25) by inserting “school service centres,” before “school boards” in subparagraph 5 of the first paragraph of section 3 of the Public Infrastructure Act (chapter I-8.3);

(26) by inserting “a school service centre,” before “a school board” in the second paragraph of section 17 of the Act respecting the Institut de tourisme et d’hôtellerie du Québec (chapter I-13.02);

(27) by inserting “a school service centre,” before “a school board” in paragraph 2 of the definition of “accredited counterparty” in section 3 of the Derivatives Act (chapter I-14.01) and “school service centre” before “or school board” in paragraph 2 of section 176.1 of that Act;

(28) by inserting “a school service centre,” before “a school board” in subparagraph 12 of the first paragraph of section 1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);

(29) by inserting “a school service centre,” before “a school board” in section 25, in the second paragraph of section 26 and in the introductory clause of section 29 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) and “school service centres and” before “school boards” in paragraph 1 of section 29 of that Act;

(30) by inserting “school service centres,” before “school boards” in paragraph *h* of section 81 of the Act respecting the Québec Pension Plan (chapter R-9);

(31) by inserting “a school service centre,” before both occurrences of “a school board” in the second paragraph of section 99 of the Act respecting the Civil Service Superannuation Plan (chapter R-12);

(32) by inserting “school service centres,” before “school boards” in subparagraph 8 of the first paragraph of section 19 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20);

(33) by inserting “a school service centre,” before “a school board” in the third paragraph of section 11 of the Educational Childcare Act (chapter S-4.1.1);

(34) by inserting “a school service centre,” before “a school board” in the definition of “school authority” in section 1 of the Act respecting the Québec sales tax (chapter T-0.1);

(35) by inserting “a school service centre,” before “a school board” in subparagraph *a* of paragraph 2 of section 41 of the Securities Act (chapter V-1.1);

(36) by inserting “a school service centre,” before “a school commission” in the first paragraph of section 18 of the Cree Villages and the Naskapi Village Act (chapter V-5.1).

310. The following provisions are amended in the following manner, with the necessary modifications:

(1) by inserting “school service centre or” before “school board” in subparagraph *c* of paragraph 9 of section 1 and in paragraph 2 of section 53.17 of the Act respecting land use planning and development (chapter A-19.1);

(2) by inserting “school service centre or” before “school board” in article 765 of the Code of Civil Procedure (chapter C-25.01);

(3) by inserting “school service centre or” before “school board” in the first paragraph of section 11 of the Labour Code (chapter C-27), “school service centres or” before “school boards” in the latter paragraph and in the second paragraph of section 68 of that Act and “school service centres,” before “or school boards” in section 40 of that Act;

(4) by inserting “school service centre or” before “school board” in subparagraph 4 of the first paragraph of article 1022, in the second paragraph of article 1023 and in the first paragraph of article 1024 of the Municipal Code of Québec (chapter C-27.1);

(5) by inserting “school service centre or” before “school board” in section 6.1 of the General and Vocational Colleges Act (chapter C-29);

(6) by inserting “school service centre or” before both occurrences of “school board” in section 65 of the Act respecting the Commission municipale (chapter C-35);

(7) by inserting “school service centre or” before “school board” in paragraph *e* of the definition of “public body” in section 1 of the Act respecting duties on transfers of immovables (chapter D-15.1);

(8) by inserting “school service centre or” before “school board” in the first paragraph of section 306 of the Election Act (chapter E-3.3);

(9) by inserting “school service centre or” before “school board” in section 38 of the Act respecting private education (chapter E-9.1);

(10) by inserting “school service centre or” before “school board” in the first paragraph of section 53.15 of the Expropriation Act (chapter E-24);

(11) by inserting “school service centre or” before “school board” in section 149, in subparagraph 1 of the second paragraph of section 179, in section 213, in subparagraph 2 of the first paragraph of section 250, in subparagraph 1 of the fourth paragraph of section 255, in the last paragraph of section 264 and in section 495 of the Act respecting municipal taxation (chapter F-2.1);

(12) by inserting “school service centres or” before “school boards” in the third paragraph of section 40 of the Hydro-Québec Act (chapter H-5);

(13) by inserting “school service centre or” before “school board” in subparagraph 3 of the first paragraph of section 40 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);

(14) by inserting “, the board of directors of a school service centre” before “or the council of a school board” in subparagraph 2 of the third paragraph of section 5 of the Act to ensure the occupancy and vitality of territories (chapter O-1.3);

(15) by inserting “school service centre or” before “school board” in section 2.3 of Schedule I to the Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1);

(16) by inserting “school service centres,” before “school boards” in paragraph *a* of section 188 of the Consumer Protection Act (chapter P-40.1);

(17) by inserting “school service centre or” before “school board” in the first paragraph of section 28, before both occurrences of “school board” in section 28.1, and before “school board” in subparagraph 1 of the second paragraph of section 34 and in the first paragraph of section 213.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10);

(18) by inserting “school service centre or” before “school board” in paragraph 1 of section 7, in the first paragraph of section 23 and before both occurrences of “school board” in section 23.1 of the Act respecting the Teachers Pension Plan (chapter R-11);

(19) by inserting “school service centre or” before “school board” in subparagraph 1 of the second paragraph of section 50 and in the first paragraph of section 128, and before both occurrences of “school board” in section 129 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1);

(20) by inserting “school service centre or” before “school board” in subparagraph *g* of paragraph 1 of section 64 of the Public Health Act (chapter S-2.2).

311. The following provisions are amended in the following manner, with the necessary modifications:

(1) by inserting “school service centre and” before “school board” in section 110.3.2 of the Act respecting land use planning and development (chapter A-19.1);

(2) by inserting “school service centres and” before “school boards” in subparagraph *a* of the first paragraph of section 8, in subparagraph *b* of the first paragraph of section 33 and in subparagraph *a* of the second paragraph of section 48 of the General and Vocational Colleges Act (chapter C-29);

(3) by inserting “school service centres,” before “school boards” in paragraph *b* of the Schedule to the Act respecting the development of Québec firms in the book industry (chapter D-8.1);

(4) by inserting “, school service centres” before “and school boards” in the third paragraph of section 11 of the Pay Equity Act (chapter E-12.001);

(5) by inserting “school service centre and” before “school board” in section 58 of the Public Infrastructure Act (chapter I-8.3);

(6) by inserting “school service centres and” before “school boards” in section 57 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2);

(7) by inserting “school service centres and” before “school boards” in subparagraph 3 of the first paragraph of section 103.6 of the Educational Childcare Act (chapter S-4.1.1).

312. Unless the context indicates otherwise or otherwise provided for by this Act, the expressions “school board”, “School Board” and “school boards” in any Act, regulation or other document are replaced by “school service centre”, “School Service Centre” and “school service centres”, respectively, with the necessary modifications.

However, the first paragraph does not apply to the occurrences of those expressions in the following:

(1) paragraph *b* of subsection 2 of section 2 and subsection 4 of section 7 of the Workers’ Compensation Act (chapter A-3), wherever they appear;

(2) section 53.18 of the Act respecting land use planning and development (chapter A-19.1), wherever they appear;

(3) section 88 of the Charter of the French language (chapter C-11), wherever they appear;

(4) the third paragraph of section 13 of the Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1);

(5) section 4 of the Act to establish the permanent list of electors (chapter E-12.2), wherever they appear;

(6) section 36 of the Act respecting workforce management and control within government departments, public sector bodies and networks and state-owned enterprises (chapter G-1.011);

(7) section 312 and the second paragraph of section 737.25 of the Taxation Act (chapter I-3);

(8) subparagraph 4 of the second paragraph of section 11 of the Act respecting the Institut national des mines (chapter I-13.1.2), wherever they appear;

(9) sections 722 and 723 of the Education Act (chapter I-13.3), wherever they appear;

(10) the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14), wherever they appear;

(11) section 160 of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2), wherever they appear;

(12) section 35 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2), wherever they appear;

(13) Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), wherever they appear;

(14) Schedule II to the Act respecting the Teachers Pension Plan (chapter R-11);

(15) Schedule II to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1);

(16) paragraph *b* of section 1 of the Act respecting property tax refund (chapter R-20.1);

(17) the provisions of any regulation other than a regulation made under the Education Act (chapter I-13.3).

313. Unless the context indicates otherwise, in any Act or regulation, a reference to the Act respecting school elections (chapter E-2.3) or any of its provisions is replaced by a reference to the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3) or to the corresponding provision of that Act.

The first paragraph does not apply to the provisions of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14).

TRANSITIONAL AND FINAL PROVISIONS

314. Proceedings to which a school board is a party are continued under its new name, without continuance of suit.

315. The terms of the commissioners of the French-language school boards end on 8 February 2020. From that date until 30 June 2020, they form an advisory committee.

Until 30 June 2020, they receive the remuneration that was paid to them in accordance with section 175 of the Education Act (chapter I-13.3), as it read before being amended by section 66.

316. The Act respecting school elections (chapter E-2.3) continues to apply as it read on 7 February 2020 to every school commissioner in office after that date.

317. From 9 February 2020 to 15 June 2020, the director general of a French-language school board assumes the functions assigned by law to the council of commissioners and to the commissioners.

In exercising the functions referred to in the first paragraph, the director general may consult the advisory committee formed under section 315.

318. From 9 February 2020 to 15 June 2020, the person designated by the director general of a French-language school board on the island of Montréal sits on the Comité de gestion de la taxe scolaire de l'île de Montréal in accordance with subparagraph 1 of the first paragraph of section 402 of the Education Act.

319. Despite any inconsistent provision, the directors general of the French-language school boards which are members of the group of French-language school boards recognized on 9 February 2020 under section 31 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) are, from that date, exclusively responsible for representing those school boards within that group. From 15 June 2020, they represent the French-language school service centres within the group of school service centres recognized under that same section.

The directors general referred to in the first paragraph represent the same number of votes as were held by all the school board representatives they are replacing, in accordance with the applicable rules, and they remain in office under this section until the rules governing the representation of members within that group are amended to take into account the coming into force of this Act.

320. From 15 June 2020 until the coming into force of section 46, section 111 of the Education Act is to be read as follows:

“**111.** The Government shall, by order, divide the territory of Québec into two groups of territories: one of territories for French-language school service centres and the other of territories for English-language school boards. However, the territory of the Cree School Board, that of the Kativik School Board and that of the Centre de services scolaire du Littoral established by chapter 125 of the Statutes of Québec, 1966-67, are excluded from such division.

A school service centre or school board, as the case may be, shall be established in each territory.

The order shall assign a name temporarily to each French-language school service centre or English-language school board, which name may contain a number.

The order shall be published in the *Gazette officielle du Québec* not later than 31 August and comes into force on the date of its publication.”

321. Despite section 47 of the Education Act, amended by section 11, the governing boards of the institutions that come under the jurisdiction of an English-language school board must be established before 18 September 2020.

322. Despite section 2 of the Act respecting school elections, replaced by section 193, the general school election that follows the 1 November 2020 election is to be held on 4 June 2023.

323. Expenses related to the 1 November 2020 school election and incurred by an authorized candidate before 8 February 2020 are reimbursed to him or her in full on the filing of his or her financial report and return of election expenses. The first and fourth paragraphs of section 207 and section 208 of the Act respecting school elections apply to such a reimbursement, with the necessary modifications.

The authorized candidate must, within 30 days after his or her expenses have been reimbursed, reimburse the electors who made contributions to him or her and send the director general of the school board a second report showing that he or she has received a reimbursement of his or her expenses, that the contributions have been reimbursed and that all the debts arising from those expenses have been paid.

Sections 209 to 209.8 of the Act respecting school elections regarding candidates' reports and returns apply, with the necessary modifications.

An authorization granted under section 206.6 of the Act respecting school elections before 8 February 2020 expires on that date.

324. Despite section 335 of this Act, for the purposes of the 1 November 2020 general election, the provisions of the Act respecting school elections pertaining to the dates and time limits associated with the electoral process and with the division into electoral divisions remain applicable as they read before being amended by this Act.

For the purposes of this section, the electoral process includes all the stages and all the procedures that precede and follow an election including, among other things, the rules governing the financing of candidates and the control of election expenses.

325. Despite section 154 of the Education Act, replaced by section 52, the first sitting of an English-language school service centre's board of directors must be held not later than 13 November 2020.

326. The Minister may, until 8 February 2022, order a local municipality to transfer an immovable to a school service centre, by gratuitous title, for the purpose of building a school or a centre, according to the conditions and procedures the Minister imposes. The Minister may not, however, require that there be a building on the transferred immovable.

If the local municipality has not transferred an immovable to the school service centre at the expiry of the time limit set by the Minister, the school service centre may itself acquire an immovable situated in the territory of that municipality, in the sector determined by the Minister.

The municipality in whose territory the immovable is situated must reimburse the amount corresponding to the cost of acquiring the land to the school service centre.

An immovable acquired under this section is deemed to be usable for its intended purpose.

327. The first regulations made under sections 452.1 and 457.7.1 of the Education Act, enacted by sections 136 and 139, respectively, are not subject to sections 8 and 17 of the Regulations Act (chapter R-18.1).

328. Until the coming into force of the regulation to be made under section 457.8 of the Education Act, as enacted by section 139,

(1) the codes of ethics and professional conduct adopted under section 175.1 of the Education Act apply to the members of the boards of directors of the French-language school service centres, with the necessary modifications;

(2) the first paragraph of section 175.6 of the Education Act, enacted by section 70, is to be read, for the French-language school boards, as if “has his or her term revoked” were replaced by “is divested of office”, with the necessary modifications;

(3) the codes of ethics and professional conduct adopted by the English-language school boards apply to the staff representatives sitting on an English-language school service centre’s board of directors; and

(4) a staff representative sitting on a school service centre’s board of directors must, on pain of removal from office, abstain from voting on any matter relating to the hiring, employment status, remuneration, employee benefits and other conditions of employment, whether individual or collective, of any employee of a school service centre. He or she must also, after having had an opportunity to submit observations, withdraw from the meeting while the matter is discussed or voted on.

329. The Minister may, after an inquiry under section 478.3 of the Education Act, on the Minister’s own initiative or following a disclosure from a school board commissioner or staff member, annul any decision made by a school board governed by this Act or a director general referred to in section 199 of the Education Act that has an impact on the school board’s human, financial, physical or information resources that the Minister considers contrary to the future interests of a school service centre.

Such an annulment may apply to any decision made between 1 October 2019 and 15 June 2020 in the case of a French-language school board or made between 1 October 2019 and 5 November 2020 in the case of an English-language school board. It must be rendered within 60 days after the decision and has effect from the date on which it is rendered. However, a decision made before 8 February 2020 may be annulled within 60 days after the latter date.

330. A person making a disclosure or cooperating in an inquiry referred to in section 329 of this Act may do so despite any communication restrictions under the laws of Québec or any duty of loyalty or confidentiality that may be binding on the person, in particular toward his or her employer.

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.

The Minister must take all necessary measures to protect the identity of a person who has made a disclosure.

It is forbidden to take a reprisal against a person who makes a disclosure or cooperates in the inquiry, or to threaten to take a reprisal against a person so that he or she will abstain from making a disclosure or cooperating in the inquiry.

The demotion, suspension, dismissal or transfer of a person or any other disciplinary measure or measure that adversely affects his or her employment or working conditions is presumed to be a reprisal.

Anyone who contravenes the fourth paragraph is guilty of an offence and is liable to a fine of

- (1) \$2,000 to \$20,000 in the case of a natural person; and
- (2) \$10,000 to \$250,000 in all other cases.

The fines are doubled for a subsequent offence.

331. The Government may, by regulation, take, before 8 August 2021, any measure useful for carrying out this Act or fully achieving its purpose. Such a regulation may, in particular, provide for any amendment required for the purpose of harmonizing the terminology of any regulation that includes a reference to a school board or school commissioner.

Such a regulation may, if it so provides, apply from a date not prior to 8 February 2020.

332. The first boards of directors of the French-language school service centres are formed and the first processes for designating representatives of the English-language school service centres' staff are conducted in accordance with sections 143 to 143.15 of the Education Act, as enacted by section 50, with the following modifications:

- (1) a reference to the regulation made under section 455.2 of the Education Act is a reference to Schedule I or Schedule II, as applicable;

(2) a reference to the director general of a school service centre is a reference to the director general of a school board; and

(3) the date of 1 July specified in the third paragraph of section 143.3 of the Education Act is replaced by 15 June 2020 for French-language school service centres and 5 November 2020 for English-language school service centres.

In addition, for the purposes of Schedules I and II, a reference to a school service centre is a reference to a school board where

- (1) a provision of Schedule I applies before 15 June 2020; or
- (2) a provision of Schedule II applies before 5 November 2020.

Schedules I and II may provide for the delegation of certain powers to the director general of the school service centre.

333. Despite the coming into force of sections 1, 95, 110 and 111, sections 4, 204, 239 and 240 of the Education Act continue to apply, as they read before being amended, for the purposes of the 2020–2021 school year.

334. A reference to a school service centre in the provisions enacted by sections 118, 136, 139, 142, 166, 176, 177 and 326 includes, until 5 November 2020, a reference to an English-language school board.

335. The provisions of this Act come into force on 8 February 2020, except

(1) sections 1, 3, 4 and 9, paragraph 3 of section 11, paragraph 2 of section 16, sections 21, 22, 25 and 27, paragraph 1 of section 32, paragraph 1 of section 34, section 35, paragraph 1 of section 36, paragraph 2 of section 38, sections 39 and 41, paragraph 1 of section 44, paragraph 2 of section 46, sections 49, 50 and 52 to 64, paragraph 2 of section 65, sections 66, 70 to 76 and 78, subparagraphs *a* and *b* of paragraph 1 and paragraph 2 of section 80, sections 83, 84 to 86, 88, 90 and 92 to 96, subparagraph *b* of paragraph 1 and paragraph 2 of section 97, sections 99 to 104, 106 to 108 and 110 to 116, paragraph 1 of section 117, sections 119 to 125, 127, 129 to 133 and 135, section 139 insofar as it enacts sections 457.6 and 457.8, sections 141 and 144, paragraph 3 of section 145, paragraph 2 of section 148, and sections 161, 163 to 181, 185 to 188, 265, 267 to 306, 308 to 312 and 314, which come into force on 15 June 2020 insofar as they concern a French-language school service centre and on 5 November 2020 insofar as they concern an English-language school service centre;

(2) sections 2, 5 and 8, section 33, section 51, paragraph 1 of section 65, subparagraph *c* of paragraph 1 of section 80, sections 109, 118 and 136, section 139 insofar as it enacts section 457.7.1, section 142 insofar as it enacts section 459.5.5, section 143, paragraphs 1 and 2 of section 145, and sections 151, 166, 167, 176, 177, 182 and 183, which come into force on 1 July 2020;

(3) section 10, paragraphs 1 and 2 of section 11, sections 12 to 15, paragraph 1 of section 16, sections 17 to 19, 20, 23, 24, 26 and 28 to 31, paragraph 2 of section 36, section 37, paragraph 1 of section 38, sections 42 and 43 and section 45, which come into force on 1 August 2020;

(4) section 40, paragraph 1 of section 46, sections 47, 48, 67 and 69, paragraph 2 of section 117, sections 126 and 128, section 139 insofar as it enacts section 457.7, and section 142 insofar as it enacts section 459.5.4, which come into force on 5 November 2020;

(5) sections 91, 98 and 140, which come into force on 1 July 2020 insofar as they concern a French-language school service centre and on 1 July 2021 insofar as they concern an English-language school service centre;

(6) section 105, which comes into force on 1 July 2020 insofar as it concerns a French-language school service centre and on 5 November 2020 insofar as it concerns an English-language school service centre; and

(7) sections 6, 7, paragraph 2 of section 32, paragraph 2 of section 34, paragraph 2 of section 44, and sections 138 and 266, which come into force on 1 July 2021.

SCHEDULE I
(Section 332)

PROCEDURE FOR DESIGNATING THE MEMBERS OF THE FIRST
BOARDS OF DIRECTORS OF THE FRENCH-LANGUAGE SCHOOL
SERVICE CENTRES

Division 1 — Division into districts

1. The school service centre's director general must divide the school service centre's territory into five districts in accordance with section 143.8 of the Education Act (chapter I-13.3), not later than 9 March 2020.
2. The director general must make sure that at least one school is situated in each of the districts. The director general must also, as far as possible, promote a fair distribution of the number of students in each of the districts.

The director general may take into account other factors such as the existence of common characteristics or physical barriers and municipalities' territorial limits.

3. Each district is described by the list of educational institutions situated within it.

The director general may assign names to the districts.

4. The director general may consult the parents' committee with respect to the division into districts and the names assigned to the districts, if applicable.

The parents' committee must submit its observations within the period the director general indicates.

5. The director general must inform the parents' committee of the division into districts and make the information available on the school service centre's website.

Division 2 — Eligibility requirements

6. In addition to having the qualifications required under section 143 of the Education Act, any candidate for a seat as a member of a French-language school service centre's board of directors must meet the following conditions:

(1) have the qualifications set out in section 12 of the Act respecting school elections (chapter E-2.3), subject to section 9 of this schedule; and

(2) not be disqualified within the meaning of sections 21, 21.3 and 21.4 of the Act respecting school elections, with the necessary modifications.

However, paragraph 3 of section 12 and subparagraph 4 of the first paragraph of section 21 of the Act respecting school elections do not apply to a candidate for a school service centre staff representative seat. Furthermore, such a candidate may not be an employee, officer or other representative of an association representing school service centre employees.

Division 3—Designation of parent representatives

7. Not later than 1 May 2020, the director general must send a notice of designation to each member of the parents' committee.

The notice of designation must indicate the seats that are open for nominations as well as the qualifications required and conditions to be met to become a candidate.

The notice must include a description of the districts and specify that the parents' committee must designate the parent representatives who will sit on the board of directors for each district of the school service centre not later than 1 June 2020.

8. The members are elected in accordance with the process determined by the parents' committee, subject to sections 9 to 13.

9. Any member of a parents' committee sitting on the governing board of a school situated in a given district who has the qualifications and meets the conditions required by section 6 may become a candidate to represent that district.

10. Each candidate is designated by all the members of the parents' committee.

11. If no person has come forward to become a candidate to represent a given district in accordance with section 9, the seat may be filled by a member of the parents' committee sitting on the governing board of a school situated in another district, in accordance with the process determined by the parents' committee.

12. The parents' committee must notify the director general of the result of the designation process conducted.

The notice must contain the names of the persons who were designated and the district each person represents.

The notice must be accompanied, for each person designated, by a statement attesting that the person has the qualifications and meets the conditions required by section 6.

13. Where regional parents' committees are established under section 191 of the Education Act, all the members of those committees are deemed to form the parents' committee for the purposes of this division.

The chair of that committee is the chair of the central parents' committee.

Division 4—Designation of staff representatives

14. The teaching staff representative is designated by and from among the teaching staff members sitting in that capacity on a governing board of the school service centre.

The non-teaching professional staff representative is designated by and from among the non-teaching professional staff members sitting in that capacity on a governing board of the school service centre.

The support staff representative is designated by and from among the support staff members sitting in that capacity or as staff members assigned to childcare services on a governing board of the school service centre.

The principals' representative is designated by and from among all the principals of the educational institutions of the school service centre.

The executive staff representative is designated by and from among all the executive staff members of the school service centre.

15. The persons referred to in section 14 must be designated not later than 1 June 2020 in accordance with the procedure determined by the director general of the school service centre.

16. Each person designated must provide a statement attesting that the person has the qualifications and meets the conditions required by section 6.

Division 5—Designation of community representatives

17. Not later than 1 May 2020, the director general must publish a notice on the school service centre's website, inviting the persons who reside in the school service centre's territory to become a candidate for a seat as a community representative on the board of directors referred to in subparagraph 3 of the first paragraph of section 143 of the Education Act.

18. The notice must indicate the number of seats to be filled, the profiles sought, the qualifications required and conditions to be met, the period for filing nomination papers and the other instructions necessary for filing them.

19. A nomination form must be made available at the school service centre's head office and on the school service centre's website.

The form must provide spaces for the candidate to enter his or her name and contact information and specify the seat for which he or she is filing nomination papers. It must contain a section for the candidate to attest that he or she has the qualifications and meets the conditions referred to in section 6.

The form must indicate that a self-introduction text of not more than one page may be attached to the form at the time the nomination papers are filed.

20. The community representatives are designated by co-optation by the parent representatives and staff representatives designated in accordance with divisions 3 and 4, at a meeting called by the director general and held not later than 10 June 2020.

21. At least three parent representatives and three staff representatives must attend the meeting, which is to be chaired by the director general.

The members in attendance determine the procedure to be followed. The director general is not entitled to vote.

22. The director general must make the nomination forms he or she received available.

23. For the purposes of the designation, the members are not limited to the forms received, unless they decide otherwise.

However, they must ensure that any member who is designated without having filed nomination papers has the qualifications and meets the conditions required by section 6.

24. Any seat that is not filled at the time of the first meeting of the board of directors held in accordance with section 154 of the Education Act is to be considered a vacancy within the meaning of section 175.10.1 of that Act.

Division 6—Length of terms

25. At the first meeting of the board of directors, the members are to determine which of them will have a two-year term; there must be two or three such members for each category of members.

SCHEDULE II
(Section 332)

PROCEDURE FOR DESIGNATING THE STAFF REPRESENTATIVES
ON THE FIRST BOARDS OF DIRECTORS OF THE ENGLISH-
LANGUAGE SCHOOL SERVICE CENTRES

1. In addition to having the qualifications required under section 143.1 of the Education Act (chapter I-13.3), any candidate for a staff representative seat on an English-language school service centre's board of directors must meet the following conditions:

(1) have the qualifications set out in paragraphs 1, 2, 4 and 5 of section 12 of the Act respecting school elections (chapter E-2.3);

(2) not be disqualified within the meaning of subparagraphs 1 to 3.2, 4.1 and 5 of the first paragraph and the second and third paragraphs of section 21, and of sections 21.3 and 21.4 of the Act respecting school elections; and

(3) not be an employee, officer or other representative of an association representing school service centre employees.

2. The teaching staff representative is designated by and from among the teaching staff members sitting in that capacity on a governing board of the school service centre.

The non-teaching professional staff representative is designated by and from among the non-teaching professional staff members sitting in that capacity on a governing board of the school service centre.

The support staff representative is designated by and from among the support staff members sitting in that capacity or as staff members assigned to childcare services on a governing board of the school service centre.

The principals' representative is designated by and from among all the principals of the educational institutions of the school service centre.

3. The persons referred to in section 2 must be designated not later than 1 June 2020 in accordance with the procedure determined by the director general of the school service centre.

4. Each person designated must provide a statement attesting that the person has the qualifications and meets the conditions required by section 1.

2020, chapter 2

AN ACT MAINLY TO ESTABLISH THE CENTRE D'ACQUISITIONS GOUVERNEMENTALES AND INFRASTRUCTURES TECHNOLOGIQUES QUÉBEC

Bill 37

Introduced by Mr. Christian Dubé, Minister Responsible for Government Administration
and Chair of the Conseil du trésor

Introduced 18 September 2019

Passed in principle 5 November 2019

Passed 20 February 2020

Assented to 21 February 2020

Coming into force: 1 June 2020, except

(1) sections 5, 6, 26, 27, 98 and 102 to 104, which come into force on 21 February 2020;

(2) section 36, which comes into force on 1 January 2021;

(3) sections 28 and 29, which come into force on the date to be set by the Government.

Legislation amended:

Financial Administration Act (chapter A-6.001)

Tax Administration Act (chapter A-6.002)

Public Administration Act (chapter A-6.01)

Act respecting the Agence du revenu du Québec (chapter A-7.003)

Building Act (chapter B-1.1)

Charter of Ville de Québec, national capital of Québec (chapter C-11.5)

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 the forfeiture, administration and appropriation of proceeds and instruments of unlawful activity (chapter C-52.2)

Act respecting contracting by public bodies (chapter C-65.1)

Act respecting the development of Québec firms in the book industry (chapter D-8.1)

Election Act (chapter E-3.3)

Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03)

Act respecting Héma-Québec and the biovigilance committee (chapter H-1.1)

Taxation Act (chapter I-3)

Public Infrastructure Act (chapter I-8.3)

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Legislation amended: (cont'd)

Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001)
Act respecting the Ministère de la Culture et des Communications (chapter M-17.1)
Act respecting the Ministère des Relations internationales (chapter M-25.1.1)
Act respecting the Ministère des Transports (chapter M-28)
Act respecting the Ministère du Conseil exécutif (chapter M-30)
Act to ensure the occupancy and vitality of territories (chapter O-1.3)
Act to establish the Office Québec-Monde pour la jeunesse (chapter O-5.2)
Act respecting the Compilation of Québec Laws and Regulations (chapter R-2.2.0.0.2)
Act respecting the Government and Public Employees Retirement Plan (chapter R-10)
Act respecting the Pension Plan of Management Personnel (chapter R-12.1)
Act to foster adherence to State religious neutrality and, in particular, to provide a framework for requests for accommodations on religious grounds in certain bodies (chapter R-26.2.01)
Act respecting occupational health and safety (chapter S-2.1)
Act respecting health services and social services (chapter S-4.2)
Act respecting the Société québécoise d'information juridique (chapter S-20)
Act respecting public transit authorities (chapter S-30.01)
Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1)

Legislation enacted:

Act respecting the Centre d'acquisitions gouvernementales (2020, chapter 2, section 1)
Act respecting Infrastructures technologiques Québec (2020, chapter 2, section 2)

Legislation repealed:

Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)

Regulations amended:

Terms and conditions for the signing of certain acts, documents or writings emanating from the secretariat of the Conseil du trésor (chapter A-6.01, r. 4)
Regulation respecting contracts of the Ethics Commissioner (chapter C-23.1, r. 1)
Règles sur les modalités de gestion administrative, financière et d'engagement de personnel et des commissions d'enquête instituées en vertu de la Loi sur les commissions d'enquête (chapter C-37, r. 1, French only)
Regulation respecting certain supply contracts of public bodies (chapter C-65.1, r. 2)
Regulation respecting certain service contracts of public bodies (chapter C-65.1, r. 4)
Regulation respecting contracting by public bodies in the field of information technologies (chapter C-65.1, r. 5.1)
Règlement sur les contrats du Protecteur du citoyen (chapter P-32, r. 2, French only)

Explanatory notes

This Act establishes the Centre d'acquisitions gouvernementales and Infrastructures technologiques Québec and provides for the abolition of the Centre de services partagés du Québec.

Under the Act, the Centre d'acquisitions gouvernementales is responsible for providing public bodies with the goods and services they need in the exercise of their functions and has full power to acquire such goods and services on behalf of such bodies. The Centre must establish a government procurement plan and send it to the Conseil du trésor. The Act transfers responsibility to the Centre for disposal services for property no longer needed by public bodies.

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Explanatory notes (*cont'd*)

The Act confers on the Chair of the Conseil du trésor the power to determine which goods and services must be procured through the Centre. It confers on the Minister of Health and Social Services and the Minister of Education and Higher Education a similar power with regard to the bodies under their respective responsibility.

Under the Act, Infrastructures technologiques Québec is responsible, in keeping with the policy directions determined by the Conseil du trésor, for providing public bodies with common technology infrastructure services and support system services capable of, among other things, supporting such bodies in the exercise of their functions and in their delivery of services so as to promote their digital transformation. The Act provides that this new body is to pool and develop in-house expertise on common technological infrastructure, and entrusts it with the function of cloud broker. The Act provides that the common technology infrastructure services and support system services that may be offered to public bodies are determined by the Conseil du trésor.

The Act determines the organizational and operational rules of the Centre d'acquisitions gouvernementales and Infrastructures technologiques Québec. It establishes that each of the new bodies has a president and chief executive officer appointed by the Government, as well as vice-presidents appointed by the Government, the number of which is determined by the latter, and that the president and chief executive officer of the Centre must be chosen from among the persons declared qualified by a selection committee. The Act provides for the establishment of a governance committee within the Centre and an audit committee within each of the new bodies.

The Act includes financial provisions governing the activities of the Centre d'acquisitions gouvernementales and those of Infrastructures technologiques Québec. It establishes the Government Infrastructure and Digital Services Fund, dedicated to financing public bodies' common technology infrastructures and support systems as well as to financing the services offered or provided by Infrastructures technologiques Québec.

The Act entrusts the function of Québec Official Publisher to the Minister of Labour, Employment and Social Solidarity and allows the Agence du revenu du Québec to provide public bodies with digitization, courier, storage, mail, printing and document management and preservation administrative services. It specifies that the Chair of the Conseil du trésor is, by virtue of office, to be responsible for any other service currently offered or rendered by the Centre de services partagés du Québec that is not related to a function expressly transferred by the Act.

The Act contains amending, miscellaneous and transitional provisions necessary for creating the Centre d'acquisitions gouvernementales and Infrastructures technologiques Québec, and for transferring rights and obligations of the Centre de services partagés du Québec, Collecto Services regroupés en éducation, SigmaSanté and the other health network joint procurement groups dissolved by this Act, namely, Groupe d'approvisionnement en commun de l'Est du Québec and Groupe d'approvisionnement en commun de l'Ouest du Québec. The Act also contains provisions concerning the transfer of those entities' employees.

The Act amends the Act respecting health services and social services to provide a framework for the non-profit legal person, designated by the Minister of Health and Social Services and whose purpose, as the health and social services network insurance manager, is to offer, from 1 June 2020, the network's institutions damage insurance services adapted to their needs. The Act specifies in that respect that SigmaSanté is deemed to be the legal person designated by the Minister.

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Explanatory notes *(cont'd)*

Lastly, the Act amends the Act respecting contracting by public bodies to make it possible to enter a company in the register of enterprises ineligible for public contracts if a penalty has been imposed on the company or a person who is an associate of the company with respect to an abusive tax avoidance transaction, and to allow the Autorité des marchés publics to take such situations into account under the contracting authorization regime it administers in accordance with that Act. Such amendments apply only with respect to the assessment of a penalty imposed under the Taxation Act that results from an audit or investigation that began after the 59th day following the date of assent to this Act. The Taxation Act is also amended to provide for a transitional period during which taxpayers may disclose abusive tax avoidance transactions to the Minister of Revenue in order to prevent such ineligibility.



Chapter 2

AN ACT MAINLY TO ESTABLISH THE CENTRE D'ACQUISITIONS GOUVERNEMENTALES AND INFRASTRUCTURES TECHNOLOGIQUES QUÉBEC

[Assented to 21 February 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

PART I

ENACTMENT OF THE ACT RESPECTING THE CENTRE D'ACQUISITIONS GOUVERNEMENTALES

1. The Act respecting the Centre d'acquisitions gouvernementales, the text of which appears in this Part, is enacted.

“ACT RESPECTING THE CENTRE D'ACQUISITIONS GOUVERNEMENTALES

“CHAPTER I

“ESTABLISHMENT

“1. The Centre d'acquisitions gouvernementales is established.

The Centre is a legal person and a mandatary of the State.

The Centre may choose, following the approval of the Chair of the Conseil du trésor, to refer to itself by another name or by an acronym by sending a copy of a decision to that effect to the enterprise registrar; at the same time, it posts the decision on its website.

“2. The Centre's property forms part of the domain of the State, but the performance of its obligations may be levied against its property.

The Centre binds none but itself when it acts in its own name.

“3. The Centre's head office is in the national capital at the place it determines.

The Centre publishes a notice of the location and of any change in location of its 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**

“4. The Centre’s mission is to provide to public bodies the goods and services they require in the exercise of their functions, with a view to optimizing government procurement in compliance with the applicable contract rules.

For the purposes of this Act, public bodies are

(1) bodies within the meaning of section 4 of the Act respecting contracting by public bodies (chapter C-65.1), except those determined by the Government; and

(2) any other entity designated by the Government.

“5. The Centre must, more specifically,

(1) acquire goods and services on behalf of public bodies, by making groups or carrying out mandates; in this Act, such acquisition is called “government procurement”;

(2) manage such procurement, taking into account the instructions issued to it by the Chair of the Conseil du trésor regarding government procurement;

(3) establish and update, in collaboration with the public bodies it serves and taking into account the instructions it receives from the Chair of the Conseil du trésor, the planning of the government goods and services procurement entrusted to it;

(4) enlist the participation of the public bodies and other partners with the knowledge and skills required to carry out government procurement projects;

(5) produce management information on the terms and conditions determined by the Chair of the Conseil du trésor, including with regard to the use of resources allocated for government procurement under its responsibility; and

(6) carry out any other related mandate the Government or the Chair of the Conseil du trésor entrusts to it.

The Minister of Health and Social Services and the minister responsible for education and higher education may also exercise, with regard to the bodies under their respective responsibility, the power provided for in subparagraph 5 of the first paragraph.

The Chair of the Conseil du trésor publishes on the Conseil du trésor's website, within a reasonable time, the instructions referred to in subparagraphs 2 and 3 of the first paragraph.

“6. A public body must, for the purpose of ensuring that a government procurement project meets its needs, determine those needs and communicate them to the Centre.

The Centre must consult the public bodies covered by such a project when meeting specific needs other than those concerning a commodity. In addition, the Centre may consult any person or entity whose expertise it considers necessary, including an outside expert.

The consultation pertains to any purpose or stage of the project, in particular to the preparation of tender documents or to the testing of the good under conditions of use.

To that end, the Centre establishes an advisory committee composed of user members from a network or networks concerned and identified by the Centre. A user member is a person who uses a good or service covered by the government procurement project.

For the purposes of this section, “commodity” means a good or service identified as such in an order made in accordance with section 9.

“7. The Centre gives its opinion on any matter within its jurisdiction submitted to it by the Chair of the Conseil du trésor or the Government, and attaches to it any recommendations the Centre considers appropriate.

“DIVISION II

“GOVERNMENT PROCUREMENT

“8. The Centre must establish a plan for government procurement under its responsibility that takes into account the needs of public bodies.

The government procurement plan must be sent to the Conseil du trésor.

The Chair of the Conseil du trésor determines the information the plan must include, the period it covers, the time limit for sending it to the Conseil du trésor, its form, and the schedule for any revisions of it.

“9. Subject to any incompatible provision, public bodies must exclusively use the Centre to obtain a good or service determined by order of the Chair of the Conseil du trésor, the Minister of Health and Social Services or the minister responsible for education and higher education; in the case of the latter two ministers, such an order applies solely to bodies under their respective responsibility.

The order may set out categories of goods or services. It may concern one or more public bodies. It may indicate the cases and circumstances related to the obligation to use the Centre's services.

In case of incompatibility between an order made by the Chair of the Conseil du trésor and an order made by the Minister of Health and Social Services or the minister responsible for education and higher education concerning the same object, the order made by the Chair of the Conseil du trésor prevails.

“10. The Centre must inform the Chair of the Conseil du trésor if a public body refuses or fails to use the Centre to obtain a good or service covered by an order made in accordance with section 9. It must also inform the minister responsible for such a body.

Where a minister responsible is so informed, the minister must inform the chief executive officer of the body in writing and may request that measures to rectify the situation be, within the time the minister specifies, prepared and submitted for the minister's approval, with or without amendment. Where such measures are not complied with or implemented in a diligent manner, the minister may require the body to take corrective measures, conduct the appropriate follow-up and comply with any other penalty determined by the minister, including oversight and support measures. In such cases, all or part of the amount intended for such a body may be withheld or cancelled by the minister responsible.

“11. The Chair of the Conseil du trésor may determine joint procurement targets applicable to a public body, in particular to promote its voluntary participation in such procurement.

“12. The Centre has all the powers necessary to enter into a contract for a public body and at the latter's expense.

“13. The Centre assumes the management operations arising from any litigation for or against the Centre or a public body concerning procurement of a good or service by the Centre for that public body.

“14. When a public body uses the Centre to obtain a good or service, the Centre is exonerated of all liability for any injury that may result from its intervention, unless such injury is due to an intentional or gross fault on the part of the Centre.

The first paragraph does not apply with respect to the Centre's intervention in the context of a tendering process for a public contract.

“15. The Chair of the Conseil du trésor may, if he or she considers it necessary, issue directives to the Centre regarding government procurement. The Chair may do likewise in the case of public bodies regarding the same subject.

The Minister of Health and Social Services and the minister responsible for education and higher education may, in the same manner, issue directives regarding the same subject to public bodies under their responsibility.

Such directives are binding on the Centre and the public bodies concerned.

In case of incompatibility between a directive issued by the Chair of the Conseil du trésor and a directive issued by the Minister of Health and Social Services or the minister responsible for education and higher education concerning the same object, the directive issued by the Chair of the Conseil du trésor prevails.

“16. The Conseil du trésor may authorize a public body to obtain a good or service on conditions that differ from those set out in this Act and determine the conditions applicable in such a case.

The authorization provided for in the first paragraph is not required

(1) if such a body obtains a good or service at a cost that does not involve using public funds; or

(2) if such a body enters into a contract by mutual agreement because there is an emergency that threatens human safety or property, in accordance with subparagraph 1 of the first paragraph of section 13 of the Act respecting contracting by public bodies, and because it is therefore able to provide reasons based on events that could not be anticipated. The chief executive officer of the body must, however, so inform the Chair of the Conseil du trésor and include a summary description of the circumstances or reasons considered.

“DIVISION III

“OTHER RESPONSIBILITIES

“17. Subject to any incompatible provision, the Centre may provide disposal services for property no longer needed by public bodies.

“18. The Centre may provide goods and services to any other person or entity.

The application of the first paragraph may not reduce or otherwise restrict delivery of the services the Centre must provide to public bodies, which must always be given priority.

“CHAPTER III**“OPERATION**

“19. The Centre’s affairs are administered by a president and chief executive officer appointed by the Government from among the persons who have been declared qualified to hold that office by the selection committee composed of the Secretary of the Conseil du trésor, the Deputy Minister of the Ministère de la Santé et des Services sociaux and the Deputy Minister of the Ministère de l’Éducation et de l’Enseignement supérieur or their representative.

The Chair of the Conseil du trésor publishes a notice inviting interested persons to apply, in accordance with the procedure the Chair determines.

The selection committee promptly evaluates the candidates on the basis of their knowledge, particularly regarding procurement, their experience and their qualifications. The committee presents to the Chair of the Conseil du trésor a report in which it lists the candidates it has met whom it considers qualified to hold the office of president and chief executive officer. All information and documents regarding the candidates and the proceedings of the committee are confidential.

The committee members are entitled to reimbursement of their expenses to the extent determined by the Government.

The Government determines the president and chief executive officer’s remuneration, employee benefits and other conditions of employment.

The president and chief executive officer is appointed for a term of up to five years. At the end of the term, the president and chief executive officer remains in office until replaced or reappointed.

“20. The president and chief executive officer is responsible for the administration and direction of the Centre. The office of president and chief executive officer is a full-time position.

“21. The Government may, on the recommendation of the Chair of the Conseil du trésor, appoint the number of vice-presidents it determines to assist the president and chief executive officer. The Government determines their remuneration, employee benefits and other conditions of employment.

The office of vice-president is a full-time position. Each vice-president is appointed for a term of up to four years and remains in office until replaced or reappointed.

“22. The president and chief executive officer designates a vice-president to replace him or her when he or she is absent or unable to act.

“23. The Centre may make by-laws for its internal management.

“24. The Centre’s documents, if certified true by the president and chief executive officer, a vice-president, the secretary or any other person authorized by the Centre for that purpose, are authentic. The same applies to copies emanating from the Centre or forming part of its records if they have been so certified.

“25. No document is binding on the Centre or may be attributed to it unless it is signed by the president and chief executive officer, a vice-president, the secretary or, to the extent determined in the Centre’s by-laws, a member of the Centre’s personnel.

The rules governing the delegation of signing authority may provide for subdelegation and how it is to be exercised.

“26. The Centre may, subject to the conditions and on the documents it determines by by-law, allow a required signature to be affixed by any information technology-based process.

“27. A governance committee is established within the Centre. The committee is composed of the following members:

- (1) the Secretary of the Conseil du trésor;
- (2) the Deputy Minister of the Ministère de la Santé et des Services sociaux;
- (3) the Deputy Minister of the Ministère de l’Éducation et de l’Enseignement supérieur; and
- (4) two independent members appointed by the Government. At the expiry of their term, those members remain in office until replaced or reappointed.

A member is independent if, in the opinion of the Chair of the Conseil du trésor, the member 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 and 25 of that Act apply, with the necessary modifications.

The Secretary of the Conseil du trésor is the chair of the committee.

The members of the governance committee receive no remuneration. They are, however, entitled to reimbursement of the expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

“28. The functions of the governance committee include

- (1) ensuring that the Centre carries out the government procurement projects in compliance with ministerial or government policy directions and in keeping with the principle of transparency;

(2) seeing to it that the consultation processes provided for in this Act are put in place;

(3) seeing to it that measures are put in place to create an environment conducive to mobilizing and retaining human resources, including measures for the development and optimal management of in-house expertise;

(4) ensuring that the Centre maintains effective governance, taking into account best practices and innovative approaches with respect to governance;

(5) seeing to it that the Centre adopts a code of ethics, subject to the provisions of a regulation made under sections 3.0.1 and 3.0.2 of the Act respecting the Ministère du Conseil exécutif (chapter M-30) and to the provisions of the Public Service Act (chapter F-3.1.1);

(6) examining any activity that could be detrimental to good governance of the Centre;

(7) giving the Chair of the Conseil du trésor, at the latter's request, its opinion on any subject or making recommendations to the Chair; and

(8) carrying out any other mandate the Chair of the Conseil du trésor entrusts to it.

“29. The governance committee meets at least once every three months and more often if necessary, at the request of its chair or a majority of the members.

The committee may hold its meetings anywhere in Québec.

“30. An audit committee is established within the Centre. The committee is composed of three independent members appointed by the Chair of the Conseil du trésor, after consultation with the Minister of Health and Social Services and the minister responsible for education and higher education. On the expiry of their term, such members remain in office until replaced or reappointed.

The members of the audit committee must, as a group, have the appropriate expertise and experience, in particular expertise in accounting and law.

A member is independent if, in the opinion of the Chair of the Conseil du trésor, the member qualifies as an independent director within the meaning of section 4 of the Act respecting the governance of state-owned enterprises.

The members of the audit committee receive no remuneration. They are, however, entitled to reimbursement of the expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

Sections 5 to 8 and 25 of the Act respecting the governance of state-owned enterprises apply, with the necessary modifications.

“31. The functions of the audit committee include

(1) seeing to it that the processes for consulting the stakeholders are implemented efficiently and properly;

(2) ensuring that a plan for the optimal use of the Centre’s resources is put in place, and following up on that plan;

(3) seeing to it that internal control mechanisms regarding operations and management practices are put in place and ensuring they are appropriate and effective;

(4) ensuring that a risk management process is put in place;

(5) reviewing any activity that could be detrimental to the Centre’s financial health;

(6) seeing to it that the Centre applies its code of ethics;

(7) ensuring that the Centre’s decisions or, more generally, its activities comply with the applicable laws, policies and directives; and

(8) ensuring that the report referred to in section 42 and, if applicable, the report referred to in section 44 on financial matters contain the information required by the Chair of the Conseil du trésor.

“32. The audit committee meets at least twice a year and more often if necessary.

The committee may hold its meetings anywhere in Québec.

“33. The governance committee and the audit committee may, in the exercise of their functions, require that any document or information used by the Centre be communicated to them.

The officers, employees and mandataries of the Centre must, on request, communicate those documents or that information to, and facilitate their examination by, the committees.

“34. The governance committee is under the authority of the Chair of the Conseil du trésor and the audit committee is under the authority of the governance committee.

The committees must inform their respective authorities and the Chair of the Conseil du trésor in writing on discovering non-compliant operations or practices.

“35. The members of the Centre’s personnel are appointed in accordance with the Public Service Act.

“CHAPTER IV

“FINANCIAL PROVISIONS

“36. The Centre determines by regulation the tariff of fees as well as the other forms of remuneration payable for the services it provides. The tariff and other forms of remuneration may vary according to the goods or services provided or the clientele served.

The above forms of remuneration require the approval of the Conseil du trésor.

“37. The Government may, on the conditions and according to the terms it determines,

(1) guarantee payment of the principal of and interest on any loan contracted by the Centre and the performance of any of its obligations; and

(2) authorize the Minister of Finance to advance to the Centre any amount considered necessary to meet its obligations or pursue its mission.

The sums required for the purposes of this section are taken out of the Consolidated Revenue Fund.

“38. The Centre may not, without the Government’s authorization,

(1) contract a loan that causes the total of its 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 or transfer 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.

“39. The sums received by the Centre must be allocated to the payment of its obligations. The Centre retains any surpluses, unless the Government decides otherwise.

“CHAPTER V**“ACCOUNTS AND REPORTS**

“40. The Centre’s fiscal year ends on 31 March.

“41. Each year, the Centre submits its budgetary estimates for the following fiscal year to the Chair of the Conseil du trésor, in accordance with the form, content and schedule determined by the latter.

The estimates require the approval of the Government.

“42. Not later than 30 September each year, the Centre must file its financial statements and a report on its activities for the preceding fiscal year with the Chair of the Conseil du trésor. The Centre must send a copy of these documents to the Minister of Health and Social Services and to the minister responsible for education and higher education.

The financial statements and report must include all the information required by the Chair of the Conseil du trésor, after consultation with the Minister of Health and Social Services and the minister responsible for education and higher education.

The Chair of the Conseil du trésor tables the Centre’s financial statements in the National Assembly within 30 days of receiving them or, if the Assembly is not sitting, within 15 days of resumption.

“43. The Auditor General audits the Centre’s books and accounts each year and whenever so ordered by the Government.

The Auditor General’s report must be submitted with the Centre’s financial statements and activity report.

“44. The Centre sends the Chair of the Conseil du trésor any information or any other report required by the Chair concerning the Centre’s activities.

“45. Chapter II of the Public Administration Act (chapter A-6.01) applies to the Centre as if it were a body designated under the second paragraph of section 5 of that Act.

“CHAPTER VI**“AUDIT**

“46. The Chair of the Conseil du trésor may, if he or she considers it advisable, conduct an audit to verify whether the Centre is complying with the provisions of this Act. The audit may verify, among other things, whether a public body’s actions are in compliance with this Act and with the directives issued under it to which such a body is subject.

The Chair of the Conseil du trésor may designate a person in writing to conduct the audit.

“47. The Centre or the public body being audited under this chapter must, at the request of the Chair of the Conseil du trésor or the person designated to conduct the audit, send or otherwise make available to the Chair or the designated person all documents and information the Chair or designated person considers necessary to conduct the audit.

“48. The Chair of the Conseil du trésor presents any recommendations he or she considers appropriate to the Conseil du trésor. The Chair may then require the Centre or the public body concerned to take corrective measures, conduct any appropriate follow-up and comply with any other measure determined by the Conseil du trésor, including oversight or support measures.

“CHAPTER VII

“TRANSITIONAL AND MISCELLANEOUS PROVISIONS

“DIVISION I

“RIGHTS AND OBLIGATIONS

“49. The Centre replaces the Centre de services partagés du Québec with respect to the functions entrusted to it by this Act; it acquires the latter’s rights and assumes its obligations.

The assets and liabilities of the Centre de services partagés du Québec with respect to the functions entrusted to the Centre by this Act are identified by the Chair of the Conseil du trésor and transferred to the Centre according to the value and on the conditions determined by the Government.

“50. The Centre replaces the following joint procurement groups recognized by the Minister of Health and Social Services in accordance with section 435.2 of the Act respecting health services and social services (chapter S-4.2):

(1) Groupe d’approvisionnement en commun de l’Est du Québec, constituted by letters patent of amalgamation deposited in the enterprise register on 3 April 2012 under business number 1168143635; and

(2) Groupe d’approvisionnement en commun de l’Ouest du Québec, constituted by letters patent of amalgamation deposited in the enterprise register on 30 June 2014 under business number 1170179726.

The Centre acquires the rights and assumes the obligations of the above groups.

“51. The Centre succeeds to the rights and obligations of the joint procurement group SigmaSanté, recognized by the Minister of Health and Social Services in accordance with section 435.2 of the Act respecting health services and social services and constituted by letters patent deposited in the enterprise register on 26 May 1994 under business number 1140477762, for the continuance of its goods and services procurement contracts identified by the Chair of the Conseil du trésor. The Centre also acquires the assets and liabilities of SigmaSanté that are related to goods and services procurement and identified by the Chair of the Conseil du trésor; the Government determines the value and conditions relating to the transfer.

“52. The joint procurement groups referred to in section 50 are dissolved. The Chair of the Conseil du trésor sends a notice to that effect to the enterprise registrar, who deposits it in the register referred to in Chapter II of the Act respecting the legal publicity of enterprises (chapter P-44.1). Any remaining assets devolve to the Chair of the Conseil du trésor, except those identified by the Chair of the Conseil du trésor.

“53. The Centre succeeds to the rights and obligations of Collecto Services regroupés en éducation, constituted by letters patent deposited in the enterprise register on 13 June 1997 under business number 1146879888, for the continuance of its goods and services procurement contracts identified by the Chair of the Conseil du trésor.

“DIVISION II

“HUMAN RESOURCES

“54. Employees of the Centre de services partagés du Québec who are assigned to functions related to those entrusted to the Centre by this Act and are identified by the Chair of the Conseil du trésor not later than 31 May 2020 become without further formality employees of the Centre.

“55. Employees of Groupe d’approvisionnement en commun de l’Est du Québec and of Groupe d’approvisionnement en commun de l’Ouest du Québec become without further formality employees of the Centre.

The same applies to employees of Collecto Services regroupés en éducation, employees seconded to Collecto Services regroupés en éducation, provided their home organization is an education network body, and employees of SigmaSanté who are assigned to functions related to those entrusted to the Centre by this Act and are identified by the Chair of the Conseil du trésor not later than 31 May 2020.

The above employees are deemed to have been appointed in accordance with the Public Service Act. In the case of employees hired for a limited period of time, such a presumption applies only for the unexpired portion of their contract.

The Conseil du trésor determines their remuneration, classification and any other condition of employment applicable to them.

For the purposes of this section, an education network body is a school board, a general and vocational college, the Fédération des cégeps, the Fédération des commissions scolaires du Québec or any other entity designated by the Chair of the Conseil du trésor.

“DIVISION III

“DOCUMENTS AND MISCELLANEOUS MEASURES

“**56.** Records, archives and other documents of the Centre de services partagés du Québec, Collecto Services regroupés en éducation, Groupe d’approvisionnement en commun de l’Est du Québec, Groupe d’approvisionnement en commun de l’Ouest du Québec and SigmaSanté that are related to the functions entrusted to the Centre by this Act become the latter’s records, archives and documents.

“**57.** The Centre becomes, without continuance of suit, a party to all proceedings to which the Centre de services partagés du Québec, Collecto Services regroupés en éducation, Groupe d’approvisionnement en commun de l’Est du Québec, Groupe d’approvisionnement en commun de l’Ouest du Québec or SigmaSanté was a party, with respect to the functions entrusted to the Centre by this Act.

“**58.** Until 21 February 2021 or, if it is earlier, the date of coming into force of an order made in accordance with section 9 that provides otherwise, the Centre provides, without interruption, the goods and services that, on 31 May 2020, were provided by the Centre de services partagés du Québec, Collecto Services regroupés en éducation, Groupe d’approvisionnement en commun de l’Est du Québec, Groupe d’approvisionnement en commun de l’Ouest du Québec or SigmaSanté, as applicable, but only if the goods and services to be obtained are related to the functions entrusted to the Centre by this Act.

“**59.** Tariffs and other forms of remuneration applicable to public bodies for goods and services provided by the Centre de services partagés du Québec and in force on 31 May 2020, continue to apply regarding the Centre until the date of coming into force of the first regulation made by the Centre in accordance with section 36.

The same applies, with the necessary modifications, to the tariffs and other forms of remuneration of Groupe d’approvisionnement en commun de l’Est du Québec, Groupe d’approvisionnement en commun de l’Ouest du Québec and SigmaSanté in force on that date for the public bodies concerned.

“60. Persons and bodies other than the public bodies that, on 31 May 2020, were served by, as applicable, Groupe d’approvisionnement en commun de l’Est du Québec, Groupe d’approvisionnement en commun de l’Ouest du Québec or SigmaSanté regarding goods and services procurement continue to be served in the same manner by the Centre until 21 February 2021, with no obligation on the part of such persons and bodies to use the Centre’s services.

“61. Calls for tenders published on 31 May 2020 in the electronic tendering system approved by the Government for the purposes of the Act respecting contracting by public bodies (chapter C-65.1), under the responsibility of the Centre de services partagés du Québec, Collecto Services regroupés en éducation, Groupe d’approvisionnement en commun de l’Est du Québec, Groupe d’approvisionnement en commun de l’Ouest du Québec and SigmaSanté, related to the functions entrusted to the Centre by this Act and possibly involving persons or bodies referred to in section 60, are continued under the Centre’s responsibility, without interruption.

“62. Despite any incompatible provision, an amendment to the constituting act of Groupe d’approvisionnement en commun de l’Est du Québec, Groupe d’approvisionnement en commun de l’Ouest du Québec or SigmaSanté after 17 September 2019 is without effect.

Despite the first paragraph, an amendment must be made to the constituting act of SigmaSanté after that date in order to give full effect to the application of this Act.

“63. Unless the context indicates otherwise or this Act provides otherwise, in any Act or any other document

(1) a reference to the Centre de services partagés du Québec or to the director general of purchasing referred to in the Act respecting the Service des achats du gouvernement (chapter S-4) is a reference to the Centre d’acquisitions gouvernementales, with respect to the functions entrusted to the latter by this Act; and

(2) a reference to the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1) or any of its provisions is a reference to this Act or the corresponding provision of this Act, with respect to the functions entrusted to the Centre d’acquisitions gouvernementales by this Act.

“64. The Secretary of the Conseil du trésor may, until the date preceding the date the Centre’s first president and chief executive officer takes office, enter into any contract he or she considers necessary to ensure the establishment of the Centre and promote the smooth conduct of its activities and operations. For those purposes, the Secretary may make any necessary financial commitment in the amount and for the duration he or she considers appropriate.

“CHAPTER VIII**“FINAL PROVISIONS**

“65. The Chair of the Conseil du trésor must, not later than 1 June 2025 and subsequently every five years, submit a report to the Government on the carrying out of this Act.

The report must include recommendations concerning the Centre’s activities and an assessment of the Centre’s efficiency and performance, including benchmarking measures.

The report is tabled in the National Assembly within 30 days or, if the National Assembly is not sitting, within 15 days of resumption.

“66. The Chair of the Conseil du trésor is responsible for the administration of this Act.”

PART II**ENACTMENT OF THE ACT RESPECTING INFRASTRUCTURES
TECHNOLOGIQUES QUÉBEC**

2. The Act respecting Infrastructures technologiques Québec, the text of which appears in this Part, is enacted.

**“ACT RESPECTING INFRASTRUCTURES TECHNOLOGIQUES
QUÉBEC****“CHAPTER I****“ESTABLISHMENT**

“1. Infrastructures technologiques Québec is established.

Infrastructures technologiques Québec may choose, following the approval of the Chair of the Conseil du trésor, to refer to itself by another name or by an acronym by sending a copy of a decision to that effect to the enterprise registrar; at the same time, it posts the decision on its website.

“2. Infrastructures technologiques Québec’s head office is in the national capital at the place it determines.

Infrastructures technologiques Québec publishes a notice of the location and of any change in location of its head office in the *Gazette officielle du Québec* and, at the same time, posts it on its website.

“CHAPTER II**“MISSION AND RESPONSIBILITIES**

“3. Infrastructures technologiques Québec’s mission, in keeping with the policy directions determined by the Conseil du trésor, is to provide public bodies with common technology infrastructure services and support system services capable of, among other things, supporting such bodies in the exercise of their functions and in their delivery of services so as to promote their digital transformation.

Infrastructures technologiques Québec pools and develops in-house expertise on common technology infrastructures. It contributes to enhancing digital information security within public bodies and the availability of services to citizens and businesses through the increased use of secure, high-performance shared technology infrastructures within such bodies.

The Conseil du trésor determines, in writing, the common technology infrastructure services and support system services that Infrastructures technologiques Québec may provide. The Conseil du trésor describes the services and determines their nature and extent as well as any other conditions. It publishes on its website, within six months after the coming into force of this Act, the first list of the services provided for in this paragraph and, subsequently, any amendment to the list, within a reasonable time.

For the purposes of this Act, public bodies are the bodies referred to in section 2 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03).

“4. Infrastructures technologiques Québec must, more specifically,

(1) ensure that the common technology infrastructure services and support system services under its responsibility are accessible;

(2) ensure that its services meet public bodies’ needs, taking into account government priorities, and that its services keep up with advances in information technology;

(3) seek to optimize the design, execution, operation and development costs of its services so as to improve the efficiency and effectiveness of its services with respect to performance objectives and contribute to government-wide savings;

(4) establish customer relationship management processes to support public bodies using Infrastructures technologiques Québec services and measure their level of satisfaction with regard to the services it provides;

(5) see to it that the proper, highest performance standards conducive to ensuring the confidentiality, integrity and availability of the public body information it keeps are complied with and maintained, in particular by putting security measures in place;

(6) take the necessary measures to ensure the longevity of the information assets under its responsibility and indicate the life cycle of each asset in its inventory compiled and kept in accordance with paragraph 3 of section 13 of the Act respecting the governance and management of the information resources of public bodies and government enterprises so as to anticipate when the assets will become obsolete and to prevent them from becoming obsolete;

(7) contribute to the emergence of exemplary and innovative technology management practices in cooperation with the chief information officer and the various actors in the information technology community; and

(8) carry out any other related mandate the Government or the Chair of the Conseil du trésor entrusts to it.

“5. Infrastructures technologiques Québec acts as a cloud broker for public bodies by making cloud offerings available by type of good or service.

For that purpose, Infrastructures technologiques Québec must prepare a catalogue of cloud offerings designed to meet the bodies' needs and assist them in such matters.

“6. Infrastructures technologiques Québec may provide services to any other person or to any other entity designated by the Chair of the Conseil du trésor.

“7. Infrastructures technologiques Québec must inform the Chair of the Conseil du trésor if a public body refuses or fails to use Infrastructures technologiques Québec services in cases where the Government requires the use of such services following an order made under subparagraph 1 of the first paragraph of section 22.1 of the Act respecting the governance and management of the information resources of public bodies and government enterprises.

“CHAPTER III

“OPERATION

“8. Infrastructures technologiques Québec's affairs are administered by a president and chief executive officer appointed by the Government, which determines his or her remuneration, employee benefits and other conditions of employment.

The president and chief executive officer is appointed for a term of up to five years. At the end of the term, the president and chief executive officer remains in office until replaced or reappointed.

“9. The president and chief executive officer is responsible for the administration and direction of Infrastructures technologiques Québec. The office of president and chief executive officer is a full-time position.

“10. The Government may, on the recommendation of the Chair of the Conseil du trésor, appoint the number of vice-presidents it determines to assist the president and chief executive officer. The Government determines their remuneration, employee benefits and other conditions of employment.

The office of vice-president is a full-time position. Each vice-president is appointed for a term of up to four years and remains in office until replaced or reappointed.

“11. The president and chief executive officer designates a vice-president to replace him or her when he or she is absent or unable to act.

“12. Infrastructures technologiques Québec may make by-laws for its internal management.

“13. Infrastructures technologiques Québec’s documents, if certified true by the president and chief executive officer, a vice-president, the secretary or any other person authorized by Infrastructures technologiques Québec for that purpose, are authentic. The same applies to copies emanating from Infrastructures technologiques Québec or forming part of its records if they have been so certified.

“14. No document is binding on Infrastructures technologiques Québec or may be attributed to it unless it is signed by the president and chief executive officer, a vice-president, the secretary or, to the extent determined in Infrastructures technologiques Québec’s by-laws, a member of Infrastructures technologiques Québec’s personnel.

The rules governing the delegation of signing authority may provide for subdelegation and how it is to be exercised.

“15. Infrastructures technologiques Québec may, subject to the conditions and on the documents it determines by by-law, allow a required signature to be affixed by means of any information technology-based process.

“16. Infrastructures technologiques Québec sends its strategic plan, and any amendment to it, to the Chair of the Conseil du trésor for examination of the plan’s consistency with ministerial and government policy directions. The Chair of the Conseil du trésor may ask Infrastructures technologiques Québec to replace the plan or the amendment.

“17. An audit committee is established within Infrastructures technologiques Québec. The committee is composed of three independent members appointed by the Chair of the Conseil du trésor. On the expiry of their terms, such members remain in office until replaced or reappointed.

The members of the audit committee must, as a group, have the appropriate expertise and experience, in particular expertise in accounting and information technology.

The Secretary of the Conseil du trésor is a permanent member of the committee but is not entitled to vote; the Secretary may appoint a substitute.

A member is independent if, in the opinion of the Chair of the Conseil du trésor, the member 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).

The members of the audit committee receive no remuneration. They are, however, entitled to reimbursement of the expenses incurred in the performance of their duties, on the conditions and to the extent determined by the Government.

Sections 5 to 8 and 25 of the Act respecting the governance of state-owned enterprises apply, with the necessary modifications.

“18. The functions of the audit committee include

(1) ensuring that a plan for the optimal use of Infrastructures technologiques Québec resources is put in place, and following up on that plan;

(2) seeing to it that internal control mechanisms regarding operations and management practices are put in place and ensuring they are appropriate and effective;

(3) ensuring that a risk management process is put in place;

(4) reviewing any activity that could be detrimental to Infrastructures technologiques Québec’s financial health;

(5) seeing to it that Infrastructures technologiques Québec applies its code of ethics;

(6) ensuring that Infrastructures technologiques Québec’s decisions or, more generally, its activities comply with the applicable laws, policies and directives; and

(7) ensuring that the annual management report referred to in section 24 of the Public Administration Act (chapter A-6.01) contains the elements or information determined by the Conseil du trésor.

“19. The audit committee meets at least twice a year and more often if necessary.

The committee may hold its meetings anywhere in Québec.

“20. The audit committee may, in the exercise of its functions, require that any document or information used by Infrastructures technologiques Québec be communicated to the committee.

The officers, employees and mandataries of Infrastructures technologiques Québec must, on request, communicate those documents or that information to, and facilitate their examination by, the committee.

“21. The audit committee is under the authority of the Chair of the Conseil du trésor.

The audit committee must inform the president and chief executive officer of Infrastructures technologiques Québec and the Chair of the Conseil du trésor on discovering non-compliant operations or practices.

“22. The members of Infrastructures technologiques Québec’s personnel are appointed in accordance with the Public Service Act (chapter F-3.1.1).

“CHAPTER IV

“FINANCIAL PROVISIONS

“23. Infrastructures technologiques Québec finances the services it offers or provides out of the sums from the Government Infrastructure and Digital Services Fund. Infrastructures technologiques Québec’s administrative expenses are financed by the sums granted for that purpose by Parliament.

“24. Infrastructures technologiques Québec determines the tariff of fees as well as the other forms of remuneration payable for the services it provides. The tariff and other forms of remuneration may vary according to the service provided or the clientele served.

The above forms of remuneration require the approval of the Conseil du trésor.

Infrastructures technologiques Québec publishes on its website, within a reasonable time, its rate schedule and any amendment to it.

“25. Infrastructures technologiques Québec sends the Chair of the Conseil du trésor any information or any other report required by the Chair concerning Infrastructures technologiques Québec’s activities.

“CHAPTER V**“GOVERNMENT INFRASTRUCTURE AND DIGITAL SERVICES FUND**

“26. A special fund to be known as the “Government Infrastructure and Digital Services Fund” is established at Infrastructures technologiques Québec.

“27. The Fund is dedicated to financing public bodies’ common technology infrastructures and support systems, and the services offered or provided by Infrastructures technologiques Québec.

The financing of a technology infrastructure may cover its design, implementation, maintenance, evolution and operation.

“28. The following are credited to the Fund:

(1) the sums collected by Infrastructures technologiques Québec for the goods and services financed by the Fund;

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

(3) the sums transferred to it by a minister or by a budget-funded body listed in Schedule 1 to the Financial Administration Act out of the appropriations granted for that purpose by Parliament;

(4) the gifts, legacies and other contributions paid into the Fund to further the achievement of its purposes; and

(5) the interest earned on the sums credited to the Fund.

“29. The sums required to pay any expense needed to finance the infrastructures, systems and services referred to in section 27, excluding Infrastructures technologiques Québec’s administrative expenses, are debited from the Fund.

“30. Any surpluses accumulated by the Fund are transferred to the general fund on the dates and to the extent determined by the Government.

“31. The president and chief executive officer is responsible for managing the Fund.

“32. The Auditor General audits the Fund’s books and accounts each year and whenever ordered by the Government.

“CHAPTER VI**“TRANSITIONAL PROVISIONS**

“33. Infrastructures technologiques Québec replaces the Centre de services partagés du Québec with respect to the functions entrusted to it by this Act; it acquires the latter’s rights and assumes its obligations.

The assets and liabilities of the Centre de services partagés du Québec with respect to the functions entrusted to Infrastructures technologiques Québec by this Act are identified by the Chair of the Conseil du trésor. The assets and liabilities are divided between Infrastructures technologiques Québec and the Government Infrastructure and Digital Services Fund as follows:

(1) the assets and liabilities related to administrative activities are transferred to Infrastructures technologiques Québec; and

(2) the assets and liabilities related to the services offered or provided by Infrastructures technologiques Québec to its clientele are transferred to the Government Infrastructure and Digital Services Fund.

The assets and liabilities are divided according to the value and on the conditions determined by the Government.

The sums necessary to provide for the payment of the liabilities referred to in subparagraph 1 of the second paragraph are taken out of the Consolidated Revenue Fund.

“34. Records, archives and other documents of the Centre de services partagés du Québec that are related to the functions entrusted to Infrastructures technologiques Québec by this Act become the latter’s records, archives and documents.

“35. Calls for tenders published on 31 May 2020 in the electronic tendering system approved by the Government for the purposes of the Act respecting contracting by public bodies (chapter C-65.1), under the responsibility of the Centre de services partagés du Québec and related to the functions entrusted to Infrastructures technologiques Québec by this Act, are continued under the latter’s responsibility, without interruption.

“36. Until the date of coming into force of the first decision by the Conseil du trésor made in accordance with the third paragraph of section 3, Infrastructures technologiques Québec provides services to clients that, on 31 May 2020, were served by the Centre de services partagés du Québec, but only to the extent that those services are related to the functions entrusted to Infrastructures technologiques Québec by this Act.

“37. The project called “Programme de consolidation des centres de traitement informatique et de l’optimisation du traitement et du stockage” and referred to in Order in Council 38-2019 dated 29 January 2019 continues under the same conditions, under the aegis of Infrastructures technologiques Québec.

“38. Employees of the Centre de services partagés du Québec who are assigned to functions related to those entrusted to Infrastructures technologiques Québec by this Act and are identified by the Chair of the Conseil du trésor not later than 31 May 2020 become without further formality employees of Infrastructures technologiques Québec.

“39. The expenditure and investment estimates for the Government Infrastructure and Digital Services Fund, set out in Schedule I, are approved for the fiscal year 2020–2021.

“CHAPTER VII

“MISCELLANEOUS AND FINAL PROVISIONS

“40. Unless the context indicates otherwise or this Act provides otherwise, in any Act and any other document

(1) a reference to the Centre de services partagés du Québec is a reference to Infrastructures technologiques Québec, with respect to the functions entrusted to the latter by this Act; and

(2) a reference to the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1) or any of its provisions is a reference to this Act or the corresponding provision of this Act, with respect to the functions entrusted to Infrastructures technologiques Québec by this Act.

“41. The Secretary of the Conseil du trésor may, until the date preceding the date Infrastructures technologiques Québec’s first president and chief executive officer takes office, enter into, on behalf of Infrastructures technologiques Québec, any contract the Secretary considers necessary to ensure the establishment of Infrastructures technologiques Québec and promote the smooth conduct of its activities and operations. For those purposes, the Secretary may make any necessary financial commitment in the amount and for the duration the Secretary considers appropriate.

“42. The Chair of the Conseil du trésor is responsible for the administration of this Act.

“SCHEDULE I
(Section 39)

GOVERNMENT INFRASTRUCTURE AND DIGITAL SERVICES FUND

2020–2021 EXPENDITURE AND INVESTMENT ESTIMATES
(in thousands of dollars)

	2020–2021
Revenues	400,000
Expenditures	<u>400,000</u>
Surplus (deficit) for the fiscal year	–
Investments	75,000
Balance of loans or advances”.	

PART III

AMENDING PROVISIONS

FINANCIAL ADMINISTRATION ACT

3. Schedule 1 to the Financial Administration Act (chapter A-6.001) is amended by inserting “Infrastructures technologiques Québec” in alphabetical order.

4. Schedule 2 to the Act is amended

(1) by inserting “Centre d'acquisitions gouvernementales” in alphabetical order;

(2) by striking out “Centre de services partagés du Québec”.

TAX ADMINISTRATION ACT

5. Section 69.1 of the Tax Administration Act (chapter A-6.002) is amended by replacing subparagraph z.3 of the second paragraph by the following subparagraph:

“(z.3) the Autorité des marchés publics, in respect of information necessary for the purposes of Chapters V.1 and V.2 of the Act respecting contracting by public bodies (chapter C-65.1);”.

6. The Act is amended by inserting the following section after section 69.5.2:

“69.5.3. The Autorité des marchés publics may, without the consent of the person concerned, record in the register of enterprises ineligible for public contracts that it keeps under section 21.6 of the Act respecting contracting by public bodies (chapter C-65.1) any information obtained under subparagraph z.3 of the second paragraph of section 69.1 to the extent that the information concerns a penalty imposed on the person under section 1079.13.1 or 1079.13.2 of the Taxation Act (chapter I-3).”

PUBLIC ADMINISTRATION ACT

7. Section 21 of the Public Administration Act (chapter A-6.01) is amended by replacing the first paragraph by the following paragraph:

“At a minister’s or body’s request, the Centre d’acquisitions gouvernementales or, as applicable, Infrastructures technologiques Québec may intervene in a management agreement for the delegation and exercise of the powers conferred on them by, respectively, the Act respecting the Centre d’acquisitions gouvernementales (2020, chapter 2, section 1) and the Act respecting Infrastructures technologiques Québec (2020, chapter 2, section 2) and which they may not otherwise delegate.”

8. Section 24 of the Act is amended by striking out subparagraph 1.1 of the second paragraph.

9. Section 77.1 of the Act is amended

(1) by inserting the following paragraphs after paragraph 2:

“(2.1) establish government procurement directives and see to their implementation, taking into account their impact on the regional economy and in keeping with intergovernmental agreements within the meaning of the second paragraph of section 2 of the Act respecting contracting by public bodies (chapter C-65.1);

“(2.2) take any necessary measure, including the implementation of a mechanism to increase the efficiency and effectiveness of the Centre d’acquisitions gouvernementales and restrict procurement expenses;”;

(2) by replacing both occurrences of “e-government” in paragraph 6 by “digital public administration”;

(3) by inserting the following subparagraphs after subparagraph 6:

“(6.1) ensure the implementation of a plan for the public administration’s digital transformation and assist public bodies in implementing the plan;

“(6.2) coordinate the efforts of public bodies and support them in adopting optimal management practices with respect to information resources;

“(6.3) ensure that public bodies adopt the best cybersecurity practices, in particular by establishing strategies;”;

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

“For the purposes of this section, public bodies are

(1) the public bodies referred to in the second paragraph of section 4 of the Act respecting the Centre d'acquisitions gouvernementales (2020, chapter 2, section 1); and

(2) the public bodies referred to in the fourth paragraph of section 4 of the Act respecting Infrastructures technologiques Québec (2020, chapter 2, section 2).”

ACT RESPECTING THE AGENCE DU REVENU DU QUÉBEC

10. The Act respecting the Agence du revenu du Québec (chapter A-7.003) is amended by inserting the following section after section 51:

“**51.1.** The Agency may provide the following administrative services to a public body:

- (1) digitization;
- (2) courier, storage and mail;
- (3) printing, including high volume printing and insertion; and
- (4) management and preservation of documents.

For the purposes of this section, a public body is

(1) a public body referred to in section 4 of the Act respecting contracting by public bodies (chapter C-65.1); or

(2) any other person or entity designated by the Government.”

BUILDING ACT

11. Section 65.4 of the Building Act (chapter B-1.1) is amended by replacing “a joint procurement group” in subparagraph 5 of the first paragraph by “the health and social services network insurance manager”.

**ACT RESPECTING THE CENTRE DE SERVICES PARTAGÉS
DU QUÉBEC**

12. The Act respecting the Centre de services partagés du Québec (chapter C-8.1.1) is repealed.

CHARTER OF VILLE DE QUÉBEC, NATIONAL CAPITAL OF QUÉBEC

13. Section 43 of Schedule C to the Charter of Ville de Québec, national capital of Québec (chapter C-11.5) is amended

(1) in the first paragraph,

(a) by replacing “Centre de services partagés du Québec established by the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” by “Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”;

(b) by inserting “or on those of Infrastructures technologiques Québec” after “Centre’s services”;

(2) by replacing “Centre de services partagés du Québec” in the second paragraph by “Centre d’acquisitions gouvernementales, to Infrastructures technologiques Québec”;

(3) by replacing “Centre de services partagés du Québec” in the third paragraph by “Centre d’acquisitions gouvernementales, Infrastructures technologiques Québec”.

CITIES AND TOWNS ACT

14. Section 29.9.2 of the Cities and Towns Act (chapter C-19) is amended

(1) in the first paragraph,

(a) by replacing “Centre de services partagés du Québec established by the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” by “Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”;

(b) by inserting “or on those of Infrastructures technologiques Québec” after “Centre’s services”;

(2) by striking out “the Act respecting health services and social services (chapter S-4.2) or” in the second paragraph;

(3) by replacing “Centre de services partagés du Québec” in the third paragraph by “Centre d’acquisitions gouvernementales, Infrastructures technologiques Québec”.

15. Section 29.12.2 of the Act is amended by replacing “Centre de services partagés du Québec” by “Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”.

16. Section 573.3.2 of the Act is amended

(1) by replacing “Centre de services partagés du Québec established by the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” in the first paragraph by “Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”;

(2) in the second paragraph,

(a) by replacing “the Centre de services partagés du Québec under Order in Council 923-2015 dated 28 October 2015 and any amendments to it” in the introductory clause by “Infrastructures technologiques Québec”;

(b) by adding the following subparagraph at the end:

“(4) the goods or services referred to in the framework agreement take into account the applicable criteria related to security, levels of services and compliance.”;

(3) in the third paragraph,

(a) by replacing “Centre de services partagés du Québec” by “Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”;

(b) by replacing “l’entremise de celui-ci” in the French text by “leur entremise”.

MUNICIPAL CODE OF QUÉBEC

17. Article 14.7.2 of the Municipal Code of Québec (chapter C-27.1) is amended

(1) in the first paragraph,

(a) by replacing “Centre de services partagés du Québec established by the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” by “Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”;

(b) by inserting “or on those of Infrastructures technologiques Québec” after “Centre’s services”;

(2) by replacing “Centre de services partagés du Québec” in the third paragraph by “Centre d’acquisitions gouvernementales, Infrastructures technologiques Québec”.

18. Article 14.18 of the Code is amended by replacing “or to the Centre de services partagés du Québec” by “or to the Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”.

19. Article 938.2 of the Code is amended

(1) by replacing “Centre de services partagés du Québec established by the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” in the first paragraph by “Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”;

(2) in the second paragraph,

(a) by replacing “the Centre de services partagés du Québec under Order in Council 923-2015 dated 28 October 2015 and any amendments to it” in the introductory clause by “Infrastructures technologiques Québec”;

(b) by adding the following subparagraph at the end:

“(4) the goods or services referred to in the framework agreement take into account the applicable criteria related to security, levels of services and compliance.”;

(3) in the third paragraph,

(a) by replacing “Centre de services partagés du Québec” by “Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”;

(b) by replacing “l’entremise de celui-ci” in the French text by “leur entremise”.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL

20. Section 114 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01) is amended

(1) by replacing “Centre de services partagés du Québec established by the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” in the first paragraph by “Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”;

(2) in the second paragraph,

(a) by replacing “the Centre de services partagés du Québec under Order in Council 923-2015 dated 28 October 2015 and any amendments to it” in the introductory clause by “Infrastructures technologiques Québec”;

(b) by adding the following subparagraph at the end:

“(4) the goods or services referred to in the framework agreement take into account the applicable criteria related to security, levels of services and compliance.”;

(3) in the third paragraph,

(a) by replacing “Centre de services partagés du Québec” by “Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”;

(b) by replacing “l’entremise de celui-ci” in the French text by “leur entremise”.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE QUÉBEC

21. Section 107 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02) is amended

(1) by replacing “Centre de services partagés du Québec established by the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” in the first paragraph by “Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”;

(2) in the second paragraph,

(a) by replacing “the Centre de services partagés du Québec under Order in Council 923-2015 dated 28 October 2015 and any amendments to it” in the introductory clause by “Infrastructures technologiques Québec”;

(b) by adding the following subparagraph at the end:

“(4) the goods or services referred to in the framework agreement take into account the applicable criteria related to security, levels of services and compliance.”;

(3) in the third paragraph,

(a) by replacing “Centre de services partagés du Québec” by “Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”;

(b) by replacing “l’entremise de celui-ci” in the French text by “leur entremise”.

**ACT RESPECTING THE FORFEITURE, ADMINISTRATION AND
APPROPRIATION OF PROCEEDS AND INSTRUMENTS OF
UNLAWFUL ACTIVITY**

22. Section 18 of the Act respecting the forfeiture, administration and appropriation of proceeds and instruments of unlawful activity (chapter C-52.2) is amended by replacing “Centre de services partagés du Québec” by “Centre d’acquisitions gouvernementales”.

ACT RESPECTING CONTRACTING BY PUBLIC BODIES

23. Section 4 of the Act respecting contracting by public bodies (chapter C-65.1) is amended by replacing “joint procurement groups” in subparagraph 6 of the first paragraph by “the health and social services network insurance manager”.

24. Section 15 of the Act is amended by adding the following paragraph at the end:

“Despite the second paragraph, where a public body and a legal person established in the public interest make a joint call for tenders through the Centre d’acquisitions gouvernementales or where the public body making a joint call for tenders with such a legal person is the Centre, the conditions for the call for tenders are those determined by this Act.”

25. Section 16 of the Act is amended by adding the following paragraph at the end:

“The same applies to the Centre d’acquisitions gouvernementales when it acquires goods or services on behalf of a public body.”

26. The Act is amended by inserting the following section after section 21.1:

“21.1.1. For the purposes of this chapter, an enterprise is deemed to have been found guilty, under a final judgment, of an offence listed in Schedule I if a penalty has been imposed on the enterprise under section 1079.13.1 or 1079.13.2 of the Taxation Act (chapter I-3), in connection with an assessment regarding which all rights of objection have expired or, if the enterprise has validly objected to the assessment or appealed from it to a court of competent jurisdiction, the objection or the appeal, as applicable, has been permanently settled.

Likewise, a person who is an associate of an enterprise within the meaning of section 21.2 is deemed to have been found guilty, under a final judgment, of an offence listed in Schedule I if a penalty has been imposed on the person under section 1079.13.1 or 1079.13.2 of the Taxation Act, in connection with an assessment regarding which all rights of objection have expired or, if the person has validly objected to the assessment or appealed from it to a court of competent jurisdiction, the objection or the appeal, as applicable, has been permanently settled.

In such cases, the provisions of this Act apply, with the necessary modifications.”

27. The Act is amended by inserting the following section after section 21.26:

“21.26.1. For the purposes of this chapter and despite section 21.29, an enterprise, person or entity is deemed to have been found guilty of an offence listed in Schedule I if a penalty has been imposed under section 1079.13.1 or 1079.13.2 of the Taxation Act (chapter I-3), in connection with an assessment regarding which all rights of objection have expired or, if the enterprise, person or entity has validly objected to the assessment or appealed from it to a court of competent jurisdiction, the objection or the appeal, as applicable, has been permanently settled.

In such cases, the provisions of this Act apply, with the necessary modifications.”

28. Section 22 of the Act is amended

(1) by replacing “\$25,000” in the first paragraph by “\$10,000, as well as the total amount paid by the body for each contract”;

(2) in the second paragraph,

(a) by replacing “In addition to the initial amount of each contract” by “Where the contract involves an expenditure equal to or greater than \$25,000, in addition to the initial amount and the total amount paid by the public body”;

(b) by replacing “that amount by more than 10% and the total amount paid by the public body” by “the initial amount by more than 10%”.

29. Section 23 of the Act is amended by replacing “\$25,000” in paragraph 6 by “\$10,000”.

ACT RESPECTING THE DEVELOPMENT OF QUÉBEC FIRMS IN THE BOOK INDUSTRY

30. Section 6 of the Act respecting the development of Québec firms in the book industry (chapter D-8.1) is amended by replacing subparagraph 3 of the fourth paragraph by the following subparagraph:

“(3) one by the Chair of the Conseil du trésor.”

ELECTION ACT

31. Section 488.1 of the Election Act (chapter E-3.3) is amended by replacing “Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” in the third paragraph by “Act respecting the Centre d’acquisitions gouvernementales (2020, chapter 2, section 1)”.

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

32. Section 2 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03) is amended by replacing “joint procurement groups” in subparagraph 5 of the first paragraph by “the health and social services network insurance manager”.

33. Section 7 of the Act is amended by replacing “e-government information resource initiatives” in paragraph 4 by “those aimed at achieving a digital public administration”.

34. Section 8 of the Act is amended by replacing “under the minister’s responsibility” in the first paragraph by “within the Minister’s portfolio”.

35. Section 12.1 of the Act is amended by inserting the following paragraph before paragraph 1:

“(0.1) recommending to the Conseil du trésor the services that may be provided by Infrastructures technologiques Québec;”.

36. Section 16.1 of the Act is amended by replacing the second paragraph by the following paragraph:

“The investment and expenditure plan for the information resources of public bodies is attached to the estimates of expenditures tabled in the National Assembly under section 45 of the Public Administration Act (chapter A-6.01).”

37. Section 16.2 of the Act is amended by replacing the second paragraph by the following paragraph:

“If the conditions and procedures relate to the management of projects carried out by the public bodies referred to in any of subparagraphs 4, 4.1 and 5 of the first paragraph of section 2 or by a body having its own information officer in accordance with the second paragraph of section 8, they must be determined after consultation with the minister responsible for the body.”

38. The Act is amended by inserting the following section after section 19:

19.1. The Chair of the Conseil du trésor may communicate expectations to public bodies regarding digital transformation.”

39. Section 22 of the Act is amended by replacing “the Centre de services partagés du Québec” in the first paragraph by “Infrastructures technologiques Québec”.

40. Section 22.1 of the Act is amended by replacing “the Centre de services partagés du Québec” in subparagraph 1 of the first paragraph by “Infrastructures technologiques Québec”.

41. The Act is amended by inserting the following section after section 47:

“**47.1.** This Act may be cited as the Act respecting information resources.”

ACT RESPECTING HÉMA-QUÉBEC AND THE BIOVIGILANCE COMMITTEE

42. Section 3 of the Act respecting Héma-Québec and the biovigilance committee (chapter H-1.1) is amended by replacing “a joint procurement group referred to in section 435.1 of the Act respecting health services and social services (chapter S-4.2) that has been designated by the Minister” in subparagraph 8 of the second paragraph by “the Centre d'acquisitions gouvernementales”.

43. Section 38 of the Act is repealed.

TAXATION ACT

44. The Taxation Act (chapter I-3) is amended by inserting the following section after section 1079.8.7:

“**1079.8.7.1.** A person who is an enterprise or a member of an enterprise, where the enterprise is a partnership, who is a shareholder of an enterprise, where the enterprise is a corporation, the shareholder is not an enterprise and the shareholder is an associate of an enterprise within the meaning of the second paragraph of section 21.2 of the Act respecting contracting by public bodies (chapter C-65.1), or who is a director or officer of an enterprise registered in the register provided for in section 21.45 of that Act, where the enterprise is a corporation or a partnership, may disclose to the Minister, in the period that begins on 18 September 2019 and ends on 21 April 2020, in an information return that must be filed in accordance with section 1079.8.9, any transaction that began to be carried out in a taxation year or fiscal period, as the case may be, by the enterprise, shareholder, director or officer, as the case may be, and has not been disclosed in accordance with sections 1079.8.5 to 1079.8.7.

For the purposes of the first paragraph, “enterprise” has the meaning assigned by section 13.1 of the Act respecting contracting by public bodies and “director” and “officer” mean a director or an officer, as the case may be, referred to in subparagraph 3 of the first paragraph of section 21.26 of that Act.

Despite the first paragraph, a transaction may not be disclosed on or after the start day of an audit or investigation by Revenu Québec or the Canada Revenue Agency in respect of that transaction.

For the purposes of the third paragraph, the start date of an audit or investigation of a person or partnership, in respect of a transaction, means the day that the person, one of the person's shareholders, officers or directors or one of the partnership's members or officers may reasonably be considered to have known or to ought to have known that Revenu Québec or the Canada Revenue Agency was about to undertake or had begun an audit or investigation regarding the transaction."

45. Section 1079.8.9 of the Act is amended by replacing "1079.8.7" in the introductory clause of the first paragraph by "1079.8.7.1".

46. Section 1079.8.11 of the Act is amended by replacing "1079.8.7" by "1079.8.7.1".

47. Section 1079.13.1 of the Act is amended by replacing "1079.8.7" in the second paragraph by "1079.8.7.1".

48. The Act is amended by inserting the following section after section 1079.15.1:

"1079.15.1.1. Despite section 1079.15.1, if section 1079.10 applies to a person in relation to a transaction and the person was not required to file an information return referred to in any of sections 1079.8.5 to 1079.8.6.1, in respect of the transaction or series of transactions that includes the transaction, did not file an information return referred to in section 1079.8.7, in respect of the transaction or series of transactions, and filed an information return in accordance with section 1079.8.7.1, in respect of the transaction or series of transactions, the Minister may, despite the expiry of the time limit provided for, in respect of the taxpayer, in paragraph *a* or *a.0.1* of subsection 2 of section 1010, determine the tax consequences to the person, the interest and the penalties, under this Act, and make a reassessment or an additional assessment on or before the day determined under section 1079.15.1, in respect of the person and in relation to the transaction or series of transactions, or the day, if it is later, that is one year after the day on which the information return referred to in section 1079.8.7.1 is sent by the person to the Minister in relation to the transaction or series of transactions.

However, the Minister may make a reassessment or an additional assessment beyond the period that, in respect of a person, is referred to in paragraph *a* or *a.0.1* of subsection 2 of section 1010, because of the application of section 1079.10 to the person in relation to a transaction, only to the extent that the reassessment or additional assessment may reasonably be considered to relate to the transaction."

PUBLIC INFRASTRUCTURE ACT

49. Section 3 of the Public Infrastructure Act (chapter I-8.3) is amended by replacing “joint procurement groups” in subparagraph 6 of the first paragraph by “the health and social services network insurance manager”.

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

50. 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 sections after section 57.3:

“57.3.1. The Minister acts as Québec Official Publisher.

“57.3.2. The Official Publisher publishes or commissions the publishing of

(1) the statutes of Québec;

(2) an official journal known as the *Gazette officielle du Québec*; and

(3) the documents, notices and announcements that the Government, the Office of the National Assembly or an Act require the Official Publisher to publish.

“57.3.3. All documents, notices and announcements whose publication is required by law are published in the *Gazette officielle du Québec*, unless another mode of publication is prescribed by law.

“57.3.4. The Minister, under the name “Les Publications du Québec”, provides document editing, publishing, distribution and marketing services. The Minister also provides translation and linguistic revision services.

The Minister, under the name “Les Publications du Québec”, is also in charge of selling the publications referred to in section 57.3.2.

“57.3.5. The Government may, by regulation,

(1) determine the terms and conditions applicable to operations relating to the publications or other works under the responsibility of the Official Publisher, except National Assembly publications;

(2) prescribe the publication conditions for the *Gazette officielle du Québec*;

(3) designate the public bodies, public servants and other persons to which or whom the Official Publisher shall send the *Gazette officielle du Québec* free of charge;

(4) fix the subscription price for the *Gazette officielle du Québec*; and

(5) establish a tariff of the amounts payable for the notices, announcements and documents published in the *Gazette officielle du Québec*.”

ACT RESPECTING THE MINISTÈRE DE LA CULTURE ET DES COMMUNICATIONS

51. Section 14 of the Act respecting the Ministère de la Culture et des Communications (chapter M-17.1) is amended by striking out “jointly with the minister responsible for the administration of the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” in paragraph 10.

ACT RESPECTING THE MINISTÈRE DES RELATIONS INTERNATIONALES

52. Section 30 of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1) is amended by replacing “Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” in the first paragraph by “Act respecting the Centre d’acquisitions gouvernementales (2020, chapter 2, section 1), the Act respecting Infrastructures technologiques Québec (2020, chapter 2, section 2)”.

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

53. Section 12.41 of the Act respecting the Ministère des Transports (chapter M-28) is amended by replacing paragraph 2 by the following paragraph:

“(2) the provision of services for the acquisition and disposal of rolling stock, subject to the provisions of the Act respecting the Centre d’acquisitions gouvernementales (2020, chapter 2, section 1);”.

ACT RESPECTING THE MINISTÈRE DU CONSEIL EXÉCUTIF

54. Section 3.17 of the Act respecting the Ministère du Conseil exécutif (chapter M-30) is amended by replacing “Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” in the first paragraph by “Act respecting the Centre d’acquisitions gouvernementales (2020, chapter 2, section 1)”.

ACT TO ENSURE THE OCCUPANCY AND VITALITY OF TERRITORIES

55. Section 4 of the Act to ensure the occupancy and vitality of territories (chapter O-1.3) is amended by replacing “Centre de services partagés du Québec” in paragraph 2 by “Centre d’acquisitions gouvernementales” and by inserting “Infrastructures technologiques Québec,” after “Hydro-Québec,” in that paragraph.

**ACT TO ESTABLISH THE OFFICE QUÉBEC-MONDE POUR
LA JEUNESSE**

56. Section 5 of the Act to establish the Office Québec-Monde pour la jeunesse (chapter O-5.2) is amended by replacing “Centre de services partagés du Québec” by “Centre d’acquisitions gouvernementales”.

**ACT RESPECTING THE COMPILATION OF QUÉBEC LAWS AND
REGULATIONS**

57. Section 7 of the Act respecting the Compilation of Québec Laws and Regulations (chapter R-2.2.0.0.2) is amended by replacing “under the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” in the third paragraph by “by the Minister of Employment and Social Solidarity”.

**ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES
RETIREMENT PLAN**

58. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended by striking out “Groupe d’approvisionnement en commun de l’Est du Québec” and “Groupe d’approvisionnement en commun de l’Ouest du Québec” in paragraph 1.

**ACT RESPECTING THE PENSION PLAN OF MANAGEMENT
PERSONNEL**

59. Schedule II to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended by striking out “Groupe d’approvisionnement en commun de l’Est du Québec” and “Groupe d’approvisionnement en commun de l’Ouest du Québec” in paragraph 1.

**ACT TO FOSTER ADHERENCE TO STATE RELIGIOUS NEUTRALITY
AND, IN PARTICULAR, TO PROVIDE A FRAMEWORK FOR
REQUESTS FOR ACCOMMODATIONS ON RELIGIOUS GROUNDS IN
CERTAIN BODIES**

60. Section 2 of the Act to foster adherence to State religious neutrality and, in particular, to provide a framework for requests for accommodations on religious grounds in certain bodies (chapter R-26.2.01) is amended by replacing “joint procurement groups” in subparagraph 8 of the first paragraph by “the health and social services network insurance manager”.

ACT RESPECTING OCCUPATIONAL HEALTH AND SAFETY

61. Section 176.0.1 of the Act respecting occupational health and safety (chapter S-2.1) is amended by replacing “section 10 of the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” by “the first paragraph of section 10 of the Act respecting the Centre d’acquisitions gouvernementales (2020, chapter 2, section 1)”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

62. Section 267 of the Act respecting health services and social services (chapter S-4.2) is replaced by the following section:

“267. An institution that is not represented by the health and social services network insurance manager referred to in the first paragraph of section 435.1 for its damage insurance needs must enter into a damage insurance contract in respect of acts for which it may be held liable.”

63. Chapter I.0.1 of Title II of Part III of the Act, comprising sections 435.1 to 436.0.4, is replaced by the following chapter:

“CHAPTER I.0.1**“INSURANCE**

“435.1. In this Act, “health and social services network insurance manager” means a non-profit legal person constituted under the laws of Québec and designated by the Minister, whose purpose is to offer institutions damage insurance services adapted to their needs, in accordance with the orientations determined by the Minister. The health and social services network insurance manager may also, with the Minister’s authorization, pursue additional or complementary purposes.

“435.2. All the institutions served by the health and social services network insurance manager are members of the latter.

The composition of the board of directors of the health and social services network insurance manager shall be determined in its constituting Act. The board must be composed in the majority of members from the institutions served by the insurance manager. The insurance manager’s executive director shall be appointed by the Minister following a selection process initiated by the Minister, including an invitation for applications held as determined by the Minister.

Sections 260 to 265, 278 to 280, 282, 289 to 292, 294, 296, 297, 316, 468, 469, 485, 486, 489, 499 and 500 apply, with the necessary modifications, to the health and social services network insurance manager. The Minister shall exercise the responsibilities assigned to an agency under those sections.

The auditor appointed by the health and social services network insurance manager under section 290 must, for the fiscal year for which he was appointed, audit the insurance manager’s financial report and carry out the other components of his mandate that are determined by the insurance manager or the Minister.

“435.3. The health and social services network insurance manager must enter into an agreement with the Minister that covers, in particular, the following subjects:

(1) the insurance manager’s strategic and operational orientations and objectives; and

(2) the manner in which periodic reports are to be filed with the Minister, including an annual financial report that includes the financial statements, the audit report and any other information required by the Minister.

The health and social services network insurance manager must prepare an annual management report containing the information and documents required by the Minister and send it to the latter. The report must be published on the insurance manager’s website.

“435.4. The Minister may, by regulation, determine the standards and scales to be used by the health and social services network insurance manager for

(1) the selection, appointment and hiring, and the remuneration and other conditions of employment, of senior administrators and management personnel; and

(2) the remuneration and other conditions of employment of the other staff members, subject to the collective agreements in force.

The Minister may establish, by regulation and for persons referred to in subparagraphs 1 and 2 of the first paragraph who are not governed by a collective agreement, a procedure of appeal for cases of dismissal, termination of employment or non-renewal of employment, and for cases of suspension without pay or of demotion. The regulation may also prescribe a procedure for the settlement of disagreements over the interpretation and application of the terms of employment established thereby. Lastly, the regulation may prescribe a method for the designation of an arbitrator, to which sections 100.1, 139 and 140 of the Labour Code (chapter C-27) apply, and the measures the arbitrator may take after having heard the parties.

A regulation made under this section must be authorized by the Conseil du trésor. The Conseil du trésor may limit the authorization requirement to the matters it considers of governmental import. It may also attach conditions to the authorization.

“436. The Minister shall determine the general terms governing the financing of the health and social services network insurance manager.”

64. Section 472.1 of the Act is amended, in the first paragraph,

(1) by replacing “a joint procurement group recognized by the Minister under section 267” by “the health and social services network insurance manager referred to in the first paragraph of section 435.1”;

(2) by striking out “by the joint procurement group”;

(3) by replacing “advance to the joint procurement group” by “advance to the insurance manager”.

65. Section 485 of the Act is amended by replacing “joint procurement groups” in the first paragraph by “the health and social services network insurance manager referred to in the first paragraph of section 435.1”.

66. Section 619.36 of the Act is amended by replacing “of the third paragraph of section 435.3” by “of sections 260 to 265, 278 to 280, 282, 289 to 292, 294 to 297, 316, 468, 469, 485, 486, 489, 499 and 500, which apply with the necessary modifications”.

ACT RESPECTING THE SOCIÉTÉ QUÉBÉCOISE D'INFORMATION JURIDIQUE

67. Section 3 of the Act respecting the Société québécoise d'information juridique (chapter S-20) is amended by replacing “minister responsible for the administration of the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” in paragraph *f* by “Chair of the Conseil du trésor”.

68. Section 23 of the Act is amended by replacing “Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” by “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 PUBLIC TRANSIT AUTHORITIES

69. Section 104 of the Act respecting public transit authorities (chapter S-30.01) is amended

(1) by replacing “Centre de services partagés du Québec established by the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” in the first paragraph by “Centre d'acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”;

(2) in the second paragraph,

(a) by replacing “the Centre de services partagés du Québec under Order in Council 923-2015 dated 28 October 2015 and any amendments to it” in the introductory clause by “Infrastructures technologiques Québec”;

(b) by adding the following subparagraph at the end:

“(4) the goods or services referred to in the framework agreement take into account the applicable criteria related to security, levels of services and compliance.”;

(3) by replacing “Centre de services partagés du Québec” in the third paragraph by “Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”.

ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK REGIONAL GOVERNMENT

70. Section 207.1 of the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1) is amended

(1) by replacing “Centre de services partagés du Québec established by the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” in the first paragraph by “Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”;

(2) in the second paragraph,

(a) by replacing “Centre de services partagés du Québec” by “Centre d’acquisitions gouvernementales or Infrastructures technologiques Québec”;

(b) by replacing “l’entremise de celui-ci” in the French text by “leur entremise”.

71. Section 358.5 of the Act is amended

(1) by replacing “Centre de services partagés du Québec established by the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” in the first paragraph by “Centre d’acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec”;

(2) in the second paragraph,

(a) by replacing “Centre de services partagés du Québec” by “Centre d’acquisitions gouvernementales or Infrastructures technologiques Québec”;

(b) by replacing “l’entremise de celui-ci” in the French text by “leur entremise”.

**TERMS AND CONDITIONS FOR THE SIGNING OF CERTAIN ACTS,
DOCUMENTS OR WRITINGS EMANATING FROM THE
SECRETARIAT OF THE CONSEIL DU TRÉSOR**

72. The Terms and conditions for the signing of certain acts, documents or writings emanating from the secretariat of the Conseil du trésor (chapter A-6.01, r. 4) are amended by replacing all occurrences of “Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)” by “Act respecting the Centre d’acquisitions gouvernementales (2020, chapter 2, section 1)”, with the necessary modifications.

**REGULATION RESPECTING CONTRACTS OF THE ETHICS
COMMISSIONER**

73. Section 6 of the Regulation respecting contracts of the Ethics Commissioner (chapter C-23.1, r. 1) is amended by replacing “Centre de services partagés du Québec” in the second paragraph by “Centre d’acquisitions gouvernementales”.

74. Section 24 of the Regulation is amended by replacing “Centre de services partagés du Québec” in the first paragraph by “Centre d’acquisitions gouvernementales”.

**RÈGLES SUR LES MODALITÉS DE GESTION ADMINISTRATIVE,
FINANCIÈRE ET D’ENGAGEMENT DE PERSONNEL DES
COMMISSIONS D’ENQUÊTE INSTITUÉES EN VERTU DE LA LOI
SUR LES COMMISSIONS D’ENQUÊTES**

75. Section 8 of the Règles sur les modalités de gestion administrative, financière et d’engagement de personnel des commissions d’enquête instituées en vertu de la Loi sur les commissions d’enquêtes (chapter C-37, r. 1, French only) is amended by replacing “Centre de services partagés” by “Centre d’acquisitions gouvernementales ou, selon le cas, Infrastructures technologiques Québec”.

**REGULATION RESPECTING CERTAIN SUPPLY CONTRACTS OF
PUBLIC BODIES**

76. Section 46.2 of the Regulation respecting certain supply contracts of public bodies (chapter C-65.1, r. 2) is amended by replacing “a joint procurement group referred to in section 435.1 of the Act respecting health services and social services (chapter S-4.2)” in the first paragraph by “the Centre d’acquisitions gouvernementales”.

REGULATION RESPECTING CERTAIN SERVICE CONTRACTS OF
PUBLIC BODIES

77. Section 21 of Schedule 2 to the Regulation respecting certain service contracts of public bodies (chapter C-65.1, r. 4) is amended by replacing “Centre de services partagés du Québec” in subparagraph 1 of the second paragraph by “Centre d’acquisitions gouvernementales”.

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

78. Section 48 of the Regulation respecting contracting by public bodies in the field of information technologies (chapter C-65.1, r. 5.1) is amended, in the first paragraph,

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

“**48.** A contract for the acquisition of cloud goods or services may be entered into by mutual agreement with a supplier or a service provider, following an interest call issued by Infrastructures technologiques Québec, to the extent that a framework agreement has been entered into with the supplier or service provider and provided that”;

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

“(4) the goods or services referred to in the framework agreement take into account the applicable criteria related to security, levels of services and compliance.”

RÈGLEMENT SUR LES CONTRATS DU PROTECTEUR DU CITOYEN

79. Section 69 of the Règlement sur les contrats du Protecteur du citoyen (chapter P-32, r. 2, French only) is amended

(1) in the introductory clause of the first paragraph,

(a) by replacing “Centre de services partagés du Québec” by “Centre d’acquisitions gouvernementales ou, selon le cas, par Infrastructures technologiques Québec”;

(b) by striking out “en application du D. 923-2015, 2015-10-28 et ses modifications, le cas échéant.”;

(2) by adding the following subparagraph at the end of the second paragraph:

“(4) les biens et les services visés par l’entente-cadre tiennent compte des critères de sécurité, de niveaux de services et de conformité applicables.”

80. Section 102 of the Regulation is amended by replacing “Centre de services partagés du Québec” in the third paragraph by “Centre d’acquisitions gouvernementales ou, selon le cas, à Infrastructures technologiques Québec”.

PART IV

TRANSITIONAL AND MISCELLANEOUS PROVISIONS

DIVISION I

RIGHTS AND OBLIGATIONS

81. The Agence du revenu du Québec replaces the Centre de services partagés du Québec with respect to the functions entrusted to the Agency by this Act; the Agency acquires the Centre’s rights and assumes its obligations.

Despite the first paragraph, the assets and liabilities of the Centre de services partagés du Québec with respect to the functions entrusted to the Agency by this Act are identified by the Chair of the Conseil du trésor and transferred to the Agency according to the value and on the conditions determined by the Government.

82. The Minister of Employment and Social Solidarity replaces the Centre de services partagés du Québec with respect to the Official Publisher function entrusted to the Minister by this Act; the Minister acquires the Centre’s rights and assumes its obligations.

83. The Chair of the Conseil du trésor becomes, on 1 June 2020, by virtue of office, responsible for any service offered or rendered on that date by the Centre de services partagés du Québec that is not related to a function entrusted to, as applicable, the Centre d’acquisitions gouvernementales, Infrastructures technologiques Québec, the Minister of Employment and Social Solidarity or the Agence du revenu du Québec by this Act.

The Government may, on the conditions it determines, require a public body to use a service for which the Chair of the Conseil du trésor is responsible by virtue of office under the first paragraph. The Government may do likewise for any other administrative service regarding human resources under the Chair’s responsibility. The Government may also, on the conditions it determines, designate a public body to exercise functions or carry on activities related to such services, and provide for its remuneration.

For the purposes of this section, the departments, the bodies and persons listed in Schedule 1 to the Financial Administration Act (chapter A-6.001) and any person or body whose personnel is appointed in accordance with the Public Service Act (chapter F-3.1.1) are public bodies. The National Assembly and the persons appointed or designated by the National Assembly to an office under its authority are not public bodies.

84. Assets and liabilities of the Centre de services partagés du Québec that do not become those of the Centre d'acquisitions gouvernementales, Infrastructures technologiques Québec, the Minister of Employment and Social Solidarity or the Agence du revenu du Québec become those of the Chair of the Conseil du trésor, or of the Minister of Finance in the case of rights or debts toward a financial institution or relating to a financial instrument or contract designated by the Government.

85. The Chair of the Conseil du trésor, the Centre d'acquisitions gouvernementales, Infrastructures technologiques Québec, the Minister of Employment and Social Solidarity and the Agence du revenu du Québec succeed, separately and in keeping with the functions entrusted to them respectively by this Act, to the rights and obligations of the Centre de services partagés du Québec as regards the continuation of the framework agreements and comprehensive agreements entered into by the latter.

DIVISION II

HUMAN RESOURCES

86. Employees of the Centre de services partagés du Québec who are assigned to the function of Official Publisher and are identified by the Chair of the Conseil du trésor not later than 31 May 2020 become without further formality employees of the Ministère de l'Emploi et de la Solidarité sociale, except those who exercise their functions at the communications directorate, who become employees of the Ministère du Conseil exécutif, and those who belong to the class of positions of advocate and notary within the legal affairs directorate of the Centre de services partagés du Québec or to the class of positions of legal manager at the same directorate, who become employees of the Ministère de la Justice.

87. Employees of the Centre de services partagés du Québec who are assigned to functions related to a service for which the Chair of the Conseil du trésor is, by virtue of office, responsible under section 83 and are identified by the latter not later than 31 May 2020 become without further formality employees of the secretariat of the Conseil du trésor, except those who exercise their functions at the communications directorate, who become employees of the Ministère du Conseil exécutif, and those who belong to the class of positions of advocate and notary within the legal affairs directorate of the Centre de services partagés du Québec or to the class of positions of legal manager at the same directorate, who become employees of the Ministère de la Justice.

88. Subject to the conditions of employment applicable to them, employees of the Centre de services partagés du Québec who are assigned to functions related to those entrusted to the Agence du revenu du Québec by this Act and are identified by the Chair of the Conseil du trésor not later than 31 May 2020 become employees of the Agence du revenu.

89. Any employee transferred to the Agence du revenu du Québec under section 88 who, on the date of the transfer, was a public servant with permanent tenure, may apply for a transfer to a position in the public service or enter a promotion-only qualification process for such a position in accordance with the Public Service Act (chapter F-3.1.1).

The same applies in the case of an employee transferred to the Agence du revenu du Québec who, on the date of the transfer, was a public servant who had not acquired permanent tenure, other than a casual employee.

Section 35 of the Public Service Act applies to an employee who participates in such a promotion-only qualification process.

90. An employee referred to in section 89 who applies for a transfer or enters a promotion-only qualification process may apply to the Chair of the Conseil du trésor for an assessment of the classification that would be assigned to the employee in the public service. The assessment must take into account the classification the employee had in the public service on the date of the transfer, as well as the years of experience and the level of schooling attained while in the employment of the Agence du revenu du Québec.

However, before being able to apply for a transfer, an employee referred to in the second paragraph of section 89 who had not completed the probationary period required under section 13 of the Public Service Act before being transferred to the Agence du revenu du Québec must successfully complete the remainder of the probationary period at the Agence du revenu du Québec.

If an employee is transferred into the public service under section 89, the deputy minister or the chief executive officer of the body assigns to the employee a classification compatible with the assessment provided for in the first paragraph.

However, an employee referred to in the second paragraph of section 89 who, at the time of his or her transfer to the Agence du revenu du Québec, had not completed the period of continuous employment required for the purposes of section 14 of the Public Service Act to acquire permanent tenure and who, at the time of his or her transfer to a position in the public service, still has not, after adding the time accumulated in the public service before being transferred to the Agence du revenu du Québec and the time accumulated as an employee of the Agence du revenu du Québec, completed the equivalent of that period must complete the remainder of that period from the day of the transfer before obtaining permanent tenure.

If an employee is promoted under section 89, the employee must be given a classification on the basis of the criteria set out in the first paragraph.

91. If some or all of the operations of the Agence du revenu du Québec are discontinued, an employee referred to in section 88 who had permanent tenure at the time of his or her transfer is entitled to be placed on reserve in the public service with the same classification the employee had on the date of the transfer.

An employee referred to in the second paragraph of section 89 is entitled to be placed on reserve in the public service only if, at the time some or all of the operations of the Agence du revenu du Québec are discontinued, the time accumulated in the public service before the employee's transfer to the Agence du revenu du Québec and the time accumulated as an employee of the Agence du revenu du Québec is at least equivalent to the continuous period of employment provided for in section 14 of the Public Service Act.

If some of the Agency's operations are discontinued, the employee continues to exercise his or her functions within the Agence du revenu du Québec until the Chair of the Conseil du trésor is able to assign the employee a position in accordance with section 100 of the Public Service Act.

When assigning a position to an employee referred to in this section, the Chair of the Conseil du trésor determines the employee's classification on the basis of the criteria set out in the first paragraph of section 90.

92. An employee with permanent tenure referred to in section 88 who, in accordance with the conditions of employment applicable to him or her, refuses to be transferred to the Agence du revenu du Québec, is temporarily assigned to the Agence du revenu du Québec until the Chair of the Conseil du trésor is able to assign the employee a position in accordance with section 100 of the Public Service Act.

93. Subject to remedies available under a collective agreement or provisions standing in lieu of such remedies, an employee referred to in section 88 who is dismissed may bring an appeal under section 33 of the Public Service Act if he or she was a public servant with permanent tenure on the date of the transfer to the Agence du revenu du Québec.

The same applies in the case of an employee referred to in the second paragraph of section 89. However, an employee referred to in that paragraph who had not completed the probationary period required under section 13 of the Public Service Act before being transferred to the Agence du revenu du Québec must successfully complete the remainder of the probationary period at the Agence du revenu du Québec before being able to bring such an appeal.

94. The term of the president and director general of the Centre de services partagés du Québec ends on 31 May 2020. The president and director general is reintegrated into the public service under the conditions governing an eventual return to the public service set out in his or her instrument of appointment.

95. The term of the vice-presidents of the Centre de services partagés du Québec ends on 31 May 2020. The vice-presidents are reintegrated into the public service under the conditions governing an eventual return to the public service set out in their instrument of appointment or receive the severance allowance 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, made by Order in Council 450-2007 (2007, G.O. 2, 2723, French only), without further compensation, if a severance allowance is provided for in their instrument of appointment.

96. The term of the members of the board of directors of the Centre de services partagés du Québec, other than the president and director general, ends on 31 May 2020, without compensation.

97. The employment contract of the executive directors of Groupe d'approvisionnement en commun de l'Est du Québec, Groupe d'approvisionnement en commun de l'Ouest du Québec and SigmaSanté ends on 31 May 2020.

They are deemed to have received the notices required under their contract, and the time limits prescribed are deemed to have expired. They are not entitled to any indemnity other than those provided for in their contract.

DIVISION III

OTHER PROVISIONS

98. Sections 26 and 27 apply with respect to the assessment of a penalty imposed under section 1079.13.1 or 1079.13.2 of the Taxation Act (chapter I-3) that results from an audit or investigation by the Agence du revenu du Québec or the Canada Revenue Agency that began after 20 April 2020, with respect to an avoidance transaction within the meaning of section 1079.11 of the Taxation Act.

For the purposes of the first paragraph, the start date of an audit or investigation of a person, general partnership, limited partnership or undeclared partnership, with respect to an avoidance transaction, means the day the person, one of the person's shareholders, officers or directors or one of the partnership's associates or officers may reasonably be considered to have known or ought to have known that the Agence du revenu du Québec or the Canada Revenue Agency was about to undertake or had begun an audit or investigation regarding the avoidance transaction.

99. As of 1 December 2020, SigmaSanté is deemed to be the legal person designated by the Minister as the health and social services network insurance manager under section 435.1 of the Act respecting health services and social services (chapter S-4.2), enacted by section 63.

SigmaSanté must, before 1 December 2020, take the necessary measures to ensure that its constituting act and all of its activities comply with sections 435.1 and 435.2 of the Act respecting health services and social services, enacted by section 63. Furthermore, the agreement provided for in section 435.3 of the Act respecting health services and social services, enacted by section 63, must be entered into with the Minister not later than that date.

100. Despite the second paragraph of section 435.2 of the Act respecting health services and social services, enacted by section 63, the director of the Direction des assurances du réseau de la santé et des services sociaux at SigmaSanté becomes, on 1 June 2020, the executive director of SigmaSanté.

101. The Regulation respecting the *Gazette officielle du Québec* (chapter C-8.1.1, r. 1), made under section 44 of the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1), is deemed to be made under section 57.3.5 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), enacted by section 50.

102. Sections 44 to 48 have effect from 18 September 2019.

103. The Chair of the Conseil du trésor may, not later than 1 December 2020, cancel any decision of a public body, the Centre de services partagés du Québec, Collecto Services regroupés en éducation, Groupe d'approvisionnement en commun de l'Est du Québec, Groupe d'approvisionnement en commun de l'Ouest du Québec and SigmaSanté if the Chair considers the decision, made on or after 18 September 2019, to be contrary to the future interests of the Centre d'acquisitions gouvernementales, Infrastructures technologiques Québec or the Agence du revenu du Québec, as applicable.

For the purposes of this section, the following are public bodies:

(1) public bodies referred to in the second paragraph of section 4 of the Act respecting the Centre d'acquisitions gouvernementales (2020, chapter 2, section 1); and

(2) public bodies referred to in the fourth paragraph of section 3 of the Act respecting Infrastructures technologiques Québec (2020, chapter 2, section 2).

104. The Government may, by a regulation made before 1 June 2021, prescribe any measure necessary or useful for carrying out this Act or fully achieving its purpose.

A regulation made under the first paragraph is not subject to the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) and comes into force on the date of its publication in the *Gazette officielle du Québec*, or on any later date set in the regulation. The regulation may also, if it so provides, have effect from any date not prior to 21 February 2020.

PART V

FINAL PROVISIONS

105. The Chair of the Conseil du trésor is responsible for the administration of this Act.

106. This Act comes into force on 1 June 2020, except

(1) sections 5, 6, 26, 27, 98 and 102 to 104, which come into force on 21 February 2020;

(2) section 36, which comes into force on 1 January 2021;

(3) sections 28 and 29, which come into force on the date to be set by the Government.

2020, chapter 3
APPROPRIATION ACT NO. 1, 2020–2021

Bill 57

Introduced by Mr. Christian Dubé, Minister Responsible for Government Administration
and Chair of the Conseil du trésor

Introduced 11 March 2020

Passed in principle 11 March 2020

Passed 11 March 2020

Assented to 12 March 2020

Coming into force: 12 March 2020

Legislation amended: None

Explanatory notes

This Act authorizes the Government to pay out of the general fund of the Consolidated Revenue Fund, for the 2020–2021 fiscal year, a sum not exceeding \$18,890,203,483.00, representing some 27.4% 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 forecasts for a total of \$4,009,417,122.00 and investment forecasts for a total of \$994,615,200.00, representing some 27.2% of the expenditure forecasts and some 25.0% of the investment forecasts for the special funds listed in Schedule 2.



Chapter 3

APPROPRIATION ACT NO. 1, 2020–2021

[Assented to 12 March 2020]

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 \$18,890,203,483.00 to defray a part of the Expenditure Budget of Québec tabled in the National Assembly for the 2020–2021 fiscal year. The sum is constituted as follows:

(1) a first portion of \$17,213,224,350.00, in appropriations allocated according to the programs listed in Schedule 1, representing 25.0% of the appropriations to be voted in the 2020–2021 Expenditure Budget;

(2) an additional portion of \$1,676,979,133.00, in appropriations allocated according to the programs listed in Schedule 1, representing some 2.4% of the appropriations to be voted in the 2020–2021 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 forecasts for the special funds listed in Schedule 2 are approved for the 2020–2021 fiscal year. These sums are constituted as follows:

(1) a first portion of \$3,686,657,900.00, representing 25.0% of the expenditure forecasts in the 2020–2021 Special Funds Budget and an additional portion of \$322,759,222.00, representing some 2.2% of the expenditure forecasts in the 2020–2021 Special Funds Budget;

(2) a portion of \$994,615,200.00, representing 25.0% of the investment forecasts in the 2020–2021 Special Funds Budget.

4. This Act comes into force on 12 March 2020.

SCHEDULE 1

GENERAL FUND

AFFAIRES MUNICIPALES ET HABITATION

	First portion	Additional portion
PROGRAM 1		
Support for Departmental Activities	14,871,325.00	
PROGRAM 2		
Municipal Infrastructure Modernization	108,400,650.00	7,699,400.00
PROGRAM 3		
Compensation in Lieu of Taxes and Support to Municipalities	169,967,850.00	372,524,100.00
PROGRAM 4		
Development of the Regions and Territories	63,664,200.00	687,700.00
PROGRAM 5		
Promotion and Development of Greater Montréal	10,558,300.00	12,570,500.00
PROGRAM 6		
Commission municipale du Québec	3,007,625.00	
PROGRAM 7		
Housing	208,266,775.00	
	578,736,725.00	393,481,700.00

AGRICULTURE, PÊCHERIES ET ALIMENTATION

	First portion	Additional portion
PROGRAM 1		
Bio-food Business Development, Training and Food Quality	141,028,900.00	144,619,950.00
PROGRAM 2		
Government Bodies	109,292,075.00	
	<hr/> 250,320,975.00	<hr/> 144,619,950.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

	First portion	Additional portion
PROGRAM 1		
Support for the Conseil du trésor	25,724,500.00	
PROGRAM 2		
Support for Government Operations	61,074,350.00	
PROGRAM 3		
Commission de la fonction publique	1,477,675.00	
PROGRAM 4		
Retirement and Insurance Plans	1,111,125.00	
PROGRAM 5		
Contingency Fund	<u>527,349,050.00</u>	
		616,736,700.00

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	25,234,925.00	
PROGRAM 3		
Canadian Relations	3,966,250.00	400,000.00
PROGRAM 4		
Indigenous Affairs	84,400,925.00	38,000,000.00
PROGRAM 5		
Youth	13,410,150.00	
PROGRAM 6		
Access to Information and Reform of Democratic Institutions	2,544,375.00	
PROGRAM 7		
Relations with English-speaking Quebecers	1,630,025.00	4,860,000.00
	131,376,250.00	43,260,000.00

CULTURE ET COMMUNICATIONS

	First portion	Additional portion
PROGRAM 1		
Management, Administration and Mission Support	16,479,675.00	
PROGRAM 2		
Support and Development of Culture, Communications and Heritage	199,133,925.00	13,225,015.00
	215,613,600.00	13,225,015.00

ÉCONOMIE ET INNOVATION

	First portion	Additional portion
PROGRAM 1		
Management and Administration	8,117,275.00	
PROGRAM 2		
Economic Development	83,699,150.00	
PROGRAM 3		
Development of Science, Research and Innovation	65,069,875.00	20,000,000.00
PROGRAM 4		
Economic Development Fund Interventions	68,387,025.00	
PROGRAM 5		
Research and Innovation Bodies	53,810,950.00	96,000,000.00
	279,084,275.00	116,000,000.00

ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

	First portion	Additional portion
PROGRAM 1		
Administration	66,305,300.00	
PROGRAM 2		
Support for Organizations	31,678,500.00	
PROGRAM 3		
Financial Assistance for Education	243,679,225.00	
PROGRAM 4		
Preschool, Primary and Secondary Education	2,967,167,425.00	350,855,300.00
PROGRAM 5		
Higher Education	1,611,877,000.00	114,041,500.00
PROGRAM 6		
Development of Recreation and Sports	27,081,350.00	9,000,000.00
PROGRAM 8		
School Taxes – Fiscal Balancing Subsidy	318,122,125.00	
PROGRAM 9		
Status of Women	6,081,650.00	
	5,271,992,575.00	473,896,800.00

ÉNERGIE ET RESSOURCES NATURELLES

	First portion	Additional portion
PROGRAM 1		
Management of Natural Resources	36,448,375.00	8,000,000.00
	<hr/> 36,448,375.00	<hr/> 8,000,000.00

ENVIRONNEMENT ET LUTTE CONTRE LES CHANGEMENTS
CLIMATIQUES

	First portion	Additional portion
PROGRAM 1		
Environmental Protection	72,292,875.00	
PROGRAM 2		
Bureau d'audiences publiques sur l'environnement	1,500,200.00	
	<hr/>	
	73,793,075.00	

FAMILLE

	First portion	Additional portion
PROGRAM 1		
Planning, Research and Administration	14,070,250.00	
PROGRAM 2		
Assistance Measures for Families	33,093,350.00	9,885,000.00
PROGRAM 3		
Childcare Services	607,624,975.00	48,773,412.00
PROGRAM 4		
Public Curator	16,875,750.00	
	671,664,325.00	58,658,412.00

FINANCES

	First portion	Additional portion
PROGRAM 1		
Management and Administration	8,177,350.00	
PROGRAM 2		
Economic, Taxation, Budgetary and Financial Activities	13,576,175.00	
PROGRAM 3		
Contributions, Bank Service Fees and Provisions for Transferring Appropriations	23,930,175.00	
	<hr/> 45,683,700.00	

FORÊTS, FAUNE ET PARCS

	First portion	Additional portion
PROGRAM 1		
Management and Administration	2,144,150.00	
PROGRAM 2		
Management of Forest Resources	95,852,025.00	70,000,000.00
PROGRAM 3		
Management of Wildlife Resources and Parks	44,545,925.00	14,500,000.00
	<hr/> 142,542,100.00	<hr/> 84,500,000.00

IMMIGRATION, FRANCISATION ET INTÉGRATION

	First portion	Additional portion
PROGRAM 1		
Management and Support for Departmental Activities	11,921,425.00	
PROGRAM 2		
Immigration, Francization and Integration	124,923,425.00	
PROGRAM 3		
French Language	10,621,100.00	
	<hr/>	
	147,465,950.00	

JUSTICE

	First portion	Additional portion
PROGRAM 1		
Administration of Justice	100,798,525.00	16,954,000.00
PROGRAM 2		
Judicial Activity	9,519,800.00	66,500.00
PROGRAM 3		
Administrative Justice	4,469,050.00	4,295,400.00
PROGRAM 5		
Other Bodies Reporting to the Minister	51,124,450.00	16,396,200.00
PROGRAM 6		
Criminal and Penal Prosecutions	44,840,875.00	
	210,752,700.00	37,712,100.00

PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

	First portion	Additional portion
PROGRAM 1		
The Public Protector	4,601,225.00	
PROGRAM 2		
The Auditor General	8,826,700.00	1,500,000.00
PROGRAM 4		
The Lobbyists Commissioner	1,587,525.00	
	<hr/> 15,015,450.00	<hr/> 1,500,000.00

RELATIONS INTERNATIONALES ET FRANCOPHONIE

	First portion	Additional portion
PROGRAM 1		
Management and Administration	4,942,700.00	
PROGRAM 2		
International Affairs	<u>24,800,225.00</u>	
	29,742,925.00	

SANTÉ ET SERVICES SOCIAUX

	First portion	Additional portion
PROGRAM 1		
Coordination Functions	45,275,550.00	
PROGRAM 2		
Services to the Public	6,571,386,750.00	
PROGRAM 3		
Office des personnes handicapées du Québec	3,514,875.00	
PROGRAM 5		
Status of Seniors	8,613,500.00	
	<hr/>	
	6,628,790,675.00	

SÉCURITÉ PUBLIQUE

	First portion	Additional portion
PROGRAM 1		
Management and Administration	19,903,575.00	
PROGRAM 2		
Services of the Sûreté du Québec	180,479,125.00	170,000,000.00
PROGRAM 3		
Management of the Correctional System	135,450,100.00	7,793,600.00
PROGRAM 4		
Security and Prevention	42,321,150.00	18,479,000.00
PROGRAM 5		
Scientific and Forensic Expertise	5,683,400.00	
PROGRAM 6		
Management and Oversight	13,227,700.00	
PROGRAM 7		
Promotion and Development of the Capitale-Nationale	17,607,050.00	16,070,000.00
	414,672,100.00	212,342,600.00

TOURISME

	First portion	Additional portion
PROGRAM 1		
Management, Administration and Program Management	4,077,150.00	
PROGRAM 2		
Tourism Development	12,457,025.00	1,755,750.00
PROGRAM 3		
Bodies Reporting to the Minister	25,363,325.00	
	<hr/> 41,897,500.00	<hr/> 1,755,750.00

TRANSPORTS

	First portion	Additional portion
PROGRAM 1		
Infrastructures and Transportation Systems	285,262,825.00	
PROGRAM 2		
Administration and Corporate Services	15,927,400.00	
	<hr/> 301,190,225.00	

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

	First portion	Additional portion
PROGRAM 1		
Governance, Administration and Client Services	141,890,075.00	17,026,806.00
PROGRAM 2		
Financial Assistance Measures	751,447,725.00	46,000,000.00
PROGRAM 3		
Employment Assistance Measures	216,366,350.00	25,000,000.00
	<u>1,109,704,150.00</u>	<u>88,026,806.00</u>

SCHEDULE 2

SPECIAL FUNDS

AFFAIRES MUNICIPALES ET HABITATION

	First portion	Additional portion
REGIONS AND RURALITY FUND		
Expenditure Forecast	65,291,350.00	
TOTAL		
Expenditure Forecast	65,291,350.00	

CULTURE ET COMMUNICATIONS

	First portion	Additional portion
AVENIR MÉCÉNAT CULTURE FUND		
Expenditure Forecast	1,281,100.00	
QUÉBEC CULTURAL HERITAGE FUND		
Expenditure Forecast	<u>7,907,500.00</u>	
TOTAL		
Expenditure Forecast	9,188,600.00	

ÉCONOMIE ET INNOVATION

	First portion	Additional portion
NATURAL RESOURCES AND ENERGY CAPITAL FUND		
Expenditure Forecast	42,750.00	
Investment Forecast	123,923,750.00	
ECONOMIC DEVELOPMENT FUND		
Expenditure Forecast	106,807,275.00	
Investment Forecast	161,839,750.00	
QUÉBEC ENTERPRISE GROWTH FUND		
Expenditure Forecast	37,500.00	
Investment Forecast	25,000,000.00	
TOTALS		
Expenditure Forecast	106,887,525.00	
Investment Forecast	310,763,500.00	

ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

	First portion	Additional portion
SPORTS AND PHYSICAL ACTIVITY DEVELOPMENT FUND		
Expenditure Forecast	23,271,775.00	
Investment Forecast	35,749,975.00	
UNIVERSITY EXCELLENCE AND PERFORMANCE FUND		
Expenditure Forecast	6,250,000.00	
TOTALS		
Expenditure Forecast	29,521,775.00	
Investment Forecast	35,749,975.00	

ÉNERGIE ET RESSOURCES NATURELLES

	First portion	Additional portion
NATURAL RESOURCES FUND		
Expenditure Forecast	10,966,575.00	1,000,000.00
Investment Forecast	150,000.00	
ENERGY TRANSITION FUND		
Expenditure Forecast	322,900.00	
TERRITORIAL INFORMATION FUND		
Expenditure Forecast	29,475,550.00	
Investment Forecast	13,932,800.00	
TOTALS		
Expenditure Forecast	40,765,025.00	1,000,000.00
Investment Forecast	14,082,800.00	

ENVIRONNEMENT ET LUTTE CONTRE LES CHANGEMENTS
CLIMATIQUES

	First portion	Additional portion
FUND FOR THE PROTECTION OF THE ENVIRONMENT AND THE WATERS IN THE DOMAIN OF THE STATE		
Expenditure Forecast	9,164,875.00	
Investment Forecast	50,000.00	
GREEN FUND		
Expenditure Forecast	284,700,600.00	
Investment Forecast	823,000.00	
TOTALS		
Expenditure Forecast	293,865,475.00	
Investment Forecast	873,000.00	

FAMILLE

	First portion	Additional portion
EDUCATIONAL CHILDCARE SERVICES FUND		
Expenditure Forecast	<u>662,524,975.00</u>	<u>210,252,962.00</u>
TOTAL		
Expenditure Forecast	662,524,975.00	210,252,962.00

FINANCES

	First portion	Additional portion
FINANCING FUND		
Expenditure Forecast	697,400.00	
CANNABIS SALES REVENUE FUND		
Expenditure Forecast	24,562,675.00	
IFC MONTRÉAL FUND		
Expenditure Forecast	344,200.00	1,032,600.00
NORTHERN PLAN FUND		
Expenditure Forecast	24,969,400.00	
FUND OF THE FINANCIAL MARKETS ADMINISTRATIVE TRIBUNAL		
Expenditure Forecast	936,925.00	
Investment Forecast	3,519,500.00	
TAX ADMINISTRATION FUND		
Expenditure Forecast	256,191,450.00	
TOTALS		
Expenditure Forecast	307,702,050.00	1,032,600.00
Investment Forecast	3,519,500.00	

FORÊTS, FAUNE ET PARCS

	First portion	Additional portion
NATURAL RESOURCES FUND – SUSTAINABLE FOREST DEVELOPMENT COMPONENT		
Expenditure Forecast	146,725,325.00	61,000,000.00
Investment Forecast	4,562,475.00	
	<hr/>	<hr/>
TOTALS		
Expenditure Forecast	146,725,325.00	61,000,000.00
Investment Forecast	4,562,475.00	

JUSTICE

	First portion	Additional portion
ACCESS TO JUSTICE FUND		
Expenditure Forecast	4,963,700.00	
CRIME VICTIMS ASSISTANCE FUND		
Expenditure Forecast	8,587,550.00	
REGISTER FUND OF THE MINISTÈRE DE LA JUSTICE		
Expenditure Forecast	14,866,350.00	
Investment Forecast	814,250.00	
FUND OF THE ADMINISTRATIVE TRIBUNAL OF QUÉBEC		
Expenditure Forecast	11,607,050.00	
Investment Forecast	511,925.00	
PUBLIC CONTRACTS FUND		
Expenditure Forecast	1,925.00	
TOTALS		
Expenditure Forecast	40,026,575.00	
Investment Forecast	1,326,175.00	

SANTÉ ET SERVICES SOCIAUX

	First portion	Additional portion
CANNABIS PREVENTION AND RESEARCH FUND		
Expenditure Forecast	18,175,000.00	
CAREGIVER SUPPORT FUND		
Expenditure Forecast	4,495,000.00	
HEALTH AND SOCIAL SERVICES INFORMATION RESOURCES FUND		
Expenditure Forecast	80,131,625.00	
Investment Forecast	28,435,400.00	
	<hr/>	
TOTALS		
Expenditure Forecast	102,801,625.00	
Investment Forecast	28,435,400.00	

SÉCURITÉ PUBLIQUE

	First portion	Additional portion
CAPITALE-NATIONALE REGION FUND		
Expenditure Forecast	5,262,500.00	15,750,000.00
POLICE SERVICES FUND		
Expenditure Forecast	179,498,500.00	
Investment Forecast	4,341,450.00	
TOTALS		
Expenditure Forecast	184,761,000.00	15,750,000.00
Investment Forecast	4,341,450.00	

TOURISME

	First portion	Additional portion
TOURISM PARTNERSHIP FUND		
Expenditure Forecast	55,058,625.00	12,760,350.00
Investment Forecast	298,500.00	
	<hr/>	<hr/>
TOTALS		
Expenditure Forecast	55,058,625.00	12,760,350.00
Investment Forecast	298,500.00	

TRANSPORTS

	First portion	Additional portion
AIR SERVICE FUND		
Expenditure Forecast	19,459,375.00	
Investment Forecast	2,175,000.00	
ROLLING STOCK MANAGEMENT FUND		
Expenditure Forecast	33,644,975.00	
Investment Forecast	13,803,525.00	
HIGHWAY SAFETY FUND		
Expenditure Forecast	11,331,100.00	
Investment Forecast	49,375.00	
LAND TRANSPORTATION NETWORK FUND		
Expenditure Forecast	1,185,369,375.00	
Investment Forecast	568,101,025.00	
TOTALS		
Expenditure Forecast	1,249,804,825.00	
Investment Forecast	584,128,925.00	

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

	First portion	Additional portion
ASSISTANCE FUND FOR INDEPENDENT COMMUNITY ACTION		
Expenditure Forecast	10,219,325.00	9,308,310.00
LABOUR MARKET DEVELOPMENT FUND		
Expenditure Forecast	317,466,325.00	
GOODS AND SERVICES FUND		
Expenditure Forecast	30,446,975.00	
Investment Forecast	698,500.00	
INFORMATION TECHNOLOGY FUND OF THE MINISTÈRE DE L'EMPLOI ET DE LA SOLIDARITÉ SOCIALE		
Expenditure Forecast	5,485,400.00	
Investment Forecast	5,100,000.00	
ADMINISTRATIVE LABOUR TRIBUNAL FUND		
Expenditure Forecast	20,161,600.00	
Investment Forecast	735,000.00	
FONDS QUÉBÉCOIS D'INITIATIVES SOCIALES		
Expenditure Forecast	7,953,525.00	11,655,000.00
TOTALS		
Expenditure Forecast	391,733,150.00	20,963,310.00
Investment Forecast	6,533,500.00	

2020, chapter 4

AN ACT TO AMEND MAINLY THE PHARMACY ACT TO FACILITATE ACCESS TO CERTAIN SERVICES

Bill 31

Introduced by Madam Danielle McCann, Minister of Health and Social Services

Introduced 13 June 2019

Passed in principle 31 October 2019

Passed 17 March 2020

Assented to 17 March 2020

Coming into force: 17 March 2020, except paragraph 1 of section 1, subparagraph *b* of paragraph 1 of section 2 insofar as it replaces subparagraphs 6 to 8 and 10 of the second paragraph of section 17 of the Pharmacy Act (chapter P-10), and paragraph 2 of section 2 insofar as it enacts subparagraph 3 of the third paragraph of section 17 of the Pharmacy Act, which come into force on the date or dates to be set by the Government.

– 2021-01-25: ss. 1 (par. 1), 2 (subpar. *b* of par. 1 (insofar as it replaces subpar. 6-8, 10 of the 2nd par. of s. 17 of the Pharmacy Act), par. 2 (insofar as it enacts subpar. 3 of the 3rd par. of s. 17 of the Pharmacy Act))
O.C. 1399-2020
G.O., 2020, Part 2, p. 3337A

Legislation amended:

Health Insurance Act (chapter A-29)

Act respecting prescription drug insurance (chapter A-29.01)

Pharmacy Act (chapter P-10)

Regulations amended:

Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5)

Regulation respecting benefits authorized for pharmacists (chapter A-29.01, r. 1)

Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4)

Regulation respecting the administration of medication by pharmacists (chapter P-10, r. 3.1)

Regulation respecting the prescription of a medication by a pharmacist (chapter P-10, r. 18.2)

Regulation repealed:

Règlement sur les activités de formation des pharmaciens pour l'ajustement d'une ordonnance d'un médecin et la substitution d'un médicament prescrit (chapter P-10, r. 1.2, French only)

Explanatory notes

This Act makes amendments to add activities reserved to pharmacists in the practice of pharmacy.

(cont'd on next page)

Explanatory notes (*cont'd*)

The Act specifies that pharmacists may, in certain cases or in accordance with the conditions and procedure determined by regulation,

- (1) prescribe and administer vaccines and, in emergency situations, certain other medications;
- (2) prescribe all over-the-counter medications;
- (3) prescribe any medication following a consultation request from a medication prescriber or in the context of advanced practice in partnership;
- (4) assess the physical and mental condition of a person to ensure the proper use of medications;
- (5) administer a medication by intranasal route;
- (6) take specimens by introducing an instrument in the pharynx;
- (7) adjust or renew prescriptions of all prescribers, not only those of physicians;
- (8) stop medication therapy;
- (9) in several situations, substitute, for a prescribed medication, another medication even if it does not belong to the same therapeutic subclass; and
- (10) prescribe and interpret not only laboratory analyses but also any other test, to ensure the proper use of medications.

The Act also provides that the cost of prescription and administration services related to vaccination will be universally assumed by the Régie de l'assurance maladie du Québec for persons covered by the Québec Immunization Program.

Lastly, the Act extends the 15% limit regarding the professional allowance that pharmacists may receive to all products whose generic name is entered on the list of medications covered by the basic prescription drug insurance plan.



Chapter 4

AN ACT TO AMEND MAINLY THE PHARMACY ACT TO FACILITATE ACCESS TO CERTAIN SERVICES

[Assented to 17 March 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

PHARMACY ACT

1. Section 10 of the Pharmacy Act (chapter P-10) is amended

(1) by inserting “and subparagraph 3 of the third paragraph” after “paragraph” in subparagraph *h* of the first paragraph;

(2) by inserting “subparagraph 2 of” after “under” in subparagraph *i* of the first paragraph;

(3) by inserting “and the other interested professional orders” after “Québec” in the third paragraph.

2. Section 17 of the Act is amended

(1) in the second paragraph,

(a) by inserting the following subparagraph after subparagraph 1:

“(1.1) assessing the physical and mental condition of a person to ensure the proper use of medications;”;

(b) by replacing subparagraphs 5 to 10 by the following subparagraphs:

“(5) taking specimens by introducing an instrument in the pharynx;

“(6) renewing a prescription to avoid interruption of the treatment prescribed to a patient; the renewal period may not be longer than the original prescription period or, if the original prescription period is longer than one year, the renewal period may not exceed one year;

“(7) starting, adjusting or stopping a patient’s medication therapy;

“(8) substituting another medication for a prescribed medication in the following cases:

(a) there is a disruption in the supply of the prescribed medication in Québec;

- (b) there is a problem relating to its administration;
- (c) it poses a risk to the patient’s safety;

(d) it is officially withdrawn from the Canadian market; in such a case, the substitution may occur not earlier than three months before the date of the withdrawal; or

- (e) it is not available in the context of the activities of an institution;

“(9) administering a medication by oral, topical, subcutaneous, intranasal, intradermal or intramuscular route or by inhalation in the following cases:

- (a) to demonstrate proper use of the medication;
- (b) for vaccination purposes; or
- (c) in an emergency situation;

“(10) prescribing and interpreting laboratory analyses or other tests, to ensure the proper use of medications.”;

- (2) by replacing the third paragraph by the following paragraph:

“Despite the first paragraph, the activity of prescribing a medication is also reserved to pharmacists in the following cases:

- (1) it is an over-the-counter medication determined in a regulation made under section 37.1 and the patient’s clinical situation or any other circumstance so warrants;
- (2) no diagnosis is required; or
- (3) it is prescribed following a consultation request or in the context of advanced practice in partnership.”;

(3) by replacing “subparagraphs 7, 8 and 9” in the fourth paragraph by “subparagraph 9”.

HEALTH INSURANCE ACT

3. Section 3 of the Health Insurance Act (chapter A-29) is amended

(1) by inserting “or 71” after “section 70” in subparagraph *b* of the third paragraph;

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

“The Board also assumes, in accordance with the provisions of this Act and the regulations, the cost of the services determined by regulation that are required for pharmaceutical reasons and furnished by pharmacists and the cost of medications and supplies, as well as the cost of the related profit margin of a wholesaler accredited in accordance with the Act respecting prescription drug insurance (chapter A-29.01), in the cases determined by regulation, on behalf of every insured person.”

4. The Act is amended by inserting the following sections after section 3.1:

“3.2. For the purposes of the fourth paragraph of section 3, where the Board assumes the cost of an accredited wholesaler’s profit margin relating to medications the cost of which is assumed by another body, the Board must publish on its website the list, provided by the Minister, of such medications, including their cost and any related accredited wholesaler’s profit margin.

“3.3. The Minister determines, after consultation with the accredited wholesalers, the terms and conditions applicable to them with respect to the distribution to pharmacists of the medications referred to in section 3.2.

The Minister also determines which information must be provided to the Minister by an accredited wholesaler concerning that distribution and when it must be provided.”

5. Section 10 of the Act is amended by inserting “as well as the cost of services and medications determined by regulation and provided to an insured person” after “Act respecting prescription drug insurance (chapter A-29.01),” in the second paragraph.

6. The Act is amended by inserting the following section after section 22.0.0.1:

“22.0.0.2. A pharmacist, other than a pharmacist practising in an institution, must post in public view a list of services, medications and supplies that are insured in accordance with the fourth paragraph of section 3.”

7. Section 37 of the Act is repealed.

8. Section 69 of the Act is amended by inserting the following subparagraphs after subparagraph *e.2* of the first paragraph:

“(e.3) determine the cases in which the Board assumes the cost of a medication or a supply and the related wholesaler’s profit margin for the purposes of the fourth paragraph of section 3;

“(e.4) determine the services and medications the cost of which is assumed by the Board for the purposes of the second paragraph of section 10;”.

9. Section 71 of the Act is amended by replacing “fourth” in the introductory clause by “third”.

ACT RESPECTING PRESCRIPTION DRUG INSURANCE

10. Section 22 of the Act respecting prescription drug insurance (chapter A-29.01) is amended by replacing the fourth paragraph by the following paragraph:

“For the purposes of the third paragraph,

(1) the payment for pharmaceutical services or medications for which a pharmacist is claiming payment or has obtained payment includes a payment claimed or obtained from an insurer or an employee benefit plan administrator for any medication whose generic name is entered on the list of medications drawn up by the Minister under section 60;

(2) 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.”

11. Section 84.5 of the Act is replaced by the following section:

“**84.5.** Every person who, by an act or omission, helps or, by encouragement, advice or consent or by an authorization or an order, induces another person to commit an offence under this Act is guilty of an offence and is liable to the same penalty as that prescribed for the offence that the person helped or induced the other person to commit.”

REGULATION RESPECTING THE APPLICATION OF THE HEALTH INSURANCE ACT

12. Section 60 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) is amended, in the first paragraph,

(1) by replacing “and fourth paragraphs” in the introductory clause by “paragraph”;

(2) by inserting “or in an emergency situation” after “in order to establish its appropriate usage” in subparagraph *i*;

(3) by inserting “or 12” after “item 6” in subparagraph *k*;

(4) by inserting the following subparagraph after subparagraph *k*:

“(k.1) prescription of an over-the-counter medication determined in a regulation made under section 37.1 of the Pharmacy Act (chapter P-10), if the person’s clinical situation or any other circumstance so warrants;”;

(5) by inserting “or 12” after “item 6” in subparagraph *n*.

13. The Regulation is amended by inserting the following sections after section 60:

“**60.1.** The services rendered to prescribe, in accordance with the Regulation respecting the prescription of a medication by a pharmacist (chapter P-10, r. 18.2), and to administer, in accordance with the Regulation respecting the administration of medication by pharmacists (chapter P-10, r. 3.1), a medication required for the purpose of vaccinating an insured person covered by the Québec Immunization Program who meets the program’s conditions for receiving the vaccination free of charge must be considered insured services for the purposes of the fourth paragraph of section 3 of the Act.

“**60.2.** For the purposes of the fourth paragraph of section 3 of the Act, the Board assumes the cost of the supplies required to administer a vaccine referred to in section 60.1. That cost is set out in the list of medications drawn up by the Minister under section 60 of the Act respecting prescription drug insurance (chapter A-29.01).

In addition, the Board assumes the cost of the wholesaler’s profit margin, if any, relating to the supplies referred to in the first paragraph or to a vaccination referred to in section 60.1.

“**60.3.** The cost of the services referred to in section 60.1 and of the supplies referred to in section 60.2 may be assumed by the Board in accordance with section 10 of the Act where they are provided by a person and in a pharmacy referred to in the second paragraph of that section.”

REGULATION RESPECTING BENEFITS AUTHORIZED FOR PHARMACISTS

14. Section 2 of the Regulation respecting benefits authorized for pharmacists (chapter A-29.01, r. 1) is amended, in the third paragraph,

(1) by replacing “drugs on the” by “drugs whose generic name is entered on the”;

(2) by striking out “, under the basic prescription drug insurance plan”.

REGULATION RESPECTING THE BASIC PRESCRIPTION DRUG INSURANCE PLAN

15. Section 1.1 of the Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4) is amended, in the first paragraph,

(1) by inserting “or in an emergency situation” after “in order to establish its appropriate usage” in subparagraph 5;

(2) by inserting “or 12” after “item 6” in subparagraph 7;

(3) by inserting the following subparagraph after subparagraph 7:

“(7.1) prescription of an over-the-counter medication determined in a regulation made under section 37.1 of the Pharmacy Act (chapter P-10), if the person’s clinical situation or any other circumstance so warrants;”;

(4) by inserting “or 12” after “item 6” in subparagraph 10.

RÈGLEMENT SUR LES ACTIVITÉS DE FORMATION DES PHARMACIENS POUR L’AJUSTEMENT D’UNE ORDONNANCE D’UN MÉDECIN ET LA SUBSTITUTION D’UN MÉDICAMENT PRESCRIT

16. The Règlement sur les activités de formation des pharmaciens pour l’ajustement d’une ordonnance d’un médecin et la substitution d’un médicament prescrit (chapter P-10, r. 1.2, French only) is repealed.

REGULATION RESPECTING THE ADMINISTRATION OF MEDICATION BY PHARMACISTS

17. Section 1 of the Regulation respecting the administration of medication by pharmacists (chapter P-10, r. 3.1) is amended

(1) by striking out “in order to demonstrate its appropriate use” in the first paragraph; and

(2) by inserting “, if applicable,” after “and” in the second paragraph.

18. The Regulation is amended by inserting the following sections after section 1:

“**1.1.** A pharmacist may administer any vaccine to a patient 6 years of age or over. However, a pharmacist may administer required travel vaccines and the influenza vaccine to a patient 2 years of age or over.

“**1.2.** In an emergency situation, a pharmacist may administer an over-the-counter medication or salbutamol.”

REGULATION RESPECTING THE PRESCRIPTION OF A MEDICATION BY A PHARMACIST

19. Schedule I to the Regulation respecting the prescription of a medication by a pharmacist (chapter P-10, r. 18.2) is amended by adding the following at the end:

“12. Vaccination.

“13. Emergency requiring the administration of salbutamol.”

FINAL PROVISION

20. This Act comes into force on 17 March 2020, except paragraph 1 of section 1, subparagraph *b* of paragraph 1 of section 2 insofar as it replaces subparagraphs 6 to 8 and 10 of the second paragraph of section 17 of the Pharmacy Act (chapter P-10), and paragraph 2 of section 2 insofar as it enacts subparagraph 3 of the third paragraph of section 17 of the Pharmacy Act, which come into force on the date or dates to be set by the Government.

2020, chapter 5

AN ACT RESPECTING MAINLY THE IMPLEMENTATION OF CERTAIN PROVISIONS OF THE BUDGET SPEECHES OF 17 MARCH 2016, 28 MARCH 2017, 27 MARCH 2018 AND 21 MARCH 2019

Bill 41

Introduced by Mr. Eric Girard, Minister of Finance

Introduced 31 October 2019

Passed in principle 7 November 2019

Passed 17 March 2020

Assented to 17 March 2020

Coming into force: 17 March 2020, except

(1) sections 234 to 238, which come into force on 1 May 2020;

(2) Division I of Chapter X, comprising sections 103 to 154, which comes into force on 1 April 2021;

(3) paragraphs 1 to 3 of section 201, which come into force on the date of the closing of the first general meeting of holders of Capital régional et coopératif Desjardins shares that is held after 17 March 2020;

(4) sections 1 to 11, 19 and 20 of the Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund, enacted by section 98, which come into force on the date of coming into force of the first ministerial order made under that Act;

(5) section 196, which comes into force on the date of coming into force of the first regulation made under article 1073 of the Civil Code; and

(6) Chapters III to VI, which come into force on the date or dates to be set by the Government.

– 2021-01-01: ss. 15-18
O.C. 1080-2020
G.O., 2020, Part 2, p. 3053

– 2021-01-01: ss. 22-34
O.C. 1230-2020
G.O., 2020, Part 2, p. 3157

(cont'd on next page)

Legislation amended:

Civil Code of Québec
Financial Administration Act (chapter A-6.001)
Tax Administration Act (chapter A-6.002)
Public Administration Act (chapter A-6.01)
Act respecting the Agence du revenu du Québec (chapter A-7.003)
Act respecting legal aid and the provision of certain other legal services (chapter A-14)
Act respecting the Autorité des marchés publics (chapter A-33.2.1)
Act respecting the Autorité régionale de transport métropolitain (chapter A-33.3)
Building Act (chapter B-1.1)
Act respecting Bibliothèque et Archives nationales du Québec (chapter B-1.2)
Act constituting Capital régional et coopératif Desjardins (chapter C-6.1)
Act respecting the Centre de la francophonie des Amériques (chapter C-7.1)
Act respecting the Centre de recherche industrielle du Québec (chapter C-8.1)
Act respecting the Centre de services partagés du Québec (chapter C-8.1.1)
Code of Penal Procedure (chapter C-25.1)
Professional Code (chapter C-26)
Act respecting the national capital commission (chapter C-33.1)
Act respecting the Conseil des arts et des lettres du Québec (chapter C-57.02)
Act respecting the Conservatoire de musique et d'art dramatique du Québec (chapter C-62.1)
James Bay Region Development Act (chapter D-8.0.1)
Act respecting the regulation of the financial sector (chapter E-6.1)
Money-Services Businesses Act (chapter E-12.000001)
Act respecting Financement-Québec (chapter F-2.01)
Act respecting municipal taxation (chapter F-2.1)
Act respecting the Fonds d'aide aux actions collectives (chapter F-3.2.0.1.1)
Act to establish the Sports and Physical Activity Development Fund (chapter F-4.003)
Act respecting the governance of state-owned enterprises (chapter G-1.02)
Act respecting Héma-Québec and the biovigilance committee (chapter H-1.1)
Hydro-Québec Act (chapter H-5)
Taxation Act (chapter I-3)
Public Infrastructure Act (chapter I-8.3)
Act respecting the Institut de la statistique du Québec (chapter I-13.011)
Act respecting the Institut de tourisme et d'hôtellerie du Québec (chapter I-13.02)
Act respecting the Institut national d'excellence en santé et en services sociaux (chapter I-13.03)
Act respecting Institut national de santé publique du Québec (chapter I-13.1.1)
Act respecting the Institut national des mines (chapter I-13.1.2)
Act respecting administrative justice (chapter J-3)
Act respecting lotteries, publicity contests and amusement machines (chapter L-6)
Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1)
Act respecting the Ministère de la Culture et des Communications (chapter M-17.1)
Act respecting the Ministère des Finances (chapter M-24.01)
Act respecting the Ministère des Relations internationales (chapter M-25.1.1)
Act respecting the Ministère des Transports (chapter M-28)
Act respecting the Ministère du Conseil exécutif (chapter M-30)
Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001)
Act respecting the Ministère du Tourisme (chapter M-31.2)
National Museums Act (chapter M-44)
Act to establish the Office Québec-Monde pour la jeunesse (chapter O-5.2)
Act to facilitate the payment of support (chapter P-2.2)
Act respecting liquor permits (chapter P-9.1)

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Legislation amended: (cont'd)

Police Act (chapter P-13.1)
Act respecting the legal publicity of enterprises (chapter P-44.1)
Act to reduce the debt and establish the Generations Fund (chapter R-2.2.0.1)
Act respecting the Régie de l'assurance maladie du Québec (chapter R-5)
Act respecting the Régie de l'énergie (chapter R-6.01)
Fire Safety Act (chapter S-3.4)
Educational Childcare Act (chapter S-4.1.1)
Act respecting pre-hospital emergency services (chapter S-6.2)
Act respecting the James Bay Native Development Corporation (chapter S-9.1)
Act respecting the Société de développement des entreprises culturelles (chapter S-10.002)
Act respecting the Société de la Place des Arts de Montréal (chapter S-11.03)
Act respecting the Société de télédiffusion du Québec (chapter S-12.01)
Act respecting the Société des alcools du Québec (chapter S-13)
Act respecting the Société des établissements de plein air du Québec (chapter S-13.01)
Act respecting the Société des loteries du Québec (chapter S-13.1)
Act respecting the Société des Traversiers du Québec (chapter S-14)
Act respecting the Société du Centre des congrès de Québec (chapter S-14.001)
Act respecting the Société du parc industriel et portuaire de Bécancour (chapter S-16.001)
Act respecting the Société du Plan Nord (chapter S-16.011)
Act respecting the Société québécoise d'information juridique (chapter S-20)
Act respecting the Société québécoise de récupération et de recyclage (chapter S-22.01)
Act respecting the Québec sales tax (chapter T-0.1)
Act respecting Transition énergétique Québec (chapter T-11.02)
Act to establish the Administrative Labour Tribunal (chapter T-15.1)
Auditor General Act (chapter V-5.01)
Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages (2018, chapter 20)
Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23)
Act respecting the Centre d'acquisitions gouvernementales (2020, chapter 2, section 1)

Legislation enacted:

Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund (2020, chapter 5, section 98)

Legislation repealed:

Act respecting Nasdaq stock exchange activities in Québec (chapter E-20.01)

Regulations amended:

Regulation respecting savings products (chapter A-6.001, r. 9)
Regulation respecting the application of the Public Curator Act (chapter C-81, r. 1)
Regulation under the Money-Services Businesses Act (chapter E-12.000001, r. 1)
Regulation respecting fees and tariffs payable under the Money-Services Businesses Act (chapter E-12.000001, r. 2)
Regulation respecting the rates for using the public fast-charging service for electric vehicles (chapter H-5, r. 1)
Québec Immigration Regulation (chapter I-0.2.1, r. 3)
Regulation respecting the Taxation Act (chapter I-3, r. 1)
Lottery Schemes Regulation (chapter L-6, r. 11)
Regulation respecting toll road infrastructures operated under a public-private partnership agreement (chapter P-9.001, r. 3)

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Regulations amended: (cont'd)

Regulation respecting duties and costs payable under the Act respecting liquor permits (chapter P-9.1, r. 3)

Regulation respecting the safety and welfare of cats and dogs (chapter P-42, r. 10.1)

Tariff of costs for the transportation, keeping and preservation of dead bodies (chapter R-0.2, r. 7)

Reduced Contribution Regulation (chapter S-4.1.1, r. 1)

Educational Childcare Regulation (chapter S-4.1.1, r. 2)

Regulation respecting the application of the Fuel Tax Act (chapter T-1, r. 1)

Explanatory notes

This Act amends or enacts various legislative provisions mainly to implement certain measures contained in the Budget Speeches delivered on 17 March 2016, 28 March 2017, 27 March 2018 and 21 March 2019.

The additional contribution payable for educational childcare services is abolished.

The Act to facilitate the payment of support is amended to allow the Minister of Revenue, on receiving a request from the support collector of a designated state, province or territory, to conduct an administrative seizure on a third person situated in Québec if the third person owes an amount to a debtor of support.

An obligation is introduced to obtain a certificate from Revenu Québec for maintenance work contracts carried out in public buildings.

Food truck operators will be subjected to the rules concerning sales recording modules.

Certain rules relating to summary appeals in taxation matters are amended, particularly to increase the eligibility thresholds for seeking a remedy before the Small Claims Division of the Court of Québec and offer free access to mediation.

The Minister of Revenue is entrusted with the application of the Money-Services Businesses Act.

The Act respecting the Agence du revenu du Québec is amended

(1) to allow, in certain circumstances, for the retention of a member of the board of directors who leaves a position with a government department or agency to which the Agence du revenu du Québec provides services;

(2) to harmonize the remuneration granted to the chairs of the Agency's board committees; and

(3) to ensure that the authorization allowing employees to sign certain deeds, documents and writings of the Agency is granted from now on by means of an administrative act.

The Act enacts the Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund, which establishes the broad parameters of the Financial Assistance for Investment Program under which enterprises carrying out an eligible project will be able to obtain financial assistance applicable in the form of a partial payment of their electricity bills. The new Act also provides that the Minister of Finance will administer the program, determine its specific eligibility requirements and, if the Minister considers it necessary, create various components. In addition, that Act establishes the Special Contracts and Financial Assistance for Investment Fund, which is dedicated to financing the program.

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Explanatory notes (cont'd)

The amount taken from the proceeds of the tobacco tax to finance the Sports and Physical Activity Development Fund and the Québec Cultural Heritage Fund is increased and budget-funded bodies are allowed to transfer sums to the Tourism Partnership Fund.

With respect to certain public bodies and state-owned enterprises,

(1) a framework is provided for the budget planning of bodies other than budget-funded bodies. As a result, the Minister of Finance and the Chair of the Conseil du trésor may jointly propose to the Conseil du trésor multi-year budgetary policy directions, common to all such bodies or specific to each, which are to be forwarded to them, once approved, through their respective minister responsible. Each of the ministers is entrusted with the power to establish directives relating, in particular, to the forwarding and form of an annual budget. The bodies must adopt an annual budget and multi-year budgetary estimates and forward them to their respective minister responsible. In addition, the Conseil du trésor will have the responsibility to approve the multi-year budgetary estimates and the ministers will be required to ensure that the bodies under their responsibility meet their annual budget and their multi-year budgetary estimates;

(2) the constituting Acts of certain bodies of which the Minister of Finance is a shareholder are amended to allow the bodies to acquire loan securities issued by that Minister;

(3) the Act respecting the governance of state-owned enterprises is amended so that the Auditor General is no longer responsible for carrying out the performance assessment measures adopted by the board of directors of certain state-owned enterprises and is no longer required to appoint independent firms to carry out such measures on the Auditor General's behalf;

(4) it is prohibited to grant a performance-based bonus or variable pay, for the fiscal year beginning in 2016 or for subsequent fiscal years, to certain persons appointed by the Government or the National Assembly where those persons' instrument of appointment or the conditions of employment annexed to it make the Règles concernant la rémunération et les autres conditions de travail des titulaires d'un emploi supérieur à temps plein applicable, in whole or in part, to them;

(5) the end date of the fiscal period of the Société de la Place des Arts de Montréal and of the fiscal year of the Société de télédiffusion du Québec is amended to make the fiscal period or year correspond to the Government's fiscal year;

(6) the Act respecting municipal taxation is amended to maintain property tax, municipal tax, school tax or business tax exemptions should the Government or any mandatary of the State exercise its option to acquire the Caisse de dépôt et placement du Québec's interest in a limited partnership that owns, leases or operates a transportation infrastructure; and

(7) the Act respecting Financement-Québec is amended to, among other things, change the composition of the board of directors of Financement-Québec, review the list of bodies entitled to obtain its services and eliminate the requirement to hold an annual meeting of shareholders.

The Act respecting the legal publicity of enterprises is amended

(1) to allow the Québec enterprise registrar to require information or documents to validate the accuracy of the declarations deposited in the enterprise register;

(2) to set the prescription period of penal proceedings to one year after the date on which the prosecutor becomes aware of the commission of the offence, such period not exceeding more than five years from the date of the commission of the offence;

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Explanatory notes (*cont'd*)

(3) to entrust the minister responsible with the power to waive the payment of fees, penalties or charges in certain circumstances; and

(4) to allow more bodies to enter into an agreement to obtain from the registrar information contained in the register.

With respect to matters concerning the financial sector,

(1) certain provisions of the Civil Code relating to the insurance coverage of divided co-ownerships are amended;

(2) the Act constituting Capital régional et coopératif Desjardins is amended to introduce new governance rules and rules governing the approval of investments; and

(3) the Act respecting Nasdaq stock exchange activities in Québec is repealed.

Under the Act,

(1) a rule rounding penal contributions to the nearest dollar is added to the Code of Penal Procedure;

(2) the Consumer Price Index to which several Acts and regulations refer is harmonized to exclude recreational cannabis;

(3) diesel used for purposes other than transportation is excluded in calculating the annual duty payable into the Green Fund under the Act respecting the Régie de l'énergie for the period from 13 June 2013 to 1 January 2015;

(4) the definition of the debt representing the accumulated deficits provided for in the Act to reduce the debt and establish the Generations Fund is rendered compliant with that provided for in the public accounts and the portion of advances made to the financing fund and used to fund government enterprises and bodies excluded from the Government's reporting entity is to be included in calculating the gross debt under that Act;

(5) the Minister of Finance is allowed to delegate the power to prescribe forms concerning the information to be furnished by clients of the book based system under the responsibility of Épargne Placements Québec;

(6) Revenu Québec is allowed to send to the Minister of Municipal Affairs and Housing information that is required to carry out its mandate relating to the Government's financial transfers to municipalities;

(7) the borrowing powers provided for in the Act respecting the Ministère des Relations internationales and the Act respecting the Ministère du Conseil exécutif are withdrawn;

(8) certain provisions of the Act respecting the Ministère des Finances and the Auditor General Act relating to the pre-election report are clarified to ensure that they are in conformity with the accounting standards and the practice implemented in preparing the first pre-election report;

(9) certain duties relating to licences for drawings and reunion permits collected by the Régie des alcools, des courses et des jeux are regularized;

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Explanatory notes (*cont'd*)

(10) the Act respecting the Ministère des Transports is amended to add the financing of active transportation infrastructures to the purposes to which the sums in the Land Transportation Network Fund may be allocated; and

(11) the coming into force of the provisions eliminating the identification of alcoholic beverage containers provided for in the Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages is postponed to a date to be set by the Government.

Lastly, the Act contains transitional and consequential provisions required for its application.



Chapter 5

AN ACT RESPECTING MAINLY THE IMPLEMENTATION OF CERTAIN PROVISIONS OF THE BUDGET SPEECHES OF 17 MARCH 2016, 28 MARCH 2017, 27 MARCH 2018 AND 21 MARCH 2019

[Assented to 17 March 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

ABOLITION OF THE ADDITIONAL CONTRIBUTION FOR EDUCATIONAL CHILDCARE SERVICES

EDUCATIONAL CHILDCARE ACT

1. Subdivision 1 of Division I of Chapter VII of the Educational Childcare Act (chapter S-4.1.1), comprising section 81.3, is repealed.

2. The Act is amended by striking out the following before section 82:

“§2. — *Special provisions applicable to basic contribution*”.

3. Section 82 of the Act is amended

(1) by striking out “basic” in the first paragraph;

(2) by replacing “the basic contribution” in the second paragraph by “such a contribution”.

4. Section 86 of the Act is amended, in the first paragraph,

(1) by striking out “basic” in subparagraph 1;

(2) by replacing subparagraph 2 by the following subparagraph:

“(2) any extra contribution or fees other than those determined under sections 82 and 92 for the services that are prescribed by regulation or provided for in a subsidy agreement.”

5. Section 86.1 of the Act is amended by striking out “Subject to the first paragraph of section 88.2,” and “basic”.

- 6.** Subdivision 3 of Division I of Chapter VII of the Act, comprising sections 88.1 to 88.14, is repealed.
- 7.** Section 103.1 of the Act is amended by inserting “, as it read before being repealed” at the end of subparagraph 1 of the second paragraph.
- 8.** Section 103.2 of the Act is amended by inserting “described in the first paragraph of section 88.2, as it read before being repealed,” after “additional contribution” in the second paragraph.
- 9.** Section 106 of the Act is amended
- (1) in the first paragraph,
 - (a) by striking out subparagraph 25.1;
 - (b) by striking out all occurrences of “basic”;
 - (2) in the second paragraph,
 - (a) by replacing “subparagraphs 25 and 25.1” by “subparagraph 25”;
 - (b) by replacing “the amounts concerned are” by “the amount concerned is”.
- 10.** Section 135 of the Act is amended by striking out “, except subdivision 3 of Division I of Chapter VII, the administration of which falls under the responsibility of the Minister of Revenue”.
- 11.** The Act is amended by striking out “basic” in the following provisions:
- (1) section 83.1;
 - (2) section 84;
 - (3) section 85;
 - (4) the first paragraph of section 87;
 - (5) the first paragraph of section 90.

REDUCED CONTRIBUTION REGULATION

- 12.** Division I.1 of the Reduced Contribution Regulation (chapter S-4.1.1, r. 1), comprising section 2.1, is repealed.
- 13.** The Regulation is amended by replacing all occurrences of “basic” by “reduced”.

CHAPTER II

FACILITATION OF THE PAYMENT OF SUPPORT

ACT TO FACILITATE THE PAYMENT OF SUPPORT

14. The Act to facilitate the payment of support (chapter P-2.2) is amended by inserting the following chapter after section 70:

“CHAPTER VIII.1**“SUPPORT ORDERS MADE OUTSIDE QUÉBEC**

“70.1. The Minister may, by written notice, require a person who, by virtue of an existing obligation, is or will be bound to make a payment to a person owing an amount under a support order referred to in the second paragraph to pay to a designated person all or part of the amount to be paid to his creditor, such payment to be made at the time at which the amount becomes payable, where the following information and documents are sent to the Minister by the designated person:

- (1) a copy of the support order;
- (2) an application relating to the execution of the support order, drawn up in French; and
- (3) the amount to be paid, converted, where applicable, to Canadian currency at the exchange rate in force on the date of the support order.

The support order to which the first paragraph refers is the support order provided for by a judgment enforceable in a state, province or territory designated in accordance with the Act respecting reciprocal enforcement of maintenance orders (chapter E-19) or any other document having the same force and effect in that state, province or territory.

For the purposes of the first paragraph, “designated person” means the support collector in the designated state, province or territory in which the support order is enforceable.

“70.2. Any person who neglects or refuses to comply with a notice from the Minister under section 70.1 becomes solidarily liable for the amount claimed in the notice with the person owing an amount payable under the support order.

“70.3. Division VI of Chapter IV of Title I of Book VIII of the Code of Civil Procedure (chapter C-25.01) applies to this chapter.”

CHAPTER III**CERTIFICATE FROM REVENU QUÉBEC FOR CERTAIN CONTRACTS
RESPECTING MAINTENANCE WORK IN PUBLIC BUILDINGS****TAXATION ACT**

15. The Taxation Act (chapter I-3) is amended by inserting the following Title after section 1079.8.34:

“TITLE II.1**“BUSINESSES PERFORMING MAINTENANCE WORK IN PUBLIC
BUILDINGS**

“1079.8.34.1. In this Title,

“maintenance work” means maintenance work to which the Decree respecting building service employees in the Montréal region (chapter D-2, r. 15) or the Decree respecting building service employees in the Québec region (chapter D-2, r. 16) applies;

“maintenance work business” means a person who has an establishment in Québec and causes maintenance work to be performed, in whole or in part, by a subcontractor, except a person who is the owner, lessee or administrator of the public building in which the maintenance work is to be performed;

“maintenance work contract” means a contract or part of a contract that is entered into between a maintenance work business and a subcontractor, is carried out in Québec and provides for maintenance work;

“person” includes a partnership;

“subcontractor” means a person who has an establishment in Québec and performs maintenance work.

For the purposes of this Title, the following rules apply:

(a) the cost of a maintenance work contract is determined without reference to the Québec sales tax or the goods and services tax in respect of the contract;

(b) except for determining, for the purposes of subparagraph *b* of the first paragraph of section 1079.8.34.2, the cost of the maintenance work contracts entered into between a subcontractor and a maintenance work business in a calendar year, every contract entered into between a maintenance work business and a subcontractor, while the subcontractor is holding a valid certificate referred to in section 1079.8.34.2 because of another maintenance work contract entered into between them, is deemed to be the same contract as that other contract; and

(c) where the portion of the cost of a maintenance work contract entered into before 1 January 2021 that is attributable to maintenance work performed after 31 December 2020 is equal to or greater than \$10,000, or where under an indeterminate-term maintenance work contract entered into before 1 January 2021, maintenance work is performed after 31 December 2020, the following rules apply:

i. the contract is deemed to have been entered into on 1 January 2021 and, if the maintenance work provided for in the contract began before that date, is deemed to have begun on that date, and

ii. the first amount that the maintenance work business is required to report under the second paragraph of section 1079.8.34.3, in relation to the maintenance work contract, must include any amount that has been billed to it by the subcontractor before 1 January 2021 for maintenance work provided for in the contract and performed after 31 December 2020.

“1079.8.34.2. A subcontractor must hold a valid certificate from Revenu Québec throughout the period that begins on the date of the beginning of the maintenance work provided for in a particular maintenance work contract entered into by the subcontractor in a calendar year and after 31 December 2020 with a maintenance work business and that ends on the date of the end of the maintenance work provided for in the contract, where

(a) the particular maintenance work contract is an indeterminate-term contract;

(b) the total cost of the particular maintenance work contract and of the maintenance work contracts they entered into with each other previously in the calendar year, or the total cost of such contracts they entered into in a previous calendar year, is equal to or greater than \$10,000; or

(c) the subcontractor and the maintenance work business have previously entered into a contract with each other in respect of which this section has applied because of subparagraph *a*.

A subcontractor who entered into a maintenance work contract with a maintenance work business must give the business a copy of each certificate the subcontractor is required to hold under the first paragraph, on or before the day on which the maintenance work provided for in the contract begins or, in the case of a subsequent certificate, the day that follows the last day of the period of validity of the preceding certificate.

This section does not apply to a subcontractor who, on the day the maintenance work provided for in the contract begins, does not hold a registration certificate issued under Title I of the Act respecting the Québec sales tax (chapter T-0.1).

However, where the subcontractor becomes, after the day referred to in the third paragraph and before the day on which the maintenance work provided for in the contract ends, the holder of a registration certificate under Title I of the Act respecting the Québec sales tax, the following rules apply:

(a) the contract is deemed to have been entered into on the particular date that is 30 days after the date on which the subcontractor became the holder of such a certificate and the maintenance work provided for in the contract is deemed to have begun on the particular date; and

(b) the first amount that the maintenance work business is required to report under the second paragraph of section 1079.8.34.3, in relation to the maintenance work contract, must include any amount that was billed to it by the subcontractor before the particular date for maintenance work provided for in the contract and performed after that date.

For the purposes of subparagraph *b* of the first paragraph, no reference is to be made to the portion of the cost of a maintenance work contract attributable to maintenance work performed before 1 January 2021.

“1079.8.34.3. A maintenance work business that has entered into a particular maintenance work contract with a subcontractor must obtain from the subcontractor a copy of each certificate that the subcontractor is required to hold under the first paragraph of section 1079.8.34.2 because of that contract, ensure that it is valid and verify its authenticity in the prescribed manner, on or before the day on which the maintenance work provided for in the contract begins or, in the case of a subsequent certificate, the day that follows the last day of the period of validity of the preceding certificate.

The maintenance work business described in the first paragraph must also, on or before the day provided for in the third paragraph, report, in the prescribed manner, an amount that is the aggregate of the amounts that it was billed by the subcontractor in relation to the maintenance work provided for in the particular maintenance work contract, in each of the quarters ending on 31 March, 30 June, 30 September and 31 December in a year.

The day to which the second paragraph refers is the last day of the month following the month in which the quarter referred to in that paragraph ends.

The first amount that the maintenance work business must report under the second paragraph must also include any amount billed in respect of the particular contract before the beginning of the maintenance work.

This section does not apply to a maintenance work business that, on the day the maintenance work provided for in a contract begins, does not hold a registration certificate issued under Title I of the Act respecting the Québec sales tax (chapter T-0.1).

However, where the maintenance work business becomes, after the day referred to in the fifth paragraph and before the day on which the maintenance work provided for in the contract ends, the holder of a registration certificate under Title I of the Act respecting the Québec sales tax, this section applies to the maintenance work business as if the maintenance work provided for in the contract has begun on the date that is 30 days after the date on which the business became the holder of such a certificate.

“1079.8.34.4. Applications for a certificate from Revenu Québec must be made in the manner provided for in section 1079.8.19.

A certificate from Revenu Québec is issued to a person who, on the date specified in the certificate, has filed the returns and reports required under fiscal laws and has no overdue amount payable under such laws; this is the case, in particular, where recovery of such an amount has been legally suspended or, if arrangements have been made with the person to ensure payment of the amount, the person has not defaulted on the payment arrangements.

Where a partnership is registered with Revenu Québec as an employer, a certificate is issued to it only if, on the date specified in the certificate, it meets the conditions of the second paragraph and has performed, as at that date, all the obligations of a fiscal law imposed on its members, as employers.

A certificate is valid until the end of the three-month period (in this Title referred to as the “period of validity”) following the month in which it was issued.

“1079.8.34.5. A subcontractor who fails to comply with any of the obligations provided for in section 1079.8.34.2, in relation to a particular maintenance work contract entered into with a maintenance work business, incurs—for each of the quarters that end on 31 March, 30 June, 30 September and 31 December in a year and in which the subcontractor failed to comply with such an obligation—a penalty equal to the greater of

(a) \$175; and

(b) the lesser of

i. the product obtained by multiplying the amount that is 0.2% of the aggregate of the amounts billed under the particular contract, without reference to the Québec sales tax or the goods and services tax, by the subcontractor to the maintenance work business in that quarter by the number of days of non-compliance included in that quarter, and

ii. \$950.

“1079.8.34.6. A maintenance work business that fails to comply with any of the obligations provided for in section 1079.8.34.3, in relation to a particular maintenance work contract entered into with a subcontractor, incurs— for each particular quarter referred to in the second paragraph of section 1079.8.34.3 in which the business failed to comply with an obligation provided for in the first paragraph of that section or in respect of which the business failed to comply with the obligation provided for in the second paragraph of that section—a penalty equal to the greater of

(a) \$350; and

(b) the lesser of

i. the product obtained by multiplying the amount that is 0.4% of the aggregate of the amounts billed under the particular contract, without reference to the Québec sales tax or the goods and services tax, by the subcontractor to the maintenance work business in the particular quarter by the greater of

(1) the number of days during which the non-compliance of an obligation referred to in the first paragraph of section 1079.8.34.3 continues and that are included in the particular quarter, and

(2) the number of days during which the non-compliance of an obligation referred to in the second paragraph of section 1079.8.34.3 in respect of the particular quarter continues, up to 90, and

ii. \$2,850.

However, the maintenance work business may not incur, in respect of the same failure to comply, both the penalty provided for in the first paragraph and the penalty provided for in section 59 of the Tax Administration Act (chapter A-6.002).

“1079.8.34.7. In the case of a subsequent failure during the three years after the date on which a notice of assessment imposing a penalty provided for in section 1079.8.34.5 or 1079.8.34.6 is sent, the amount of the penalty that would otherwise be determined under either of those sections in respect of the subsequent failure is doubled.”

16. Section 1079.8.36 of the Act is replaced by the following section:

“1079.8.36. A person found guilty of an offence under section 1079.8.35 does not incur the penalty provided for in any of sections 1079.8.20 to 1079.8.22, 1079.8.30 to 1079.8.32, 1079.8.34.5 and 1079.8.34.6 unless it was imposed on the person before proceedings were instituted against the person under section 1079.8.35.”

17. Section 1079.8.39 of the Act is amended by replacing the portion before paragraph *a* by the following:

“1079.8.39. If a partnership or a consortium incurs a penalty under any of sections 1079.8.20 to 1079.8.22, 1079.8.30 to 1079.8.32, 1079.8.34.5 and 1079.8.34.6, the following provisions apply, with the necessary modifications, in respect of the penalty as though the partnership or consortium were a corporation:”.

REGULATION RESPECTING THE TAXATION ACT

18. The Regulation respecting the Taxation Act (chapter I-3, r. 1) is amended by inserting the following section after section 1079.8.19R1:

“1079.8.34.3R1. The prescribed manner of verifying the authenticity of a certificate and of reporting an amount referred to in the second paragraph of section 1079.8.34.3 of the Act is to use the electronic process provided for that purpose on Revenu Québec’s website.”

CHAPTER IV

REGISTRATION OF FOOD TRUCK SALES

DIVISION I

AMENDING PROVISIONS

ACT RESPECTING THE QUÉBEC SALES TAX

19. Section 350.50 of the Act respecting the Québec sales tax (chapter T-0.1) is amended

(1) by inserting the following definition in alphabetical order in the first paragraph:

““food truck” means a truck or a trailer that is laid out to prepare or serve meals, whether or not they are intended for consumption on the premises, including a truck or a trailer offering beverages exclusively, but does not include a mobile canteen, that is, a vehicle ordinarily going to businesses, factories, worksites, garages, rest areas or other similar places to offer mainly previously prepared and pre-assembled meals, nor a trailer that may be moved without the use of a truck or road vehicle;”;

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

“(2) a place that is a mobile vehicle in which meals are provided, unless it is a food truck;”.

DIVISION II**SPECIAL PROVISIONS**

20. The Minister of Revenue may establish and implement a transitional financial compensation program to subsidize the acquisition and installation costs of the prescribed devices that are referred to in section 350.52 of the Act respecting the Québec sales tax (chapter T-0.1) and that are required because of the amendments made to section 350.50 of that Act by section 19 of this Act.

21. Sections 60.3, 60.4 and 61.0.0.1 of the Tax Administration Act (chapter A-6.002) and section 350.58 of the Act respecting the Québec sales tax apply in respect of the operator of a food truck within the meaning of section 350.50 of that Act only from the date of the first day of the sixth month following the date of coming into force of section 19 of this Act.

CHAPTER V**DIVERSION OF DISAGREEMENTS AWAY FROM THE COURT
SYSTEM AND ACCESS TO JUSTICE****DIVISION I****AMENDING PROVISIONS****TAX ADMINISTRATION ACT**

22. Section 93.2 of the Tax Administration Act (chapter A-6.002) is amended

- (1) by replacing “An individual” in the introductory clause by “A person”;
- (2) by replacing both occurrences of “\$15,000” in subparagraph i of paragraph *a* by “\$55,000”;
- (3) by replacing “\$4,000” in subparagraph ii of paragraph *a* and paragraphs *b*, *b.1*, *g*, *h.2*, *i*, *j* and *k* by “\$15,000”;
- (4) by replacing “\$1,500” in paragraphs *c* and *d* by “\$5,500”;
- (5) by replacing “section 83” in paragraph *o* by “section 83 or 84”;
- (6) by adding the following paragraph at the end:

“However, a person other than an individual may avail itself of the rules of this chapter only if a maximum of 10 persons bound to it by an employment contract were under its direction or control at any time during the 12-month period preceding the time at which it brings an appeal.”

23. Section 93.2.1 of the Act is amended

(1) by replacing “the individual resides” in the first paragraph by “the person’s residence or establishment is situated”;

(2) by replacing “an individual residing” in the second paragraph by “a person residing or having an establishment”.

24. Section 93.6 of the Act is amended by replacing “No individual may, to avail himself” in the first paragraph by “No person may, to avail himself or itself”.**25.** Section 93.11 of the Act is amended

(1) by replacing “An individual having objected” in the first paragraph by “A person having objected”;

(2) by replacing “individual” in the second paragraph by “person”.

26. Section 93.12 of the Act is amended

(1) by replacing “an individual” in the first paragraph by “a person”;

(2) by replacing “the individual demonstrates that” and “him” in the second paragraph by “the person demonstrates that” and “him or it”, respectively.

27. Section 93.13 of the Act is amended

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

“A summary appeal is exercised by means of the prescribed form, in which the person shall set out the reasons for the application and all the relevant facts and which the person shall file with or send by registered mail to the office of the Small Claims Division of the Court of Québec. The person shall also specify whether he or it might consider mediation.”;

(2) by inserting the following paragraphs after the first paragraph:

“The prescribed form must include a statement by the person attesting to the accuracy of the facts put forward. If the person is not an individual, the statement must also attest that a maximum of 10 persons bound to it by an employment contract were under its direction or control at any time during the 12-month period preceding the filing or sending of the form.

A statement referred to in the second paragraph is deemed to be a sworn statement.”;

(3) by replacing “de la production” in the second paragraph in the French text by “du dépôt”.

28. The Act is amended by inserting the following section after section 93.14:

“93.14.1. Within 90 days following the date the office of the Small Claims Division of the Court of Québec receives the summary appeal, the Agency shall file with the office and notify to the person a memorandum setting out the grounds of defence along with the exhibits or copies of the exhibits in support of the contentions of the defence.

The memorandum must concisely state the facts, contentions, main arguments, applicable legislation and conclusions.

The Agency shall also specify whether it intends to submit the dispute to mediation.”

29. Section 93.15 of the Act is amended by replacing “the individual could not avail himself” by “the person could not avail himself or itself”.

30. Section 93.18 of the Act is replaced by the following section:

“93.18. Despite section 34 of the Charter of human rights and freedoms (chapter C-12), an individual may not be represented or assisted by an advocate, a person other than an individual may be represented only by an officer or an employee exclusively employed by it who is not an advocate, and the Agency may be represented only by an employee, or a person authorized by the Minister, who is not an advocate.

An individual must self-represent. However, if unable to do so, the individual may give his spouse, a relative, a person connected to him by marriage or civil union or a friend a non-remunerated mandate to represent him. The mandate must be recorded in a document identifying the mandatary and stating the reasons why the individual is unable to self-represent, and be signed by the individual. If the individual cannot self-represent or give his spouse, a relative, a person connected to him by marriage or civil union or a friend a mandate to represent him, the summary appeal is ex officio entered on the roll of the Court of Québec to be continued in accordance with the procedure provided for in Chapter III.2.”

31. The Act is amended by inserting the following division before Division III of Chapter IV:

“DIVISION II.1

“MEDIATION

“93.21.1. A dispute may be submitted to mediation at no additional cost if the parties consent.

The mediation session is presided over by an advocate or a notary, certified as a mediator by his professional order in accordance with sections 1 and 2 of the Regulation respecting the mediation of small claims (chapter C-25.01, r. 0.6). The session may also be presided over by a chartered professional accountant, certified as a mediator by his professional order in accordance with the criteria prescribed in the second paragraph of section 1 of that regulation or by a body recognized by the Minister of Justice.

The Regulation respecting the mediation of small claims applies, with the necessary modifications, to the mediation provided for in this division, regardless of whether the session is presided over by an advocate, a notary or a chartered professional accountant.

“93.21.2. The mediator and the parties to the mediation shall preserve the confidentiality of anything said, written or done during the mediation process, subject to any agreement between them on the matter or to any special provisions of the law.

The mediator and the parties cannot be compelled, in arbitration, administrative or judicial proceedings, whether related or unrelated to the dispute, to disclose anything they hear or learn in the course of the mediation process. Nor can the mediator and the parties be compelled to produce a document prepared or obtained in the course of the mediation process, unless the law requires its disclosure or unless its disclosure is necessary for the mediator to be able to defend against a claim of professional fault.

No information given or statement made in the course of the mediation process may be admitted in evidence in proceedings referred to in the second paragraph.

“93.21.3. If the mediation ends the dispute, the parties shall file with the office of the Small Claims Division of the Court of Québec a notice that the case has been settled or the signed settlement agreement. A settlement agreement homologated by the special clerk or the court is equivalent to a judgment.”

32. The Act is amended by inserting the following section after section 93.26:

“93.26.1. At any time in the course of the proceeding, the court, even on its own initiative, may take the case management measures it sees fit and, if necessary, convene a case management conference or hear a preliminary application and issue any appropriate order.

If circumstances permit, the court may attempt to reconcile the parties during the hearing or at a settlement conference. If no settlement is reached, the judge seized may, with the parties’ consent, resume hearing the matter.

If the parties reach a settlement, the court clerk shall draw up minutes in which the settlement agreement is recorded. Once signed by the parties and homologated by the court, the settlement agreement is equivalent to a judgment.”

33. Section 93.29 of the Act is amended, in the third paragraph,

(1) by replacing “un particulier” in the French text by “une personne”;

(2) by replacing “the individual” by “the person”.

DIVISION II

TRANSITIONAL PROVISION

34. Proceedings that, on the date of coming into force of section 22, become within the jurisdiction of the Small Claims Division of the Court of Québec continue before the division of the Court of Québec already seized of the matter.

CHAPTER VI

RESPONSIBILITIES RELATING TO THE APPLICATION OF THE MONEY-SERVICES BUSINESSES ACT

DIVISION I

AMENDING PROVISIONS

TAX ADMINISTRATION ACT

35. Section 1 of the Tax Administration Act (chapter A-6.002) is amended by inserting “, except the Money-Services Businesses Act (chapter E-12.000001)” at the end of the definition of “fiscal law”.

36. Section 69.0.0.7 of the Act is amended by adding the following subparagraph at the end of subparagraph *b* of the first paragraph:

“vii. the Money-Services Businesses Act (chapter E-12.000001);”.

ACT RESPECTING THE REGULATION OF THE FINANCIAL SECTOR

37. Section 93 of the Act respecting the regulation of the financial sector (chapter E-6.1) is amended by striking out “, the Money-Services Businesses Act (chapter E-12.000001)” in the first paragraph.

MONEY-SERVICES BUSINESSES ACT

38. Section 12 of the Money-Services Businesses Act (chapter E-12.000001) is amended

(1) by replacing “The Authority” in the portion before paragraph 1 by “The Minister”;

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

“(4) has repeatedly failed to send a return or a report in the manner and within the time provided for by a fiscal law or a regulation under a fiscal law;

“(5) has repeatedly failed to deduct, withhold or collect an amount that it was required to deduct, withhold or collect under a fiscal law;

“(6) has repeatedly failed to pay an amount owed under this Act or a fiscal law;

“(7) has repeatedly failed to comply with an agreement entered into for the payment of an amount owed under this Act or a fiscal law;

“(8) is liable to a penalty under section 1079.13.1 or 1079.13.2 of the Taxation Act (chapter I-3) in relation to an assessment in respect of which any time limit for objecting has expired or, if the business validly objected to the assessment or appealed from the assessment to a court of competent jurisdiction, in respect of which the objection or appeal, as the case may be, is finally settled; or

“(9) has repeatedly evaded or attempted to evade compliance with this Act or a fiscal law in the course of its business.”

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

“12.1. The Minister may refuse to issue a licence to a money-services business,

(1) if the business’ activities are incommensurate with its legal sources of financing;

(2) if a reasonable person would conclude that the business is lending its name to, or is the extension of, another business that would be unable to obtain a licence under this Act; or

(3) if the business’ structure enables it to evade the application of this Act or of a fiscal law.”

40. Section 14 of the Act is amended

(1) by replacing “The Authority” in the introductory clause by “The Minister”;

(2) by replacing “the Authority’s” in paragraph 7 by “the Minister’s”;

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

“(8) is in any of the situations described in paragraphs 4 to 9 of section 12.”

41. Section 15 of the Act is amended by replacing the first paragraph by the following paragraph:

“The Minister may refuse to issue a licence to a money-services business if a person or an entity who directly or indirectly owns or controls the money-services business

(1) has been convicted of an offence under any of the Acts referred to in paragraph 1 of section 12, unless a pardon has been obtained; or

(2) is in any of the situations described in paragraphs 4 to 9 of section 12.”

42. Section 17 of the Act is replaced by the following section:

“**17.** The Minister suspends or revokes the licence of a money-services business on a ground specified in section 11 or 13, or if a person or entity described in the first paragraph of section 16 is in any of the situations described in paragraph 1 of section 11.

The Minister may suspend or revoke the licence of a money-services business on a ground specified in any of sections 12, 12.1, 14 and 15 or in the first paragraph of section 16 or if the business does not comply with an obligation provided for in Chapter III.”

43. Section 18 of the Act is replaced by the following section:

“**18.** Before suspending or revoking a licence or before imposing a monetary administrative penalty, the Minister may order the money-services business concerned to take the necessary corrective measures within the time the Minister specifies.”

44. Section 19 of the Act is amended

(1) in the first paragraph,

(a) by replacing “the Authority” by “the Minister”;

(b) by striking out “, selon le cas,” in the French text;

(2) by replacing “The Authority” and “to the Authority” in the second paragraph by “The Minister” and “to the Minister”, respectively.

45. Section 20 of the Act is amended by striking out “the Agence du revenu du Québec,”.

46. The Act is amended by inserting the following section after section 28:

“**28.1.** A money-services business must hold, in its own name, a bank account with a financial institution.”

47. Section 35 of the Act is amended

(1) by replacing “to the Authority, which” and “it will” in the first paragraph by “to the Minister, who” and “to”, respectively;

(2) by replacing “of the Authority” in the second paragraph by “of the Minister”;

(3) by replacing “The Authority notifies the Agence du revenu du Québec,” and “It must also notify them” in the third paragraph by “The Minister notifies” and “The Minister must also notify them”, respectively.

48. The heading of Chapter IV of the Act is amended by replacing “OF AUTORITÉ DES MARCHÉS FINANCIERS” by “OF THE MINISTER OF REVENUE”.

49. Section 36 of the Act is repealed.

50. Sections 37 and 38 of the Act are replaced by the following sections:

“**37.** The Minister may, in accordance with the applicable legislative provisions, enter into an agreement with a government other than the Gouvernement du Québec, a department of such a government, an international organization, or a body of such a government or organization or into an agreement with a person or body in or outside Québec to facilitate the administration or enforcement of this Act, of fiscal, criminal or penal legislation or of any similar legislation outside Québec.

For the purposes of that agreement, personal information may be communicated.

“**38.** Any information, including personal information, may be communicated without the consent of the money-services business or the person or entity concerned to a police force if an employee of the Agence du revenu du Québec has reasonable cause to believe that the money-services business, person or entity has committed or is about to commit a criminal or penal offence under an Act enforceable in or outside Québec in relation to this Act or against the Agence du revenu du Québec or one of its employees, and that the information is required for the purposes of the investigation.”

51. Section 39 of the Act is amended by replacing “the Authority may” in the first paragraph by “an employee of the Agence du revenu du Québec authorized by regulation may”.

52. Section 40 of the Act is amended by replacing “any information to the Authority” by “to an employee authorized in accordance with section 39 any information”.

53. Section 45 of the Act is replaced by the following section:

“**45.** The inspections and investigations relating to the provisions of this Act, which come under the responsibility of the Minister of Revenue, are conducted in accordance with Division VI of Chapter III of the Tax Administration Act (chapter A-6.002); for that purpose, those provisions are deemed to be a fiscal law.”

54. Sections 46 to 48 of the Act are repealed.

55. Section 50 of the Act is amended by replacing the portion before subparagraph 1 of the first paragraph by the following:

“**50.** The Minister may, for the purposes or in the course of an investigation, make an *ex parte* application to a judge of the Court of Québec acting in chambers”.

56. Section 51 of the Act is replaced by the following section:

“**51.** The person or entity concerned must be notified at least 15 days before any hearing during which a judge of the Court of Québec is to consider an application for the renewal of an order under this division. The judge may grant the application if the person or entity concerned has not requested to be heard or has failed to establish that the reasons for the initial order have ceased to exist.”

57. Section 52 of the Act is amended

(1) by replacing “the Authority” in the first paragraph by “the Minister”;

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

“At the Minister’s request, the person or entity must open the safety deposit box in the presence of a person authorized by the Minister, draw up an inventory of the contents in triplicate, and give one copy to the Minister and another to the person or entity actually or potentially under investigation.”;

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

“On request, the person authorized by the Minister must identify himself or herself and show the document signed by the Minister attesting the person’s capacity.”

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

“54. A person or entity directly affected by an order made under this division, if in doubt as to the application of the order to particular funds, securities or other property, may apply to a judge of the Court of Québec for clarification; the person or entity may also apply for an amendment to or the revocation of the order.

A written notice stating the grounds for the application for amendment or revocation must be filed at the office of the Court of Québec. The notice must be served on the Minister at least 15 days before the hearing set to hear the application.”

59. Section 56 of the Act is repealed.

60. Section 57 of the Act is replaced by the following section:

“57. The court may, at the Minister’s request, prohibit a person from acting as a director or officer of a money-services business on the grounds set out in article 329 of the Civil Code or if a penalty has been imposed on the person under this Act.

The prohibition imposed by the court may not exceed five years.

The court may, at the request of the person concerned, lift the prohibition on such conditions as it considers appropriate.”

61. Section 60 of the Act is amended

(1) by replacing “The Authority” in the introductory clause by “The Minister”;

(2) by striking out paragraph 1;

(3) by replacing “the Authority” in paragraph 4 by “the Minister”;

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

“(11) which persons are authorized to communicate information for the purposes of section 39.”

62. The Act is amended by inserting the following section after section 60:

“60.1. The Government may make regulations determining the fees and tariffs payable for any formality required by this Act or for the services provided by the Minister, and payment terms and time limits.”

63. Section 61 of the Act is repealed.

64. The Act is amended by inserting the following chapter after section 65:

“CHAPTER VI.1

“MONETARY ADMINISTRATIVE PENALTIES

“DIVISION I

“FAILURE TO COMPLY

“65.1. A monetary administrative penalty of \$500 in the case of a natural person or \$1,500 in any other case may be imposed on a money-services business that, in contravention of

- (1) section 22, does not pay the fees determined by regulation;
- (2) section 22.1, does not display its licence or a copy of its licence in the manner provided for in that section;
- (3) section 26, has failed to inform the Minister of any change in the information already filed to obtain a licence;
- (4) section 28, does not verify the identity of its customers or co-contracting parties;
- (5) the first paragraph of section 29, does not maintain and update its records and registers;
- (6) the second paragraph of section 29, does not make its records and registers available to the Minister;
- (7) the third paragraph of section 29, does not provide the Minister with technical assistance to facilitate the Minister’s inspection of the information contained in its records and registers;
- (8) section 30, does not keep the customer information it has on file for six years after the information is gathered;
- (9) section 32, fails to provide, within the specified time, any information or document requested by the Minister;
- (10) the first paragraph of section 34, does not notify the Minister of the cessation of its activities;
- (11) the second paragraph of section 34, does not comply with the conditions determined by the Minister;
- (12) section 35, has failed to hand its records, books and registers over to the Minister; or

(13) section 16 of the Regulation under the Money-Services Businesses Act (chapter E-12.000001, r. 1), does not keep the information on its co-contracting parties for six years after such information is gathered.

“65.2. The imposition of a monetary administrative penalty is prescribed by two years from the date of the failure to comply.

“65.3. 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.

“DIVISION II

“NOTICE OF NON-COMPLIANCE AND IMPOSITION

“65.4. Where the Minister ascertains that a failure to comply with a provision of this Act or the regulations has occurred, a notice of non-compliance may be notified to the money-services business urging that the necessary measures be taken immediately to remedy the failure to comply.

Such a notice must mention that the failure to comply may give rise to a monetary administrative penalty.

“65.5. A monetary administrative penalty for a failure to comply with a provision of this Act or the regulations may not be imposed on a money-services business if a statement of offence has already been served because of a contravention of the same provision, based on the same facts.

“65.6. A monetary administrative penalty is imposed on a money-services business by the notification of a notice of claim.

The notice must state

- (1) the amount of the claim;
- (2) the reasons for it;
- (3) the time from which it bears interest;
- (4) the right, under section 65.7, to obtain a review of the decision to impose the penalty and the time limit for exercising that right; and
- (5) the right to contest the review decision before the Administrative Tribunal of Québec and the time limit for bringing such a proceeding.

The notice must also include information on the procedure for recovery of the amount claimed. The money-services business must also be informed that failure to pay the amount owing may give rise to the suspension or revocation of its licence and, if applicable, 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.

“DIVISION III

“REVIEW

“**65.7.** A money-services business may apply in writing to the Minister for a review of the decision to impose a monetary administrative penalty within 30 days after notification of the notice of claim.

The persons responsible for the review are designated by the Minister. They must not come under the same administrative authority as the persons responsible for imposing such penalties.

“**65.8.** The application for review must be dealt with promptly. After giving the applicant an opportunity to submit observations and produce any documents to complete the record, the person responsible for the review renders a decision on the basis of the record, unless the person deems it necessary to proceed in some other manner.

“**65.9.** The review decision must be written in clear and concise terms, with reasons given, 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, if applicable, within the time granted to the applicant to submit observations or produce documents, the interest provided for in the fourth paragraph of section 65.6 on the amount owing ceases to accrue until the decision is rendered.

“**65.10.** A review decision that confirms the imposition of a monetary administrative penalty may be contested before the Administrative Tribunal of Québec within 60 days after notification of the review decision.

The Tribunal may only confirm or quash a contested decision.

When rendering its decision, the Tribunal may make a ruling with respect to interest accrued on the penalty while the matter was pending before it.

“DIVISION IV**“RECOVERY**

“65.11. The debtor and the Minister may enter into a payment agreement with regard to the monetary administrative penalty owing. Such an agreement, or the payment of the amount owing, does not constitute, for the purposes of penal proceedings and any other administrative penalty under this Act, an acknowledgement of the facts giving rise to it.

“65.12. If the monetary administrative penalty owing is not paid in its entirety or the agreement entered into for that purpose is not complied with, the Minister may issue a recovery certificate on the expiry of the time for applying for a review of the decision to impose the penalty, 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 decision of the Tribunal confirming all or part of the decision to impose the penalty 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 money-services business is attempting to evade payment.

“65.13. 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 and, for that purpose, section 13.1 of the Tax Administration Act (chapter A-6.002) applies, with the necessary modifications, for the enforcement of the decision.”

65. Section 66 of the Act is amended, in the first paragraph,

- (1) by replacing “to the Authority” in subparagraph 1 by “to the Minister”;
- (2) by replacing “on behalf of the Authority” in subparagraph 2 by “on behalf of the Minister under this Act”;
- (3) by inserting “in the performance of duties under this Act” after “hinder an inspector or an investigator” in subparagraph 3;
- (4) by inserting the following subparagraph after subparagraph 3:

“(3.1) uses a nominee to obtain a licence for the purposes of this Act.”;
- (5) by replacing subparagraph 5 by the following subparagraph:

“(5) contravenes a decision of the Minister or of a court under this Act.”;
- (6) by striking out subparagraph 7.

66. Section 72 of the Act is replaced by the following section:

“**72.** Division IX of Chapter III of the Tax Administration Act (chapter A-6.002) applies to penal proceedings for an offence under a provision of this Act and, for that purpose, those provisions are deemed to be a fiscal law.”

67. Sections 73 to 75 of the Act are repealed.

68. Section 76 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “the Authority” in the second paragraph by “the Minister”.

69. Section 78 of the Act is repealed.

70. The heading of Chapter X of the Act is replaced by the following heading:

“FINAL PROVISIONS”.

71. Sections 82 and 84 of the Act are repealed.

72. Section 85 of the Act is replaced by the following section:

“**85.** The Minister of Revenue is responsible for the carrying out of this Act, except sections 8, 9, 49 and 76, the carrying out of which is under the responsibility of the Minister of Public Security.”

73. The Act is amended by replacing all references to “the Autorité des marchés financiers (the Authority)” and “the Authority” by a reference to “the Minister”, with the necessary grammatical modifications.

ACT RESPECTING ADMINISTRATIVE JUSTICE

74. Schedule IV to the Act respecting administrative justice (chapter J-3) is amended by inserting the following paragraph after paragraph 8:

“(8.1) section 65.10 of the Money-Services Businesses Act (chapter E-12.000001);”.

REGULATION UNDER THE MONEY-SERVICES BUSINESSES ACT

75. Section 1 of the Regulation under the Money-Services Businesses Act (chapter E-12.000001, r. 1) is replaced by the following section:

“**1.** Sections 7 to 11 of this Regulation do not apply to businesses licensed to operate automated teller machines in respect of this class of licence.”

76. Section 2 of the Regulation is amended by replacing “provided by the Autorité des marchés financiers (the “Authority”)” in the first paragraph by “prescribed by the Minister of Revenue”.

77. Section 6 of the Regulation is amended

(1) by replacing all occurrences of “the Authority” in the first and second paragraphs by “the Minister”;

(2) by replacing “provided by the Authority” in the third paragraph by “prescribed by the Minister”.

78. Section 13 of the Regulation is amended by replacing “to the Authority” in paragraph 1 by “to the Minister”.

79. The Regulation is amended by inserting the following division after section 16:

“DIVISION VI

“AUTHORIZED EMPLOYEES

“**16.1.** For the purposes of section 39 of the Act, the general director of investigations, inspections and public prosecutions, a senior director, an assistant senior director or a director who carries out duties at the Direction générale des enquêtes, de l’inspection et des poursuites pénales within the Agence du revenu du Québec is authorized to communicate information held by the Minister for the purposes of the Act to a member of a police force.”

REGULATION RESPECTING FEES AND TARIFFS PAYABLE UNDER THE MONEY-SERVICES BUSINESSES ACT

80. Section 1 of the Regulation respecting fees and tariffs payable under the Money-Services Businesses Act (chapter E-12.000001, r. 2) is amended by replacing “the Autorité des marchés financiers (the “Authority”)” in the introductory clause by “the Minister of Revenue”.

81. Section 3 of the Regulation is amended by replacing “to the Authority” by “to the Minister”.

82. Sections 5 and 6 of the Regulation are repealed.

83. Section 8 of the Regulation is amended by replacing “in the Bulletin of the Authority” in the second paragraph by “on Revenu Québec’s website”.

DIVISION II**SPECIAL TRANSITIONAL PROVISIONS**

84. Subject to the conditions of employment applicable to them, employees of the Autorité des marchés financiers (the “Authority”), up to a maximum of three, who, on the date of coming into force of section 71, are assigned duties relating to the application of the Money-Services Businesses Act (chapter E-12.000001) and are designated by the Authority become, from that date, employees of the Agence du revenu du Québec.

85. The documents and the data held by the Authority that relate to the application of the Money-Services Businesses Act are, on the date of coming into force of section 71, transferred to the Minister of Revenue.

86. The rights and obligations of the Authority that relate to the application of the Money-Services Businesses Act continue to be exercised and performed by the Minister of Revenue.

87. The processing of licence applications under the Money-Services Businesses Act by the Authority is, on the date of coming into force of section 71, continued by the Minister of Revenue.

88. The investigations conducted under the Money-Services Businesses Act that are in progress on the date of coming into force of section 71 are continued by the Minister of Revenue.

89. Matters brought under the Money-Services Businesses Act before the Financial Markets Administrative Tribunal before the date of coming into force of section 71 are continued before the Tribunal.

90. The Agence du revenu du Québec becomes, without continuance of suit, party to all proceedings to which the Authority was a party in relation to the application of the Money-Services Businesses Act.

91. Unless the context indicates otherwise, in any document other than an Act, any reference to the Authority that concerns the application of the Money-Services Businesses Act is a reference to the Minister of Revenue.

CHAPTER VII**OTHER PROVISIONS CONCERNING THE AGENCE DU REVENU
DU QUÉBEC****DIVISION I****COMPOSITION OF THE BOARD OF DIRECTORS OF THE AGENCE
DU REVENU DU QUÉBEC****ACT RESPECTING THE AGENCE DU REVENU DU QUÉBEC**

92. Section 14 of the Act respecting the Agence du revenu du Québec (chapter A-7.003) is amended

(1) by inserting “, at the time of their appointment or of the renewal of their term, if applicable,” before “be in the employ” in the second paragraph;

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

“A member referred to in the second paragraph who ceases to be in the employ of a government department or agency to which the Agency provides collection services, or of the Ministère des Finances, may complete his or her term provided the member has been exercising his or her functions on the board of directors for at least one year and continues to occupy the position of deputy minister, assistant deputy minister, associate deputy minister, president, vice-president or chair or vice-chair in another government department or agency.”

DIVISION II**REMUNERATION PAID TO CERTAIN DIRECTORS OF THE AGENCE
DU REVENU DU QUÉBEC**

93. Board members referred to in the first paragraph of section 19 of the Act respecting the Agence du revenu du Québec (chapter A-7.003) who chair a committee established under the second paragraph of section 30 of that Act receive, in addition to the remuneration prescribed by Order in Council 352-2011 (2011, G.O. 2, 1568, French only), the same additional annual sum as that received by such a member who chairs a committee established under the first paragraph of that section 30.

DIVISION III**DELEGATION OF SIGNING AUTHORITY WITHIN THE AGENCE DU
REVENU DU QUÉBEC**§1.—*Amending provisions***TAX ADMINISTRATION ACT**

94. Section 9.0.1.1 of the Tax Administration Act (chapter A-6.002) is amended

(1) by replacing subparagraph *b* of the second paragraph by the following subparagraph:

“(b) a deed, document or writing binds the Minister or the Agency, or may be attributed to them, only if it is signed by the Minister of National Revenue or the Commissioner of Revenue, appointed under section 25 of the Canada Revenue Agency Act (Statutes of Canada, 1999, chapter 17) or, within the limits of their duties, by an employee who holds a position of assistant commissioner within the Canada Revenue Agency or any person authorized to perform the functions of such a position, or by any other employee of the Canada Revenue Agency authorized by the Minister;”;

(2) by replacing “otherwise than by regulation of the Minister” in subparagraph *c* of the second paragraph by “otherwise than for the signing of a deed, document or writing”;

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

“The second and third paragraphs of section 40 of the Act respecting the Agence du revenu du Québec (chapter A-7.003) apply, with the necessary modifications, to an authorization given by the Minister under subparagraph *b* of the second paragraph.”

ACT RESPECTING THE AGENCE DU REVENU DU QUÉBEC

95. Section 40 of the Act respecting the Agence du revenu du Québec (chapter A-7.003) is replaced by the following section:

40. With respect to the functions and powers conferred on the Minister and referred to in section 8, a deed, document or writing binds the Minister or the Agency, or may be attributed to them, only if it is signed by the Minister or the president and chief executive officer or, within the limits of his or her duties within the administrative unit under his or her responsibility or to which he or she is attached, by a vice-president or a director general, or by any other employee of the Agency authorized by the Minister.

A facsimile of the signature of a person mentioned in the first paragraph may be affixed on the documents the Minister determines. Such a facsimile has the same force as the signature itself.

A notice of the date of coming into force of the written authorization and the address of the website on which it is posted is published in the *Gazette officielle du Québec*.”

§2.— *Transitional provisions*

96. The Regulation respecting the signing of certain deeds, documents or writings for the purposes of the agreement with respect to the administration by Canada of Title I of the Act respecting the Québec sales tax (chapter T-0.1) in respect of selected listed financial institutions (chapter A-6.002, r. 6) continues to apply until the coming into force of the first written authorization given by the Minister under subparagraph *b* of the second paragraph of section 9.0.1.1 of the Tax Administration Act (chapter A-6.002), as amended by section 94.

97. The Regulation respecting the signing of certain deeds, documents and writings of the Agence du revenu du Québec (chapter A-7.003, r. 1) continues to apply until the coming into force of the first written authorization given by the Minister under the first paragraph of section 40 of the Act respecting the Agence du revenu du Québec (chapter A-7.003), as replaced by section 95.

CHAPTER VIII

FINANCIAL ASSISTANCE FOR INVESTMENT PROGRAM

98. The Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund, the text of which appears in this chapter, is enacted.

“ACT RESPECTING THE FINANCIAL ASSISTANCE FOR
INVESTMENT PROGRAM AND ESTABLISHING THE SPECIAL
CONTRACTS AND FINANCIAL ASSISTANCE FOR
INVESTMENT FUND

1. The Minister of Finance administers the Financial Assistance for Investment Program, which assistance is applicable in the form of a partial payment of the electricity bill of a recipient enterprise that carries out an investment project which pursues the objectives determined by ministerial order.

The classes of eligible enterprises and the eligibility requirements of a project are determined by ministerial order. A ministerial order may pertain to one or more components of the Program according to the class of enterprises to which it applies.

“2. An enterprise or a group to which it belongs may, according to the terms determined by ministerial order, be entitled to more than one amount of financial assistance.

Enterprises, one of which controls the other or which are controlled by the same person or partnership, form a group. A person or partnership that controls an enterprise, which in turn controls another enterprise, controls that other enterprise.

The following persons or partnerships control an enterprise:

(1) if the enterprise is a business corporation, the person or partnership that holds more than 50% of the voting rights attached to all the issued and outstanding shares of that corporation;

(2) if the enterprise is a limited partnership, the general partner; and

(3) if the enterprise is any other partnership, the partner who may determine collective decisions, if applicable.

“3. The maximum amount of financial assistance to which an enterprise or the group to which it belongs may be entitled is 40% of the eligible costs of the project. It may, however, in the cases and on the conditions prescribed by ministerial order, reach up to 50% of the eligible costs of the project.

However, the amount of financial assistance may not exceed 20% of the electricity costs for each billing period during the maximum period of application of the financial assistance, determined by ministerial order, even if, at the end of that period, the maximum amount provided for in the first paragraph has not been reached.

The manner in which the financial assistance is applied is to be determined by ministerial order.

“4. The eligible costs of a project that are incurred on the dates set by ministerial order are the amounts giving entitlement to tax depreciation.

If an enterprise belongs to a group, the eligible costs and the financial assistance are calculated for the group.

“5. Financial assistance is applicable only to electricity bills for a consumption period prior to the date determined by ministerial order.

“6. To receive financial assistance, an enterprise must send an application to the Minister before the date and in the manner determined by ministerial order.

“7. The financial assistance is subject to a verification conducted in the manner determined by ministerial order.

In the course of the verification, the Minister may revise, suspend or revoke the financial assistance. Where the assistance is revised or revoked, it may be recovered in the manner determined by ministerial order.

“8. The decisions made in accordance with this Act are notified to the enterprise. The Minister designates the persons authorized to sign the documents relating to the application of this Act.

If a decision grants or modifies financial assistance, it is also notified to the electric power distributor, within the meaning assigned to that expression by section 2 of the Act respecting the Régie de l'énergie (chapter R-6.01), which must specify, in the manner determined by ministerial order, the amount of the assistance on the electricity bill it issues to the enterprise.

“9. An enterprise has 15 days from the notification to apply in writing for a review of an unfavourable decision. The review decision must be notified within the same number of days.

An enterprise that is not satisfied with a review decision may contest the decision before the Administrative Tribunal of Québec within 30 days of its notification.

“10. This Act does not modify an enterprise's contract with the electric power distributor; the rates and the conditions for the distribution of electric power remain those provided for in the first paragraph of section 22.0.1 of the Hydro-Québec Act (chapter H-5).

However, the electric power distributor and the enterprise may, if necessary for the application of this Act, enter into a side agreement whose duration may not exceed the period of application of the financial assistance.

“11. The Minister must pay an amount to the electric power distributor as a partial payment of the enterprise's electricity costs that corresponds to the financial assistance to which the enterprise is entitled.

If financial assistance is recovered in accordance with the second paragraph of section 7, the distributor must remit the amounts so recovered to the Minister.

“12. The ministerial orders provided for by this Act are not subject to the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) or to the date of coming into force set out in section 17 of that Act.

“13. The Special Contracts and Financial Assistance for Investment Fund, dedicated to the payments referred to in section 11 of this Act and the third paragraph of section 22.0.1 of the Hydro-Québec Act, is established under the Minister's responsibility.

“14. The following are credited to the Fund:

- (1) the amounts paid under section 15.1.2 of the Hydro-Québec Act;
- (2) the amounts transferred to it by the Minister out of the appropriations granted for that purpose by Parliament;
- (3) the amounts remitted to the Minister in accordance with the second paragraph of section 11;
- (4) the amounts transferred to it by the Minister under sections 53 and 54 of the Financial Administration Act (chapter A-6.001); and
- (5) the gifts, legacies and other contributions paid into the Fund to further the achievement of its purposes.

“15. The following are debited from the Fund:

- (1) the amounts paid by the Minister to the electric power distributor in accordance with the first paragraph of section 11; and
- (2) the amounts paid by the Minister to Hydro-Québec in accordance with the third paragraph of section 22.0.1 of the Hydro-Québec Act.

“16. The accumulated surpluses of the Fund are to be transferred to the general fund on the dates and to the extent determined by the Government.

“AMENDING PROVISIONS

“HYDRO-QUÉBEC ACT

“17. The Hydro-Québec Act (chapter H-5) is amended by inserting the following section after section 15.1.1:

“15.1.2. The Minister of Finance must pay into the Special Contracts and Financial Assistance for Investment Fund, established under section 13 of the Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund (2020, chapter 5, section 98), out of the dividends paid by the Company, the amounts necessary for the application of that Act and of the third paragraph of section 22.0.1.

The information necessary to determine the amounts necessary for the application of the Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund and of the third paragraph of section 22.0.1 must be submitted with the financial data referred to in section 15.1.”

“18. Section 22.0.1 of the Act is amended

(1) by inserting “, on the recommendation of the Minister and the Minister of Finance,” after “may” in the second paragraph;

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

“The Minister of Finance may, if that Minister considers it advisable, pay the Company the amounts corresponding to any difference between the rates fixed in accordance with the first paragraph or, where applicable, those fixed by the Government in accordance with the second paragraph and the rates and conditions stipulated in a special contract determined by that Minister and entered into after 31 December 2016. Those amounts are debited from the Special Contracts and Financial Assistance for Investment Fund.”

“ACT RESPECTING ADMINISTRATIVE JUSTICE

“19. Schedule IV to the Act respecting administrative justice (chapter J-3) is amended by adding the following paragraph at the end:

“(33) the second paragraph of section 9 of the Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund (2020, chapter 5, section 98).”

“FINAL PROVISIONS

“20. This Act replaces Orders in Council 675-2016 (2016, G.O. 2, 4068, French only), 1478-2018 (2019, G.O. 2, 129, French only), 1285-2019 (2020, G.O. 2, 146, French only) and 1286-2019 (2020, G.O. 2, 150, French only).

Special contracts covered by the Programme de rabais d’électricité applicable aux consommateurs de grande puissance desservis par les réseaux autonomes, set out in Order in Council 1285-2019, and those covered by the Programme de rabais d’électricité applicable aux consommateurs facturés au tarif «L», set out in Order in Council 1286-2019, are terminated on 17 March 2020. From that date, the rebates to which the beneficiaries of those programs are entitled are governed by this Act.

“21. The second paragraph of section 1 and sections 2 to 6, 10 and 12 will be repealed on the date to be determined by the Government.

“22. On the first day of the fourth month following the month that includes the date determined by the Government under section 21, the first paragraph of section 1, sections 7, 8 and 11, paragraph 3 of section 14 and paragraph 1 of section 15 will be repealed and the title of this Act will be replaced by the following title:

“Act to establish the Special Contracts Fund”.

“23. Section 9 of this Act and paragraph 33 of Schedule IV to the Act respecting administrative justice (chapter J-3) will be repealed on the first day of the sixth month following the month that includes the date determined by the Government under section 21.

“24. Section 13 of this Act will be replaced by the following section on the date determined under section 22:

“13. The Special Contracts Fund, dedicated to the payment provided for in the third paragraph of section 22.0.1 of the Hydro-Québec Act, is established under the Minister’s responsibility.”

“25. Section 15.1.2 of the Hydro-Québec Act (chapter H-5) will be replaced by the following section on the date determined under section 22:

“15.1.2. The Minister of Finance must pay into the Special Contracts Fund, established under section 13 of the Act to establish the Special Contracts Fund (2020, chapter 5, section 98), out of the dividends paid by the Company, the amounts necessary for the application of the third paragraph of section 22.0.1.

The information necessary to determine the amounts necessary for the application of the third paragraph of section 22.0.1 must be submitted with the financial data referred to in section 15.1.”

“26. Section 22.0.1 of the Act will be amended on the date determined under section 22 by replacing “Special Contracts and Financial Assistance for Investment Fund” in the third paragraph by “Special Contracts Fund”.

“27. The Minister of Finance is responsible for the administration of this Act.”

SPECIAL TRANSITIONAL PROVISION

99. The expenditure and investment estimates for the Special Contracts and Financial Assistance for Investment Fund, listed in Schedule I, are approved for the 2020–2021 fiscal year.

CHAPTER IX

SUPPORT FOR SPORTS EVENTS AND CULTURAL HERITAGE

ACT TO ESTABLISH THE SPORTS AND PHYSICAL ACTIVITY
DEVELOPMENT FUND

100. Section 5 of the Act to establish the Sports and Physical Activity Development Fund (chapter F-4.003) is amended

(1) by replacing “per fiscal year” in the first paragraph by “for the fiscal year 2019–2020 and \$80,000,000 for each of the four subsequent fiscal years”;

(2) by replacing “\$69,000,000” and “\$68,000,000” in the second paragraph by “\$79,000,000” and “\$78,000,000”, respectively.

ACT RESPECTING THE MINISTÈRE DE LA CULTURE ET
DES COMMUNICATIONS

101. Section 22.5 of the Act respecting the Ministère de la Culture et des Communications (chapter M-17.1) is amended by replacing “\$15,500,000 per year” by “\$19,500,000 per year for the fiscal years 2019–2020 to 2022–2023 and \$23,500,000 for the fiscal year 2023–2024”.

ACT RESPECTING THE MINISTÈRE DU TOURISME

102. Section 21 of the Act respecting the Ministère du Tourisme (chapter M-31.2) is amended by replacing “the Minister” in paragraph 2 by “a minister or a budget-funded body”.

CHAPTER X

PROVISIONS CONCERNING VARIOUS BODIES

DIVISION IIMPROVEMENT OF THE BUDGETARY ESTIMATES OF
GOVERNMENT BODIES

FINANCIAL ADMINISTRATION ACT

103. The Financial Administration Act (chapter A-6.001) is amended by inserting the following chapter after Chapter IV:

“CHAPTER IV.1**“BUDGET PLANNING OF BODIES OTHER THAN BUDGET-FUNDED
BODIES**

“45.1. In developing the Government’s budgetary and financial policies, provided for in section 2 of the Act respecting the Ministère des Finances (chapter M-24.01), and preparing the estimated results to which paragraph 3.1 of section 77 of the Public Administration Act (chapter A-6.01) applies, the Minister of Finance and the Chair of the Conseil du trésor shall develop, and propose to the Conseil du trésor, multi-year budgetary policy directions applicable to bodies other than budget-funded bodies, for the number of years they determine.

The policy directions may be common to all of those bodies or be specific to each one. They may concern, among other things, revenues, expenditures and cumulative surpluses or deficits.

In addition, the policy directions may include net result targets, set in accordance with section 4.1 of the Act respecting the Ministère des Finances, and an expenditure reduction method, approved in accordance with section 74.1 of the Public Administration Act.

“45.2. After being approved by the Conseil du trésor, the multi-year budgetary policy directions are forwarded to the ministers responsible for bodies other than budget-funded bodies.

Each minister shall forward the policy directions to each of the bodies under the minister’s responsibility and append directives relating to the forwarding and form of an annual budget, including the information it must include. The directives may also specify a method for forwarding and the form of multi-year budgetary estimates that are consistent with the method and form determined under paragraph 3.0.1 of section 77 of the Public Administration Act.

A minister may also issue directives specifying, for all or each of the bodies under the minister’s responsibility, the application of the policy directions in their respect.

“45.3. The board of directors or, if there is none, the most senior officer of any body other than a budget-funded body shall, on the basis of the multi-year budgetary policy directions and, if applicable, the directives of the minister responsible for the body, adopt an annual budget and multi-year budgetary estimates for the number of years covered by the policy directions.

Each body shall forward its budget and estimates to the minister responsible according to the minister’s directives.

“45.4. Each minister shall ensure that the annual budgets and multi-year budgetary estimates of the bodies other than budget-funded bodies under the minister’s responsibility are consistent with the multi-year budgetary policy directions and, if applicable, the minister’s directives.

If they are not, the minister responsible may require a body to adopt a new budget or new estimates that incorporate the corrections the minister requests the body to make for consistency with the policy directions or the minister's directives.

“45.5. The Chair of the Conseil du trésor shall collect the multi-year budgetary estimates of the bodies other than budget-funded bodies from the ministers responsible and forward those estimates to the Minister of Finance.

The Chair of the Conseil du trésor and the Minister of Finance shall submit to the Conseil du trésor for approval the multi-year budgetary estimates and, if applicable, the amendments they consider appropriate on the basis of the budgetary and financial policies proposed by the Minister of Finance. The approved estimates are submitted to the Government.

“45.6. After the Expenditure Budget has been tabled, the amendments referred to in section 45.5 are, if applicable, forwarded to the ministers responsible, who shall inform the bodies concerned. The board of directors or, as the case may be, the most senior officer of the body must, if necessary, amend the annual budget and forward it to the minister responsible for the body.

“45.7. Each minister must ensure that the bodies other than budget-funded bodies under the minister's responsibility respect their annual budget and multi-year budgetary estimates.

Where a minister is of the opinion that a body under the minister's responsibility will not be able to respect its annual budget, the minister may require the body to draw up corrective measures, in accordance with the laws applicable to the body, and submit them to the minister for approval within the time the minister determines. If, in the minister's opinion, the measures are insufficient, the minister may recommend an expenditure reduction method for the purposes of section 77.3 of the Public Administration Act to the Chair of the Conseil du trésor and the Minister of Finance.

“45.8. This chapter does not apply to bodies other than budget-funded bodies whose estimates are included in the special funds budget.”

PUBLIC ADMINISTRATION ACT

104. Section 77 of the Public Administration Act (chapter A-6.01) is amended

- (1) by replacing “budget policy” in paragraph 1 by “budgetary policies”;
- (2) by inserting the following paragraph after paragraph 3:

“(3.0.1) determine, for the purposes of Chapter IV.1 of the Financial Administration Act (chapter A-6.001), after consultation with the Minister of Finance, the method for forwarding and the form of the multi-year budgetary estimates, as well as the information they must include, of the bodies other than budget-funded bodies listed in Schedule 2 to that Act;”;

(3) by replacing “listed in Schedule 2 to the Financial Administration Act (chapter A-6.001)” in paragraph 3.1 by “referred to in paragraph 3.0.1, except those whose estimated results are included in the special funds budget”.

ACT RESPECTING THE AGENCE DU REVENU DU QUÉBEC

105. Section 54 of the Act respecting the Agence du revenu du Québec (chapter A-7.003) is repealed.

ACT RESPECTING LEGAL AID AND THE PROVISION OF CERTAIN OTHER LEGAL SERVICES

106. Section 84 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14) is repealed.

ACT RESPECTING THE AUTORITÉ DES MARCHÉS PUBLICS

107. Section 83 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) is repealed.

BUILDING ACT

108. Section 149.1 of the Building Act (chapter B-1.1) is repealed.

ACT RESPECTING BIBLIOTHÈQUE ET ARCHIVES NATIONALES DU QUÉBEC

109. Section 26.1 of the Act respecting Bibliothèque et Archives nationales du Québec (chapter B-1.2) is repealed.

ACT RESPECTING THE CENTRE DE LA FRANCOPHONIE DES AMÉRIQUES

110. Section 37 of the Act respecting the Centre de la francophonie des Amériques (chapter C-7.1) is repealed.

ACT RESPECTING THE CENTRE DE SERVICES PARTAGÉS DU QUÉBEC

111. Section 48 of the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1) is repealed.

PROFESSIONAL CODE

112. Section 16.3 of the Professional Code (chapter C-26) is repealed.

113. Section 196.2 of the Code is amended by replacing “Government” in the second paragraph by “Minister, after consulting with the Minister of Finance, the Minister Responsible for Immigration, the Minister of Health and Social Services and the Chair of the Conseil du trésor;”.

ACT RESPECTING THE NATIONAL CAPITAL COMMISSION

114. Section 23 of the Act respecting the national capital commission (chapter C-33.1) is repealed.

ACT RESPECTING THE CONSEIL DES ARTS ET DES LETTRES DU QUÉBEC

115. Section 17 of the Act respecting the Conseil des arts et des lettres du Québec (chapter C-57.02) is amended by striking out “and budget” in the fourth paragraph.

ACT RESPECTING THE CONSERVATOIRE DE MUSIQUE ET D’ART DRAMATIQUE DU QUÉBEC

116. Section 53 of the Act respecting the Conservatoire de musique et d’art dramatique du Québec (chapter C-62.1) is repealed.

ACT RESPECTING THE REGULATION OF THE FINANCIAL SECTOR

117. Section 47 of the Act respecting the regulation of the financial sector (chapter E-6.1) is repealed.

118. Section 115.15.54 of the Act is amended

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

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

“The Tribunal’s budgetary estimates are included in the special funds budget.”

ACT RESPECTING THE FONDS D’AIDE AUX ACTIONS COLLECTIVES

119. Section 16 of the Act respecting the Fonds d’aide aux actions collectives (chapter F-3.2.0.1.1) is amended by striking out the first paragraph.

ACT RESPECTING HÉMA-QUÉBEC AND THE BIOVIGILANCE COMMITTEE

120. Section 29 of the Act respecting Héma-Québec and the biovigilance committee (chapter H-1.1) is repealed.

121. Section 39 of the Act is amended by inserting “, in accordance with the directives provided for in section 45.2 of the Financial Administration Act (chapter A-6.001)” after “Minister” in the first paragraph.

PUBLIC INFRASTRUCTURE ACT

122. Section 93 of the Public Infrastructure Act (chapter I-8.3) is replaced by the following section:

“**93.** The Société must attach a capital budget to the multi-year budgetary estimates it is required to adopt under section 45.3 of the Financial Administration Act (chapter A-6.001).”

ACT RESPECTING THE INSTITUT DE LA STATISTIQUE DU QUÉBEC

123. Section 34 of the Act respecting the Institut de la statistique du Québec (chapter I-13.011) is repealed.

ACT RESPECTING THE INSTITUT DE TOURISME ET D’HÔTELLERIE DU QUÉBEC

124. Section 31 of the Act respecting the Institut de tourisme et d’hôtellerie du Québec (chapter I-13.02) is repealed.

ACT RESPECTING THE INSTITUT NATIONAL D’EXCELLENCE EN SANTÉ ET EN SERVICES SOCIAUX

125. Section 48 of the Act respecting the Institut national d’excellence en santé et en services sociaux (chapter I-13.03) is repealed.

ACT RESPECTING INSTITUT NATIONAL DE SANTÉ PUBLIQUE DU QUÉBEC

126. Section 28 of the Act respecting Institut national de santé publique du Québec (chapter I-13.1.1) is repealed.

ACT RESPECTING THE INSTITUT NATIONAL DES MINES

127. Section 8 of the Act respecting the Institut national des mines (chapter I-13.1.2) is amended by striking out “and the related budget” in the first paragraph.

ACT RESPECTING ADMINISTRATIVE JUSTICE

128. Section 94 of the Act respecting administrative justice (chapter J-3) is amended

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

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

“The budgetary estimates of the Tribunal are included in the special funds budget.”

**ACT RESPECTING THE MINISTÈRE DE L'ENSEIGNEMENT
SUPÉRIEUR, DE LA RECHERCHE, DE LA SCIENCE ET DE
LA TECHNOLOGIE**

129. Section 43 of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1) is amended by replacing “sends the budgetary estimates for the year concerned, along with the list of the activities planned for that year,” by “must send the list of the activities planned for that year”.

ACT RESPECTING THE MINISTÈRE DES FINANCES

130. Section 4 of the Act respecting the Ministère des Finances (chapter M-24.01) is amended by replacing “orientations” in paragraph 1 in the French text by “politiques”.

131. Section 4.1 of the Act is amended by replacing “orientations” in the first paragraph in the French text by “politiques”.

**ACT RESPECTING THE MINISTÈRE DU DÉVELOPPEMENT
DURABLE, DE L'ENVIRONNEMENT ET DES PARCS**

132. Section 15.4.32 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001) is repealed.

NATIONAL MUSEUMS ACT

133. Section 31.1 of the National Museums Act (chapter M-44) is repealed.

**ACT TO ESTABLISH THE OFFICE QUÉBEC-MONDE POUR
LA JEUNESSE**

134. Section 35 of the Act to establish the Office Québec-Monde pour la jeunesse (chapter O-5.2) is amended by striking out “its budgetary estimates and”.

POLICE ACT

135. Section 47 of the Police Act (chapter P-13.1) is repealed.

**ACT RESPECTING THE RÉGIE DE L'ASSURANCE MALADIE
DU QUÉBEC**

136. Section 24.2 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5) is repealed.

137. Section 24.3 of the Act is amended by replacing “sections 24.1 and 24.2” by “section 24.1 of this Act and section 45.3 of the Financial Administration Act (chapter A-6.001), in relation to the adoption of its annual budget and budgetary estimates”.

138. Section 24.4 of the Act is amended by striking out “and the budgetary estimates established by it pursuant to section 24.2”.

139. Section 40.2 of the Act is amended by replacing “by the Government in accordance with section 40.4” in paragraph *b* by “in accordance with section 45.5 of the Financial Administration Act (chapter A-6.001)”.

140. Section 40.4 of the Act is replaced by the following section:

“40.4. The prescription drug insurance fund is considered to be a body other than a budget-funded body for the purposes of Chapter IV.1 of the Financial Administration Act (chapter A-6.001) and paragraphs 3.0.1 and 3.1 of section 77 of the Public Administration Act (chapter A-6.01); the Board shall assume, on behalf of the fund, the obligations imposed under those provisions on bodies other than budget-funded bodies.

The fund’s annual budget that the board of directors of the Board is required to adopt under section 45.3 of the Financial Administration Act must, in particular, include the amounts mentioned in sections 40.1, 40.1.1 and 40.2 of this Act.”

ACT RESPECTING THE RÉGIE DE L'ÉNERGIE

141. Section 106 of the Act respecting the Régie de l'énergie (chapter R-6.01) is repealed.

FIRE SAFETY ACT

142. Section 80 of the Fire Safety Act (chapter S-3.4) is repealed.

ACT RESPECTING PRE-HOSPITAL EMERGENCY SERVICES

143. Sections 99 and 100 of the Act respecting pre-hospital emergency services (chapter S-6.2) are repealed.

ACT RESPECTING THE SOCIÉTÉ DE DÉVELOPPEMENT DES ENTREPRISES CULTURELLES

144. Section 19 of the Act respecting the Société de développement des entreprises culturelles (chapter S-10.002) is amended by striking out “and budget” in the third paragraph.

ACT RESPECTING THE SOCIÉTÉ DES ÉTABLISSEMENTS DE PLEIN AIR DU QUÉBEC

145. Section 37 of the Act respecting the Société des établissements de plein air du Québec (chapter S-13.01) is replaced by the following section:

“**37.** The Société shall attach a capital budget to the multi-year budgetary estimates it is required to adopt under section 45.3 of the Financial Administration Act (chapter A-6.001).”

ACT RESPECTING THE SOCIÉTÉ DU CENTRE DES CONGRÈS DE QUÉBEC

146. Section 27 of the Act respecting the Société du Centre des congrès de Québec (chapter S-14.001) is repealed.

ACT RESPECTING THE SOCIÉTÉ DU PARC INDUSTRIEL ET PORTUAIRE DE BÉCANCOUR

147. Section 40 of the Act respecting the Société du parc industriel et portuaire de Bécancour (chapter S-16.001) is repealed.

ACT RESPECTING THE SOCIÉTÉ DU PLAN NORD

148. Section 59 of the Act respecting the Société du Plan Nord (chapter S-16.011) is repealed.

ACT RESPECTING THE SOCIÉTÉ QUÉBÉCOISE D’INFORMATION JURIDIQUE

149. Section 15 of the Act respecting the Société québécoise d’information juridique (chapter S-20) is amended by striking out the first paragraph.

ACT RESPECTING THE SOCIÉTÉ QUÉBÉCOISE DE RÉCUPÉRATION ET DE RECYCLAGE

150. Section 25 of the Act respecting the Société québécoise de récupération et de recyclage (chapter S-22.01) is repealed.

ACT RESPECTING TRANSITION ÉNERGÉTIQUE QUÉBEC

151. Section 21 of the Act respecting Transition énergétique Québec (chapter T-11.02) is amended by replacing “Government under section 51” by “Conseil du trésor under section 45.5 of the Financial Administration Act (chapter A-6.001)”.

152. Section 51 of the Act is repealed.

ACT TO ESTABLISH THE ADMINISTRATIVE LABOUR TRIBUNAL

153. Section 101 of the Act to establish the Administrative Labour Tribunal (chapter T-15.1) is amended

(1) by striking out the second paragraph;

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

“The Tribunal’s budgetary estimates are included in the special funds budget.”

ACT RESPECTING THE CENTRE D’ACQUISITIONS
GOUVERNEMENTALES

154. Section 41 of the Act respecting the Centre d’acquisitions gouvernementales, enacted by section 1 of the Act mainly to establish the Centre d’acquisitions gouvernementales and Infrastructures technologiques Québec (2020, chapter 2), is repealed.

DIVISION II

INVESTMENTS BY CERTAIN STATE-OWNED ENTERPRISES

ACT RESPECTING THE CENTRE DE RECHERCHE INDUSTRIELLE
DU QUÉBEC

155. Section 20 of the Act respecting the Centre de recherche industrielle du Québec (chapter C-8.1) is amended by inserting “188,” after “184.”

JAMES BAY REGION DEVELOPMENT ACT

156. Section 43.1 of the James Bay Region Development Act (chapter D-8.0.1) is amended by inserting “and 188” after “162”.

HYDRO-QUÉBEC ACT

157. Section 3.6 of the Hydro-Québec Act (chapter H-5) is amended by inserting “, 188” after “162, 184”.

ACT RESPECTING THE JAMES BAY NATIVE DEVELOPMENT
CORPORATION

158. Section 18 of the Act respecting the James Bay Native Development Corporation (chapter S-9.1) is amended by adding the following paragraph at the end:

“Despite section 188 of that Act, the Corporation may make investments by buying securities issued or guaranteed by the Gouvernement du Québec.”

ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC

159. The Act respecting the Société des alcools du Québec (chapter S-13) is amended by inserting the following section after section 23:

“**23.01.** Section 188 of the Companies Act (chapter C-38) does not apply to the Société.”

160. Section 23.17 of the Act is replaced by the following section:

“**23.17.** Sections 179 and 188 of the Companies Act (chapter C-38) do not apply to the Subsidiary.”

ACT RESPECTING THE SOCIÉTÉ DES ÉTABLISSEMENTS DE PLEIN AIR DU QUÉBEC

161. Section 31 of the Act respecting the Société des établissements de plein air du Québec (chapter S-13.01) is amended by inserting “, 188” after “162, 179”.

ACT RESPECTING THE SOCIÉTÉ DES LOTERIES DU QUÉBEC

162. Section 18 of the Act respecting the Société des loteries du Québec (chapter S-13.1) is amended by striking out “for a term of less than one year”.

ACT RESPECTING THE SOCIÉTÉ DES TRAVERSIERS DU QUÉBEC

163. Section 21 of the Act respecting the Société des Traversiers du Québec (chapter S-14) is amended by inserting “and 188” after “Sections 159 to 162”.

DIVISION III

PERFORMANCE ASSESSMENT MEASURES

ACT RESPECTING THE GOVERNANCE OF STATE-OWNED ENTERPRISES

164. Section 15 of the Act respecting the governance of state-owned enterprises (chapter G-1.02) is amended by striking out “by the Auditor General or, if the Auditor General considers it appropriate and has so informed the board of directors,” in paragraph 15.

DIVISION IV**VARIABLE PAY GRANTED TO PERSONS APPOINTED BY THE
GOVERNMENT OR THE NATIONAL ASSEMBLY**

165. No performance-based bonus or variable pay may be granted, for the fiscal year beginning in 2016 or for subsequent fiscal years, to a person appointed by the Government or the National Assembly where the person's instrument of appointment or the conditions of employment annexed to it make the *Règles concernant la rémunération et les autres conditions de travail des titulaires d'un emploi supérieur à temps plein* (Order in Council 450-2007 (2007, G.O. 2, 2723, French only)) applicable, in whole or in part, to the person.

The same applies to any person appointed by the Government or the National Assembly where the person's instrument of appointment or the conditions of employment annexed to it provide for such a performance-based bonus or variable pay, except for the presidents and chief executive officers of the Caisse de dépôt et placement du Québec, Hydro-Québec, Investissement Québec, the Société des alcools du Québec and the Société des loteries du Québec.

166. Section 165 applies despite any provision to the contrary in an Act, regulation, order in council, directive, decision, policy, budget rule, agreement, convention, contract or any other similar instrument.

However, it does not restrict the application of a legislative provision whose purpose is to prevent the reduction of a person's remuneration or salary.

167. Changes to conditions of employment that result from the application of section 165 may not give rise to any compensation or reparation.

168. Any amount that would have been paid after 31 March 2017 as a performance-based bonus or variable pay to a person to whom the prohibition under section 165 applies is nil.

The same applies to any amount that would have been paid after 31 March 2017 as a lump sum to a person to whom the *Règlement sur la rémunération et les autres conditions de travail des membres du Tribunal administratif du Québec* (chapter J-3, r. 3.1, French only), the *Règlement sur la rémunération et les autres conditions de travail des régisseurs de la Régie du logement* (chapter R-8.1, r. 5.1, French only) or the Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal (chapter T-15.1, r. 2) applies.

169. The Règles concernant la rémunération et les autres conditions de travail des titulaires d'un emploi supérieur à temps plein (Order in Council 423-2017 (2017, G.O. 2, 1881, French only)), the Regulation to amend the Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement (Order in Council 691-2017 (2017, G.O. 2, 2105)), the Regulation to amend the Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec (Order in Council 722-2017 (2017, G.O. 2, 2112)) and the Regulation to amend the Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal (Order in Council 757-2017 (2017, G.O. 2, 2121)) have effect from 1 April 2016.

DIVISION V

CHANGES RELATED TO THE END OF A FISCAL PERIOD OR FISCAL YEAR

ACT RESPECTING THE SOCIÉTÉ DE LA PLACE DES ARTS DE MONTRÉAL

170. Section 25 of the Act respecting the Société de la Place des Arts de Montréal (chapter S-11.03) is amended by replacing “31 August” by “31 March”.

ACT RESPECTING THE SOCIÉTÉ DE TÉLÉDIFFUSION DU QUÉBEC

171. Section 21 of the Act respecting the Société de télédiffusion du Québec (chapter S-12.01) is amended by replacing “31 August” by “31 March”.

DIVISION VI

TAX EXEMPTION FOR CERTAIN LIMITED PARTNERSHIPS

ACT RESPECTING MUNICIPAL TAXATION

172. Section 208 of the Act respecting municipal taxation (chapter F-2.1) is amended by replacing “the Caisse de dépôt et placement du Québec or one of its subsidiaries referred to in section 88.15 of that Act holds 10% or more of the instruments of the partnership’s common stock and the general partner is a business corporation with respect to which the Caisse de dépôt et placement du Québec or such a subsidiary” in subparagraph 1 of the fourth paragraph by “the Government or a mandatory of the State holds 10% or more of the instruments of the partnership’s common stock and the general partner is a business corporation with respect to which the Government or such a mandatory”.

173. Section 236 of the Act is amended by replacing “the Caisse de dépôt et placement du Québec or a subsidiary referred to in subparagraph *b* holds 10% or more of the instruments of the partnership’s common stock and the general partner is a business corporation with respect to which the Caisse de dépôt et placement du Québec or such a subsidiary” in subparagraph *c* of paragraph 2.1 by “the Government or a mandatary of the State holds 10% or more of the instruments of the partnership’s common stock and the general partner is a business corporation with respect to which the Government or such a mandatary”.

DIVISION VII

GOVERNANCE OF FINANCEMENT-QUÉBEC

ACT RESPECTING FINANCEMENT-QUÉBEC

174. Section 4 of the Act respecting Financement-Québec (chapter F-2.01) is replaced by the following section:

“**4.** For the purposes of this Act, public bodies include

(1) educational institutions at the university level listed in paragraphs 1 to 8 of section 1 of the Act respecting educational institutions at the university level (chapter E-14.1) and educational institutions at the university level referred to in paragraphs 10 and 11 of that section to the extent that they are attached to one of the institutions listed in paragraphs 1 to 8 of that section;

(2) university establishments described in subparagraph 4 of paragraph *a* of section 1 of the University Investments Act (chapter I-17);

(3) municipal bodies within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) designated by the Government, on the recommendation of the Minister of Municipal Affairs, Regions and Land Occupancy and the Minister of Finance; and

(4) any other body designated by the Government.”

175. Section 14 of the Act is replaced by the following section:

“**14.** The affairs of the financing authority shall be administered by a board of directors composed of a minimum of 7 and a maximum of 11 members, all appointed by the Minister as follows:

(1) four members who are part of the personnel of the Ministère des Finances; and

(2) one member for each of the departments under the authority, respectively, of the ministers responsible for the public bodies mentioned in paragraphs 1 to 3 of section 4, unless none of those bodies under a minister's authority receives services offered by the financing authority.

The members referred to in subparagraph 2 of the first paragraph are appointed on the recommendation of the Minister to whom they are responsible. They must be personnel members of the department for which they are appointed.”

176. Section 15 of the Act is amended

(1) by replacing “paragraph 1” in the first paragraph by “subparagraph 1 of the first paragraph”;

(2) by inserting “not” after “may” in the second paragraph.

177. Section 31 of the Act is amended by replacing “189” by “188, 189, 191”.

CHAPTER XI

ENHANCING THE TRANSPARENCY AND CONTROL OF ENTERPRISES

ACT RESPECTING THE LEGAL PUBLICITY OF ENTERPRISES

178. Section 62 of the Act respecting the legal publicity of enterprises (chapter P-44.1) is amended by inserting the following paragraph after the first paragraph:

“However, the registrar deposits the certificate or the notice referred to in the first paragraph only if the registrant has paid all amounts owed by the registrant under this Act, except any amount to which section 85 applies.”

179. Section 70 of the Act is amended by inserting “or if the registrant fails to comply with a demand made under section 74.1” at the end of the first paragraph.

180. The Act is amended by inserting the following section after section 74:

“**74.1.** The registrar may, at any time, require that a registrant provide any information and document necessary to verify the accuracy of a declaration or of a document transferred under an agreement entered into under section 117 or 118.”

181. The Act is amended by inserting the following section after section 79:

“**79.1.** The Minister may waive, in whole or in part, any fees, penalties or charges payable under this Act, or cancel them, except those imposed under section 85, in particular if the registrant shows that it was impossible to fulfill the obligations due to exceptional circumstances beyond the registrant’s control.

The decision of the Minister cannot be appealed.

The Minister must include the waivers and cancellations that the Minister grants under this section in the department’s annual management report.”

182. Section 80 of the Act is amended by adding the following paragraph at the end:

“Despite the first paragraph, the registrant is exempted from the fee for the year in which the registrant’s registration is cancelled if the filing of the document that resulted in the cancellation of the registration occurred in the preceding year.”

183. Section 89 of the Act is repealed.

184. Section 96 of the Act is amended

(1) by replacing “for the entry or was deposited” in the first paragraph by “for the entry or deposit”;

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

“The same applies to

(1) a part of such a declaration or document where the part was filed without right; and

(2) the recording or deposit of a notice of closure or a notice of liquidation described in the first paragraph of section 62, a notice required under any of articles 306, 358 and 359 of the Civil Code or a notice of liquidation filed under the Business Corporations Act (chapter S-31.1).”;

(3) by replacing “informs the registrant of the cancellation” in the third paragraph by “records the cancellation in the register and informs the registrant”.

185. Section 98 of the Act is amended by inserting the following subparagraph after subparagraph 6 of the first paragraph:

“(6.1) the names and domiciles of the three shareholders controlling the greatest number of votes;”.

186. Section 101 of the Act is amended by replacing “in statements of information” in the first paragraph by “in the register”.

187. Section 121 of the Act is amended

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

“The Minister may enter into an agreement with any of the following entities to allow the registrar to communicate all or part of the information contained in the register and any subsequent updates:

(1) a government department, body or enterprise;

(2) a municipal body referred to in section 5 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);

(3) a body whose personnel is appointed in accordance with the Public Service Act (chapter F-3.1.1); and

(4) the Commission de la construction du Québec.”;

(2) by replacing “the powers and duties of the department, body or enterprise” in the second paragraph by “their powers and duties”;

(3) by replacing “A government department, body or enterprise” in the third paragraph by “An entity”.

188. Section 123 of the Act is amended by adding the following paragraph at the end:

“The same applies, for the purposes of section 121, with respect to the entities referred to in subparagraphs 2 to 4 of the first paragraph of that section.”

189. Section 131 of the Act is replaced by the following section:

131. The registrar and any person authorized to conduct an inspection or an investigation may not communicate or allow anyone to communicate any information obtained during an inspection or an investigation to, or allow an inspection or investigation report to be examined by, another person other than a person generally or specially authorized by the Minister personally or a person referred to in subparagraphs 1 and 2 of the second paragraph of section 59 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), on the conditions stipulated therein.

The first paragraph applies despite section 9 of that Act.”

190. Section 132 of the Act is amended by replacing the second paragraph by the following paragraph:

“The same applies to

(1) a part of such a declaration or document where the part was filed without right; and

(2) the recording or deposit of a notice of closure or a notice of liquidation described in the first paragraph of section 62, a notice required under any of articles 306, 358 and 359 of the Civil Code or a notice of liquidation filed under the Business Corporations Act (chapter S-31.1).”

191. The Act is amended by inserting the following section after section 134:

“134.1. The registrar may, on the registrar’s own initiative or on request, attach a request made under section 134 to a request made under section 221.1 of the Companies Act (chapter C-38) or section 25 of the Business Corporations Act (chapter S-31.1), if circumstances permit.

In such a case, the fees payable are those applicable for a single request.”

192. Section 138 of the Act is amended

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

“At the expiry of the time for contesting a decision made under section 137, the registrar may file the decision at the office of the Superior Court in the judicial district of the registrant’s domicile or principal establishment in Québec, or the judicial district of the address of the registrant’s attorney. However, the registrar is required to file the decision at the request of an interested person.”;

(2) by replacing “effect” in the second paragraph by “effects”.

193. Section 142 of the Act is amended

(1) by replacing “any penal proceeding or civil action” in the first paragraph by “any judicial application”;

(2) by replacing “However, despite any provision to the contrary, any proceeding or action” in the second paragraph by “Despite any provision to the contrary, any judicial application or penal proceeding”.

194. Sections 143 and 144 of the Act are repealed.

195. The Act is amended by inserting the following section after section 163:

“**163.1.** Any penal proceeding instituted under this Act is prescribed one year after the date on which the prosecutor becomes aware of the commission of the offence.

However, no proceedings may be instituted if more than five years have passed since the date of the commission of the offence.”

CHAPTER XII

PROVISIONS CONCERNING CERTAIN ELEMENTS OF THE FINANCIAL SECTOR

DIVISION I

DIVIDED CO-OWNERSHIP INSURANCE

§1.—*Amending provisions*

CIVIL CODE OF QUÉBEC

196. Article 1073 of the Civil Code of Québec, amended by section 641 of chapter 23 of the statutes of 2018, is again amended by replacing “The Government may prescribe, by regulation, the criteria according to which” in the third paragraph by “The Government may, by regulation, determine cases in which”.

197. Article 1074.2 of the Code is amended by inserting “and, in the cases provided for in this Code, for the injury caused by the act, omission or fault of another person or by the act of things in the co-owner’s custody” at the end of the first paragraph.

198. Article 1097 of the Code is amended by adding the following paragraph at the end:

“(5) the amendment of the description of the private portions referred to in section 1070.”

ACT MAINLY TO IMPROVE THE REGULATION OF THE FINANCIAL SECTOR, THE PROTECTION OF DEPOSITS OF MONEY AND THE OPERATION OF FINANCIAL INSTITUTIONS

199. Section 653 of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23) is repealed.

§2.—*Special transitional provisions*

200. The syndicate of a divided co-ownership established before 13 June 2018 that is not controlled by the promoter must submit the first description of the private portions provided for in the third paragraph of article 1070 of the Civil Code to the co-owners for approval.

The description must, not later than 13 June 2020, be approved during a general meeting by co-owners representing more than half of the votes of the co-owners present or represented.

DIVISION II**GOVERNANCE OF CAPITAL RÉGIONAL ET COOPÉRATIF
DESJARDINS**§1.—*Amending provisions***ACT CONSTITUTING CAPITAL RÉGIONAL ET COOPÉRATIF
DESJARDINS**

201. Section 4 of the Act constituting Capital régional et coopératif Desjardins (chapter C-6.1) is amended

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

“(1) six persons appointed by the president of the Fédération des caisses Desjardins du Québec;”;

(2) by replacing “two” in paragraph 2 by “three”;

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

“(3) three persons appointed by the members referred to in subparagraphs 1 and 2, including one considered by those members to be representative of the eligible entities described in subparagraph 1 of the first paragraph of section 18 and another considered by those members to be representative of the eligible entities described in subparagraph 2 of that paragraph; and”;

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

“At least a majority of the board members, including four appointed by the president of the Fédération des caisses Desjardins du Québec, must qualify as independent persons.”

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

4.1. The members of the board of directors, other than the chief executive officer of the Société, may not hold office for more than 12 years.

“4.2. Persons qualify as independent persons if, in the opinion of the board of directors, they have no direct or indirect relationship or interest, for example of a financial, commercial, professional or philanthropic nature, that might compromise their judgment as regards the interests of the Société.

A person is deemed not to be independent if that person

(1) is, or was in the three years prior to being elected or appointed,

(a) an employee or officer of the Société, one of its subsidiaries, a credit union that is a member of the Fédération des caisses Desjardins du Québec or a subsidiary of the Fédération, unless the person is an officer solely because the person is a member of the board of directors of a legal person referred to in this subparagraph *a*, or

(b) an employee, officer or director of the Fédération des caisses Desjardins du Québec or a legal person or partnership that has a business relationship with the Société;

(2) is a director of one of the subsidiaries of the Fédération des caisses Desjardins du Québec; or

(3) has an immediate family member who is an officer of the Société or of an employer referred to in subparagraph 1.

The board shall adopt a policy to determine whether a person in a situation submitted to it qualifies as an independent person.

The sole fact that a person is, or was in the three years prior to being elected or appointed, a director of a credit union that is a member of the Fédération des caisses Desjardins du Québec does not prevent the person from qualifying as an independent person.

“Officer” and “subsidiary” have the meanings assigned to them by the Securities Act (chapter V-1.1). In addition, a person’s immediate family members are the person’s spouse, father, mother, child, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law or sister-in-law, or any other person who shares that person’s dwelling, except an employee of that person.

“4.3. The members of the board of directors shall elect, from those among them who qualify as independent persons, the chair of the board according to the expertise and experience profile established by the committee responsible for governance and ethics.

“4.4. The board of directors shall set up a committee responsible for governance and ethics, which is also responsible for human resources, unless the board sets up another committee.

The committee responsible for governance and ethics must be composed exclusively of board members. It shall be chaired by a member who qualifies as an independent person, and may only deliberate and make decisions in the presence of a majority of independent members.

The board may assign all or part of a committee's functions to another committee.

“4.5. The functions of the committee responsible for governance and ethics include

(1) supervising the application of the rules on governance, independence and conflicts of interest management;

(2) establishing, after consultation with the president of the Fédération des caisses Desjardins du Québec, the expertise profile of the chair of the board of directors; and

(3) developing and recommending to the board

(a) the overall expertise and experience profile sought for the board,

(b) the procedure for examining the past experience of persons who may be appointed or elected as board members,

(c) a policy to determine whether a person in a situation submitted to the board qualifies as an independent person, and

(d) the candidate nomination process for the election of board members by the general meeting of shareholders.

Where the chair of the board is a member of a committee that exercises the function described in subparagraph 2 of the first paragraph, the chair may not vote on a resolution to recommend the profile referred to in that subparagraph to the board nor be present during deliberations on the matter.

“4.6. The functions of the committee responsible for human resources include

(1) developing and proposing to the board of directors an expertise and experience profile for the appointment of the chief executive officer, as well as criteria for evaluating the chief executive officer's performance; and

(2) making recommendations to the board as regards the chief executive officer's terms of employment, including remuneration.

Where the chief executive officer is a member of a committee that exercises those functions, the chief executive officer may not vote on a resolution to propose or recommend the elements referred to in the first paragraph to the board nor be present during deliberations on the matter.”

203. Section 5 of the Act is amended by inserting the following paragraphs after the first paragraph:

“The term of office of the chief executive officer may not exceed five years. The term may be renewed if the other board members, after having evaluated the performance of the chief executive officer outside his or her presence, consider such a renewal to be appropriate.

The chief executive officer may not be an employee, officer or director of a credit union that is a member of the Fédération des caisses Desjardins du Québec, the Fédération des caisses Desjardins du Québec, one of its subsidiaries or one of the Société’s subsidiaries, or have been such an employee, officer or director in the year preceding the date of appointment to office.”

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

“5.1. The functions of the chief executive officer include

(1) negotiating an agreement with an investment fund manager, within the meaning of the Securities Act (chapter V-1.1), and ensuring follow-up;

(2) negotiating agreements with the Fédération des caisses Desjardins du Québec and its subsidiaries and ensuring follow-up;

(3) coordinating, to the extent determined by the Société’s board of directors, the Société’s relations with the manager referred to in paragraph 1, the Fédération des caisses Desjardins du Québec and their subsidiaries;

(4) ensuring that the board of directors has the necessary information, including a rendering of account by the manager referred to in paragraph 1, to evaluate that manager; and

(5) reporting to the shareholders at the annual general meeting.”

205. Section 6 of the Act is amended by replacing “the president of the Mouvement des caisses Desjardins” by “the president of the Fédération des caisses Desjardins du Québec”.

206. Section 7 of the Act is amended

(1) in the first paragraph,

(a) by inserting “or officer” after “Any director” and “or officer’s” after “director’s”;

(b) by replacing “and abstain” by “. In addition, such a director shall abstain”;

(2) in the second paragraph,

(a) by replacing “A director” by “The director or officer”;

(b) by replacing “the director’s spouse or child” by “an immediate family member”.

207. The Act is amended by inserting the following after the heading of Chapter III:

“DIVISION I

“INTERPRETATION”.

208. The Act is amended by inserting the following after section 18:

“DIVISION II

“PRIOR APPROVAL OF INVESTMENTS

“18.1. The board of directors shall identify which investments it must approve in advance, with or without a favourable recommendation by the investment committee charged with examining them, and which investments may, to the extent the board determines, be approved by such a committee or by the manager referred to in paragraph 1 of section 5.1.

“18.2. The board of directors shall set up at least one investment committee.

If it sets up more than one investment committee, the board shall specify the field in which the investments each committee is responsible for are to be made.

“18.3. An investment committee may be composed of persons who are not members of the board of directors. It must be chaired by one of its members who qualifies as an independent person, and may only deliberate and make decisions in the presence of a majority of independent persons.

“DIVISION III

“INVESTMENTS”.

209. Section 24 of the Act is amended

(1) by replacing “, his or her spouse or a child” in the first paragraph by “or a member of the immediate family”;

(2) by striking out the second paragraph.

§2.—Special transitional provisions

210. The board of directors of Capital régional et coopératif Desjardins shall identify from among its members in office on 17 March 2020 those who qualify as independent persons.

211. Despite the new provisions of section 5 of the Act constituting Capital régional et coopératif Desjardins (chapter C-6.1), the chief executive officer in office on 17 March 2020 continues to hold office until the expiry of the term.

DIVISION III

SUPERVISION OF FINANCIAL MARKETS

ACT RESPECTING NASDAQ STOCK EXCHANGE ACTIVITIES
IN QUÉBEC

212. The Act respecting Nasdaq stock exchange activities in Québec (chapter E-20.01) is repealed.

CHAPTER XIII

OTHER PROVISIONS

DIVISION I

TERMS GOVERNING THE APPLICATION OF RATES

CODE OF PENAL PROCEDURE

213. Article 8.1 of the Code of Penal Procedure (chapter C-25.1) is amended by adding the following paragraph at the end:

“The amount of the contribution provided for in subparagraph 3 of the first paragraph 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.”

DIVISION II

HARMONIZATION OF THE CONSUMER PRICE INDEX

214. In the following Acts and regulations, all occurrences of “overall average Québec consumer price index without alcoholic beverages and tobacco products” and “aggregate average for the consumer price index for Québec, excluding alcoholic beverages and tobacco products,” are replaced by “average all-items Consumer Price Index for Québec excluding alcoholic beverages, tobacco products and recreational cannabis” and all occurrences of “average of the 12 All-items Consumer Price Indexes for Québec, excluding alcoholic

beverages and tobacco products,” are replaced by “average of the 12 all-items Consumer Price Indexes for Québec excluding alcoholic beverages, tobacco products and recreational cannabis”:

- (1) the Financial Administration Act (chapter A-6.001);
- (2) the Act respecting the Autorité régionale de transport métropolitain (chapter A-33.3);
- (3) the Act respecting municipal taxation (chapter F-2.1);
- (4) the Taxation Act (chapter I-3);
- (5) the Act respecting the legal publicity of enterprises (chapter P-44.1);
- (6) the Act respecting the Régie de l’assurance maladie du Québec (chapter R-5);
- (7) the Regulation respecting the application of the Public Curator Act (chapter C-81, r. 1);
- (8) the Regulation respecting the rates for using the public fast-charging service for electric vehicles (chapter H-5, r. 1);
- (9) the Québec Immigration Regulation (chapter I-0.2.1, r. 3);
- (10) the Regulation respecting toll road infrastructures operated under a public-private partnership agreement (chapter P-9.001, r. 3);
- (11) the Regulation respecting the safety and welfare of cats and dogs (chapter P-42, r. 10.1);
- (12) the Tariff of costs for the transportation, keeping and preservation of dead bodies (chapter R-0.2, r. 7);
- (13) the Reduced Contribution Regulation (chapter S-4.1.1, r. 1);
- (14) the Educational Childcare Regulation (chapter S-4.1.1, r. 2); and
- (15) the Regulation respecting the application of the Fuel Tax Act (chapter T-1, r. 1).

DIVISION III**EXCLUSION OF DIESEL FUEL IN DETERMINING THE ANNUAL
DUTY PAYABLE INTO THE GREEN FUND****ACT RESPECTING THE RÉGIE DE L'ÉNERGIE**

215. Despite any provision to the contrary, diesel fuel used for purposes other than transportation or for needs other than the supply of mobile equipment referred to in part QC.27.1 of protocol QC.27 in Schedule A.2 to the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere (chapter Q-2, r. 15) must be excluded from the calculation of the annual duty payable into the Green Fund under the Act respecting the Régie de l'énergie (chapter R-6.01), as it read between 13 June 2013 and 1 January 2015.

DIVISION IV**GROSS DEBT AND THE GENERATIONS FUND****ACT TO REDUCE THE DEBT AND ESTABLISH THE
GENERATIONS FUND**

216. Section 1.1 of the Act to reduce the debt and establish the Generations Fund (chapter R-2.2.0.1) is amended by striking out “plus the balance of the stabilization reserve fund established under the Balanced Budget Act (chapter E-12.00001)”.

217. Section 1.2 of the Act is amended by striking out “, nor the portion of advances made to the financing fund established under the Act respecting the Ministère des Finances (chapter M-24.01) and used to fund bodies not subject to the first paragraph of section 89 of the Financial Administration Act (chapter A-6.001) and government enterprises listed in Schedule 3 to that Act” in the second paragraph.

DIVISION V**DELEGATION OF POWER****FINANCIAL ADMINISTRATION ACT**

218. Section 75 of the Financial Administration Act (chapter A-6.001) is replaced by the following section:

“75. The information to be furnished by clients of the book based system in the prescribed forms is determined by the Minister or by any other person authorized in writing by the Minister.”

REGULATION RESPECTING SAVINGS PRODUCTS

219. Section 8 of the Regulation respecting savings products (chapter A-6.001, r. 9) is amended by inserting “, by a person authorized under section 75 of the Financial Administration Act (chapter A-6.001)” after “Minister of Finance”.

220. The Regulation is amended by replacing all occurrences of “the appropriate form prescribed by the Minister” and “the form prescribed by the Minister”, except in section 33, by “the prescribed form”, and by striking out “by the Minister” in the fourth paragraph of that section.

DIVISION VI

COMMUNICATION OF INFORMATION

TAX ADMINISTRATION ACT

221. Section 69.1 of the Tax Administration Act (chapter A-6.002) is amended by adding the following subparagraph at the end of the second paragraph:

“(z.7) the Minister of Municipal Affairs, Regions and Land Occupancy, solely to the extent that the information is required to carry out its mandate of annually preparing and publishing an update on the financial transfers by the Government to municipalities.”

222. The Act is amended by inserting the following section after section 69.4.2:

“**69.4.3.** The Minister of Municipal Affairs, Regions and Land Occupancy may, in connection with the annual update on the financial transfers by the Government to municipalities, make public, without the consent of the person concerned, information obtained under subparagraph z.7 of the second paragraph of section 69.1.”

DIVISION VII

BORROWING POWERS

ACT RESPECTING THE MINISTÈRE DES RELATIONS
INTERNATIONALES

223. Section 30 of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1) is amended by replacing subparagraph 3 of the second paragraph by the following subparagraph:

“(3) with the authorization of the Government on the recommendation of the Minister of Finance, offer as security any property or any real right.”

ACT RESPECTING THE MINISTÈRE DU CONSEIL EXÉCUTIF

224. Section 3.17 of the Act respecting the Ministère du Conseil exécutif (chapter M-30) is amended by striking out “contract any loan or” in subparagraph 3 of the second paragraph.

DIVISION VIII

PRE-ELECTION REPORT

ACT RESPECTING THE MINISTÈRE DES FINANCES

225. Section 23.1 of the Act respecting the Ministère des Finances (chapter M-24.01) is amended by replacing the third paragraph by the following paragraph:

“The assurance report prepared in accordance with section 40.1 of the Auditor General Act (chapter V-5.01) must be attached to the pre-election report. It contains the Auditor General’s conclusion on the plausibility, as at the last working day of the sixth week preceding the date of publication of the pre-election report or as at a later date if the Auditor General considers it appropriate, as well as forecasts, projections, estimates and assumptions referred to in sections 23.2 and 23.3.”

226. Section 23.4 of the Act is amended

- (1) in the first paragraph,
 - (a) by inserting “pre-election” after “draft”;
 - (b) by inserting “assurance” after “prepare the”;
- (2) by striking out the second paragraph.

227. The Act is amended by inserting the following sections after section 23.4:

“23.4.1. The Minister may, until the last working day of the sixth week preceding the date of publication of the pre-election report, make changes to the draft pre-election report, especially on the basis of data available at the time of its updating.

“23.4.2. A preliminary draft of the financial framework shall be sent to the Auditor General on

- (1) in the case of the pre-election report referred to in the first paragraph of section 23.1, the fifth working day after the 20 June preceding the expiry of a Legislature as provided for in the first paragraph of section 6 of the Act respecting the National Assembly (chapter A-23.1); or

(2) in the case of the pre-election report referred to in the second paragraph of section 23.1, the first working day before 21 December preceding the expiry of a Legislature as provided for in the third paragraph of section 6 of the Act respecting the National Assembly.

The Minister shall inform the Auditor General of any change the Minister makes to a draft pre-election report under the first paragraph on or before the last working day of the sixth week preceding the date of publication of the pre-election report.

The Minister may also, after the time provided for in the second paragraph, make any other change to the draft pre-election report that arises from the Auditor General's work. Those changes are sent to the Auditor General without delay."

228. Section 23.5 of the Act is amended

(1) by replacing "opinion" in the first paragraph by "assurance report" and by replacing "jointe" in that paragraph in the French text by "joint";

(2) by replacing "attached opinion" in the second paragraph by "attached assurance report".

AUDITOR GENERAL ACT

229. The heading of subdivision 2.1 before section 40.1 of the Auditor General Act (chapter V-5.01) is replaced by the following heading:

"§2.1. — *Assurance reports on the pre-election report*".

230. Section 40.1 of the Act is amended by replacing "a report giving his opinion" and "on the date specified in" in the first paragraph by "an assurance report giving his conclusion" and "under", respectively.

231. Section 40.2 of the Act is amended

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

"The assurance report must cover at least the first three fiscal years reported on in the pre-election report.";

(2) in the second paragraph,

(a) by replacing "the opinion" by "the assurance report";

(b) by inserting "pre-election" before "report was published".

232. Section 40.3 of the Act is replaced by the following section:

“**40.3.** The Auditor General shall submit the assurance report to the Minister of Finance not later than the Monday preceding the date of publication of the pre-election report required under section 23.1 of the Act respecting the Ministère des Finances (chapter M-24.01).”

233. The Act is amended by inserting the following section after section 40.3:

“**40.4.** The Auditor General may, if he considers it appropriate, prepare a report detailing his assurance work on the pre-election report.

On or before the date of publication of the pre-election report, the detailed report must be sent by the Auditor General to the President of the National Assembly, who shall table it before the National Assembly along with the pre-election report.

It is published by the Auditor General by any means he considers appropriate, following the publication of the pre-election report by the Minister of Finance, without waiting for the President of the National Assembly to table it.”

DIVISION IX

CERTAIN DUTIES, FEES AND CHARGES COLLECTED BY THE RÉGIE DES ALCOOLS, DES COURSES ET DES JEUX

§1.—*Amending provisions*

ACT RESPECTING LOTTERIES, PUBLICITY CONTESTS AND AMUSEMENT MACHINES

234. The Act respecting lotteries, publicity contests and amusement machines (chapter L-6) is amended by inserting the following sections after section 135:

“**135.1.** Despite section 34, a person to whom the board issues, between 7 May 2015 and 1 May 2020, a licence for a drawing, a wheel of fortune licence or a charity casino licence must, as the case may be, pay the following duties, fees and charges:

- (1) for a licence for a drawing: examination fees of \$31.25;
- (2) for a licence for a drawing during a fund-raising campaign authorizing the holding of a drawing: administrative charges of \$31.25 plus 6% of the total value of the prizes offered;

(3) for a wheel of fortune licence authorizing the operation of a wheel of fortune: administrative charges of \$31.25 plus \$117 per day for each wheel of fortune where the stake is from \$0.25 to \$2, and \$234 per day for other wheels of fortune; and

(4) for a charity casino licence authorizing the holding of a charity casino: administrative charges of \$31.25 plus \$58.50 per day for each blackjack table or for each wheel of fortune.

A payable duty of 3% of the total selling price of the tickets printed or estimated by the applicant or of the objects manufactured is added to the examination fees provided for in subparagraph 1 of the first paragraph, unless the application for a licence for a drawing concerns a 50/50 activity where the value of each prize to be awarded is \$5,000 or less.

Where the application for a licence for a drawing concerns the 50/50 activity where the value of each prize to be awarded is \$5,000 or less and is made by a group of organizations under section 4.2 of the Lottery Scheme Rules (chapter L-6, r. 12), a payable duty of \$131 is added to the examination fees provided for in subparagraph 1 of the first paragraph.

“135.2. Despite section 34, a person to whom the board issues, between 7 May 2015 and 1 May 2020, a licence for a drawing authorizing a 50/50 activity where the value of each prize to be awarded is greater than \$5,000 must also, if the revenues from the sale of all the tickets exceed 10% of the total selling price of the tickets estimated at the time of the application for a licence, pay to the board 3% of the excess amount. The payment of duties must accompany the statement of profits sent under section 45.3 of the Lottery Scheme Rules (chapter L-6, r. 12).

“135.3. The duties, fees and charges paid for the issue of a licence for a drawing under sections 4.1 and 4.2 of the Lottery Schemes Regulation (chapter L-6, r. 11), as those sections read between 7 May 2015 and 1 May 2020, are deemed to have been paid under sections 135.1 and 135.2, as the case may be.

Subject to section 87 of the Indian Act (Revised Statutes of Canada, 1985, chapter I-5), section 188 of the Naskapi and the Cree-Naskapi Commission Act (Statutes of Canada, 1984, chapter 18) and section 15 of the Cree Nation of Eeyou Istchee Governance Agreement Act (Statutes of Canada, 2018, chapter 4, section 1), the amounts paid as duties, fees and charges under that Regulation during the period provided for in the first paragraph are deemed to be duties, fees and charges validly collected under that paragraph. Those amounts belong to the Government.”

ACT RESPECTING LIQUOR PERMITS

235. The Act respecting liquor permits (chapter P-9.1) is amended by inserting the following sections after section 160.1:

“160.2. Despite subparagraph 5 of the first paragraph of section 39, any person who, between 7 May 2015 and 1 May 2020, obtained a reunion permit authorizing the serving of alcoholic beverages must pay to the board a duty of \$47 per day of use, up to a maximum of six times the amount prescribed for a day of use, for each room or terrace where the permit will be used.

“160.3. Despite subparagraph 5 of the first paragraph of section 39 and subject to the second and third paragraphs of this section, any person who, between 7 May 2015 and 1 May 2020, obtained a reunion permit authorizing the sale of alcoholic beverages must pay to the board a duty of \$91 per day of use, up to a maximum of five times the amount prescribed for a day of use, for each room or terrace where the permit will be used.

However, no duties are payable for the reunion permit to sell issued to a participant in a tasting show or an exhibition if that event is organized by a non-profit legal person under the second paragraph of section 23.2 of the Regulation respecting liquor permits (chapter P-9.1, r. 5).

If the event promotes or markets alcoholic beverages, the agent or representative of a person under subparagraph 3 of the first paragraph of section 23.1 of that Regulation must pay to the board the following duties for the permit:

- (1) \$217 per day of use, if there are seven or fewer persons represented; or
- (2) \$435 per day of use, if there are eight or more persons represented.

The duties payable under the third paragraph cannot exceed five times the amount established for a day of use.

“160.4. The duties paid for the issue of a reunion permit under section 3 of the Regulation respecting duties and costs payable under the Act respecting liquor permits (chapter P-9.1, r. 3), as it read between 7 May 2015 and 1 May 2020, are deemed to have been paid under sections 160.2 and 160.3, as the case may be.

Subject to section 87 of the Indian Act (Revised Statutes of Canada, 1985, chapter I-5), section 188 of the Naskapi and the Cree-Naskapi Commission Act (Statutes of Canada, 1984, chapter 18) and section 15 of the Cree Nation of Eeyou Istchee Governance Agreement Act (Statutes of Canada, 2018, chapter 4, section 1), the amounts paid as duties under that Regulation during the period provided for in the first paragraph are deemed to be duties validly collected under that paragraph. Those amounts belong to the Government.”

LOTTERY SCHEMES REGULATION

236. Section 4.1 of the Lottery Schemes Regulation (chapter L-6, r. 11) is amended

- (1) in paragraph 2,
 - (a) by replacing “\$31.25” in the first paragraph by “\$29.25”;
 - (b) by replacing “3%” in the second paragraph by “0.9%”;
 - (c) by replacing “\$131” in the third paragraph by “\$65”;
- (2) by replacing “\$31.25” and “6%” in paragraph 3 by “\$29.25” and “3%”, respectively;
- (3) by replacing “\$31.25”, “\$117” and “\$234” in paragraph 4 by “\$29.25”, “\$58” and “\$115”, respectively;
- (4) by replacing “\$31.25” and “\$58.50” in paragraph 6 by “\$29.25” and “\$29”, respectively.

237. Section 4.2 of the Regulation is amended by replacing “3%” by “0.9%”.

REGULATION RESPECTING DUTIES AND COSTS PAYABLE UNDER
THE ACT RESPECTING LIQUOR PERMITS

238. Section 3 of the Regulation respecting duties and costs payable under the Act respecting liquor permits (chapter P-9.1, r. 3) is amended

- (1) by replacing “\$47” in the first paragraph by “\$29”;
- (2) by replacing “\$91” in the second paragraph by “\$53”;
- (3) by replacing the fourth and fifth paragraphs by the following paragraph:

“If the event promotes or markets alcoholic beverages, the duties payable for the issue of a reunion permit to sell issued to the agent or representative of a person under subparagraph 3 of the first paragraph of section 23.1 of that Regulation are \$53 per day of use, up to a maximum of 5 times the amount prescribed for a day of use.”

§2. — *Special provisions*

239. Despite section 9 of the Regulation respecting duties and costs payable under the Act respecting liquor permits (chapter P-9.1, r. 3), the duties payable for the issue of a reunion permit under the Act respecting liquor permits (chapter P-9.1), prescribed by section 3 of that Regulation, as amended by section 238, will not be adjusted on 1 April 2020.

DIVISION X

ACTIVE TRANSPORTATION DEVELOPMENT

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

240. Section 12.30 of the Act respecting the Ministère des Transports (chapter M-28) is amended by inserting the following subparagraph after subparagraph *i* of paragraph 1:

“(j) the development, improvement, preservation and maintenance of active transportation infrastructures and their accessories;”.

241. Section 12.32.1 of the Act is amended by replacing “*d* and *e* of paragraph 1 of section 12.30” in the sixth paragraph by “*d*, *e*, *h* and *j* of paragraph 1 of section 12.30”.

DIVISION XI

MARKING OF ALCOHOLIC BEVERAGES

ACT TO MODERNIZE THE LEGAL REGIME APPLICABLE TO
LIQUOR PERMITS AND TO AMEND VARIOUS OTHER LEGISLATIVE
PROVISIONS WITH REGARD TO ALCOHOLIC BEVERAGES

242. Section 143 of the Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages (2018, chapter 20) is amended by replacing “is repealed on 12 June 2020” by “is repealed on the date set by the Government for the coming into force of section 62 of this Act”.

243. Section 144 of the Act is amended by striking out paragraph 3.

CHAPTER XIV

FINAL PROVISIONS

244. Section 241, where it amends the sixth paragraph of section 12.32.1 of the Act respecting the Ministère des Transports (chapter M-28) to add a reference to subparagraph *h* of paragraph 1 of section 12.30 of that Act, has effect from 12 June 2015. Chapter I, comprising sections 1 to 13, has effect from 1 January 2019, except section 6, insofar as it repeals sections 88.11 to 88.14 of the Educational Childcare Act (chapter S-4.1.1), and section 10, which apply in respect of a year subsequent to the year 2018. Sections 13 to 16 of the Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund, enacted by section 98, except where section 11 of that Act is concerned, have effect from 1 April 2019.

245. This Act comes into force on 17 March 2020, except

- (1) sections 234 to 238, which come into force on 1 May 2020;
- (2) Division I of Chapter X, comprising sections 103 to 154, which comes into force on 1 April 2021;
- (3) paragraphs 1 to 3 of section 201, which come into force on the date of the closing of the first general meeting of holders of Capital régional et coopératif Desjardins shares that is held after 17 March 2020;
- (4) sections 1 to 11, 19 and 20 of the Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund, enacted by section 98, which come into force on the date of coming into force of the first ministerial order made under that Act;
- (5) section 196, which comes into force on the date of coming into force of the first regulation made under article 1073 of the Civil Code; and
- (6) Chapters III to VI, which come into force on the date or dates to be set by the Government.

SCHEDULE I
(Section 99)

SPECIAL CONTRACTS AND FINANCIAL ASSISTANCE FOR
INVESTMENT FUND

	2020–2021
Revenues	\$400,000,000
Expenditures	\$400,000,000
Surplus (Deficit) of the Fiscal Year	0
Ending Cumulative Surplus (Deficit)	0
Investments	0
Total loans or advances ¹	0

¹ To (from) the Financing Fund and the general fund.

AN ACT RESPECTING MAINLY THE IMPLEMENTATION OF
CERTAIN PROVISIONS OF THE BUDGET SPEECHES OF
17 MARCH 2016, 28 MARCH 2017, 27 MARCH 2018 AND
21 MARCH 2019

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2020, chapter 6

AN ACT TO AMEND THE NURSES ACT AND OTHER PROVISIONS IN ORDER TO FACILITATE ACCESS TO HEALTH SERVICES

Bill 43

Introduced by Madam Danielle McCann, Minister of Health and Social Services

Introduced 9 October 2019

Passed in principle 27 November 2019

Passed 17 March 2020

Assented to 17 March 2020

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

- 2020-05-13: ss. 21, 22, 70, 89-93
O.C. 529-2020
G.O., 2020, Part 2, p. 1389A
- 2020-07-08: ss. 23-28, 71-73
O.C. 787-2020
G.O., 2020, Part 2, p. 1987
- 2021-01-25: ss. 1-20, 29-69, 74-88, 94-97
O.C. 1345-2020
G.O., 2020, Part 2, p. 3633

Legislation amended:

Workers' Compensation Act (chapter A-3)

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

Highway Safety Code (chapter C-24.2)

Nurses Act (chapter I-8)

Act respecting the protection of persons whose mental state presents a danger to themselves or to others (chapter P-38.001)

Act respecting the Régie de l'assurance maladie du Québec (chapter R-5)

Act respecting occupational health and safety (chapter S-2.1)

Public Health Act (chapter S-2.2)

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)

Regulations amended:

Regulation respecting financial assistance (chapter A-3, r. 1)

Regulation respecting the impairment scale (chapter A-3, r. 2)

Regulation respecting medical aid (chapter A-3.001, r. 1)

(cont'd on next page)

Regulations amended: (cont'd)

Regulation respecting travel and living expenses (chapter A-3.001, r. 8)
Regulation respecting the standards and tables of personal home assistance (chapter A-3.001, r. 9)
Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1)
Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1)
Regulation respecting the time limit within which medical reports must be sent for the purposes of automobile insurance (chapter A-25, r. 6)
Regulation respecting indemnities payable under Title II of the Automobile Insurance Act (chapter A-25, r. 12)
Regulation respecting the reimbursement of certain expenses (chapter A-25, r. 14)
Regulation respecting the application of the Hospital Insurance Act (chapter A-28, r. 1)
Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5)
Regulation respecting the terms and conditions for the issuance of health insurance cards and the transmittal of statements of fees and claims (chapter A-29, r. 7.2)
Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4)
Regulation respecting licences (chapter C-24.2, r. 34)
Regulation respecting the health of drivers (chapter C-24.2, r. 40.1)
Regulation respecting the application of the Act respecting medical laboratories and organ and tissue conservation (chapter L-0.2, r. 1)
Ministerial Order concerning the determining of ambulance service zones and the maximum number of ambulances per area and per zone, the standards for ambulance service subsidies, the standards of transport by ambulance between institutions and rates of transport by ambulance (chapter L-0.2, r. 2)
Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1)
By-law to establish the Training Plan Regulation of the École nationale de police du Québec (chapter P-13.1, r. 4)
Regulation respecting the certificate issued for the preventive withdrawal and re-assignment of a pregnant or breast-feeding worker (chapter S-2.1, r. 3)
Minister's Regulation under the Public Health Act (chapter S-2.2, r. 2.1)
By-law to establish the Training Plan Regulation of the École nationale des pompiers du Québec (chapter S-3.4, r. 3)
Educational Childcare Regulation (chapter S-4.1.1, r. 2)
Regulation respecting the certification of community or private resources offering addiction lodging (chapter S-4.2, r. 0.1)
Regulation respecting the contribution by users of health and social services institutions (chapter S-4.2, r. 6)
Regulation respecting the contribution of users taken in charge by intermediate resources (chapter S-4.2, r. 7)
Regulation respecting the application of the Act respecting health services and social services for Cree Native persons (chapter S-5, r. 1)
Regulation under the Act respecting the Québec correctional system (chapter S-40.1, r. 1)
Regulation respecting the preventive withdrawal of certain home childcare providers (Order in Council 865-2019 (2019, G.O. 2, 2280))

Regulation repealed:

Regulation respecting specialized nurse practitioners (chapter M-9, r. 23.1)

(cont'd on next page)

Explanatory notes

This Act amends the Nurses Act to add to the activities that may be engaged in by specialized nurse practitioners, by allowing them to, among other things and according to their class of specialization, diagnose illnesses, determine medical treatments and provide pregnancy care. It also empowers the Ordre des infirmières et des infirmiers du Québec (the Order) to establish, by regulation, the terms and conditions applicable to the activities such nurses engage in as well as the standards relating to the form and content of the prescriptions they make. Before making such a regulation, the Order must consult the Office des professions du Québec and the interested professional orders.

In addition, the Act amends certain Acts governing the field of health, in particular to adjust the functions of nursing care directors of health and social services institutions.

The Act also amends several Acts and regulations to, among other things, extend to specialized nurse practitioners the possibility of performing certain examinations or other procedures formerly reserved for physicians, including with respect to occupational health and safety, assistance to individuals and families, automobile insurance, health and social services and educational childcare services.

Lastly, the Act provides that the Order must file a report on the carrying out of this Act on the expiry of two years after the date of its coming into force; the report must be tabled in the National Assembly.



Chapter 6

AN ACT TO AMEND THE NURSES ACT AND OTHER PROVISIONS IN ORDER TO FACILITATE ACCESS TO HEALTH SERVICES

[Assented to 17 March 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

NURSES ACT

1. Section 1 of the Nurses Act (chapter I-8) is amended by inserting the following paragraph after paragraph *c*:

“(c.1) “specialized nurse practitioner”: a nurse who holds a specialist’s certificate in any of the classes of specialization governed by a regulation enacted under subparagraph *f* of the first paragraph of section 14;”.

2. Section 14 of the Act is amended

(1) by replacing paragraph *f* by the following paragraph:

“(f) regulate the classes of specialization to which specialized nurse practitioners must belong to engage in the activities referred to in section 36.1, and determine the terms and conditions for engaging in those activities as well as the standards relating to the form and content of verbal or written prescriptions made by specialized nurse practitioners; for that purpose, the board of directors may, in the regulation, establish an advisory committee;”;

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

“The board of directors shall, before adopting a regulation under subparagraph *f* of the first paragraph, consult the Office des professions du Québec and the interested professional orders.”

3. Section 36.1 of the Act is replaced by the following section:

“36.1. Specialized nurse practitioners may, if so authorized by a regulation made under subparagraph *f* of the first paragraph of section 14, engage in the following activities, according to their class of specialization and on the terms and conditions prescribed in that regulation:

(1) diagnosing illnesses;

(2) prescribing diagnostic examinations;

- (3) using diagnostic techniques that are invasive or entail risks of injury;
- (4) determining medical treatments;
- (5) prescribing medications and other substances;
- (6) prescribing medical treatments;
- (7) using techniques or applying medical treatments that are invasive or entail risks of injury; and
- (8) providing pregnancy care.”

WORKERS’ COMPENSATION ACT

4. Section 2 of the Workers’ Compensation Act (chapter A-3) is amended by inserting the following paragraph after paragraph *m* of subsection 1:

“(m.1) “health professional” means a professional within the meaning of the Health Insurance Act (chapter A-29) and any other professional within the meaning of the Professional Code (chapter C-26) determined by regulation of the Commission;”.

5. Section 22 of the Act is amended by replacing “physician or surgeon” in subparagraph *e* of the first paragraph of subsection 1 by “health professional”.

6. Section 54 of the Act is amended by replacing both occurrences of “physician, surgeon” by “health professional”.

7. Section 55 of the Act is amended

(1) by replacing “a physician, practitioner” in the first paragraph by “a health professional”;

(2) in the second paragraph,

(a) by replacing “to the physician” by “to the health professional”;

(b) by replacing “a physician, practitioner” by “a health professional”;

(3) by replacing “a physician” in the third paragraph by “a health professional”.

8. Section 124 of the Act is amended

(1) by inserting the following paragraph after paragraph *c*:

“(c.1) determining any professional, within the meaning of the Professional Code (chapter C-26), who may act as a health professional for the purposes of this Act;”;

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

“Where the Commission determines a professional under subparagraph *c. 1* of the first paragraph, it may adapt the rules and standards set out in this Act concerning the roles and responsibilities of that professional, or exclude some of those rules and standards.”

9. In any other provision of the Act, “physician” and “medical practitioner” are replaced by “health professional”.

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

10. Section 2 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is amended by inserting “and any other professional within the meaning of the Professional Code (chapter C-26) and determined by regulation of the Commission” at the end of the definition of “**health professional**”.

11. Section 454 of the Act is amended

(1) by adding the following subparagraph at the end of the first paragraph:

“(17) determining any professional within the meaning of the Professional Code (chapter C-26) who may act as a health professional for the purposes of this Act.”;

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

“Where the Commission determines a professional under subparagraph 17 of the first paragraph, it may adapt the rules and standards set out in this Act concerning the roles and responsibilities of that professional, or exclude some of those rules and standards.”

12. Section 455 of the Act is amended by replacing “and 14” in the first paragraph by “, 14 and 17”.

13. In any other provision of the Act, except section 207, “physician” is replaced by “health professional”.

HIGHWAY SAFETY CODE

14. Section 73 of the Highway Safety Code (chapter C-24.2) is amended by striking out “medical specialist or other” in the first paragraph.

15. Section 398 of the Code is amended

(1) by inserting “or specialized nurse practitioner” after “physician” in the second paragraph;

(2) by inserting “, specialized nurse practitioner” after “physician” in the third paragraph;

(3) by inserting “, specialized nurse practitioner” after “physician” in the fourth paragraph.

ACT RESPECTING THE PROTECTION OF PERSONS WHOSE MENTAL STATE PRESENTS A DANGER TO THEMSELVES OR TO OTHERS**16.** Section 7 of the Act respecting the protection of persons whose mental state presents a danger to themselves or to others (chapter P-38.001) is amended

(1) by adding the following sentence at the end of the first paragraph: “A specialized nurse practitioner who practises for such an institution may also, if of that opinion, take such action.”;

(2) by inserting “or the specialized nurse practitioner” after “physician” in the second paragraph.

17. Section 8 of the Act is amended by replacing “, who may” in the second paragraph by “or a specialized nurse practitioner. The physician or nurse may then”.

18. Section 12 of the Act is amended by inserting “or a specialized nurse practitioner” at the end of paragraph 1.

19. Section 17 of the Act is amended by inserting “or a specialized nurse practitioner” after “physician” in the first paragraph.

ACT RESPECTING THE RÉGIE DE L'ASSURANCE MALADIE DU QUÉBEC

20. Section 2 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5) is amended, in the sixth paragraph,

(1) by inserting “in collaboration, if applicable, with other health and social services professionals” after “to the person”;

(2) by replacing “health care or social services professional who practises within a family medicine group and belongs to a class of professionals identified by the Minister” by “health and social services professional who belongs to a class of professionals, and practises in premises belonging to a class, identified by the Minister”.

ACT RESPECTING OCCUPATIONAL HEALTH AND SAFETY

21. Section 33 of the Act respecting occupational health and safety (chapter S-2.1) is amended

(1) by replacing “or another physician” in the first paragraph by “by another physician or by a specialized nurse practitioner”;

(2) by inserting “or specialized nurse practitioner” after “notify the physician” in the second paragraph;

(3) in the third paragraph,

(a) by replacing “, he” by “or by a specialized nurse practitioner, that professional”;

(b) by inserting “or specialized nurse practitioner” after “or the physician”.

22. Section 42.1 of the Act is amended by inserting “or specialized nurse practitioner” after “attending physician” in the second paragraph.

PUBLIC HEALTH ACT

23. Section 69 of the Public Health Act (chapter S-2.2) is amended by replacing “health condition” in the first paragraph by “state of health”.

24. Section 82 of the Act is amended by replacing “physician who diagnoses” in paragraph 1 by “health professional with the authority to make a diagnosis or to assess a person’s state of health who observes”.

25. Section 84 of the Act is amended by replacing “physician” by “health professional with the authority to make a medical diagnosis or to assess a person’s state of health”.

26. Section 86 of the Act is amended

(1) by replacing “physician” in the first paragraph by “health professional with the authority to make a medical diagnosis or to assess a person’s state of health”;

(2) by replacing “physician” in the second paragraph by “such professional”.

27. Section 93 of the Act is amended by replacing “physician” in the first paragraph by “health professional with the authority to make a medical diagnosis or to assess a person’s state of health”.

28. Section 95 of the Act is amended by replacing “physician” in the second paragraph by “health professional with the authority to make a medical diagnosis or to assess a person’s state of health”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

29. Section 190 of the Act respecting health services and social services (chapter S-4.2) is amended

(1) by replacing subparagraph 1.1 of the first paragraph by the following subparagraphs:

“(1.1) where applicable, supervising the activities referred to in the second paragraph of section 31 of the Medical Act (chapter M-9) that are engaged in by other professionals of the department who are authorized to engage in those activities by a regulation of the board of directors of the Collège des médecins du Québec;

“(1.2) where applicable, cooperating with the director of nursing care in supervising and monitoring the quality of nursing acts engaged in under section 36.1 of the Nurses Act (chapter I-8);”;

(2) by replacing “and 1.1” in the second paragraph by “to 1.2”.

30. Section 207 of the Act is amended by striking out subparagraph 1.1 of the first paragraph.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES FOR CREE NATIVE PERSONS

31. Section 4 of the Act respecting health services and social services for Cree Native persons (chapter S-5) is amended by striking out “by a physician or dentist” in the second paragraph.

REGULATION RESPECTING THE IMPAIRMENT SCALE

32. Schedule A to the Regulation respecting the impairment scale (chapter A-3, r. 2) is amended by replacing all occurrences of “evaluating physician” by “evaluating health professional”.

INDIVIDUAL AND FAMILY ASSISTANCE REGULATION

33. Sections 86 and 88 of the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) are amended by inserting “, a specialized nurse practitioner” after “dentist” in the first paragraph.

34. Section 90 of the Regulation is amended by inserting “, specialized nurse practitioner” after “dentist” in the first paragraph.

35. Section 91 of the Regulation is amended by replacing “a midwife, or by” in the first paragraph by “by a midwife, a specialized nurse practitioner or”.

36. Section 103 of the Regulation is amended by inserting “or a specialized nurse practitioner” at the end.

REGULATION RESPECTING FINANCIAL ASSISTANCE FOR EDUCATION EXPENSES

37. Section 42 of the Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1) is amended by inserting “or a specialized nurse practitioner” after “physician” in the first paragraph.

REGULATION RESPECTING THE TIME LIMIT WITHIN WHICH MEDICAL REPORTS MUST BE SENT FOR THE PURPOSES OF AUTOMOBILE INSURANCE

38. Section 1 of the Regulation respecting the time limit within which medical reports must be sent for the purposes of automobile insurance (chapter A-25, r. 6) is amended, in the first paragraph,

(1) by replacing “or institution” by “, specialized nurse practitioner or institution”;

(2) by inserting “or specialized nurse practitioner” before “consulted by a claimant”.

REGULATION RESPECTING INDEMNITIES PAYABLE UNDER TITLE II OF THE AUTOMOBILE INSURANCE ACT

39. The heading of Chapter IV of the Regulation respecting indemnities payable under Title II of the Automobile Insurance Act (chapter A-25, r. 12) is amended by replacing “A PHYSICIAN” by “THE PHYSICIAN OR SPECIALIZED NURSE PRACTITIONER”.

40. Sections 38 and 39 of the Regulation are amended by replacing all occurrences of “physician” and “physician’s” by “physician or specialized nurse practitioner” and “physician’s or specialized nurse practitioner’s”, respectively.

41. Section 40 of the Regulation is amended

(1) by inserting “or specialized nurse practitioner” after “the physician” in the introductory clause of the first paragraph;

(2) by inserting “or specialized nurse practitioner” after “the physician” in the second paragraph;

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

“The physician or specialized nurse practitioner who is unable to definitively establish the claimant’s disability shall nevertheless establish it on a provisional basis.”

42. Section 42 of the Regulation is replaced by the following section:

“**42.** The physician or specialized nurse practitioner who examines a victim for the purpose of establishing the indemnity payable under section 44 of the Act shall indicate in a separate report all the information necessary for implementing regulations made under section 44 of the Act.”

43. Section 43 of the Regulation is amended

(1) by inserting “or specialized nurse practitioner” after “the physician” in the first paragraph;

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

“The physician or specialized nurse practitioner who is unable to determine the percentage of the claimant’s disability shall nevertheless determine a provisional percentage, subject to review.”

REGULATION RESPECTING THE REIMBURSEMENT OF CERTAIN EXPENSES

44. Section 7 of the Regulation respecting the reimbursement of certain expenses (chapter A-25, r. 14) is amended by replacing “a dentist or an optometrist, or is prescribed by a physician or other professional” in paragraph 1 by “a specialized nurse practitioner, a dentist or an optometrist or, when prescribed by a physician or a specialized nurse practitioner, by other professionals”.

45. Section 15 of the Regulation is amended by inserting “, a specialized nurse practitioner” after “physician” in paragraph 2.

46. Section 50 of the Regulation is amended by inserting “or a specialized nurse practitioner” after all occurrences of “physician”.

47. Section 54.14 of the Regulation is amended

(1) by inserting “or a specialized nurse practitioner” after “physician” in paragraph 1;

(2) by inserting “or the specialized nurse practitioner” after “physician” in the introductory clause of paragraph 2.

48. Section 54.22 of the Regulation is amended

(1) by inserting “or a specialized nurse practitioner” after “physician” in paragraph 1;

(2) by replacing “a nurse specialized in the field” in paragraph 2 by “a nurse with competency in urology”.

49. Section 57 of the Regulation is amended

(1) by inserting “or specialized nurse practitioner” after “by one physician” in paragraph 1;

(2) by inserting “or specialized nurse practitioner” after “for each physician” in paragraph 2;

(3) by replacing “by more than one physician” in paragraph 2 by “by more than one such professional”.

50. The Regulation is amended by inserting “or a specialized nurse practitioner” after “a physician” in the first paragraph of section 24, sections 36 and 44, paragraph 1 of section 54.1, paragraph 3 of section 54.7, section 54.8, the second paragraph of paragraph 2 of section 54.10, and paragraphs 1 and 2 of section 54.20.

REGULATION RESPECTING THE APPLICATION OF THE HOSPITAL INSURANCE ACT

51. Section 3 of the Regulation respecting the application of the Hospital Insurance Act (chapter A-28, r. 1) is amended by inserting “or specialized nurse practitioner’s” after “physician’s” in subparagraph iv of subparagraph *a* of the first paragraph.

52. Section 13 of the Regulation is amended by inserting “or a specialized nurse practitioner” after “attending physician” in the second paragraph.

REGULATION RESPECTING THE APPLICATION OF THE HEALTH INSURANCE ACT

53. Section 22 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) is amended by inserting “, specialized nurse practitioner” after “physician” in subparagraph ii of paragraph *r*.

54. Section 32 of the Regulation is amended by striking out “by a physician or dentist” in subparagraph *a* of the first paragraph.

55. Section 33 of the Regulation is amended by replacing “physician or dentist who wrote the prescription” by “prescriber” in subparagraph *a* of the first paragraph.

REGULATION RESPECTING THE TERMS AND CONDITIONS FOR
THE ISSUANCE OF HEALTH INSURANCE CARDS AND THE
TRANSMITTAL OF STATEMENTS OF FEES AND CLAIMS

56. Section 8.0.4 of the Regulation respecting the terms and conditions for the issuance of health insurance cards and the transmittal of statements of fees and claims (chapter A-29, r. 7.2) is amended by replacing “the physician must indicate on the certificate” by “it must indicate”.

REGULATION RESPECTING THE BASIC PRESCRIPTION DRUG
INSURANCE PLAN

57. Section 6 of the Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4) is amended by inserting “or a specialized nurse practitioner” at the end of the first paragraph.

58. Section 11.2 of the Regulation is amended by inserting “or a specialized nurse practitioner” at the end of the first and second paragraphs.

REGULATION RESPECTING LICENCES

59. Section 7.9 of the Regulation respecting licences (chapter C-24.2, r. 34) is amended by replacing the second paragraph by the following paragraph:

“The certificate must indicate the estimated duration of the illness or deficiency.”

REGULATION RESPECTING THE HEALTH OF DRIVERS

60. Section 2 of the Regulation respecting the health of drivers (chapter C-24.2, r. 40.1) is amended by inserting “or specialized nurse practitioner’s” after “physician’s”.

61. Sections 32 and 33 of the Regulation are amended by inserting “or a specialized nurse practitioner” after “physician” in paragraph 2.

62. Section 51 of the Regulation is amended by replacing paragraph 4 by the following paragraph:

“(4) the manifestations related to the sleep disorder do not, in the opinion of a physician or of a specialized nurse practitioner, allow the driving of a road vehicle of one of those classes.”

63. Section 52 of the Regulation is amended by replacing paragraph 2 by the following paragraph:

“(2) the manifestations related to the sleep disorder do not, in the opinion of a physician or of a specialized nurse practitioner, allow the driving of a road vehicle of one of those classes.”

REGULATION RESPECTING THE APPLICATION OF THE ACT
RESPECTING MEDICAL LABORATORIES AND ORGAN AND TISSUE
CONSERVATION

64. Section 2 of the Regulation respecting the application of the Act respecting medical laboratories and organ and tissue conservation (chapter L-0.2, r. 1) is amended by inserting “or a specialized nurse practitioner” after “physician” in paragraph c.

MINISTERIAL ORDER CONCERNING THE DETERMINING OF
AMBULANCE SERVICE ZONES AND THE MAXIMUM NUMBER OF
AMBULANCES PER AREA AND PER ZONE, THE STANDARDS FOR
AMBULANCE SERVICE SUBSIDIES, THE STANDARDS OF
TRANSPORT BY AMBULANCE BETWEEN INSTITUTIONS AND
RATES OF TRANSPORT BY AMBULANCE

65. Section 4 of the Ministerial Order concerning the determining of ambulance service zones and the maximum number of ambulances per area and per zone, the standards for ambulance service subsidies, the standards of transport by ambulance between institutions and rates of transport by ambulance (chapter L-0.2, r. 2) is amended by inserting “or a specialized nurse practitioner” after “the attending physician” in the text following the second dash.

REGULATION RESPECTING SPECIALIZED NURSE PRACTITIONERS

66. The Regulation respecting specialized nurse practitioners (chapter M-9, r. 23.1) is repealed.

REGULATION RESPECTING THE APPLICATION OF THE ACT
RESPECTING THE SHARING OF CERTAIN HEALTH INFORMATION

67. Section 5 of the Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1) is amended, in paragraph 4,

- (1) by inserting “or a specialized nurse practitioner” after “a physician”;
- (2) by replacing “of those physicians” by “of them”.

BY-LAW TO ESTABLISH THE TRAINING PLAN REGULATION OF
THE ÉCOLE NATIONALE DE POLICE DU QUÉBEC

68. Section 4 of the By-law to establish the Training Plan Regulation of the École nationale de police du Québec (chapter P-13.1, r. 4) is amended

(1) by inserting “or specialized nurse practitioner” after “physician” in the third paragraph;

(2) by inserting “or specialized nurse practitioner” after “physician” in the fourth paragraph;

(3) by inserting “or specialized nurse practitioner” after “physician” in the fifth paragraph.

69. Schedule A to the By-law is amended by replacing “Signature of assessing physician” in the last line of the medical examination report by “Signature of assessing physician or specialized nurse practitioner”.

REGULATION RESPECTING THE CERTIFICATE ISSUED FOR THE PREVENTIVE WITHDRAWAL AND RE-ASSIGNMENT OF A PREGNANT OR BREAST-FEEDING WORKER

70. Schedule I to the Regulation respecting the certificate issued for the preventive withdrawal and re-assignment of a pregnant or breast-feeding worker (chapter S-2.1, r. 3) is amended

(1) in section C,

(a) by replacing “Name of physician consultant” by “Name of physician or specialized nurse practitioner consulted”;

(b) by replacing “Designated physician” by “Designated physician or specialized nurse practitioner”;

(2) in section E,

(a) by inserting “or specialized nurse practitioner” after “Attending physician”;

(b) by replacing “Name of physician” by “Name of physician or specialized nurse practitioner”.

MINISTER’S REGULATION UNDER THE PUBLIC HEALTH ACT

71. Sections 29 and 30 of the Minister’s Regulation under the Public Health Act (chapter S-2.2, r. 2.1) are amended by replacing all occurrences of “physician” by “health professional with the authority to make a diagnosis”.

72. Section 33 of the Regulation is amended

(1) in the first paragraph,

(a) by replacing “physician” in the introductory clause by “health professional with the authority to make a diagnosis or to assess a person’s state of health”;

(b) by replacing “physician’s” and “physician” in subparagraph 5 by “professional’s” and “professional”, respectively;

(2) by replacing “physician” in the second paragraph by “professional”.

73. The Regulation is amended by replacing “physician” in subparagraph 5 of section 15, the introductory clause of the first paragraph of section 26, the introductory clause and paragraph 2 of the first paragraph of section 27 and the introductory clause of section 28 by “health professional with the authority to make a diagnosis or to assess a person’s state of health”.

BY-LAW TO ESTABLISH THE TRAINING PLAN REGULATION OF THE ÉCOLE NATIONALE DES POMPIERS DU QUÉBEC

74. Section 3 of the By-law to establish the Training Plan Regulation of the École nationale des pompiers du Québec (chapter S-3.4, r. 3) is amended by replacing “doctor’s” in subparagraph 3 of the first paragraph by “physician’s or specialized nurse practitioner’s”.

EDUCATIONAL CHILDCARE REGULATION

75. Section 54.1 of the Educational Childcare Regulation (chapter S-4.1.1, r. 2) is amended by inserting “or specialized nurse practitioner’s” after “physician’s” in subparagraph 3 of the first paragraph.

76. Section 60 of the Regulation is amended by inserting “or specialized nurse practitioner’s” after “physician’s” in paragraph 4.

77. Section 64.1 of the Regulation is amended by replacing “physician’s” by “medical”.

78. Section 79 of the Regulation is amended by replacing “by a physician’s” in the third paragraph by “in the medical”.

79. Section 82.2 of the Regulation is amended by inserting “or specialized nurse practitioner’s” after “physician’s” in subparagraph 3 of the first paragraph.

80. Section 111 of the Regulation is amended by inserting “or by a specialized nurse practitioner” after “member of the Collège des médecins du Québec”.

81. Section 122 of the Regulation is amended by inserting “or specialized nurse practitioner” at the end of subparagraph 5 of the first paragraph.

82. Schedule II to the Regulation is amended

(1) by inserting “or specialized nurse practitioner” after all occurrences of “physician”;

(2) by replacing all occurrences of “member of the Collège des médecins du Québec” in the Protocol for administering acetaminophen to treat fever by “health professional authorized by law to prescribe it”;

(3) by inserting “or a specialized nurse practitioner” after all occurrences of “member of the Collège des médecins du Québec” in the Protocol for applying insect repellent;

(4) by inserting “ou une infirmière praticienne spécialisée” after “un médecin” in the French text;

(5) by replacing “a child under 3 months of age who has a fever should be taken to see a physician”, “a child who is in pain should be taken to see a physician” and “authorizations from a physician and the parent” by “the presence of fever at that age requires a medical consultation”, “the presence of pain requires a medical consultation” and “medical and parental authorizations”, respectively.

REGULATION RESPECTING THE CERTIFICATION OF COMMUNITY OR PRIVATE RESOURCES OFFERING ADDICTION LODGING

83. Section 29 of the Regulation respecting the certification of community or private resources offering addiction lodging (chapter S-4.2, r. 0.1) is amended by replacing “prescribing physician” in the second paragraph by “prescriber”.

REGULATION RESPECTING THE CONTRIBUTION BY USERS OF HEALTH AND SOCIAL SERVICES INSTITUTIONS

84. Section 1 of the Regulation respecting the contribution by users of health and social services institutions (chapter S-4.2, r. 6) is amended by inserting “or a specialized nurse practitioner” after “attending physician” in paragraph 2.

REGULATION RESPECTING THE CONTRIBUTION OF USERS TAKEN IN CHARGE BY INTERMEDIATE RESOURCES

85. Section 7 of the Regulation respecting the contribution of users taken in charge by intermediate resources (chapter S-4.2, r. 7) is amended by inserting “or a specialized nurse practitioner” after “attending physician” in the second paragraph.

REGULATION RESPECTING THE APPLICATION OF THE ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES FOR CREE NATIVE PERSONS

86. Section 358.2 of the Regulation respecting the application of the Act respecting health services and social services for Cree Native persons (chapter S-5, r. 1) is amended by inserting “or a specialized nurse practitioner” after “attending physician” in paragraph *b*.

**REGULATION UNDER THE ACT RESPECTING THE QUÉBEC
CORRECTIONAL SYSTEM**

87. Section 22 of the Regulation under the Act respecting the Québec correctional system (chapter S-40.1, r. 1) is amended by inserting “or a specialized nurse practitioner” after “physician”.

88. Section 29 of the Regulation is amended by inserting “or a specialized nurse practitioner” after both occurrences of “physician” in the third paragraph.

**REGULATION RESPECTING THE PREVENTIVE WITHDRAWAL OF
CERTAIN HOME CHILDCARE PROVIDERS**

89. Section 2 of the Regulation respecting the preventive withdrawal of certain home childcare providers, enacted by Order in Council 865-2019 (2019, G.O. 2, 2280) is amended by inserting “or specialized nurse practitioner” after “physician” in paragraph 3.

90. Section 3 of the Regulation is amended by inserting “or specialized nurse practitioner” after “physician” in the introductory clause of the first paragraph.

91. Section 5 of the Regulation is amended by replacing “physician, who” by “physician or the specialized nurse practitioner, who”.

92. Section 6 of the Regulation is amended by inserting “or specialized nurse practitioner” after all occurrences of “physician”.

93. Section 25 of the Regulation is amended by inserting “or specialized nurse practitioner” after “physician” in the first paragraph.

OTHER AMENDING PROVISIONS

94. The following regulations are amended

(1) by replacing “physician” in the Regulation respecting financial assistance (chapter A-3, r. 1) by “health professional”;

(2) by replacing all occurrences of “physician” and “physician’s” in the Regulation respecting medical aid (chapter A-3.001, r. 1) by “health professional” and “health professional’s”, respectively;

(3) by replacing all occurrences of “attending physician” and “The physician” in the Regulation respecting travel and living expenses (chapter A-3.001, r. 8) by “health professional in charge of the worker” and “The health professional”, respectively;

(4) by replacing “attending physician” in the Regulation respecting the standards and tables of personal home assistance (chapter A-3.001, r. 9) by “health professional in charge of the worker”.

95. For the purposes of sections 60 to 64 of the Automobile Insurance Act (chapter A-25), as they read on 31 December 1989, which continue to apply to persons having suffered bodily injury before 1 January 1990 under section 23 of the Act to amend the Automobile Insurance Act and other legislative provisions (1989, chapter 15), the responsibilities assigned to physicians may also be exercised by specialized nurse practitioners.

FINAL PROVISIONS

96. On the expiry of two years from the date of coming into force of section 3, the Ordre des infirmières et des infirmiers du Québec must file a report with the Office des professions du Québec on the implementation of the provisions of this Act. The report must also contain all the information required by the Office. On receiving the report, the Office sends a copy to the minister responsible for the administration of legislation respecting the professions, who submits it to the Government.

The report is tabled in the National Assembly within 30 days after being received by the Government or, if the Assembly is not sitting, within 30 days of resumption.

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

2020, chapter 7

AN ACT MAINLY TO CONTROL THE COST OF THE FARM PROPERTY TAX AND TO SIMPLIFY ACCESS TO THE FARM PROPERTY TAX CREDIT

Bill 48

Introduced by Mr. André Lamontagne, Minister of Agriculture, Fisheries and Food

Introduced 5 November 2019

Passed in principle 13 February 2020

Passed 17 March 2020

Assented to 17 March 2020

Coming into force: 17 March 2020, except

(1) section 8, insofar as it enacts sections 36.0.1 to 36.0.9 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (chapter M-14), section 9, insofar as it repeals Division VII.2 of that Act, sections 10 and 35 and paragraph 1 of section 40, which come into force on the date of coming into force of the first regulation made by the Government for the purposes of section 36.0.1 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, enacted by section 8;

(2) section 8, insofar as it enacts sections 36.0.10 to 36.0.18 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, section 9, insofar as it repeals the provisions of Division VII.1 of that Act other than subparagraphs 3 and 4 of the first paragraph of section 36.2 and section 36.4.1, and sections 11 and 13 to 33, which come into force on 1 January 2021;

(3) section 9, insofar as it repeals subparagraphs 3 and 4 of the first paragraph of section 36.2 and section 36.4.1 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, which comes into force on 1 January 2020.

Legislation amended:

Highway Safety Code (chapter C-24.2)

Act respecting municipal taxation (chapter F-2.1)

Act respecting administrative justice (chapter J-3)

Act respecting La Financière agricole du Québec (chapter L-0.1)

Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (chapter M-14)

(cont'd on next page)

Explanatory notes

This Act amends the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation to replace the terms governing the registration of agricultural operations as well as those regarding the payment of property taxes. It also amends that Act to, among other things, authorize the delegation of the powers and functions of the Minister.

The Act amends the Act respecting municipal taxation to empower the Government to determine by regulation the maximum taxable value of the land of an agricultural operation that is registered and that is included in an agricultural zone, and to introduce a new category of forest immovables.

Lastly, the Act amends the Act respecting La Financière agricole du Québec to facilitate the exchange of the information, including personal information, necessary for the purposes of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation and its regulations or the Act respecting La Financière agricole du Québec.



Chapter 7

AN ACT MAINLY TO CONTROL THE COST OF THE FARM PROPERTY TAX AND TO SIMPLIFY ACCESS TO THE FARM PROPERTY TAX CREDIT

[Assented to 17 March 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE MINISTÈRE DE L'AGRICULTURE, DES
PÊCHERIES ET DE L'ALIMENTATION

1. The Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (chapter M-14) is amended by inserting the following section after section 1:

1.1. The Minister may delegate the exercise of the powers conferred on him by this Act or by another Act under his administration to a person employed by his department.

The Minister may, in writing, authorize the subdelegation of specified powers.

The Minister may also delegate the exercise of such powers to a senior officer of a public agency or to a person employed by that agency, after consulting with its chief executive officer."

2. The heading of Division II before section 7 of the Act is amended by replacing "STAFF" by "ORGANIZATION".

3. Section 8 of the Act is amended

(1) by replacing "deputy minister shall have the supervision of the other officers and employees of the department; he shall manage its current business and exercise such other powers as are assigned to him by the Government" by "Deputy Minister shall administer the department";

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

"The Deputy Minister shall also exercise any other function assigned to him by the Minister or the Government."

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

“12. No deed, document or writing is binding on or attributable to the Minister unless it is signed by the Minister, the Deputy Minister or any other person determined by regulation of the Minister.”

5. Section 13 of the Act is amended by replacing “in the first paragraph of” by “in”.

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

“17.1. The Minister may enter into any agreement to establish the terms and conditions relating to the payment of any amount the Minister is owed.

In the absence of such an agreement, any debt owed to the Minister bears interest at the rate for a debt owed to the State set under section 28 of the Tax Administration Act (chapter A-6.002) from the 30th day following the notification to the debtor of a notice of claim.

The Minister may, after the notification of the notice of claim, offset any amount owed to the Minister against any amount the Minister owes to the debtor.”

7. Section 36 of the Act is repealed.

8. The Act is amended by inserting the following division after section 36:

“DIVISION VII.0.1

“REGISTRATION OF AGRICULTURAL OPERATIONS AND PAYMENT OF PROPERTY TAXES

“36.0.1. An enterprise comprising capital and basic inputs, including at least one immovable used for an agricultural purpose, in a single economic and accounting unit may, in accordance with the terms determined by government regulation, register with the Minister as an agricultural operation.

The main object of registration is to facilitate agricultural operations’ access to measures, programs and services that may be implemented under this Act or under any other Act that is under the Minister’s administration.

A further object of registration is to collect from agricultural operations the information required for the purposes of this Act, including

(1) to evaluate and formulate the Government’s agricultural policy;

(2) to analyze and implement policies, programs or projects, to develop, process or validate economic, statistical or financial reference data or to achieve the integrated management of financial interventions; and

(3) to ascertain eligibility or continued eligibility for a benefit or right granted under this Act or under a program.

“36.0.2. Registration of an agricultural operation must be made using the registration statement prescribed by the Minister, indicating the prescribed information in the statement.

“36.0.3. A registered agricultural operation must, at the intervals and according to the terms determined by government regulation, update its registration in the statement prescribed by the Minister.

“36.0.4. The Minister may revoke the registration of an agricultural operation that applies for revocation or that fails to file an update statement in accordance with a regulation referred to in section 36.0.3.

The Minister may also revoke the registration of an agricultural operation that no longer meets the conditions required to be registered.

The revocation becomes effective on the agricultural operation’s failure to meet any of the conditions required to be registered or failure to file an update statement, or on the receipt of the application for revocation.

“36.0.5. The Minister may, on the application of an agricultural operation, cancel the revocation of its registration for failure to file an update statement provided the application is accompanied by any update statement the agricultural operation failed to file and provided the agricultural operation has, since the revocation, met the other conditions for registration.

The registration is then deemed never to have been revoked.

“36.0.6. A decision of the Minister to refuse an application for registration or to revoke the registration of an agricultural operation that no longer meets the conditions required to be registered other than those pertaining to a failure to file an update statement must be in writing, include reasons, and be notified promptly to the agricultural operation.

“36.0.7. A decision rendered in accordance with section 36.0.6 may, within 60 days of its notification, be the subject of an application for review according to the terms determined by government regulation.

“36.0.8. The application for review must be dealt with promptly. 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 record, unless the person considers it necessary to proceed in some other manner. The person may confirm, quash or vary the decision under review.

The decision must be in writing, include reasons and be notified promptly to the applicant.

“36.0.9. A decision rendered under section 36.0.8 may, within 30 days of its notification, be contested before the Administrative Tribunal of Québec.

“36.0.10. A registered agricultural operation may, according to the terms determined by government regulation, apply to the Minister for payment, for a municipal fiscal year and for the school fiscal year ending in that municipal fiscal year, of an amount equal to the portion, determined in accordance with sections 36.0.13 and 36.0.14, of a municipal and school property tax, of a compensation for municipal services or of a tariff relating to an immovable used for an agricultural purpose that is included in a unit of assessment forming part of the agricultural operation and that is situated in an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

Where the agricultural operation is a producer within the meaning of the Farm Producers Act (chapter P-28), it must have paid, for the year preceding the year for which the application is made, the annual assessment exigible under Division VIII of that Act.

“Immovable” and “property tax” have the meaning assigned by section 1 of the Act respecting municipal taxation (chapter F-2.1) and the compensation for municipal services and tariff relating to an immovable referred to in the first paragraph are those established by a municipal by-law made under section 205 or 244.1 of that Act.

The Government may, by regulation, determine other terms relating to the payment provided for in the first paragraph.

“36.0.11. The right to a payment may, in the cases determined by government regulation, be refused or cancelled where, in the Minister’s opinion, the agricultural operation that filed the application is not operated in compliance with the Environment Quality Act (chapter Q-2) or an environmental protection by-law of a regional county municipality or a local municipality.

Any person entrusted with the application of an environmental protection by-law of a regional county municipality or a local municipality who ascertains that an offence against a provision of those by-laws has been committed must notify the Minister according to the terms determined by government regulation.

“36.0.12. An application for payment must be made using the form prescribed by the Minister, indicating the prescribed information in the form.

“36.0.13. For each immovable used for an agricultural purpose that is included in a unit of assessment for which an application may be made, the amount qualified for payment corresponds to 70% of the amount of the municipal and school property tax, of the compensation for municipal services and tariff applicable to the immovable, multiplied by the qualification rate of the immovable and by the inclusion rate of the taxable value of the unit of assessment.

The qualification rate corresponds to the fraction of the immovable which, in the year preceding the year for which the application is made, formed part of an agricultural operation for which the right to a payment was recognized by the Minister and which was situated in an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

The inclusion rate of the taxable value of the unit of assessment corresponds to the product obtained by multiplying the taxable value of the immovable that, in the year for which the application is made, forms part of a registered agricultural operation and is situated in an agricultural zone by the proportion that the number of days for which the unit of assessment formed part of the agricultural operation and agricultural zone in that year is of the number of days in the year.

For the purposes of the second and third paragraphs, where all or part of a unit of assessment is composed both of immovables belonging to the category of agricultural immovables and of land belonging to the category of forest immovables within the meaning of sections 244.36.0.1 and 244.36.1 of the Act respecting municipal taxation (chapter F-2.1), the two parts are considered to be a unit of assessment consisting entirely of immovables belonging to the category of agricultural immovables.

“36.0.14. In the case of land whose value per hectare exceeds \$1,975, the Minister shall pay, in addition to the amount computed under the first paragraph of section 36.0.13, an amount corresponding to 15% of the amount of municipal property tax based on the value and applicable to the land, multiplied by the fraction of the value per hectare of the land that exceeds \$1,975, by the qualification rate of the land and by the inclusion rate of the taxable value of the unit of assessment that are referred to in section 36.0.13.

As of 1 January 2022, the amount per hectare provided for in the first paragraph shall be indexed by operation of law on 1 January of each year on the basis of the rate corresponding to the annual variation in the Consumer Price Index for Canada as published by Statistics Canada under the Statistics Act (Revised Statutes of Canada, 1985, chapter S-19).

For the purposes of the second paragraph, the annual variation in the Consumer Price Index for a year shall be determined according to the terms prescribed by government regulation. The regulation may prescribe the rules for rounding off the indexed amount.

The Minister shall publish the results of the indexation in the *Gazette officielle du Québec*.

“36.0.15. A decision concerning the right to a payment must be in writing, include reasons and be notified promptly to the applicant.

The decision may, within 60 days of its notification, be the subject of an application for review according to the terms determined by government regulation.

“36.0.16. The Minister shall, without delay, send the local municipality concerned the information necessary for it to compute, for each unit of assessment, the amount qualified for payment under sections 36.0.13 and 36.0.14.

An amount equivalent to the qualified amount is credited by the municipality to the tax account relating to the unit of assessment concerned.

The Minister shall reimburse, on the application of the local municipality, the sum of the amounts credited to all tax accounts.

“36.0.17. If the municipality cannot credit a qualified amount to a tax account, the Minister may pay it directly to the applicant.

If the Minister considers that an amount has been credited to a tax account without entitlement, he may claim a reimbursement of the amount directly from the applicant.

“36.0.18. The Government may, by regulation, determine any other necessary measure for the purposes of this division or any exceptional measure for the purposes of sections 36.0.1 to 36.0.3, the first paragraph of section 36.0.10 and sections 36.0.11, 36.0.13 and 36.0.14.

“36.0.19. The Minister shall send the minister responsible for the administration of the Environment Quality Act (chapter Q-2) and the minister responsible for the administration of the Sustainable Forest Development Act (chapter A-18.1), and obtain from them, any information, including personal information, necessary for the purposes of this division.

“36.0.20. The Minister may, by notification of a notice, require any person to communicate to him, within a reasonable time he determines, any information or document relating to the application of this division.”

9. Divisions VII.1 and VII.2 of the Act, comprising sections 36.1 to 36.16, are repealed.

HIGHWAY SAFETY CODE

10. Section 611.2 of the Highway Safety Code (chapter C-24.2) is amended by replacing “holder of an agricultural operation registration card issued” in the first paragraph by “registered agricultural operation”.

ACT RESPECTING MUNICIPAL TAXATION

11. The Act respecting municipal taxation (chapter F-2.1) is amended by inserting the following section after section 56:

“**56.1.** The roll shall identify every unit of assessment the forest area of which is registered in accordance with section 130 of the Sustainable Forest Development Act (chapter A-18.1).”

12. Section 79 of the Act is amended by replacing “In addition to the local municipality and the municipal body responsible for assessment” in the third paragraph by “In addition to the local municipality, the municipal body responsible for assessment and, in the cases and according to the terms and conditions prescribed by regulation of the Minister, any other municipal body responsible for assessment”.

13. Section 174 of the Act is amended by inserting the following paragraph after paragraph 14:

“(14.1) to take account of the fact that a unit of assessment becomes or ceases to be subject to section 244.36.0.1, or, for the purposes of section 56.1, to add an entry that was unduly omitted or strike out an entry that was unduly included;”.

14. Section 177 of the Act is amended by replacing “14” in the introductory clause of subparagraph 5 of the first paragraph by “14.1”.

15. Section 179 of the Act is amended by adding the following subparagraph at the end of the second paragraph:

“(5) to the minister responsible for the administration of the Sustainable Forest Development Act (chapter A-18.1), if the alteration concerns a unit of assessment the forest area of which is registered in accordance with section 130 of that Act.”

16. Section 220.12 of the Act is amended by replacing “VII.1” by “VII.0.1”.

17. The Act is amended by inserting the following section after section 231.3:

“**231.3.1.** For the purpose of computing any municipal property tax imposed on the whole territory of a municipality, the Government may, on the recommendation of the Minister of Agriculture, Fisheries and Food, determine by regulation, for the duration of a property assessment roll, the terms for establishing the maximum taxable value of the land of any agricultural operation that is registered in accordance with a regulation made under section 36.15 of the Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (chapter M-14) and that is included in an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).”

The provisions of the first paragraph do not apply to parts of land that are forest areas or that are uncultivated, except parts that are used for the harvesting of non-timber forest products or that are intended for that purpose.”

18. Section 244.30 of the Act is amended by inserting the following subparagraph after subparagraph 4 of the first paragraph:

“(4.0.1) the category of forest immovables; and”.

19. Section 244.32 of the Act is amended

(1) by inserting “or other than land the forest area of which is registered in accordance with section 130 of the Sustainable Forest Development Act (chapter A-18.1)” after “l’Alimentation (chapter M-14)” in subparagraph 1 of the second paragraph;

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

“For the purposes of the first paragraph, if the unit of assessment includes immovables included in a registered agricultural operation to which subparagraph 1 of the second paragraph applies or, as the case may be, includes land the forest area of which is referred to in that subparagraph, the portion of the taxable value of the unit that remains after subtracting the taxable value of those immovables and of that land must be taken into consideration rather than the total taxable value of the unit.”

20. Section 244.36 of the Act is amended by inserting the following subparagraph after subparagraph 1 of the fifth paragraph:

“(1.1) a forest area registered in accordance with section 130 of the Sustainable Forest Development Act (chapter A-18.1);”.

21. The Act is amended by inserting the following section after section 244.36:

“244.36.0.1. Every unit of assessment composed exclusively of land the forest area of which is registered in accordance with section 130 of the Sustainable Forest Development Act (chapter A-18.1) belongs to the category of forest immovables, except the part of such land that is used or intended for the purpose of harvesting non-timber forest products and is included in an agricultural operation registered in accordance with a regulation made under section 36.15 of the Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (chapter M-14).

If such land forms only a part of a unit of assessment, that part belongs to the category of forest immovables. For the purposes of any provision of an Act or statutory instrument that applies to a unit belonging specifically to the category of forest immovables or generally to any category provided for in this subdivision, that part is considered to be a whole unit, unless the context indicates otherwise.”

22. Section 244.36.1 of the Act is amended by inserting “, except any land that belongs to the category of forest immovables,” after “l’Alimentation (chapter M-14)” in the first paragraph.

23. Section 244.37 of the Act is amended by replacing “agricultural immovables exists, any part of a unit referred to” in the second paragraph by “forest immovables or, as the case may be, to the category of agricultural immovables exists, any part of a unit referred to in the second paragraph of section 244.36.0.1 or, as the case may be,”.

24. The Act is amended by inserting the following subdivision after section 244.49.0.4:

“E.2. — Rate specific to the category of forest immovables

“244.49.0.5. The rate specific to the category of forest immovables must be equal to or lower than the basic rate.

It may not be lower than 66.6% of that rate.”

25. Section 244.49.1 of the Act is amended by replacing “E.1” in the first paragraph by “E.2”.

26. Section 244.50 of the Act is amended by replacing “section 244.36.1 or” in the second paragraph by “any of sections 244.36.0.1, 244.36.1 and”.

27. Section 244.64.7 of the Act is amended by replacing “244.36.1” in the first paragraph by “244.36.0.1, the second paragraph of section 244.36.1”.

28. Section 253.0.1 of the Act is amended by replacing both occurrences of “VII.1” by “VII.0.1”.

29. Section 253.54.1 of the Act is amended by inserting “, no rate specific to the category of forest immovables provided for in section 244.36.0.1” after “244.35” in the second paragraph.

30. Section 261.1 of the Act is amended by inserting the following paragraph after paragraph 3:

“(3.1) that part of the standardized non-taxable values of the immovables in respect of which a sum must be paid under an assistance program of the Government or of any of its ministers or bodies;”.

31. Section 261.5 of the Act is amended by replacing “included in an agricultural operation registered in accordance with a regulation made under section 36.15 of the Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (chapter M-14)” in the third paragraph by “referred to in section 244.36.0.1 or 244.36.1”.

32. Section 261.5.17 of the Act is amended by replacing “included in an agricultural operation registered in accordance with a regulation made under section 36.15 of the Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (chapter M-14)” in the second paragraph by “referred to in section 244.36.0.1 or 244.36.1”.

33. Section 262 of the Act is amended by adding the following subparagraph at the end of the first paragraph:

“(16) for the purposes of section 231.3.1, determine the terms for establishing the maximum taxable value of the land of any agricultural operation that is registered in accordance with a regulation made under section 36.15 of the Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (chapter M-14) and that is included in an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).”

34. Section 263 of the Act is amended by adding the following subparagraph at the end of the first paragraph:

“(12) determine the cases and manner in which a document referred to in the second paragraph of section 78 may be examined by a municipal body responsible for assessment other than the body that draws up the roll of the local municipality concerned by the document.”

ACT RESPECTING ADMINISTRATIVE JUSTICE

35. Schedule IV to the Act respecting administrative justice (chapter J-3) is amended by replacing paragraph 13 by the following paragraph:

“(13) section 36.0.8 of the Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (chapter M-14);”.

ACT RESPECTING LA FINANCIÈRE AGRICOLE DU QUÉBEC

36. Section 25 of the Act respecting La Financière agricole du Québec (chapter L-0.1) is replaced by the following section:

“25. The agency may exercise any function attributed to it by any other law and may carry out any mandate assigned to it by a minister, a body, a partnership or any other person in any field related to its mission.

It shall also carry out any mandate assigned to it by the Government or the Minister of Agriculture, Fisheries and Food.

The costs of carrying out the mandate shall be borne by the mandator.”

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

“27. The agency shall, at the Minister’s request, communicate to the Minister any information, including personal information, that is necessary for the exercise of the Minister’s functions, in particular

(1) for the purposes of the Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (chapter M-14), its regulations or this Act;

(2) for evaluating and formulating the agricultural policy of the Government;

(3) for analyzing and implementing policies, programs or projects, for developing, processing or validating economic, statistical or financial reference data or for achieving the integrated management of financial interventions; and

(4) for ascertaining the eligibility or continued eligibility of persons or enterprises for a benefit or right granted under those Acts, regulations, policies, programs or projects.

The Minister may, for the purposes listed in the first paragraph, communicate to the agency any information, including personal information, that is necessary for the exercise of the agency’s rights and powers.

The Minister shall prescribe in writing the terms according to which the information is to be communicated, specifying in particular the type of information communicated, the steps taken to ensure confidentiality and the security measures involved, and shall send them to the Commission d’accès à l’information at least 30 days before the information is communicated.

Where the Minister considers it necessary and urgent for the protection of the public interest, the information may be communicated before the expiry of the 30-day time limit provided for in the third paragraph, after a notice to that effect is sent to the Commission d’accès à l’information.”

TRANSITIONAL AND FINAL PROVISIONS

38. Until the date of coming into force of the first regulation made by the Government under section 231.3.1 of the Act respecting municipal taxation (chapter F-2.1), enacted by section 17, for the purpose of computing any municipal property tax imposed on the whole territory of a municipality, the maximum taxable value that must be taken into account in any new property assessment roll drawn up after equilibration under the first paragraph of section 46.1 of the Act respecting municipal taxation is set at \$32,100 per hectare.

When a new roll is drawn up without the equilibration referred to in the first paragraph whereas the preceding roll was drawn up after such equilibration, the maximum taxable value that must be taken into account in the new roll is set at

(1) \$23,300 per hectare, if the preceding assessment roll came into force in 2018;

(2) \$27,600 per hectare, if the preceding assessment roll came into force in 2019; and

(3) \$29,800 per hectare, if the preceding assessment roll came into force in 2020.

39. The Government must, on the recommendation of the Minister of Agriculture, Fisheries and Food and the Minister of Municipal Affairs and Housing, according to the terms it determines, provide for a transitional financial assistance program for municipalities to reduce the fiscal impact resulting directly from the determination, pursuant to section 231.3.1 of the Act respecting municipal taxation, enacted by section 17, of a maximum taxable value entered on a property assessment roll.

The terms determined must, in particular, take into account the level of fiscal impact for the municipalities concerned.

The program is administered by the Minister of Agriculture, Fisheries and Food.

40. Unless the context indicates otherwise, in any Act and in any other document,

(1) a reference to a regulation made under section 36.15 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (chapter M-14) is replaced by a reference to section 36.0.1 of that Act; and

(2) a reference to a provision of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation that is amended by this Act is replaced by a reference to the corresponding provision, as enacted by this Act.

41. The notice of assessment filed in respect of a unit of assessment that includes a parcel of land whose maximum taxable value is determined under section 38 of this Act or under section 231.3.1 of the Act respecting municipal taxation, enacted by section 17 of this Act, must contain an indication of the exemption applicable for the purpose of computing any municipal property tax imposed on the whole territory of a municipality.

The notice of assessment filed in respect of a unit of assessment the forest area of which is registered in accordance with section 130 of the Sustainable Forest Development Act (chapter A-18.1) must contain an indication that the unit or the part of the unit including such an area, as the case may be, belongs to the category of forest immovables provided for in section 244.36.0.1 of the Act respecting municipal taxation, enacted by section 21.

The first and second paragraphs cease to have effect on the date of coming into force of any equivalent provision of a regulation made under paragraph 2 of section 263 of the Act respecting municipal taxation.

42. Sections 11, 13 to 33 and 41 apply for the purposes of any property assessment roll that comes into force after 31 December 2020.

43. Despite section 42, the alterations required to be made to a property assessment roll that is in force on 17 March 2020 and that must apply for the 2021 fiscal year, to take into account the alterations prescribed by the 2020 edition of the *Manuel d'évaluation foncière du Québec* for the conversion of information relating to the tax apportionments applicable to units of assessment including immovables included in an agricultural operation registered in accordance with a regulation made under section 36.15 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, must be made not later than 31 December 2020.

To make only those alterations provided for in the first paragraph, the assessor responsible files a global certificate for all the alterations.

No notice of alteration or copy of such a notice need be sent under section 180 of the Act respecting municipal taxation following alterations made by means of the global certificate.

The clerk or secretary-treasurer of the local municipality whose roll is altered by means of the global certificate must give a public notice, as set out in section 75 of the Act respecting municipal taxation, explaining in a general manner that the roll has been altered pursuant to the first paragraph.

No application for review may be filed and no action to quash or set aside may be brought with regard to alterations made by means of the global certificate.

44. The provisions of this Act come into force on 17 March 2020, except

(1) section 8, insofar as it enacts sections 36.0.1 to 36.0.9 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, section 9, insofar as it repeals Division VII.2 of that Act, sections 10 and 35 and paragraph 1 of section 40, which come into force on the date of coming into force of the first regulation made by the Government for the purposes of section 36.0.1 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, enacted by section 8;

(2) section 8, insofar as it enacts sections 36.0.10 to 36.0.18 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, section 9, insofar as it repeals the provisions of Division VII.1 of that Act other than subparagraphs 3 and 4 of the first paragraph of section 36.2 and section 36.4.1, and sections 11 and 13 to 33, which come into force on 1 January 2021;

(3) section 9, insofar as it repeals subparagraphs 3 and 4 of the first paragraph of section 36.2 and section 36.4.1 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, which comes into force on 1 January 2020.

2020, chapter 8
APPROPRIATION ACT NO. 3, 2019–2020

Bill 58

Introduced by Mr. Christian Dubé, Minister Responsible for Government Administration
and Chair of the Conseil du trésor

Introduced 17 March 2020

Passed in principle 17 March 2020

Passed 17 March 2020

Assented to 17 March 2020

Coming into force: 17 March 2020

Legislation amended: None

Explanatory notes

This Act authorizes the Government to pay out of the general fund of the Consolidated Revenue Fund a sum of \$2,695,573,300.00, representing the 2019–2020 Supplementary Estimates No. 1 to be voted for each of the portfolio programs listed in Schedule 1.

Moreover, the Act carries over the rules applicable to appropriations already voted in the 2019–2020 fiscal year, which establish the measure under which the Conseil du trésor may authorize the transfer of appropriations between programs or portfolios.

Lastly, the Act approves the forecast additional expenditures of the special funds listed in Schedule 2.



Chapter 8

APPROPRIATION ACT NO. 3, 2019–2020

[Assented to 17 March 2020]

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 \$2,695,573,300.00 for the payment of the supplementary estimates of Québec tabled in the National Assembly for the 2019–2020 fiscal year, for which provision has not otherwise been made, being the amount of the appropriations to be voted for each of the programs listed in Schedule 1.

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 this end, for the purposes of and, where applicable, according to the conditions described in the supplementary estimates tabled in the National Assembly.

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 forecast additional expenditures for the special funds listed in Schedule 2 are approved for the 2019–2020 fiscal year.

4. This Act comes into force on 17 March 2020.

SCHEDULE 1

AFFAIRES MUNICIPALES ET HABITATION

PROGRAM 3

Compensation in Lieu of Taxes and Support to Municipalities	148,000,000.00
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PROGRAM 5

Promotion and Development of Greater Montréal	200,000,000.00
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	348,000,000.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

PROGRAM 2

Support for Government Operations	400,000,000.00
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PROGRAM 5

Contingency Fund	500,000,000.00
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	900,000,000.00
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ÉCONOMIE ET INNOVATION

PROGRAM 3

Development of Science, Research and Innovation	73,000,000.00
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PROGRAM 4

Economic Development Fund Interventions	603,000,000.00
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	676,000,000.00

ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

PROGRAM 8

School Taxes – Regional Balancing	
Subsidy	232,935,100.00
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	232,935,100.00

ÉNERGIE ET RESSOURCES NATURELLES

PROGRAM 1

Management of Natural Resources	43,200,000.00
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	43,200,000.00

FAMILLE

PROGRAM 3

Childcare Services

90,438,200.00

90,438,200.00

SANTÉ ET SERVICES SOCIAUX

PROGRAM 2

Services to the Public

225,000,000.00

225,000,000.00

TRANSPORTS

PROGRAM 1

Infrastructures and Transportation
Systems

180,000,000.00

180,000,000.00

2,695,573,300.00

SCHEDULE 2

SPECIAL FUNDS

ÉCONOMIE ET INNOVATION

ECONOMIC DEVELOPMENT FUND

Forecast Additional Expenditures	603,000,000.00
	<hr/> 603,000,000.00

FAMILLE

EDUCATIONAL CHILDCARE
SERVICES FUND

Forecast Additional Expenditures	90,438,200.00
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	90,438,200.00

TRANSPORTS

LAND TRANSPORTATION
NETWORK FUND

Forecast Additional Expenditures	<u>180,000,000.00</u>	
	180,000,000.00	
		<u>873,438,200.00</u>

2020, chapter 9
APPROPRIATION ACT NO. 2, 2020–2021

Bill 62

Introduced by Mr. Christian Dubé, Minister Responsible for Government Administration and Chair of the Conseil du trésor

Introduced 26 May 2020

Passed in principle 26 May 2020

Passed 26 May 2020

Assented to 27 May 2020

Coming into force: 27 May 2020

Legislation amended: None

Explanatory notes

This Act authorizes the Government to pay out of the general fund of the Consolidated Revenue Fund, for the 2020–2021 fiscal year, a sum not exceeding \$11,441,294,550.00, representing appropriations to be voted for each of the portfolio programs listed in Schedule 1.

The Act provides that this amount, as well as the amount of \$5,737,741,450.00 provided for in the special warrant issued under section 51 of the Public Administration Act, are to be apportioned according to the amounts shown 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.

The Act also approves expenditure forecasts for a total of \$2,454,034,136.00 and investment forecasts for a total of \$663,076,800.00, representing the expenditure forecasts and the investment forecasts for the special funds listed in Schedule 2.

Lastly, the Act provides that these amounts, as well as the amounts of \$1,227,054,564.00 for expenditures and \$331,538,400.00 for investments provided for in the special warrant issued under section 51 of the Public Administration Act, are to be apportioned according to the amounts shown in Schedule 2.



Chapter 9

APPROPRIATION ACT NO. 2, 2020–2021

[Assented to 27 May 2020]

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 \$11,441,294,550.00 to defray a part of the Expenditure Budget of Québec tabled in the National Assembly for the 2020–2021 fiscal year.

This maximum sum, as well as an amount of \$5,737,741,450.00 provided for in the special warrant No. 1-2020–2021, issued on 8 April 2020, are to be apportioned according to the amounts shown in Schedule 1 to this Act, for each of the various programs listed in that schedule, despite Schedule 1 of the special warrant.

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 forecasts for the special funds listed in Schedule 2 are approved for the 2020–2021 fiscal year. These sums are constituted as follows:

(1) a portion of \$2,454,034,136.00, representing the expenditure forecasts in the 2020–2021 Special Funds Budget; and

(2) a portion of \$663,076,800.00, representing the investment forecasts in the 2020–2021 Special Funds Budget.

These maximum sums, as well as an amount of \$1,227,054,564.00 for expenditures and an amount of \$331,538,400.00 for investments provided for in the special warrant No. 1-2020–2021, issued on 8 April 2020, are to be apportioned according to the amounts shown in Schedule 2, for each of the special funds listed in that schedule.

4. Despite sections 86 and 92 of the Financial Administration Act (chapter A-6.001), the statement of expenditures and other costs associated with the special warrant referred to in sections 1 and 3 is part of the detailed accountability reporting with respect to each of the programs concerned in accordance with the Expenditure Budget tabled in the National Assembly by the Chair of the Conseil du trésor for the 2020–2021 fiscal year, as well as with respect to each of the special funds.

5. This Act comes into force on 27 May 2020.

SCHEDULE 1

GENERAL FUND

AFFAIRES MUNICIPALES ET HABITATION

PROGRAM 1

Support for Departmental Activities	14,871,325.00
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PROGRAM 2

Municipal Infrastructure Modernization	108,400,650.00
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PROGRAM 3

Compensation in Lieu of Taxes and Support to Municipalities	137,379,450.00
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PROGRAM 4

Development of the Regions and Territories	63,664,200.00
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PROGRAM 5

Promotion and Development of Greater Montréal	10,558,300.00
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PROGRAM 6

Commission municipale du Québec	3,007,625.00
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PROGRAM 7

Housing	208,266,775.00
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	546,148,325.00

AGRICULTURE, PÊCHERIES ET ALIMENTATION

PROGRAM 1

Bio-food Business Development, Training and Food Quality	141,028,900.00
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PROGRAM 2

Government Bodies	109,292,075.00
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	250,320,975.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

PROGRAM 1

Support for the Conseil du trésor	25,724,500.00
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PROGRAM 2

Support for Government Operations	61,074,350.00
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PROGRAM 3

Commission de la fonction publique	1,477,675.00
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PROGRAM 4

Retirement and Insurance Plans	1,111,125.00
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PROGRAM 5

Contingency Fund	527,349,050.00
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	616,736,700.00
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CONSEIL EXÉCUTIF

PROGRAM 1

Lieutenant-Governor's Office	189,600.00
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PROGRAM 2

Support Services for the Premier and the Conseil exécutif	25,234,925.00
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PROGRAM 3

Canadian Relations	3,966,250.00
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PROGRAM 4

Indigenous Affairs	84,400,925.00
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PROGRAM 5

Youth	13,410,150.00
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PROGRAM 6

Access to Information and Reform of Democratic Institutions	2,544,375.00
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PROGRAM 7

Relations with English-speaking Quebecers	30,075.00
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129,776,300.00

CULTURE ET COMMUNICATIONS

PROGRAM 1

Management, Administration and Mission Support	16,479,675.00
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PROGRAM 2

Support and Development of Culture, Communications and Heritage	199,133,925.00
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	215,613,600.00

ÉCONOMIE ET INNOVATION

PROGRAM 1

Management and Administration	8,117,275.00
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PROGRAM 2

Economic Development	83,699,150.00
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PROGRAM 3

Development of Science, Research and Innovation	65,069,875.00
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PROGRAM 4

Economic Development Fund Interventions	68,387,025.00
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PROGRAM 5

Research and Innovation Bodies	53,810,950.00
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	279,084,275.00

ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

PROGRAM 1	
Administration	66,305,300.00
PROGRAM 2	
Support for Organizations	31,678,500.00
PROGRAM 3	
Financial Assistance for Education	243,679,225.00
PROGRAM 4	
Preschool, Primary and Secondary Education	2,967,167,425.00
PROGRAM 5	
Higher Education	1,611,877,000.00
PROGRAM 6	
Development of Recreation and Sports	27,081,350.00
PROGRAM 8	
School Taxes – Fiscal Balancing Subsidy	318,122,125.00
PROGRAM 9	
Status of Women	6,081,650.00
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	5,271,992,575.00

ÉNERGIE ET RESSOURCES NATURELLES

PROGRAM 1

Management of Natural Resources	36,448,375.00
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	36,448,375.00

ENVIRONNEMENT ET LUTTE CONTRE LES CHANGEMENTS
CLIMATIQUES

PROGRAM 1

Environmental Protection	72,292,875.00
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PROGRAM 2

Bureau d'audiences publiques sur l'environnement	1,500,200.00
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	73,793,075.00

FAMILLE

PROGRAM 1

Planning, Research and Administration	14,070,250.00
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PROGRAM 2

Assistance Measures for Families	33,093,350.00
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PROGRAM 3

Childcare Services	607,624,975.00
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PROGRAM 4

Public Curator	16,875,750.00
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671,664,325.00

FINANCES

PROGRAM 1

Management and Administration	8,177,350.00
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PROGRAM 2

Economic, Taxation, Budgetary and Financial Activities	13,576,175.00
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PROGRAM 3

Contributions, Bank Service Fees and Provisions for Transferring Appropriations	23,930,175.00
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	45,683,700.00
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FORÊTS, FAUNE ET PARCS

PROGRAM 1

Management and Administration	2,144,150.00
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PROGRAM 2

Management of Forest Resources	95,852,025.00
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PROGRAM 3

Management of Wildlife Resources and Parks	44,545,925.00
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	142,542,100.00
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IMMIGRATION, FRANCISATION ET INTÉGRATION

PROGRAM 1

Management and Support for Departmental Activities	11,921,425.00
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PROGRAM 2

Immigration, Francization and Integration	124,923,425.00
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PROGRAM 3

French Language	10,621,100.00
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	147,465,950.00

JUSTICE

PROGRAM 1

Administration of Justice	100,798,525.00
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PROGRAM 2

Judicial Activity	9,519,800.00
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PROGRAM 3

Administrative Justice	4,469,050.00
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PROGRAM 5

Other Bodies Reporting to the Minister	51,124,450.00
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PROGRAM 6

Criminal and Penal Prosecutions	44,840,875.00
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	210,752,700.00
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PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

PROGRAM 1

The Public Protector	4,601,225.00
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PROGRAM 2

The Auditor General	8,826,700.00
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PROGRAM 4

The Lobbyists Commissioner	1,587,525.00
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	15,015,450.00
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RELATIONS INTERNATIONALES ET FRANCOPHONIE

PROGRAM 1

Management and Administration	4,942,700.00
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PROGRAM 2

International Affairs	24,800,225.00
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	29,742,925.00
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SANTÉ ET SERVICES SOCIAUX

PROGRAM 1

Coordination Functions	45,275,550.00
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PROGRAM 2

Services to the Public	6,571,386,750.00
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PROGRAM 3

Office des personnes handicapées du Québec	3,514,875.00
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PROGRAM 5

Status of Seniors	8,613,500.00
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	6,628,790,675.00
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SÉCURITÉ PUBLIQUE

PROGRAM 1

Management and Administration	19,903,575.00
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PROGRAM 2

Services of the Sûreté du Québec	180,479,125.00
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PROGRAM 3

Management of the Correctional System	135,450,100.00
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PROGRAM 4

Security and Prevention	42,321,150.00
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PROGRAM 5

Scientific and Forensic Expertise	5,683,400.00
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PROGRAM 6

Management and Oversight	13,227,700.00
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PROGRAM 7

Promotion and Development of the Capitale-Nationale	17,607,050.00
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	414,672,100.00

TOURISME

PROGRAM 1

Management, Administration and program Management	4,077,150.00
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PROGRAM 2

Tourism Development	12,457,025.00
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PROGRAM 3

Bodies Reporting to the Minister	25,363,325.00
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	41,897,500.00

TRANSPORTS

PROGRAM 1

Infrastructures and Transportation Systems	285,262,825.00
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PROGRAM 2

Administration and Corporate Services	15,927,400.00
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	301,190,225.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

PROGRAM 1

Governance, Administration and Client Services	141,890,075.00
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PROGRAM 2

Financial Assistance Measures	751,447,725.00
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PROGRAM 3

Employment Assistance Measures	216,366,350.00
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	1,109,704,150.00
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	17,179,036,000.00
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SCHEDULE 2

SPECIAL FUNDS

AFFAIRES MUNICIPALES ET HABITATION

REGIONS AND RURALITY FUND

Expenditure Forecast	<u>65,291,350.00</u>
SUBTOTAL	
Expenditure Forecast	65,291,350.00

CULTURE ET COMMUNICATIONS

AVENIR MÉCÉNAT CULTURE
FUND

Expenditure Forecast	1,281,100.00
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QUÉBEC CULTURAL HERITAGE
FUND

Expenditure Forecast	<u>7,907,500.00</u>
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SUBTOTAL

Expenditure Forecast	9,188,600.00
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ÉCONOMIE ET INNOVATION

NATURAL RESOURCES AND
ENERGY CAPITAL FUND

Expenditure Forecast	42,750.00
Investment Forecast	123,923,750.00

ECONOMIC DEVELOPMENT
FUND

Expenditure Forecast	106,807,275.00
Investment Forecast	161,839,750.00

QUÉBEC ENTERPRISE GROWTH
FUND

Expenditure Forecast	37,500.00
Investment Forecast	25,000,000.00

SUBTOTALS

Expenditure Forecast	106,887,525.00
Investment Forecast	310,763,500.00

ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

SPORTS AND PHYSICAL ACTIVITY
DEVELOPMENT FUND

Expenditure Forecast	23,271,775.00
Investment Forecast	35,749,975.00

UNIVERSITY EXCELLENCE AND
PERFORMANCE FUND

Expenditure Forecast	<u>6,250,000.00</u>
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SUBTOTALS

Expenditure Forecast	29,521,775.00
Investment Forecast	35,749,975.00

ÉNERGIE ET RESSOURCES NATURELLES

NATURAL RESOURCES FUND

Expenditure Forecast	10,966,575.00
Investment Forecast	150,000.00

ENERGY TRANSITION FUND

Expenditure Forecast	322,900.00
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TERRITORIAL INFORMATION
FUND

Expenditure Forecast	29,475,550.00
Investment Forecast	13,932,800.00

SUBTOTALS

Expenditure Forecast	40,765,025.00
Investment Forecast	14,082,800.00

ENVIRONNEMENT ET LUTTE CONTRE LES CHANGEMENTS
CLIMATIQUES

FUND FOR THE PROTECTION OF
THE ENVIRONMENT AND
THE WATERS IN THE DOMAIN
OF THE STATE

Expenditure Forecast	9,164,875.00
Investment Forecast	50,000.00

GREEN FUND

Expenditure Forecast	284,700,600.00
Investment Forecast	823,000.00

SUBTOTALS

Expenditure Forecast	293,865,475.00
Investment Forecast	873,000.00

FAMILLE

EDUCATIONAL CHILDCARE
SERVICES FUND

Expenditure Forecast	<u>662,524,975.00</u>
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SUBTOTAL

Expenditure Forecast	662,524,975.00
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FINANCES

FINANCING FUND

Expenditure Forecast	697,400.00
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CANNABIS SALES REVENUE
FUND

Expenditure Forecast	24,562,675.00
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NORTHERN PLAN FUND

Expenditure Forecast	24,969,400.00
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FUND OF THE FINANCIAL
MARKETS ADMINISTRATIVE
TRIBUNAL

Expenditure Forecast	936,925.00
Investment Forecast	3,519,500.00

TAX ADMINISTRATION FUND

Expenditure Forecast	<u>256,191,450.00</u>
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SUBTOTALS

Expenditure Forecast	307,357,850.00
Investment Forecast	3,519,500.00

FORÊTS, FAUNE ET PARCS

NATURAL RESOURCES FUND –
SUSTAINABLE FOREST
DEVELOPMENT COMPONENT

Expenditure Forecast	146,725,325.00
Investment Forecast	4,562,475.00
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SUBTOTALS

Expenditure Forecast	146,725,325.00
Investment Forecast	4,562,475.00

JUSTICE

ACCESS TO JUSTICE FUND

Expenditure Forecast	4,963,700.00
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CRIME VICTIMS ASSISTANCE FUND

Expenditure Forecast	8,587,550.00
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REGISTER FUND OF THE MINISTÈRE
DE LA JUSTICE

Expenditure Forecast	14,866,350.00
Investment Forecast	814,250.00

FUND OF THE ADMINISTRATIVE
TRIBUNAL OF QUÉBEC

Expenditure Forecast	11,607,050.00
Investment Forecast	511,925.00

PUBLIC CONTRACTS FUND

Expenditure Forecast	<u>1,925.00</u>
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SUBTOTALS

Expenditure Forecast	40,026,575.00
Investment Forecast	1,326,175.00

SANTÉ ET SERVICES SOCIAUX

CANNABIS PREVENTION AND
RESEARCH FUND

Expenditure Forecast	18,175,000.00
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CAREGIVER SUPPORT FUND

Expenditure Forecast	4,495,000.00
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HEALTH AND SOCIAL SERVICES
INFORMATION RESOURCES FUND

Expenditure Forecast	80,131,625.00
Investment Forecast	28,435,400.00

SUBTOTALS

Expenditure Forecast	102,801,625.00
Investment Forecast	28,435,400.00

SÉCURITÉ PUBLIQUE

CAPITALE-NATIONALE REGION
FUND

Expenditure Forecast	37,500.00
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POLICE SERVICES FUND

Expenditure Forecast	179,498,500.00
Investment Forecast	4,341,450.00

SUBTOTALS

Expenditure Forecast	179,536,000.00
Investment Forecast	4,341,450.00

TOURISME

TOURISM PARTNERSHIP FUND

Expenditure Forecast	55,058,625.00
Investment Forecast	298,500.00
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SUBTOTALS

Expenditure Forecast	55,058,625.00
Investment Forecast	298,500.00

TRANSPORTS

AIR SERVICE FUND

Expenditure Forecast	19,459,375.00
Investment Forecast	2,175,000.00

ROLLING STOCK MANAGEMENT
FUND

Expenditure Forecast	33,644,975.00
Investment Forecast	13,803,525.00

HIGHWAY SAFETY FUND

Expenditure Forecast	11,331,100.00
Investment Forecast	49,375.00

LAND TRANSPORTATION
NETWORK FUND

Expenditure Forecast	1,185,369,375.00
Investment Forecast	568,101,025.00

SUBTOTALS

Expenditure Forecast	1,249,804,825.00
Investment Forecast	584,128,925.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

ASSISTANCE FUND FOR
INDEPENDENT COMMUNITY
ACTION

Expenditure Forecast	10,219,325.00
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LABOUR MARKET DEVELOPMENT
FUND

Expenditure Forecast	317,466,325.00
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GOODS AND SERVICES FUND

Expenditure Forecast	30,446,975.00
Investment Forecast	698,500.00

INFORMATION TECHNOLOGY
FUND OF THE MINISTÈRE
DE L'EMPLOI ET DE LA
SOLIDARITÉ SOCIALE

Expenditure Forecast	5,485,400.00
Investment Forecast	5,100,000.00

ADMINISTRATIVE LABOUR
TRIBUNAL FUND

Expenditure Forecast	20,161,600.00
Investment Forecast	735,000.00

FONDS QUÉBÉCOIS D'INITIATIVES
SOCIALES

Expenditure Forecast	<u>7,953,525.00</u>
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SUBTOTALS

Expenditure Forecast	391,733,150.00
Investment Forecast	6,533,500.00

TOTALS

Expenditure Forecast	3,681,088,700.00
Investment Forecast	994,615,200.00

2020, chapter 10

AN ACT RESPECTING THE SOCIÉTÉ DE DÉVELOPPEMENT ET DE MISE EN VALEUR DU PARC OLYMPIQUE

Bill 15

Introduced by Madam Caroline Proulx, Minister of Tourism

Introduced 28 May 2019

Passed in principle 19 September 2019

Passed 2 June 2020

Assented to 2 June 2020

Coming into force: 1 November 2020

Legislation amended:

Financial Administration Act (chapter A-6.001)

Act respecting the governance of state-owned enterprises (chapter G-1.02)

Hydro-Québec Act (chapter H-5)

Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)

Act respecting the Government and Public Employees Retirement Plan (chapter R-10)

Act respecting the Pension Plan of Management Personnel (chapter R-12.1)

Legislation replaced:

Act respecting the Régie des installations olympiques (chapter R-7)

Regulations repealed:

Regulation respecting leases and leasing and concession contracts of the Régie des installations olympiques (chapter R-7, r. 1)

Regulation respecting contracts for the alienation of surplus movable property (chapter R-7, r. 2)

Explanatory notes

This Act establishes the Société de développement et de mise en valeur du Parc olympique, which replaces the Régie des installations olympiques.

Under the Act, the Société's mission is to develop, manage, promote and operate the Olympic Park and highlight the Olympic heritage and legacy.

Among other things, the Act allows the Société to provide services related to its expertise and experience.

(cont'd on next page)

Explanatory notes *(cont'd)*

The Act establishes the Société's organizational and operational rules, including those regarding the composition of its board of directors and the governance measures the Société is required to implement in constituting a capital expenditures committee, in particular. Rules for the Société's financing, accounts and reports are also established.

Lastly, the Act includes the transitional and consequential provisions required, among other things, to create the Société.



Chapter 10

AN ACT RESPECTING THE SOCIÉTÉ DE DÉVELOPPEMENT ET DE MISE EN VALEUR DU PARC OLYMPIQUE

[Assented to 2 June 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

CONSTITUTION

1. The Société de développement et de mise en valeur du Parc olympique (Société) is established.

The Société may be designated as “Olympic Park”.

2. The Société is a legal person and a mandatary of the State.

The Société’s property forms part of the domain of the State, but the execution of the Société’s obligations may be levied against its property.

The Société binds none but itself when it acts in its own name.

3. The Société has its head office in the territory of Ville de Montréal. A notice of the location of the head office, and of any change in its location, must be published in the *Gazette officielle du Québec*.

CHAPTER II

MISSION AND POWERS

4. The Société’s mission is

(1) to develop, manage, promote and operate the Olympic Park, in particular to allow sports, cultural and community events, exhibitions, as well as tourist and recreational activities to be held there, in complementarity with its partners and the surrounding community; and

(2) to highlight the Olympic heritage and legacy.

The Société carries out its mission taking into account the sustainable development principles set out in the Sustainable Development Act (chapter D-8.1.1).

For the purposes of this Act, the Olympic Park includes the Olympic Stadium, the Montréal Tower, the Esplanade and any other immovable owned by the Société and located within the geographic area bounded by Sherbrooke street and Pierre-De Coubertin avenue, and Pie-IX boulevard and Viau street.

5. In pursuing its development, management, promotion and operation mission, the Société's functions are to seek out, in particular through missions and participation in exhibitions and trade shows, in Québec, elsewhere in Canada and abroad, cultural productions, sports events and any other type of event that could be held at the Olympic Park and, if applicable, to collaborate in developing and holding such events.

6. In pursuing its enhancement mission, the Société's functions are

(1) to protect, maintain and enhance the Olympic Park's heritage, in particular the architectural and historical heritage, including its technical components;

(2) to maintain and improve the Olympic Park's infrastructures and the capacity to use the Olympic Park's facilities; and

(3) to promote the Olympic heritage.

7. The Société may provide services related to its expertise and the experience it has acquired in the fields in which it carries out its activities.

8. The Société carries out any other mandate entrusted to it by the Government.

9. In pursuing its mission, as provided by law, the Société may enter into agreements with governments other than that of Québec, with departments or bodies of such governments or with international organizations or bodies of such organizations.

The Société may, for the same purpose, enter into agreements with departments or bodies of the Gouvernement du Québec, as well as any person, partnership or body, and participate in joint projects with them.

10. The Société may, with Government authorization, acquire or establish any subsidiary that may be useful in pursuing its mission.

A subsidiary has the same powers as the Société in exercising its functions.

11. For the purposes of this Act, a legal person or partnership controlled by the Société is a subsidiary of the Société.

A legal person is controlled by the Société when the Société holds, directly or through legal persons it controls, more than 50% of the voting rights attached to the legal person's equity securities or is in a position to elect a majority of its directors.

A partnership is controlled by the Société when the Société holds, directly or through legal persons it controls, more than 50% of the equity securities. However, a limited partnership is controlled by the Société when the Société or a legal person it controls is a general partner of the partnership.

12. Subject to the provisions of a collective agreement, subsidiaries of the Société shall determine the standards and scales of remuneration, employment benefits and other conditions of employment of their staff members in accordance with the conditions approved by the Government.

13. The Société or a subsidiary of the Société may not, without the Government's authorization,

(1) contract loans that cause its total current outstanding loans to exceed the amount determined by the Government;

(2) make financial commitments in excess of the limits determined by the Government;

(3) alienate immovables that are part of the Olympic Park;

(4) acquire, hold or dispose of assets, other than those referred to in subparagraph 3, in excess of the limits determined by the Government; or

(5) accept gifts or legacies to which charges or conditions are attached.

The Government may make its authorization subject to the conditions it determines.

The amounts, limits and conditions determined under this section may also apply to the group formed by the Société and its subsidiaries or to one or more members of that group.

However, Government authorization is not required in the case of transactions between the Société and its subsidiaries, or between subsidiaries.

14. The designation "Olympic Park" may not be used in Québec to designate an immovable, business, body or territory of any kind without permission in writing from the Société.

CHAPTER III**ORGANIZATION AND OPERATION****DIVISION I****BOARD OF DIRECTORS**

15. The Société is administered by a board of directors composed of 13 members, including the chair of the board and the president and chief executive officer.

16. The Government appoints the members of the board of directors, other than the chair and the president and chief executive officer, based on expertise and experience profiles approved by the board.

Those members, of whom one is appointed after consultation with Ville de Montréal and the councils of the boroughs adjacent to the Olympic Park and at least two others are appointed after consultation with bodies the Minister considers representative of the sectors concerned by the Société's mission, are appointed for a term of up to four years.

Two of the members appointed after consultation with bodies the Minister considers representative of the sectors concerned by the Société's mission must come from the tourism, business, sports, cultural or community sectors.

17. The Government appoints the chair of the board of directors for a term of up to five years.

18. The members of the board of directors, other than the president and chief executive officer, are not remunerated, except in the cases, on the conditions and to the extent that may be determined by the Government. However, they are entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

19. The Government appoints the president and chief executive officer on the recommendation of the board of directors, 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.

20. The Government determines the remuneration, employee benefits and other conditions of employment of the president and chief executive officer.

21. If the board of directors does not recommend a candidate for the position of president and chief executive officer in accordance with section 19 within a reasonable time, the Government may appoint the president and chief executive officer after notifying the board members.

22. If the president and chief executive officer is absent or unable to act, the board of directors may designate a Société staff member to provisionally exercise the duties of that position.

23. When their term expires, members of the board of directors remain in office until they are replaced or reappointed.

24. Vacancies on the board of directors are filled in accordance with the rules of appointment to the board.

Absence from the number of board meetings determined by the Société's internal by-laws constitutes a vacancy, in the cases and circumstances indicated in the by-laws.

25. The quorum at board meetings is the majority of the members, including the president and chief executive officer or the chair of the board of directors.

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.

A vote by board members may be held using any means of communication enabling votes to be cast in a way that both allows the votes to be verified afterwards and protects the secrecy of the ballot, where such a ballot has been requested.

26. The Société's board of directors may hold its meetings anywhere in Québec.

27. Unless otherwise provided in the internal by-laws, the board members may, if all consent, participate in board meetings by means of equipment enabling all participants to communicate directly with one another. In such cases, they are deemed to be present at the meeting.

28. The minutes of board meetings, approved by the board and certified true by the chair, the president and chief executive officer or any other person so authorized by the Société's internal by-laws, are authentic, as are the documents and copies emanating from the Société or forming part of its records, provided they are signed or certified true by one of those persons.

29. No document binds the Société or may be attributed to it unless it is signed by the chair of the board of directors, the president and chief executive officer or, to the extent determined in the Société's internal by-laws, by a Société staff member.

The internal by-laws may provide for subdelegating the power to sign acts and documents and determine particulars as to how that power is to be exercised.

Unless otherwise provided in the internal by-laws, a signature may be affixed on a document by any means, including any technology-based process.

By-laws made under this section are published in the *Gazette officielle du Québec*.

30. The Société may, in its internal by-laws, provide for its internal management and, in particular, 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 internal by-laws may also provide for delegating the powers of the board of directors to a Société staff member.

DIVISION II

CAPITAL EXPENDITURES COMMITTEE

31. In addition to the committees it must establish under the Act respecting the governance of state-owned enterprises (chapter G-1.02), the board of directors must establish a capital expenditures committee.

The capital expenditures committee must include members who have expertise in project management, architecture, engineering, construction, and major works maintenance, as well as heritage and urban planning.

32. The duties of the capital expenditures committee are as follows:

(1) in the context of infrastructure asset maintenance projects and projects to eliminate the asset infrastructure maintenance deficit that the Société qualifies as major,

(a) follow up on the projects' progress the entire time they are being carried out and report on that follow-up, in writing, to the board of directors; and

(b) study all files related to the projects;

(2) examine the capital expenditures plan and annual budget estimates for maintaining and upgrading Olympic Park infrastructures, recommend that the board of directors approve them and monitor them;

(3) follow up on the board of directors' decisions regarding all Olympic Park infrastructure construction, maintenance and upgrading projects;

(4) examine contracts related to capital expenditures and recommend that the board of directors approve them;

(5) study all files related to maintenance and security of the Société's facilities and recommend any decision in that regard to the board of directors;

(6) examine files on leasing spaces involving leasehold improvements that require major investments or commitments of a technical nature and make recommendations to the board of directors in that regard;

(7) follow up on the Société's sustainable development action plan with regard to protection of the immovable heritage and to infrastructure construction, maintenance and upgrading activities; and

(8) carry out any other mandate entrusted to it by the board of directors.

DIVISION III

SECRETARY GENERAL AND OTHER STAFF MEMBERS

33. The secretary general and other Société staff members are appointed in accordance with the staffing plan established by the board of directors.

Subject to the provisions of a collective agreement, the Société determines the standards and scales of remuneration, employee benefits and other conditions of employment in accordance with the conditions defined by the Government.

34. A member of the Société's staff who has a direct or indirect interest in a business causing the staff member's personal interest to conflict with that of the Société must, on pain of dismissal, disclose the interest in writing to the president and chief executive officer.

Where applicable, the disclosure must be made at the time the member takes office, and promptly if such an interest appears while the member is employed by the Société.

CHAPTER IV

FINANCIAL PROVISIONS, ACCOUNTS AND REPORTS

35. The Société finances its activities out of the revenue it derives from the duties, fees, dues and other types of remuneration it collects and the other monies to which it is entitled.

36. Each year, the Société must submit its budget estimates for the following fiscal year to the Minister, according to the form, content and schedule determined by the Minister.

The budget estimates require the Government's approval.

37. The Government may, subject to the terms and conditions it determines,

(1) guarantee payment of the principal of and interest on any loan contracted by the Société or one of its subsidiaries and the performance of its obligations; and

(2) authorize the Minister of Finance to advance to the Société or one of its subsidiaries any amount considered necessary for pursuing its mission.

The sums required for the purposes of this section are taken out of the Consolidated Revenue Fund.

38. The Société's fiscal year ends on 31 March.

39. Not later than 30 September each year, the Société must submit its financial statements and a report on its activities for the previous fiscal year to the Minister.

The financial statements and activity report must contain all the information required by the Minister and be accompanied by the separate financial statements of each of the Société's subsidiaries.

40. The Minister must table the Société's financial statements and activity report as well as the separate financial statements of each of its subsidiaries in the National Assembly within 15 days of receiving them or, if the Assembly is not sitting, within 15 days of resumption.

41. The Société's books and accounts must be audited by the Auditor General every year and whenever the Government so orders.

The Auditor General's report must be attached to the financial statements.

42. The strategic plan established by the Société under section 34 of the Act respecting the governance of state-owned enterprises must include the activities of its subsidiaries.

43. The Société must give the Minister any information the Minister requires concerning the Société or its subsidiaries.

CHAPTER V

AMENDING PROVISIONS

FINANCIAL ADMINISTRATION ACT

44. Schedule 2 to the Financial Administration Act (chapter A-6.001) is amended

(1) by striking out "Régie des installations olympiques";

(2) by inserting “Société de développement et de mise en valeur du Parc olympique” in alphabetical order.

ACT RESPECTING THE GOVERNANCE OF STATE-OWNED ENTERPRISES

45. Schedule I to the Act respecting the governance of state-owned enterprises (chapter G-1.02) is amended

(1) by striking out “Régie des installations olympiques”;

(2) by inserting “Société de développement et de mise en valeur du Parc olympique” in alphabetical order.

HYDRO-QUÉBEC ACT

46. Section 39.12 of the Hydro-Québec Act (chapter H-5) is repealed.

ACT RESPECTING THE PROCESS OF NEGOTIATION OF THE COLLECTIVE AGREEMENTS IN THE PUBLIC AND PARAPUBLIC SECTORS

47. Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) is amended

(1) by striking out “— The Régie des installations olympiques”;

(2) by inserting “— The Société de développement et de mise en valeur du Parc olympique” in alphabetical order.

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

48. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended

(1) by striking out “Régie des installations olympiques” in paragraphs 1 and 3;

(2) by inserting “Société de développement et de mise en valeur du Parc olympique” in paragraphs 1 and 3 in alphabetical order.

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

49. Schedule II to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended

(1) by striking out “Régie des installations olympiques” in paragraphs 1 and 4;

(2) by inserting “Société de développement et de mise en valeur du Parc olympique” in paragraphs 1 and 4 in alphabetical order.

REGULATION RESPECTING LEASES AND LEASING AND CONCESSION CONTRACTS OF THE RÉGIE DES INSTALLATIONS OLYMPIQUES

50. The Regulation respecting leases and leasing and concession contracts of the Régie des installations olympiques (chapter R-7, r. 1) is repealed.

REGULATION RESPECTING CONTRACTS FOR THE ALIENATION OF SURPLUS MOVABLE PROPERTY

51. The Regulation respecting contracts for the alienation of surplus movable property (chapter R-7, r. 2) is repealed.

CHAPTER VI

TRANSITIONAL AND FINAL PROVISIONS

52. The Société de développement et de mise en valeur du Parc olympique replaces the Régie des installations olympiques, acquires its rights and assumes its obligations.

53. The Société becomes, without continuance of suit, a party to all proceedings to which the Régie des installations olympiques was a party.

54. Publication in the land register is not required for the rights and obligations that have become those of the Société under section 52.

However, the Société may, with regard to an immovable for which it holds a right of ownership, and if it deems it appropriate, publish a notice that announces the replacement, refers to this Act and contains a description of the immovable. Only one copy of the notice is required and it need not be certified.

55. The Act respecting duties on transfers of immovables (chapter D-15.1) does not apply to the transfer of immovables from the Régie des installations olympiques to the Société under section 52.

56. Régie des installations olympiques staff members employed on 31 October 2020 become, without further formality, Société staff members.

Their conditions of employment continue to apply until they are modified by the Société.

57. Régie des installations olympiques board members, including the president and chief executive officer, in office on 31 October 2020 continue in office under the same conditions for the unexpired portion of their term, until replaced or reappointed under this Act.

For the purposes of section 12 of the Act respecting the governance of state-owned enterprises (chapter G-1.02), the terms served by the members of the board of directors of the Régie referred to in the first paragraph are taken into account for their renewal.

58. Régie des installations olympiques vice-presidents in office on 31 October 2020 continue in office under the same conditions for the unexpired portion of their term.

59. A declaration by the Société in an application for registration or cancellation of an entry in the register of personal and movable real rights or the land register, stating that the Société is, by the effect of the replacement made under section 52, the holder of the rights that are the subject of the application and that were formerly registered in favour of the Régie des installations olympiques, is sufficient to establish with the registrar that the Société is the holder of those rights.

60. The strategic plan of the Régie des installations olympiques is, with the necessary modifications, applicable to the Société until it is replaced by the Société's first strategic plan.

61. The directives, policies and other decisions made regarding the Régie des installations olympiques by the Cabinet or the Conseil du trésor under the powers and prerogatives devolved to them continue to have effect with regard to the Société until their object is attained or they are repealed or amended by the competent authority.

62. Until section 2 of chapter 20 of the Statutes of 2018 comes into force, section 34 of the Act respecting liquor permits (chapter P-9.1) is to be read as follows:

“34. A “Man and his World” permit and an “Olympic Grounds” permit authorize, for consumption on the premises, the sale of alcoholic beverages specified in the permit.

A “Man and his World” permit authorizes the sale of alcoholic beverages at the place specified in the permit situated on any part of the site of the Universal and International Exhibition of 1967 where the manifestations and activities called “Man and his World” take place.

An “Olympic Grounds” permit authorizes the sale of alcoholic beverages at the place specified in the permit when it is situated on any part of the site contemplated in the third paragraph of section 4 of the Act respecting the Société de développement et de mise en valeur du Parc olympique (2020, chapter 10).”

63. Until section 4 of chapter 20 of the Statutes of 2018 comes into force, subparagraph 1 of the first paragraph of section 39 of the Act respecting liquor permits is to be read as follows:

“(1) be the owner or the lessee of the establishment or be specially authorized by the owner or the lessee of the establishment to use the permit or, in the case of a “Man and his World” permit or an “Olympic Grounds” permit, have obtained a concession, respectively, from Ville de Montréal or the Société de développement et de mise en valeur du Parc olympique;”.

64. Unless otherwise indicated by the context and with the necessary modifications,

(1) in any law or regulation, the designation “Régie des installations olympiques” is replaced by “Société de développement et de mise en valeur du Parc olympique”; and

(2) in any other document, a reference to the Act respecting the Régie des installations olympiques (chapter R-7) or any of its provisions is a reference to this Act or the corresponding provision of this Act, if applicable, and a reference to the Régie des installations olympiques is a reference to the Société de développement et de mise en valeur du Parc olympique.

65. The Société must, not later than 30 September 2021, file the last activity report and financial statements of the Régie des installations olympiques required under sections 28 and 31 of the Act respecting the Régie des installations olympiques, respectively; the Société must attach them to its own activity report.

This section applies despite any incompatible provision.

66. This Act replaces the Act respecting the Régie des installations olympiques.

67. The Minister of Tourism is responsible for the administration of this Act.

68. This Act comes into force on 1 November 2020.

2020, chapter 11

AN ACT TO AMEND THE CIVIL CODE, THE CODE OF CIVIL PROCEDURE, THE PUBLIC CURATOR ACT AND VARIOUS PROVISIONS AS REGARDS THE PROTECTION OF PERSONS

Bill 18

Introduced by Mr. Mathieu Lacombe, Minister of Families

Introduced 10 April 2019

Passed in principle 26 September 2019

Passed 2 June 2020

Assented to 3 June 2020

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

Legislation amended:

Civil Code of Québec

Workers' Compensation Act (chapter A-3)

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

Act respecting legal aid and the provision of certain other legal services (chapter A-14)

Land Surveyors Act (chapter A-23)

Automobile Insurance Act (chapter A-25)

Insurers Act (chapter A-32.1)

Act respecting the Barreau du Québec (chapter B-1)

Building Act (chapter B-1.1)

Unclaimed Property Act (chapter B-5.1)

Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4)

Code of Civil Procedure (chapter C-25.01)

Professional Code (chapter C-26)

Companies Act (chapter C-38)

Act respecting financial services cooperatives (chapter C-67.3)

Real Estate Brokerage Act (chapter C-73.2)

Public Curator Act (chapter C-81)

Act respecting deposits with the Bureau général de dépôts pour le Québec (chapter D-5.1)

Act respecting the distribution of financial products and services (chapter D-9.2)

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

Act respecting school elections to elect certain members of the boards of directors of

English-language school service centres (chapter E-2.3)

Election Act (chapter E-3.3)

Money-Services Businesses Act (chapter E-12.000001)

Act respecting fabriques (chapter F-1)

(cont'd on next page)

Legislation amended: (cont'd)

Taxation Act (chapter I-3)
Deposit Institutions and Deposit Protection Act (chapter I-13.2.2)
Derivatives Act (chapter I-14.01)
Act respecting the Montréal Museum of Fine Arts (chapter M-42)
Notaries Act (chapter N-3)
Act respecting the sharing of certain health information (chapter P-9.0001)
Pharmacy Act (chapter P-10)
Act respecting the protection of persons whose mental state presents a danger to themselves or to others (chapter P-38.001)
Act respecting the collection of certain debts (chapter R-2.2)
Act respecting the Régie du logement (chapter R-8.1)
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)
Trust Companies and Savings Companies Act (chapter S-29.02)
Business Corporations Act (chapter S-31.1)
Professional Syndicates Act (chapter S-40)
Act respecting the Québec sales tax (chapter T-0.1)
Securities Act (chapter V-1.1)
Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23)

Regulations amended:

Regulation respecting the register of personal and movable real rights (chapter CCQ, r. 8)
Regulation respecting savings products (chapter A-6.001, r. 9)
Regulation respecting legal aid (chapter A-14, r. 2)
Regulation respecting the reimbursement of certain expenses (chapter A-25, r. 14)
Regulation respecting the terms and conditions for the issuance of health insurance cards and the transmittal of statements of fees and claims (chapter A-29, r. 7.2)
Regulation respecting the training, skill and knowledge evaluation, accreditation and discipline of stenographers (chapter B-1, r. 13)
Regulation respecting the conditions for the certification of notaries as regards the institution or review of protective supervision and protection mandates (chapter C-25.01, r. 0.2)
Regulation respecting the issue of broker's and agency licences (chapter C-73.2, r. 3)
Regulation respecting the application of the Public Curator Act (chapter C-81, r. 1)
Code of ethics of the Chambre de la sécurité financière (chapter D-9.2, r. 3)
Regulation respecting the registration of firms, representatives and independent partnerships (chapter D-9.2, r. 15)
Regulation respecting the preservation, use or destruction of the records, books and registers of a pharmacist who ceases to practise (chapter P-10, r. 13)
Règlement sur l'exercice de la pharmacie en société (chapter P-10, r. 16, French only)
Organization and Management of Institutions Regulation (chapter S-5, r. 5)
Regulation under the Act respecting the Québec correctional system (chapter S-40.1, r. 1)

Explanatory notes

The main thrust of this Act is to propose a revision of the legislative provisions relating to the protection of incapable persons.

Two forms of protective supervision for persons of full age, namely curatorships and adviserships, are abolished.

(cont'd on next page)

Explanatory notes *(cont'd)*

Under the proposed changes to tutorship to a person of full age, the court must, in all cases, determine whether the rules concerning the capacity of a person of full age under tutorship need to be amended or clarified in light of the person's faculties. The court is authorized to reduce the number of persons to be called to a meeting of relatives, persons connected by marriage or a civil union, or friends, and to appoint two tutors to the person when these are the father and mother of the person of full age, and the rules governing the replacement of tutors are relaxed. The time limits for the medical and psychosocial reassessment of a person of full age must be determined taking into account the nature of his or her incapacity, the extent of his or her needs and the other circumstances of his or her condition. No longer needing representation is added to the reasons for which release from tutorship to a person of full age may be granted.

A person of full age who, by reason of a difficulty, wishes to receive assistance in caring for himself or herself, administering his or her patrimony and, in general, exercising his or her civil rights, may apply to have a person recognized by the Public Curator as his or her assistant. The assistant to the person of full age, whose recognition is registered in a public register, may act as an intermediary between that person and third persons.

Temporary representation of an incapable person of full age is established. It allows the court to authorize a person to perform a specific act in the name of a person of full age if it is shown that the latter's incapacity is such that he or she needs to be temporarily represented for the performance of that act. In such a case, the resulting incapacity is temporary and pertains only to the act the representative has been authorized to perform by the court. The court sets the terms and conditions of exercise of the powers conferred on the temporary representative.

The Act amends the rules relating to protection mandates. It clarifies certain effects of such a mandate, lists certain elements it may contain and imposes new obligations on the mandatary. It also specifies criteria to be considered when homologating or performing a mandate, the elements that are to guide the mandatary in ensuring the mandator's moral and material well-being, and the remedies available if the mandate is not being faithfully performed by the mandatary.

The Act includes amendments relating to tutorship to minors. It provides that the Public Curator must be given at least 15 days' notice before the transmission of property or the payment of an indemnity to a minor. It allows the Public Curator to determine the kind of security required and its object if these have not been determined within the prescribed time. It furthermore clarifies the rules applicable to the remuneration of a dative tutor, and establishes that a tutor to property is entitled to be party to judicial proceedings.

The quorum requirement for the meeting to be called to establish a tutorship council is replaced by an obligation to call a minimum number of relatives, persons connected by marriage or a civil union, or friends to the meeting.

In addition, the threshold specified in certain articles of the Civil Code and the Code of Civil Procedure in connection with tutorship to minors and tutorship to persons of full age is increased from \$25,000 to \$40,000.

Finally, a number of consequential amendments and transitional measures are included.



Chapter 11

AN ACT TO AMEND THE CIVIL CODE, THE CODE OF CIVIL PROCEDURE, THE PUBLIC CURATOR ACT AND VARIOUS PROVISIONS AS REGARDS THE PROTECTION OF PERSONS

[Assented to 3 June 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

1. Article 4 of the Civil Code of Québec is amended by striking out “or assistance” in the second paragraph.

2. Article 29 of the Code is amended by replacing “protective supervision of the person of full age” in the first paragraph by “tutorship to a person of full age, or obtaining homologation of a protection mandate, for him”.

3. Article 81 of the Code is amended

(1) by striking out “; the domicile of a person under curatorship is that of the curator”;

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

“Where the father and mother exercise the tutorship but have no common domicile, the domicile of the person of full age is that of the parent the court designates.”

4. Article 87 of the Code is amended by replacing “, adapted as required, apply” in the second paragraph by “, except those set out in article 217, apply, adapted as required,”.

5. Article 154 of the Code is amended by replacing “protective supervision” by “tutorship to a person of full age, homologating a protection mandate or authorizing temporary representation of an incapable person of full age”.

6. Article 184 of the Code is amended by adding the following paragraph at the end:

“Such remuneration and, where applicable, the terms and conditions for its renewal by the tutorship council may be fixed by the court when instituting the tutorship or subsequently.”

7. Article 188 of the Code is amended by striking out “, but the tutor to the person represents the minor in judicial proceedings regarding that property” in the first paragraph.

8. Article 209 of the Code is amended by replacing “\$25,000” by “\$40,000”.

9. Article 213 of the Code is amended

(1) by replacing “\$25,000” in the first paragraph by “\$40,000”;

(2) by replacing “or to maintain the property in good order or safeguard its value” in the second paragraph by “, to maintain the property in good order or to safeguard the value of his patrimony”.

10. Article 214 of the Code is amended by replacing “\$25,000” in the first paragraph by “\$40,000”.

11. Article 217 of the Code is replaced by the following article:

“217. Where the property is worth more than \$40,000, the liquidator of a succession which devolves or is bequeathed to a minor and the donor of property if the donee is a minor and, in any case, any person who pays an indemnity for the benefit of a minor, shall notify the Public Curator and state the value of the property or the amount of the indemnity, as the case may be, at least 15 days before its transmission or payment.

The 15-day notice period prescribed in the first paragraph does not apply to the payment of an indemnity the object of which is to make good on the obligation of support that lies on parents with respect to their child.”

12. Article 221 of the Code is amended by replacing “\$25,000” in the second paragraph by “\$40,000”.

13. Article 226 of the Code is amended

(1) by replacing “, persons connected by marriage or a civil union and friends of the minor” in the second paragraph by “of the minor and persons connected to him by marriage or a civil union, and his friends”;

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

“At least five persons representing, so far as possible, the maternal and paternal lines shall be called to the meeting. The meeting shall be held regardless of the number of persons participating in it. It may be held by a technological means.”

14. Article 227 of the Code is amended by replacing “attend” by “participate in”.

15. The Code is amended by inserting the following article after article 233:

“233.1. Where two or more tutors are appointed for a minor and a disagreement arises between them, the tutorship council facilitates its settlement. Failing agreement between the tutors, the court decides, on the application of any interested person, including the Public Curator.”

16. Article 242 of the Code is amended, in the first paragraph,

(1) by replacing “\$25,000” by “\$40,000”;

(2) by adding the following sentence at the end: “If they have not been determined within six months after the institution of tutorship, they may be determined by the Public Curator.”

17. The heading of Chapter III before article 256 of the Code is amended by replacing “PROTECTIVE SUPERVISION OF” by “TUTORSHIP TO”.

18. Article 256 of the Code is amended

(1) by replacing “Protective supervision of a person of full age is established” in the first paragraph by “Tutorship to a person of full age is established” and by replacing “ils sont destinés” in that paragraph in the French text by “elle est destinée”;

(2) by replacing “protective supervision” and “protection” in the second paragraph by “the tutorship” and “tutorship”, respectively.

19. Article 257 of the Code is amended, in the first paragraph,

(1) by replacing “protective supervision” and “protected person of full age” by “tutorship to a person of full age” and “person of full age under tutorship”, respectively;

(2) by inserting “, taking into account his wishes and preferences” after “autonomy”.

20. Article 258 of the Code is amended

(1) by striking out “or curator” and “, or an adviser to assist,” in the first paragraph;

(2) by striking out “or an adviser” in the second paragraph.

21. Article 259 of the Code is repealed.

22. Article 260 of the Code is amended

(1) in the first paragraph,

(a) by replacing “curator or the tutor to a protected person of full age” by “tutor to a person of full age”;

(b) by inserting “, unless the court decides otherwise” after “maintenance”;

(c) by replacing “protected person” by “person of full age”;

(2) in the second paragraph,

(a) by replacing “protected person of full age” by “person of full age”;

(b) by replacing “protected person, obtain his advice where necessary, and keep him informed of the decisions made in his regard” by “person of full age, involve him in the decisions made in his regard and keep him informed of those decisions”.

23. Article 261 of the Code is amended by striking out “curatorship or”, “protected” and “curator or”.**24.** Article 262 of the Code is repealed.**25.** Article 263 of the Code is amended

(1) in the first paragraph,

(a) by striking out “protected” and “or curator”;

(b) by inserting “ensuring the” after “responsible for”;

(2) by striking out “or curator” in the second paragraph.

26. Article 264 of the Code is amended, in the first paragraph,

(1) by striking out “or curator”, “protected” and “or curatorship”;

(2) by inserting “of full age” after “to the person”.

27. Article 265 of the Code is amended by striking out “protected”.**28.** Article 266 of the Code is amended, in the first paragraph,

(1) by inserting “, except those set out in article 217,” after “minors”;

(2) by striking out “and curatorship”.

29. Article 267 of the Code is replaced by the following article:

“267. Where the person who applies for the institution or review of tutorship to a person of full age, including the Public Curator, shows that it is impossible to call five persons to the meeting of relatives, persons connected by marriage or a civil union, or friends, the court may reduce the number of persons to be called.

The court may also exempt the person from calling a meeting of relatives, persons connected by marriage or a civil union, or friends if it is shown that sufficient effort has been made to call the meeting, but that such effort has been in vain.”

30. The heading of Division II before article 268 of the Code is amended by replacing “OF PROTECTIVE SUPERVISION” by “OF TUTORSHIP TO PERSONS OF FULL AGE”.

31. Article 268 of the Code is replaced by the following article:

“268. The court institutes tutorship if it is established that the person of full age is incapable of caring for himself or of administering his property, and needs to be represented in the exercise of his civil rights.

The court then appoints a tutor to the person and to property, or a tutor either to the person or to property. It may also appoint a replacement tutor.

The court is not bound by the application. It may establish a tutorship the nature, terms and conditions of which are different from those applied for or authorize temporary representation of the incapable person of full age.”

32. The Code is amended by inserting the following article after article 268:

“268.1. The court may appoint two tutors to the person when these are the father and mother of the person of full age.

Either parent may give the other the mandate to represent him in the performance of acts pertaining to the exercise of tutorship.

Such a mandate is presumed with regard to third persons in good faith.”

33. Article 269 of the Code is amended by replacing “protective supervision” by “tutorship”.

34. Article 270 of the Code is amended

(1) by striking out “assisted or” and “assistance or” in the first paragraph;

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

“Such a report includes the medical and psychosocial assessments resulting from an examination of the person of full age; it deals with the nature of his incapacity, his faculties, his environment, the extent of his needs and the other circumstances of his condition, the advisability of instituting tutorship for him as well as the time limits for medical and psychosocial reassessments. It also sets out the names, if known, of the persons qualified to apply for the institution of tutorship.”

35. Article 271 of the Code is amended by replacing “protective supervision of” in the first paragraph by “tutorship to”.

36. Article 272 of the Code is amended, in the second paragraph,

(1) by replacing “protective supervision” by “tutorship to a person of full age”, and by replacing “au majeur” in the French text by “à celui-ci”;

(2) by inserting “the personal” after “ensure”.

37. Article 273 of the Code is amended by replacing “protective supervision may” and “protective supervision is” in the second paragraph by “tutorship to a person of full age may” and “such tutorship is”, respectively.

38. Article 274 of the Code is amended by replacing “protective supervision” by “tutorship to a person of full age”.

39. Article 275 of the Code is amended

(1) by striking out “if the form of protective supervision is a tutorship,” in the first paragraph;

(2) by striking out all occurrences of “protected”.

40. Article 276 of the Code is amended

(1) in the first paragraph,

(a) by replacing “to institute protective supervision”, “in a protection mandate but” and “institution of protective supervision” by “for the institution of tutorship to a person of full age”, “, including those expressed in a protection mandate” and “institution of tutorship”, respectively;

(b) by inserting “and preferences” after “wishes”;

(2) in the second paragraph,

(a) by replacing “form of protective supervision and as to” by “nature, terms and conditions of the tutorship as well as on”;

(b) by striking out “or assist”.

41. Article 277 of the Code is amended by replacing “protective supervision” by “tutorship to a person of full age”.

42. Article 278 of the Code is replaced by the following article:

“278. When instituting the tutorship, the court determines the time limits for periodic reassessment of the person of full age.

The time limits for reassessment may not exceed five years. A longer time limit may however be set for the medical reassessment, without exceeding 10 years, when it is clear that the situation of the person of full age will remain unchanged. Those time limits are determined taking into account the recommendations made in the medical and psychosocial assessment reports concerning the person of full age, the nature of his incapacity, the extent of his needs and the other circumstances of his condition.

The tutor is bound to see to it that the person of full age undergoes the assessments within the fixed time limits. The person of full age may, at any time, apply to be reassessed.”

43. The Code is amended by inserting the following article after article 278:

“278.1. Where the medical or psychosocial assessor becomes aware that the situation of the person of full age has changed sufficiently to justify modifying or terminating the tutorship, the assessor attests to that fact in a report, indicating any modifications he considers appropriate. The assessor transmits the report to the person of full age, to the tutor and to the executive director of a health or social services institution providing care or services to the person of full age or, failing that, the executive director of a health or social services institution that has jurisdiction in the territory in which the person of full age resides. The director then obtains the report of the other assessor, transmits a copy of it to the person of full age and to the tutor, and files a copy of both reports in the office of the court.

Where the medical or psychosocial assessor considers that the time limit for the reassessment of the person of full age should be modified, the assessor attests to that fact in a report, indicating the time limit he considers appropriate. He transmits the report to the person of full age and the tutor. The tutor shall then file a copy of the report concerned in the office of the court.”

44. Article 279 of the Code is amended by replacing “that justified protective supervision” and “assessment” by “or need for representation that justified tutorship to a person of full age” and “assessments”, respectively.

45. Article 280 of the Code is replaced by the following article:

“280. On the filing of the report or reports on the review of a tutorship to a person of full age, the clerk notifies the person of full age, the tutor and the persons qualified to intervene in the application for the institution of tutorship. If no objection is made within 30 days after the date of the notice, release from or the modification of the tutorship takes effect by operation of law. An attestation is drawn up by the clerk and transmitted without delay to the person of full age, to his tutor, to the tutorship council and to the Public Curator.

Those rules also apply to the review of a time limit for the medical or psychosocial reassessment of a person of full age, on the filing of the relevant report.”

46. Division III of Chapter III of Title Four of Book One of the Code, comprising articles 281 to 284, is repealed.

47. The Code is amended by striking out the following before article 285:

“DIVISION IV

“TUTORSHIP TO PERSONS OF FULL AGE”.

48. Article 285 of the Code is repealed.

49. The Code is amended by inserting the following before article 286:

“DIVISION IV

**“CERTAIN MODALITIES OF TUTORSHIP TO PERSONS OF
FULL AGE”.**

50. Article 288 of the Code is replaced by the following article:

“288. When instituting the tutorship or subsequently, the court determines whether the rules concerning the capacity of the person of full age under tutorship need to be modified or clarified in light of his faculties. To do so, it takes into consideration the medical and psychosocial assessment reports and, as the case may be, the advice of the tutorship council or of the persons who may be called upon to form the tutorship council. It also takes into account, so far as possible, the opinion of the person of full age.

The court then indicates, where applicable, the acts the person under tutorship may perform himself, alone or with the assistance of the tutor, or those he may not perform without being represented.”

51. The Code is amended by inserting the following article after article 289:

“289.1. The tutor, before contracting a significant loan in relation to the patrimony of the person of full age, offering property as security, alienating important family property, an immovable or an enterprise, or demanding the definitive partition of immovables held by the person of full age in undivided co-ownership, shall obtain the authorization of the tutorship council or, if the property or security is worth more than \$40,000, of the court, which seeks the advice of the tutorship council.

The tutorship council or the court does not allow the loan to be contracted, or property to be alienated by onerous title or offered as security, except where that is necessary to ensure the education and maintenance of the person of full age, to pay his debts, to maintain the property in good order or to safeguard the value of his patrimony, or where that is the wish of the person of full age and he is not at risk of suffering serious injury therefrom. The authorization then indicates the amount and conditions of the loan and the property that may be alienated or offered as security, and sets forth the conditions under which it may be done.”

52. Division V of Chapter III of Title Four of Book One of the Code, comprising articles 291 to 294, is repealed.

53. The heading of Division VI before article 295 of the Code is replaced by the following heading:

“REPLACEMENT OF TUTOR AND END OF TUTORSHIP TO A PERSON OF FULL AGE”.

54. Article 295 of the Code is amended

(1) in the first paragraph,

(a) by replacing “Protective supervision” by “Tutorship to a person of full age”;

(b) by striking out “protected”;

(2) in the second paragraph,

(a) by replacing “Protective supervision” by “It”;

(b) by inserting “or of the need for representation” at the end.

55. Article 296 of the Code is amended

(1) by striking out “protected” and “or curator”;

(2) by replacing “the release of protective supervision” by “being released from tutorship”.

56. The Code is amended by inserting the following articles after article 296:

“296.1. A tutor may renounce his office only if a replacement tutor accepts the office.

If no replacement tutor accepts the office, the tutor may, for a serious reason, apply to the court to be relieved of his duties, provided his application is not made at an inopportune moment and notice of it has been given to the tutorship council.

“296.2. The replacement tutor who accepts the office shall file the acceptance in the office of the court. The clerk notifies the person of full age, the original tutor and the persons qualified to intervene in the application for the institution of tutorship of the filing of the acceptance. If no objection is made within 30 days after the date of the notice, the replacement of the tutor takes effect by operation of law. An attestation is drawn up by the clerk and transmitted without delay to the person of full age, to his new tutor, to the tutor the latter is replacing, to the tutorship council and to the Public Curator.”

57. Article 297 of the Code is replaced by the following article:

“297. A vacancy in the office of tutor does not terminate tutorship to a person of full age.

The replacement tutor may accept the office. Failing that, the tutorship council shall initiate the appointment of a new tutor; any interested person, including the Public Curator, may also initiate such an appointment.”

58. The Code is amended by inserting the following chapters after article 297:

“CHAPTER IV

“TEMPORARY REPRESENTATION OF INCAPABLE PERSONS OF FULL AGE

“297.1. The court may authorize a person to perform a specific act in the name of a person of full age if it is established that the incapacity of the person of full age is such that he needs to be temporarily represented for the performance of that act.

The incapacity resulting from representation is temporary and pertains only to the performance of that act. It is established solely in favour of the person of full age.

“297.2. The spouse of a person of full age, his close relatives and persons closely connected to him by marriage or a civil union, any person who shows a special interest in him, or any other interested person, including the mandatory designated by him or the Public Curator, may apply for temporary representation of the person of full age or be designated as representatives. The person of full age himself may also apply to be so represented.

“297.3. Where the court examines an application for temporary representation, it takes into consideration the medical and psychosocial assessments resulting from the examination of the person of full age.

The court shall give to the person of full age an opportunity to be heard, personally or through a representative where required by his state of health, on the merits of the application and as to the person who will represent him.

“297.4. The court fixes the terms and conditions of exercise of the powers conferred on the temporary representative.

The court may, in particular, order the temporary representative to render an account to the spouse or a close relative of the person of full age or to a person who shows a special interest in him or, if there are no such persons, to the Public Curator.

“297.5. The court may authorize the temporary representative to contract a loan, to alienate property by onerous title or to offer property as security only where that is necessary to ensure the education and maintenance of the person of full age, to pay his debts, to maintain the property in good order or to safeguard the value of his patrimony, or where that is the wish of the person of full age and he is not at risk of suffering serious injury therefrom.

The authorization then indicates the amount and conditions of the loan and the property that may be alienated or offered as security, and sets forth the conditions under which it may be done.

“297.6. Every decision relating to the designation of a temporary representative and the performance of the specific act shall be made in the interest of the person of full age, respect his rights and safeguard his autonomy, taking into account his wishes and preferences.

The person of full age shall, so far as possible, participate in the decisions made in his regard and be informed without delay of those decisions.

“297.7. An act performed alone by a person of full age for which he was required to be represented may not be annulled or the resulting obligations reduced, unless he suffers injury therefrom.

“297.8. The rules relating to the office of tutor and to the replacement of a tutor to a minor apply, adapted as required, to a temporary representative.

“297.9. Temporary representation ends when the specific act has been performed. The temporary representative then notifies the person of full age and the Public Curator in writing.

It also ends, by operation of law, as soon as a tutorship is instituted or a protection mandate homologated for the person of full age.

“CHAPTER V

“ASSISTANTS TO PERSONS OF FULL AGE

“DIVISION I

“GENERAL PROVISIONS

“297.10. A person of full age who, by reason of a difficulty, wishes to be assisted in caring for himself, administering his patrimony and, in general, exercising his civil rights, may apply to the Public Curator to have a person who accepts to assist him, in particular in his decision-making, recognized by the Public Curator.

The recognition of the assistant is entered in a public register.

“297.11. An assistant is authorized to act as an intermediary between the assisted person of full age and any third person, including a person bound by law to professional secrecy. The assistant is presumed to act with the consent of the person of full age.

The assistant may communicate and receive information in the name of, and communicate the decisions made by, the person of full age.

A third person may not refuse that the assistant act as such.

“297.12. An assistant shall act with prudence and diligence. He undertakes, by acceptance of his office, to advocate for the wishes and preferences of the person of full age in dealing with third persons.

In addition, he undertakes to respect the privacy of the person of full age. Thus, he may gather, use or communicate information concerning the person of full age only with the person’s consent and only to the extent necessary to perform the duties of his office.

“297.13. An assisted person of full age retains his full capacity to exercise his civil rights.

The assistant may not sign in the name of the person of full age and does not intervene in the acts for which he assists the person of full age.

“297.14. Every natural person capable of fully exercising his civil rights and able to assume the office may be recognized as an assistant.

“297.15. An assistant may not act in a situation where his personal interest is in conflict with that of the assisted person of full age.

“297.16. A person of full age may apply for the recognition of one or two assistants. If there are two assistants, they are not bound to act jointly, unless the person of full age decides otherwise.

“297.17. An assistant is not entitled to any remuneration.

However, the assisted person of full age reimburses the assistant for any reasonable expenses the latter has incurred in exercising the duties of his office.

“297.18. An assistant shall inform the Public Curator of his activities, on the Public Curator’s request.

“DIVISION II

“RECOGNITION OF ASSISTANTS TO PERSONS OF FULL AGE

“297.19. An application for the recognition of an assistant to a person of full age is filed with the Public Curator by the person of full age himself, jointly with any proposed assistant.

It may also be filed with the Public Curator through an advocate or notary certified to do so by his professional order.

“297.20. The application shall be accompanied by a summary description of the patrimony of the person of full age.

“297.21. The Public Curator, advocate or notary ensures, out of the presence of any proposed assistant, that the person of full age understands the scope of his application and is able to express his wishes and preferences. He also meets the person of full age in the presence of any proposed assistant.

Such meetings may be held by a technological means.

“297.22. The Public Curator verifies the judicial record of the proposed assistant.

“297.23. The Public Curator, advocate or notary notifies the application to at least two persons, either from the family of the person of full age or from among persons who show a special interest in him, excluding any proposed assistant. He notifies them, at the same time, of their right to object within 30 days after the date of the notice.

He is exempt from that obligation if sufficient effort has been made to notify the application but such effort has been in vain.

“297.24. On completing his operations, the advocate or notary draws up minutes and conclusions.

The minutes must identify the person of full age and any proposed assistant, and provide a detailed account of the operations carried out and the documents submitted. The minutes must also provide an account of any testimony taken and any representations or objections received from an interested person.

The advocate or notary promptly sends the application and the minutes and conclusions to the Public Curator, together with the documents supporting the conclusions. The Public Curator is not bound by the conclusions of the advocate or notary.

“297.25. The Public Curator recognizes the proposed assistant, except in the following cases:

(1) he has serious doubt that the person of full age understands the scope of the application;

(2) he has serious doubt that the person of full age is able to express his wishes and preferences;

(3) an element gives serious reason to fear that the person of full age will suffer injury owing to the proposed assistant’s recognition; or

(4) an interested person objects to the proposed assistant’s recognition for any of those reasons.

The Public Curator may refuse to recognize the proposed assistant if the latter has failed to fulfil his obligations as an assistant in the past.

The Public Curator notifies the person of full age and the proposed assistant of his decision. In the case of a refusal, the person of full age may apply to the court within 30 days of the notice to have the decision reviewed.

“DIVISION III

“END OF RECOGNITION OF ASSISTANTS TO PERSONS OF FULL AGE

“297.26. The recognition of an assistant ends on the expiry of three years, or before if the person of full age so requests.

It also ends when the Public Curator is informed that the assistant has ceased to act. The same applies when the Public Curator is informed

(1) that a tutorship has been instituted or a protection mandate homologated for the assisted person of full age or the assistant; or

(2) that a temporary representative has been designated for the assistant.

The assistant, tutor, mandatary or temporary representative shall so inform the Public Curator, who then deletes the entry from the register and so informs the person of full age and the assistant.

“297.27. The Public Curator may terminate the recognition of an assistant where an element gives serious reason to fear that the person of full age will suffer injury owing to such recognition.

The Public Curator notifies the person of full age and the assistant of his decision. The person of full age may apply to the court within 30 days of the notice to have the decision reviewed.”

59. Article 304 of the Code is amended

(1) by replacing “exercise tutorship or curatorship” in the first paragraph by “act as tutors, mandataries or temporary representatives”;

(2) by replacing “or curator to property,” in the second paragraph by “, mandatary or temporary representative to property,”.

60. Article 327 of the Code is amended

(1) by replacing “under tutorship or curatorship” in the first paragraph by “under tutorship or under a protection mandate”;

(2) by replacing “under tutorship” in the second paragraph by “under tutorship or under a protection mandate”.

61. Article 436 of the Code is amended

(1) in the first paragraph,

(a) by replacing “under tutorship or provided with an adviser” and “or adviser; the tutor” by “under tutorship or under a protection mandate” and “or mandatary; the tutor or mandatary”, respectively;

(b) by inserting “, if applicable,” after “by the court”;

(2) by replacing “adviser” in the second paragraph by “mandatary”.

62. Article 445 of the Code is amended by replacing “the other spouse’s being provided with a tutor or curator” in the second paragraph by “tutorship being instituted or a protection mandate homologated for the other spouse”.

63. Article 583.3 of the Code is amended

(1) by replacing “, tutor or curator” by “or tutor”;

(2) by replacing “has shown” by “shows”.

64. Article 638 of the Code is amended

(1) in the first paragraph,

(a) by replacing “protected person of full age” in the introductory clause by “person of full age under tutorship or under a protection mandate” ;

(b) by striking out “or curatorship” in subparagraph 1;

(c) by striking out “or person of full age who requires assistance” and “or his adviser” in subparagraph 2;

(d) by inserting the following subparagraph after subparagraph 2:

“(3) in the case of a person of full age under a protection mandate, by the mandatary.”;

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

“In no case is the minor, the person of full age under tutorship or under a protection mandate or the absentee liable for the payment of debts of the succession in excess of the value of the property he takes.”

65. Article 709 of the Code is amended by inserting “or after a protection mandate has been homologated for him” after “tutorship”.

66. Article 710 of the Code is repealed.

67. Article 711 of the Code is amended

(1) by replacing “, curator or adviser” by “or mandatary”;

(2) by striking out “or assists”.

68. The Code is amended by inserting the following article after article 785:

“785.1. If the sole heir is a minor or a person of full age under tutorship or under a protection mandate, unless otherwise provided by a testamentary provision, his representative designates a liquidator other than himself and may provide the mode of the liquidator’s replacement.

The same rule applies if such an heir and his representative are the two sole heirs.”

69. Article 1318 of the Code is amended by replacing “protected person of full age” by “person of full age under tutorship or under a protection mandate”.

70. Article 1355 of the Code is amended

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

“The duties of an administrator terminate upon his death, resignation or replacement, his becoming bankrupt, or tutorship to a person of full age being instituted or a protection mandate homologated for him.”;

(2) by replacing “is placed under protective supervision” in the second paragraph by “tutorship to a person of full age is instituted or a protection mandate homologated for him”.

71. Article 1361 of the Code is amended

(1) in the first paragraph,

(a) by replacing “his being placed under protective supervision” and “the death or of the institution of protective supervision” by “tutorship to a person of full age being instituted or a protection mandate homologated for him” and “the event”, respectively;

(b) by replacing “curator” by “mandatary”;

(2) by replacing “curator” in the second paragraph by “mandatary”.

72. Article 1392 of the Code is amended by replacing “protective supervision with respect to either of them” in the second paragraph by “tutorship to a person of full age or the homologation of a protection mandate for either of them”.

73. Article 1405 of the Code is amended by replacing “protected persons of full age” by “persons of full age under tutorship or under a protection mandate”.

74. Article 1406 of the Code is amended by replacing “protected person of full age” in the second paragraph by “person of full age under tutorship or under a protection mandate”.

75. Article 1461 of the Code is amended by replacing “curator” by “mandatary”.

76. Article 1484 of the Code is amended by replacing “or curator” in the first paragraph by “, mandatary or temporary representative”.

77. Article 1706 of the Code is replaced by the following article:

1706. Minors and persons of full age under tutorship or under a protection mandate are bound to make restitution of prestations only to the extent of the enrichment they retain from them; proof of such enrichment is borne by the person claiming restitution.

They may, however, be bound to make full restitution where restitution has become impossible through their intentional or gross fault.”

78. Article 1813 of the Code is amended

(1) by replacing “protected person of full age” and “curator” by “person of full age under tutorship or under a protection mandate” and “mandatary”, respectively;

(2) by inserting “the stipulations in the protection mandate and” after “subject to”.

79. Article 1814 of the Code is amended, in the second paragraph,

(1) by replacing “curator” and “protected person of full age” by “mandatary” and “person of full age under tutorship or under a protection mandate”, respectively;

(2) by inserting “or mandatary” after “a tutor”.

80. Article 1815 of the Code is repealed.

81. Article 2159 of the Code is amended by replacing “protective supervision” in the second paragraph by “tutorship to a person of full age or under a protection mandate”.

82. Article 2166 of the Code is amended

(1) by adding the following sentence at the end of the first paragraph: “It may not be made jointly by two or more persons.”;

(2) by inserting “, ascertained by medical and psychosocial assessment reports,” after “incapacity” in the second paragraph.

83. The Code is amended by inserting the following article after article 2166:

“2166.1. A mandate may, in particular, state the wishes of the mandator with respect to his care or to his living environment. However, the wishes expressed with respect to medical care in advance medical directives prevail over any conflicting wishes stated in the mandate.

The mandate may also state the mandator’s wish to be periodically subject to medical and psychosocial assessments, and set the time limits within which the mandator will be reassessed.

The mandate must indicate the person to whom the mandatary shall render an account and the intervals at which the mandatary shall do so, which may not exceed three years. If the person to whom the mandatary shall render an account has not been designated or where the person designated to receive the account is unable to act, the court may designate another person to receive it. The Public Curator may be designated to receive the account both by the mandator and by the court.”

84. The Code is amended by inserting the following articles after article 2167.1:

“**2167.2.** Every decision relating to the homologation or performance of a protection mandate shall be made in the interest of the mandator, respect his rights and safeguard his autonomy, taking into account his wishes and preferences.

The mandator shall, so far as possible and without delay, be informed of the decision.

“**2167.3.** To ensure the moral and material well-being of the mandator, the mandatary takes into account his condition, his needs and his faculties as well as the other circumstances of his situation.

So far as possible, the mandatary shall maintain a personal relationship with the mandator, involve him in the decisions made in his regard and keep him informed of those decisions.

“**2167.4.** The mandatary shall, within 60 days after the mandate is homologated, make an inventory of the property to be administered and transmit a copy of it to the person designated to receive the account.

The rules for administration of the property of others set out in articles 1326 to 1329 apply to the inventory, subject to any stipulations regarding it in the mandate.

“**2167.5.** A mandatary who continues the administration of another mandatary after the rendering of account is exempt from making an inventory, subject to the stipulations in the mandate.”

85. Article 2169 of the Code is amended

(1) in the first paragraph,

(a) by replacing “protective supervision may be instituted” by “tutorship to a person of full age may be instituted” and by replacing “leur” in the French text by “lui”;

(b) by striking out both occurrences of “or curator”;

(2) by striking out both occurrences of “or curator” in the second paragraph.

86. Article 2170 of the Code is amended by adding the following paragraph at the end:

“Acts performed alone by the mandator after the homologation of the mandate that are incompatible with its stipulations may not be annulled or the resulting obligations reduced, unless he suffers injury therefrom.”

87. Article 2173 of the Code is amended

(1) by replacing “assessment” in the first paragraph by “assessments”;

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

“The mandator or the mandatary may also request medical and psychosocial assessments to assess the capacity of the mandator. If the assessors conclude that the mandator has again become capable, they shall send a copy of their assessment reports to the mandator and the mandatary and file a copy in the office of the court.”;

(3) in the last paragraph,

(a) by replacing “protective supervision” by “tutorship to a person of full age”;

(b) by inserting “after the date of the notice” after “30 days”.

88. Article 2174 of the Code is amended by replacing “protective supervision” by “tutorship to a person of full age”.

89. The Code is amended by inserting the following articles after article 2174:

“**2174.1.** The replacement mandatary is bound to give notice of his taking office to the Public Curator.

“**2174.2.** The replacement mandatary may, if the mandate is not being faithfully performed or for any other serious reason, apply to the court to have it replace the initial mandatary and order the rendering of an account by the latter.”

90. Article 2175 of the Code is amended by replacing “protective supervision” in the second paragraph by “tutorship to a person of full age or the homologation of a protection mandate”.

91. Article 2177 of the Code is amended by replacing “protective supervision” by “tutorship to a person of full age”.

92. The Code is amended by inserting the following article after article 2182:

“2182.1. In the case of a protection mandate, the mandatory is bound to give notice of the mandator’s death to the Public Curator.”

93. Article 2183 of the Code is amended, in the first paragraph,

(1) by replacing “his being placed under protective supervision” and “, tutor or curator” by “tutorship to a person of full age being instituted for him” and “or tutor”, respectively;

(2) by adding the following sentence at the end: “The same rule applies upon the homologation of a protection mandate for the mandatory.”

94. Article 2226 of the Code is amended by replacing “being placed under protective supervision” by “tutorship to a person of full age being instituted or a protection mandate homologated for him”.

95. Article 2258 of the Code is amended by replacing “his being placed under protective supervision” in the second paragraph by “tutorship to a person of full age being instituted or a protection mandate homologated for him”.

96. Article 2282 of the Code is amended by replacing “protective supervision” by “tutorship to a person of full age or under a protection mandate”.

97. Article 2630 of the Code is amended by replacing “protective supervision” in the second paragraph by “tutorship or under a protection mandate”.

98. Article 2905 of the Code is amended by replacing “under curatorship or tutorship”, both occurrences of “they” and both occurrences of “their” in the second paragraph by “under tutorship or under a protection mandate”, “he” and “his”, respectively.

99. Article 2935 of the Code is amended by replacing “protected person” by “person under tutorship to a person of full age or under a protection mandate”.

100. Article 2964 of the Code is amended by replacing “protected person” by “person under tutorship to a person of full age or under a protection mandate”.

101. Article 3085 of the Code is amended

(1) by replacing “Protective supervision of persons of full age” in the first paragraph by “The legal regime intended to ensure the protection of incapable persons of full age”;

- (2) in the second paragraph,
 - (a) by replacing both occurrences of “a protected” by “an incapable”;
 - (b) by striking out both occurrences of “or a curator”.

CODE OF CIVIL PROCEDURE

102. Article 44 of the Code of Civil Procedure (chapter C-25.01) is amended by replacing “under protective supervision” in the third paragraph by “under tutorship or under a protection mandate”.

103. Article 303 of the Code is amended, in the first paragraph,

- (1) by replacing subparagraph 4 by the following subparagraph:

“(4) tutorship to an absentee, to a minor or to a person of full age, the emancipation of a minor, a protection mandate or temporary representation of an incapable person of full age;”;

- (2) by replacing “the protective supervision of a person of full age,” in subparagraph 5 by “tutorship to a person of full age, a protection mandate, temporary representation of an incapable person of full age,”.

104. Article 305 of the Code is amended by inserting “, taking into account the person’s wishes and preferences” at the end.

105. Article 312 of the Code is amended by replacing “and, to the protective supervision of a person of full age” and “a tutor or curator,” in the first paragraph by “and to tutorship to a person of full age,” and “a tutor, as well as applications relating”, respectively.

106. Article 313 of the Code is amended by replacing “for a minor or of protective supervision for a person of full age” in the second paragraph by “to a minor or to a person of full age”.

107. Article 315 of the Code is amended by replacing “protective supervision” and “the assessments required” in the first paragraph by “tutorship to a person of full age” and “the assessment reports required”, respectively.

108. Article 320 of the Code is amended

- (1) in the first paragraph,

- (a) by replacing “or the protective supervision of or a protection mandate for a person of full age” by “, tutorship to a person of full age or a protection mandate”;

- (b) by striking out “or curator”;

(2) by adding the following sentence at the end of the second paragraph: “An attestation is drawn up by the clerk and sent without delay to the tutor, to the minor, to the members of the tutorship council, and to the Public Curator.”

109. Article 336 of the Code is amended by replacing “or to a minor, protective supervision or a protection mandate” and “\$25,000” in the second paragraph by “, to a minor or to a person of full age, concerning a protection mandate or assistance to a person of full age or authorizing temporary representation of an incapable person of full age” and “\$40,000”, respectively.

110. Article 394 of the Code is amended

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

“An application pertaining to any of the following must be notified to the Public Curator together with the exhibits in support of it:

- (1) tutorship to a person of full age;
- (2) tutorship to an absentee;
- (3) temporary representation of an incapable person of full age;
- (4) assistance to a person of full age;
- (5) a protection mandate, except an application for a judicial authorization;
- (6) tutorship to a minor, except an application relating to suppletive tutorship where the value of the minor’s property does not exceed \$40,000; or
- (7) the emancipation of a minor.”;

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

“In any such case, the proceeding is stayed until proof of notification is received by the court office.”

111. Article 395 of the Code is amended

- (1) by inserting “to” after “a minor or”;
- (2) by striking out “or the curator”.

112. Article 404 of the Code is amended

(1) by replacing “protective supervision for a person of full age” in the first paragraph by “tutorship to a person of full age or temporary representation of an incapable person of full age”;

(2) by replacing “substitute” in the second paragraph by “replacement”.

113. Article 406 of the Code is amended

(1) by replacing “of protective supervision” and “such supervision” by “of tutorship to a person of full age” and “such tutorship”, respectively;

(2) by striking out “assist or”.

114. Article 536 of the Code is amended by replacing “curator” in the first paragraph by “temporary representative”.

115. Article 660 of the Code is amended by replacing “curator” in subparagraph 3 of the first paragraph by “temporary representative”.

PUBLIC CURATOR ACT

116. Section 1 of the Public Curator Act (chapter C-81) is amended

(1) by adding the following sentence at the end: “It shall also appoint an Assistant Public Curator, where required and after consulting with the Public Curator.”;

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

“The Public Curator’s mission is mainly to see that incapable persons are protected. The Public Curator shall exercise his functions in their interest and in such a manner as to respect their rights and safeguard their autonomy, taking into account their wishes and preferences. He is also responsible for recognizing assistants to persons of full age and for seeing to the protection of the patrimony of minors.

The Public Curator shall inform persons who are assisted or represented, persons designated to represent incapable persons of full age, tutors to minors and assistants to persons of full age of the rules concerning them. He shall raise public awareness of the issues relating to incapacity and shall inform the public about means for protecting incapable persons.”

117. Section 2 of the Act is replaced by the following section:

“**2.** The Public Curator is appointed for a five-year term. The Assistant Public Curator is appointed for a term of not over five years. At the expiry of their term, they shall remain in office until they are reappointed or replaced.”

118. Section 3 of the Act is amended

(1) by replacing “Public Curator may” in the first paragraph by “Public Curator and the Assistant Public Curator may” and “ses” in that paragraph in the French text by “leurs”;

(2) by replacing “The Public Curator cannot be dismissed” in the second paragraph by “They cannot be dismissed”.

119. Section 4 of the Act is amended by inserting “and of the Assistant Public Curator” at the end.

120. Section 5 of the Act is replaced by the following section:

“**5.** The Public Curator and the Assistant Public Curator shall attend exclusively to their duties of office and shall hold no other function, office or employment without the authorization of the Government.”

121. Section 6 of the Act is amended

(1) in the first paragraph,

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

“**6.** The Public Curator and the Assistant Public Curator shall, before taking office, make an oath as follows:”;

(b) by replacing “Public Curator” in the oath by “Public Curator (or the Assistant Public Curator)”;

(2) by replacing “Public Curator shall carry out” in the second paragraph by “Public Curator and the Assistant Public Curator shall carry out”.

122. Section 7 of the Act is amended by replacing the first paragraph by the following paragraphs:

“The Public Curator shall define the functions of the Assistant Public Curator. If the Public Curator is absent or unable to act or if the office of Public Curator is vacant, the Assistant Public Curator shall replace him.

If the Assistant Public Curator is absent or unable to act, the Public Curator shall designate, in writing, one or more persons from his personnel to replace the Assistant Public Curator.

The designation shall be published in the *Gazette officielle du Québec* but shall take effect upon the signing by the Public Curator of the instrument evidencing it.”

123. Section 7.1 of the Act is amended by inserting “or by the Assistant Public Curator” after “signed by the Public Curator”.

124. Section 8 of the Act is amended, in the first paragraph,

(1) by replacing “the office of the Public Curator is vacant or the Public Curator is unable to act” by “the offices of Public Curator and Assistant Public Curator are vacant or the Public Curator and the Assistant Public Curator are unable to act”;

(2) by replacing “to carry on the duties of Public Curator for the time being” by “to temporarily exercise the function of Public Curator”.

125. Section 12 of the Act is amended, in the second paragraph,

(1) by striking out “and curatorships” in subparagraph 1;

(2) by replacing “, curatorships” in subparagraph 2 by “, temporary representation of incapable persons of full age”;

(3) by striking out “or curatorship”, “under protective supervision” and “or a curator” in subparagraph 3;

(4) by adding the following subparagraphs at the end:

“(4) recognition of assistants to persons of full age;

“(5) examination of the accounts rendered by certain mandataries under article 2166.1 of the Civil Code.”

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

“**12.1.** The Public Curator, the Assistant Public Curator, members of the the Public Curator’s personnel and persons referred to in section 11 may not be prosecuted for anything done in good faith in the exercise of the functions assigned to them with respect to the recognition of assistants to persons of full age.”

127. The heading of Division II before section 13 of the Act is amended by striking out “PERTAINING TO PROTECTIVE SUPERVISION”.**128.** Section 13 of the Act is replaced by the following section:

“**13.** The Public Curator may intervene in any proceedings pertaining to

(1) tutorship to a person of full age;

(2) tutorship to an absentee;

(3) temporary representation of an incapable person of full age;

(4) assistance to a person of full age;

(5) a protection mandate;

(6) the integrity of a person of full age who is incapable of giving consent and who is not provided with a tutor or mandatary;

(7) tutorship to a minor;

(8) the emancipation of a minor.”

129. Section 14 of the Act is amended

(1) by replacing “, within a reasonable time, any appropriate measure including the calling of a meeting of relatives, persons connected by marriage or a civil union and friends of the person of full age” by “any appropriate measure within a reasonable time, including calling a meeting of relatives, persons connected by marriage or a civil union, or friends”;

(2) by replacing both occurrences of “protective supervision” by “tutorship to a person of full age”;

(3) by striking out “assist or”.

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

“**14.1.** When acting under section 14, the Public Curator may, to take into account the wishes expressed by the person of full age in a protection mandate, obtain a copy of it from any notary or lawyer who is its depositary.

This section applies notwithstanding section 64 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

“**14.2.** The Public Curator shall report to the Commission des droits de la personne et des droits de la jeunesse any situation that may be a case of exploitation within the meaning of section 48 of the Charter of human rights and freedoms (chapter C-12) necessitating the intervention of that Commission.”

131. Section 15 of the Act is amended

(1) by striking out “or curatorship” and “or a curator” in the first paragraph;

(2) in the second paragraph,

(a) by striking out “or curator”;

(b) by replacing “and friends” and “disabled” by “, or friends” and “incapable”, respectively.

132. The Act is amended by inserting the following section after section 15:

“16. In exercising tutorship to a person of full age, the Public Curator shall establish a representation plan, which he is to review periodically.

The Public Curator shall communicate the representation plan to the person of full age.”

133. Section 17 of the Act is amended

(1) by striking out “or curatorship”;

(2) by replacing “, obtain his opinion, where applicable, and keep him informed of the decisions taken in his regard” by “, involve him in the decisions made in his regard and keep him informed of those decisions”.

134. Section 17.1 of the Act is amended by replacing “on the protection and representation of incapable or protected persons” by “on matters under the Public Curator’s jurisdiction”.

135. Section 17.2 of the Act is amended by striking out “on protection and representation of incapable or protected persons” in the first paragraph.

136. Section 18 of the Act is amended by replacing “curator, tutor or adviser” by “tutor”.

137. Section 19 of the Act is amended

(1) by striking out “or curator” in the first paragraph;

(2) by inserting “or that the person does not need to be so represented in accordance with those laws. However, the court may grant the application if sufficient effort has been made to provide such proof, but such effort has been in vain” at the end of the second paragraph.

138. Section 20 of the Act is amended

(1) in the first paragraph,

(a) by striking out “and curatorships” and “or curator who so requires”;

(b) by replacing “any tutor” and “of fulfilling his obligations” by “tutors” and “in which they are to fulfil their obligations”, respectively;

(2) in the second paragraph,

(a) by replacing “two months” by “60 days”;

(b) by striking out “and curators” and “or curatorship”;

(c) by replacing “entrusted to their administration” by “entrusted to their management”;

(d) by replacing “annual report of their administration” by “annual account of their management”;

(e) by replacing “disability” and “it” by “the incapacity” and “such an assessment”, respectively;

(f) by replacing “rendering of accounts” by “final account”.

139. The Act is amended by inserting the following section after section 20:

“20.1. Notwithstanding the provisions of the Civil Code and this Act, the Public Curator may, where circumstances warrant it and on the conditions he determines,

(1) authorize the tutor to mingle his property with that of his spouse to whom he is tutor;

(2) authorize the tutor to render an account otherwise than by sending an annual account of his management;

(3) exempt the tutor to a minor from establishing a tutorship council.”

140. Section 21 of the Act is amended

(1) by replacing “serious ground to believe” and “damage” by “serious reason to fear” and “injury”, respectively;

(2) by striking out both occurrences of “or curator”.

141. Section 22 of the Act is amended

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

“The Public Curator may apply for the replacement of a tutor on the grounds set out in the Civil Code or where the annual management account of the tutor or an inquiry held by the Public Curator gives serious reason to fear that the person represented may suffer injury by reason of the tutor failing to perform his duties, or performing them improperly.”;

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

“Where a protection mandate is not being faithfully performed or for any other serious reason, the Public Curator may also apply for the revocation of the mandate or communicate to the replacement mandatary the necessary information so that the latter may apply to replace the initial mandatary. In the latter case, the replacement mandatary must first attest under oath that he intends to file such an application.”;

(3) in the last paragraph,

(a) by striking out “or curatorship”;

(b) by replacing “disabled” by “incapable”.

142. Section 27 of the Act is amended, in the first paragraph,

(1) by replacing “protective supervision” by “tutorship, temporary representation or assistance”;

(2) by replacing “person who is unable whose care or the administration of whose property have been entrusted” by “incapable person whose care or the administration of whose property has been entrusted”.

143. Section 28 of the Act is amended, in the first paragraph,

(1) by replacing “the record of the case of a person who is unable” by “the relevant record for an incapable person”;

(2) by replacing “protected person” by “person under tutorship or under a protection mandate”.

144. Section 29 of the Act is amended by replacing the second paragraph by the following paragraph:

“The inventory shall be made by a private writing. If circumstances permit, it shall be made in the presence of witnesses.”

145. Section 34 of the Act is amended

(1) by replacing the second sentence of the first paragraph by the following sentence: “However, where such a person fails or is unable to act, the authorization of the court is required to alienate property whose value exceeds \$40,000 by onerous title or to charge property with a hypothec exceeding that value.”;

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

“In addition to the grounds set out in article 1305 of the Civil Code, authorization to alienate property by onerous title or to charge property with a hypothec may also be given where the act is necessary to ensure the education and maintenance of the person represented or to preserve the value of his patrimony. Such authorization may also be given where that is the wish of the person of full age and there is no risk that the person of full age will suffer serious injury as a result.”;

(3) by striking out “or curatorship” in the last paragraph.

146. Section 36 of the Act is amended by replacing “\$5,000” by “the greater of \$15,000 and the amount corresponding to 15% of the value of the property that is being partitioned or of the value in dispute that is being transacted”.

147. Section 42 of the Act is amended by striking out “, by registered mail,” in the first paragraph.

148. Section 52 of the Act is amended

(1) by striking out “or their successors or heirs” in subparagraph 2 of the first paragraph;

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

“Nevertheless, at the request of an interested person, the Public Curator may certify that a person is a minor, under tutorship, under a protection mandate or under temporary representation and indicate the name of the tutor, mandatary or representative. The Public Curator may also certify that a person is recognized as an assistant to a specified person of full age.”

149. Section 53 of the Act is amended by replacing “damage” by “harm”.

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

“**53.1** The liquidator of the succession, the beneficiary of life insurance or of a death benefit or the heir or successor of the person who was represented by the Public Curator or whose property was administered by the Public Curator has the right to obtain information contained in the file of the deceased person to the extent that the information affects his interests or rights as liquidator, beneficiary, heir or successor.”

151. Section 54 of the Act is amended by replacing the first paragraph by the following paragraph:

“The Public Curator shall keep a register of tutorships to minors, a register of tutorships to persons of full age, a register of assistants to persons of full age, a register of homologated protection mandates and a register of authorizations for temporary representation of incapable persons of full age.”

152. Section 67 of the Act is amended by replacing “30 June” in the first paragraph by “31 October”.

153. Section 68 of the Act is amended

(1) by striking out “and curators” in paragraph 3;

(2) by inserting the following paragraphs after paragraph 3:

“(3.1) determine the form and content of the medical and psychosocial assessment reports necessary for tutorship to a person of full age;

“(3.2) determine the form and content of the medical and psychosocial assessment reports necessary for the temporary representation of an incapable person of full age;

“(3.3) determine the form and content of the documents necessary for the recognition of an assistant to a person of full age and the manner in which they are to be transmitted;

“(3.4) determine the conditions an advocate or notary must meet to be certified to perform the operations preliminary to the recognition of an assistant to a person of full age;”;

(3) by inserting “and the rules for consulting the registers” after “the registers” in paragraph 6;

(4) by striking out “, curatorships” in paragraph 7.

154. The Act is amended by inserting the following section after section 204:

“**205.** The amount specified in section 34, in articles 209, 213, 214, 217, 221, 242 and 289.1 of the Civil Code and in articles 336 and 394 of the Code of Civil Procedure is indexed on 1 April (*insert the year that is ten years after the date of coming into force of section 8 of the Act to amend the Civil Code, the Code of Civil Procedure, the Public Curator Act and various provisions as regards the protection of persons*), and every ten years after that, according to the variation in the average Consumer Price Index for the five preceding years, based on the index established for the whole of Québec by Statistics Canada. The amount computed based on that index is rounded off to the nearest multiple of \$5,000. The Public Curator shall publish the results of the indexing in the *Gazette officielle du Québec*.”

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

155. Section 47 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by replacing the introductory clause by the following introductory clause:

“**47.** Every person who is of full age and a Canadian citizen, who is neither disqualified from voting under section 53 nor disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code and who meets one of the following two conditions is an elector of a municipality:”.

156. Section 137 of the Act is amended by replacing “under curatorship” in subparagraph 2 of the third paragraph by “disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code”.

157. Section 137.2 of the Act is amended by replacing “under curatorship” by “disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code”.

158. Section 518 of the Act is amended by replacing “under curatorship” in the second paragraph by “disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code”.

159. Section 528 of the Act is amended by replacing “under curatorship nor disqualified from voting under section 524” in the second paragraph by “disqualified from voting under section 524 nor disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code”.

ACT RESPECTING SCHOOL ELECTIONS TO ELECT CERTAIN MEMBERS OF THE BOARDS OF DIRECTORS OF ENGLISH- LANGUAGE SCHOOL SERVICE CENTRES

160. Section 12 of the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3) is amended by replacing “under curatorship” in paragraph 4 by “disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code”.

161. Section 58.8 of the Act is amended by replacing “that the person in respect of whom the application for striking off is made is under curatorship or is deceased” in subparagraph 2 of the third paragraph by “that the person in respect of whom the application for striking off is made is disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code or is deceased”.

162. Section 58.10 of the Act is amended by replacing “under curatorship” by “disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code”.

ELECTION ACT

163. Section 1 of the Election Act (chapter E-3.3) is amended by replacing “under curatorship” in subparagraph 4 of the first paragraph by “disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code”.

164. Section 40.7.1 of the Act is amended by replacing “in whose favour curatorship is instituted” by “who is disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code”.

165. Section 40.10.1 of the Act is amended

(1) by replacing “death or of institution of curatorship and” by “death,”;

(2) by inserting “and the name of any person who is disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code” after “Referendum Act (chapter C-64.1)”.

166. Section 40.12.15 of the Act is amended by replacing “that the person is under curatorship or is dead” by “that the person concerned is disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code or is deceased”.

167. Section 210 of the Act is amended by replacing “that the person whose removal is requested is under curatorship or is dead” in the first paragraph by “that the person whose removal is requested is disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code or is deceased”.

PROVISIONS AMENDING VARIOUS ACTS

WORKERS’ COMPENSATION ACT

168. Section 35 of the Workers’ Compensation Act (chapter A-3) is amended

(1) in subsection 4,

(a) by replacing “to their curator and, failing those persons” by “mandatory or, if they do not have one”;

(b) by striking out “or a curator, as the case may be”;

(2) in subsection 5,

(a) by replacing “, as the case may be, to their tutor or curator and, failing a tutor or a curator” by “to their tutor or mandatory if they have one or, if they do not”;

(b) by striking out “or a curator, as the case may be”.

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

169. Section 141 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is amended

(1) in the first paragraph,

(a) by replacing “curator” by “mandatory”;

(b) by striking out “or a curator, as the case may be”;

(2) by inserting “, except a payment to a mandatary” at the end of the second paragraph.

ACT RESPECTING LEGAL AID AND THE PROVISION OF CERTAIN OTHER LEGAL SERVICES

170. Section 4.7 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14) is amended by replacing “, protective supervision of a person of full age or a protection mandate” in paragraph 3 by “or to a person of full age, a protection mandate or temporary representation of an incapable person of full age”.

LAND SURVEYORS ACT

171. Section 58 of the Land Surveyors Act (chapter A-23) is amended, in subsection 1,

(1) by replacing “tutorship or curatorship” by “a tutorship or the homologation of a protection mandate for him”;

(2) by replacing “curator” by “mandatary”.

AUTOMOBILE INSURANCE ACT

172. Section 83.27 of the Automobile Insurance Act (chapter A-25) is amended

(1) in the first paragraph,

(a) by replacing “or curator” by “or mandatary”;

(b) by striking out “or of a curator, as the case may be”;

(2) by inserting “, except a payment to a mandatary” at the end of the second paragraph.

INSURERS ACT

173. Section 118 of the Insurers Act (chapter A-32.1) is amended by replacing “the institution of protective supervision” by “tutorship to a person of full age being instituted or a protection mandate homologated”.

ACT RESPECTING THE BARREAU DU QUÉBEC

174. Section 69.1 of the Act respecting the Barreau du Québec (chapter B-1) is amended

(1) by replacing “by the court of tutorship or curatorship” in the first paragraph by “of tutorship or the homologation of a protection mandate”;

(2) by replacing “the protective supervision” in the third paragraph by “the tutorship or the protection mandate”.

175. Section 122 of the Act is amended by replacing paragraph *c* of subsection 1 by the following paragraph:

“(c) he is under tutorship or under a protection mandate;”.

176. Section 128 of the Act is amended by adding the following paragraph at the end of subsection 2:

“(f) to perform the operations preliminary to the Public Curator’s recognition of an assistant to a person of full age.”

BUILDING ACT

177. Section 69 of the Building Act (chapter B-1.1) is amended by replacing “the tutor or adviser to a person of full age” in the second paragraph by “the tutor to or mandatary of an incapable person of full age”.

UNCLAIMED PROPERTY ACT

178. Section 2 of the Unclaimed Property Act (chapter B-5.1) is amended by replacing “under tutorship or curatorship” in subparagraph 8 of the first paragraph by “under tutorship or under a protection mandate;”.

CHARTER OF VILLE DE MONTRÉAL, METROPOLIS OF QUÉBEC

179. Section 145 of Schedule C to the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4) is amended by replacing “under protective supervision” in the first paragraph by “under tutorship or under a protection mandate”.

PROFESSIONAL CODE

180. Section 37.1 of the Professional Code (chapter C-26) is amended by replacing “with regard to the protective supervision of a person of full age or with regard to” in subparagraph *f* of paragraph 1.1.1 by “for the purposes of tutorship to a person of full age or”.

COMPANIES ACT

181. Section 140 of the Companies Act (chapter C-38) is amended by replacing “curator” and “under tutorship or curatorship” by “mandatary” and “under tutorship or under a protection mandate”, respectively.

182. Section 141 of the Act is amended by replacing “curator,” by “mandatary,”.

183. Section 179 of the Act is amended by replacing “, curator” in paragraph 2 by “, mandatary”.

ACT RESPECTING FINANCIAL SERVICES COOPERATIVES

184. Section 8 of the Act respecting financial services cooperatives (chapter C-67.3) is amended by replacing “under protective supervision or a person totally or partially deprived of the exercise of civil rights” in paragraph 2 by “under tutorship or under a protection mandate”.

REAL ESTATE BROKERAGE ACT

185. Section 37 of the Real Estate Brokerage Act (chapter C-73.2) is amended by replacing paragraph 4 by the following paragraph:

“(4) if the applicant is under tutorship or under a protection mandate.”

186. Section 38 of the Act is amended by replacing paragraph 4 by the following paragraph:

“(4) is under tutorship or under a protection mandate.”

ACT RESPECTING DEPOSITS WITH THE BUREAU GÉNÉRAL DE
DÉPÔTS POUR LE QUÉBEC

187. Section 2 of the Act respecting deposits with the Bureau général de dépôts pour le Québec (chapter D-5.1) is amended by replacing “a curator” in the second paragraph by “a mandatary of an incapable person of full age”.

ACT RESPECTING THE DISTRIBUTION OF FINANCIAL PRODUCTS
AND SERVICES

188. Section 218 of the Act respecting the distribution of financial products and services (chapter D-9.2) is amended by replacing subparagraph 3 of the first paragraph by the following subparagraph:

“(3) the certificate holder is under tutorship or under a protection mandate;”.

189. Section 219 of the Act is amended by replacing paragraph 3 by the following paragraph:

“(3) where the applicant is under tutorship or under a protection mandate;”.

MONEY-SERVICES BUSINESSES ACT

190. Section 5 of the Money-Services Businesses Act (chapter E-12.000001) is amended by replacing subparagraph 2 of the second paragraph by the following subparagraph:

“(2) not be under tutorship or under a protection mandate;”.

191. Section 14 of the Act is amended by replacing paragraph 2 by the following paragraph:

“(2) is under tutorship or under a protection mandate;”.

ACT RESPECTING FABRIQUES

192. Section 39 of the Act respecting fabriques (chapter F-1) is amended by replacing paragraph *b* by the following paragraph:

“(*b*) if tutorship is instituted or a protection mandate homologated for him;”.

TAXATION ACT

193. Section 1049.12 of the Taxation Act (chapter I-3) is amended by replacing “or under tutorship or curatorship,” by “, under tutorship or under a protection mandate”.

194. Section 1049.12.1 of the Act is amended by replacing “or under tutorship or curatorship,” by “, under tutorship or under a protection mandate”.

DEPOSIT INSTITUTIONS AND DEPOSIT PROTECTION ACT

195. Section 28.62 of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) is amended by replacing “the institution of protective supervision” by “tutorship to a person of full age being instituted or a protection mandate homologated”.

DERIVATIVES ACT

196. Section 80.1 of the Derivatives Act (chapter I-14.01) is amended by replacing paragraph 3 by the following paragraph:

“(3) the representative, chief compliance officer or ultimate designated person is under tutorship or under a protection mandate; or”.

ACT RESPECTING THE MONTRÉAL MUSEUM OF FINE ARTS

197. Section 6.2 of the Act respecting the Montréal Museum of Fine Arts (chapter M-42) is amended by replacing “under tutorship or curatorship” in paragraph 2 by “under tutorship or under a protection mandate”.

NOTARIES ACT

198. Section 15 of the Notaries Act (chapter N-3) is amended by adding the following paragraph at the end:

“(8) perform the operations preliminary to the Public Curator’s recognition of an assistant to a person of full age.”

199. Section 28 of the Act is amended by replacing “under protective supervision” in the first paragraph by “under tutorship”.

200. Section 77 of the Act is amended by replacing “protective supervision” in subparagraph 3 of the first paragraph by “tutorship to a person of full age”.

ACT RESPECTING THE SHARING OF CERTAIN HEALTH INFORMATION

201. Section 79 of the Act respecting the sharing of certain health information (chapter P-9.0001) is amended, in paragraph 8,

(1) by striking out “or the fact that he or she is under public curatorship”;

(2) by replacing “the dates of the institution and termination of curatorship” by “the dates on which representation by the latter begins and ends”.

PHARMACY ACT

202. Section 29 of the Pharmacy Act (chapter P-10) is amended by replacing “is placed under tutorship or curatorship” and “curator” by “is placed under tutorship or under a protection mandate” and “mandatary”, respectively.

ACT RESPECTING THE PROTECTION OF PERSONS WHOSE MENTAL STATE PRESENTS A DANGER TO THEMSELVES OR TO OTHERS

203. The schedule to the Act respecting the protection of persons whose mental state presents a danger to themselves or to others (chapter P-38.001) is amended by striking out “, curator” in subparagraph *a* of the second subparagraph of paragraph 5.

ACT RESPECTING THE COLLECTION OF CERTAIN DEBTS

204. Section 6 of the Act respecting the collection of certain debts (chapter R-2.2), amended by section 789 of chapter 23 of the statutes of 2018, is again amended by replacing “curator” in paragraph 1 by “mandatory or temporary representative of an incapable person of full age”.

ACT RESPECTING THE RÉGIE DU LOGEMENT

205. Section 64 of the Act respecting the Régie du logement (chapter R-8.1) is amended

(1) by striking out “tutor, curator or adviser,” in paragraph 8;

(2) by inserting the following paragraph after paragraph 8:

“(8.1) if the commissioner is the tutor, mandatory or temporary representative of an incapable person of full age who is one of the parties;”.

206. Section 73 of the Act is amended by replacing “or curator” by “, a mandatory of an incapable person of full age or a temporary representative of a person of full age”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

207. Section 22 of the Act respecting health services and social services (chapter S-4.2) is amended

(1) by replacing “curator, mandatory” in the first paragraph by “the mandatory”;

(2) in the second paragraph,

(a) by replacing “for the institution or review of protective supervision for a user or the homologation of a protection mandate” and “assessment of” by “, with regard to a user, for the institution or review of a tutorship, for the homologation of a protection mandate or for temporary representation of an incapable person of full age” and “assessment reports concerning”, respectively;

(b) by inserting “or perform a specified act” after “administer his property”.

208. Section 150 of the Act is amended by replacing “curatorship” in paragraph 3 by “under a protection mandate”.

209. Section 204 of the Act is amended by replacing “the protective supervision of incapable persons” in paragraph 5.1 by “tutorship to a person of full age”.

210. Section 210 of the Act is repealed.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES FOR
CREE NATIVE PERSONS

211. Section 77 of the Act respecting health services and social services for Cree Native persons (chapter S-5) is amended, in the third paragraph,

(1) by striking out “, his curator”;

(2) by replacing “unable to express” and “inability” by “incapable of expressing” and “incapacity”, respectively.

212. Section 86 of the Act is amended by replacing “under tutorship or curatorship” in subparagraph *a* of the first paragraph by “under tutorship or under a protection mandate”.

213. Section 105 of the Act is amended by replacing “protective supervision of incapable persons” in subparagraph *i* of the second paragraph by “tutorship to persons of full age”.

TRUST COMPANIES AND SAVINGS COMPANIES ACT

214. Section 2 of the Trust Companies and Savings Companies Act (chapter S-29.02) is amended by striking out “, an adviser to a person of full age” and “or curator”.

215. Section 18 of the Act is amended by striking out “, or curator to the property of a person of full age or adviser to a person of full age,” in paragraph 2.

216. Section 99 of the Act is amended by replacing “the institution of protective supervision” by “tutorship to a person of full age being instituted or a protection mandate homologated”.

BUSINESS CORPORATIONS ACT

217. Section 234 of the Business Corporations Act (chapter S-31.1) is amended by replacing “or the auditor’s becoming bankrupt or being placed under protective supervision” by “, the auditor’s becoming bankrupt or tutorship being instituted or a protection mandate homologated for the auditor”.

PROFESSIONAL SYNDICATES ACT

218. Section 27 of the Professional Syndicates Act (chapter S-40) is amended by replacing “fees fixed by the tariff for curatorship cases” in the third paragraph by “the fees prescribed in section 4 of Schedule I to the Regulation respecting the application of the Unclaimed Property Act (chapter B-5.1, r. 1)”.

ACT RESPECTING THE QUÉBEC SALES TAX

219. Section 310 of the Act respecting the Québec sales tax (chapter T-0.1) is amended by replacing “or curator” in paragraph 3 of the definition of “receiver” in the second paragraph by “, mandatary of an incapable person of full age or temporary representative of an incapable person of full age”.

SECURITIES ACT

220. Section 3 of the Securities Act (chapter V-1.1), amended by section 803 of chapter 23 of the statutes of 2018, is again amended, in paragraph 11,

(1) by replacing “curators to property” by “mandataries to property of incapable persons of full age”;

(2) by striking out “, advisers to persons of full age”.

221. Section 151.0.1 of the Act is amended by replacing subparagraph 3 of the first paragraph by the following subparagraph:

“(3) the representative, chief compliance officer or ultimate designated person is under tutorship or under a protection mandate; or”.

ACT MAINLY TO IMPROVE THE REGULATION OF THE FINANCIAL
SECTOR, THE PROTECTION OF DEPOSITS OF MONEY AND THE
OPERATION OF FINANCIAL INSTITUTIONS

222. Section 486 of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23) is amended by striking out “, curators” in subparagraph 1 of the first paragraph proposed by subparagraph *c* of paragraph 1.

PROVISIONS AMENDING VARIOUS REGULATIONS

REGULATION RESPECTING THE REGISTER OF PERSONAL AND
MOVABLE REAL RIGHTS

223. Section 25 of the Regulation respecting the register of personal and movable real rights (chapter CCQ, r. 8) is amended, in subparagraph 1 of the first paragraph,

(1) by striking out “a curator,”;

(2) by inserting “a temporary representative by reason of the person’s incapacity,” after “party,”.

REGULATION RESPECTING SAVINGS PRODUCTS

224. Section 50 of the Regulation respecting savings products (chapter A-6.001, r. 9) is amended by replacing “is under protective supervision” in the first paragraph by “is under tutorship, is under a protection mandate”.

REGULATION RESPECTING LEGAL AID

225. Section 30 of the Regulation respecting legal aid (chapter A-14, r. 2) is amended

(1) in the first paragraph,

(a) by striking out “his curator,”;

(b) by inserting “a temporary representative of an incapable person of full age performing the specific act he has been authorized to perform,” after “protection mandate,”;

(2) by replacing “the institution or review of protective supervision for a third party” in the second paragraph by “, for a third party, the institution or review of tutorship to a person of full age, the designation of a temporary representative for an incapable person of full age”.

REGULATION RESPECTING THE REIMBURSEMENT OF CERTAIN EXPENSES

226. Section 51 of the Regulation respecting the reimbursement of certain expenses (chapter A-25, r. 14) is amended

(1) by replacing “under protective supervision” by “under tutorship or for whom a protection mandate has not been homologated”;

(2) by striking out “, curator or adviser,”.

REGULATION RESPECTING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF HEALTH INSURANCE CARDS AND THE TRANSMITTAL OF STATEMENTS OF FEES AND CLAIMS

227. Section 8.0.1 of the Regulation respecting the terms and conditions for the issuance of health insurance cards and the transmittal of statements of fees and claims (chapter A-29, r. 7.2) is amended, in paragraph 3,

(1) by striking out “or curatorship”;

(2) by replacing “represented by the Public Curator Act” by “represented by the Public Curator”.

REGULATION RESPECTING THE TRAINING, SKILL AND
KNOWLEDGE EVALUATION, ACCREDITATION AND DISCIPLINE OF
STENOGRAPHERS

228. Section 39 of the Regulation respecting the training, skill and knowledge evaluation, accreditation and discipline of stenographers (chapter B-1, r. 13) is amended by replacing “protective supervision” in the second paragraph by “tutorship to a person of full age”.

REGULATION RESPECTING THE CONDITIONS FOR THE
CERTIFICATION OF NOTARIES AS REGARDS THE INSTITUTION OR
REVIEW OF PROTECTIVE SUPERVISION AND PROTECTION
MANDATES

229. The title of the Regulation respecting the conditions for the certification of notaries as regards the institution or review of protective supervision and protection mandates (chapter C-25.01, r. 0.2) is replaced by the following title:

“REGULATION RESPECTING THE CONDITIONS FOR THE
CERTIFICATION OF NOTARIES AS REGARDS THE INSTITUTION OR
REVIEW OF TUTORSHIPS TO PERSONS OF FULL AGE AND
PROTECTION MANDATES”.

230. Section 1 of the Regulation is amended by replacing “protective supervision” in the introductory clause by “tutorships to persons of full age”.

REGULATION RESPECTING THE ISSUE OF BROKER’S AND
AGENCY LICENCES

231. Section 5 of the Regulation respecting the issue of broker’s and agency licences (chapter C-73.2, r. 3) is amended by striking out “, curator or adviser” in paragraph 12.

232. Section 7 of the Regulation is amended by striking out “, curator or adviser” in paragraph 10.

REGULATION RESPECTING THE APPLICATION OF THE PUBLIC
CURATOR ACT

233. Section 1 of the Regulation respecting the application of the Public Curator Act (chapter C-81, r. 1) is amended

- (1) by replacing “protective supervision for” in paragraph 5 by “tutorship to”;
- (2) by replacing “protective supervision” in paragraph 6 by “tutorship”.

234. Section 7 of the Regulation is amended, in paragraph 2,

- (1) by replacing “tutorship and curatorships” in the introductory clause by “tutorships”;
- (2) by striking out “or the curator or curators” in subparagraphs *b* and *d*;
- (3) by striking out subparagraph *c*;
- (4) by replacing “protective supervision” in subparagraph *f* by “tutorship”.

235. Schedule II to the Regulation is amended

(1) by replacing the introductory clause of section 1 by the following introductory clause:

“(1) The fees that the Public Curator may, as applicant, charge for activities relating to the institution of tutorship to a person of full age are established as follows and payable at the latest at the end of the tutorship, if public tutorship is instituted, or on the rendering of the judgment, if private tutorship is instituted.”;

(2) by replacing “public protective supervision” in the second paragraph of section 2 by “public tutorship”.

CODE OF ETHICS OF THE CHAMBRE DE LA SÉCURITÉ FINANCIÈRE

236. Section 19 of the Code of ethics of the Chambre de la sécurité financière (chapter D-9.2, r. 3) is amended by striking out “, curator or adviser within the meaning of the Civil Code” in paragraph 3.

REGULATION RESPECTING THE REGISTRATION OF FIRMS, REPRESENTATIVES AND INDEPENDENT PARTNERSHIPS

237. Section 2 of the Regulation respecting the registration of firms, representatives and independent partnerships (chapter D-9.2, r. 15) is amended by striking out “, curator or adviser” in subparagraph *f* of paragraph 16.

238. Section 6 of the Regulation is amended by striking out “, curator or adviser” in subparagraph *f* of paragraph 10.

REGULATION RESPECTING THE PRESERVATION, USE OR DESTRUCTION OF THE RECORDS, BOOKS AND REGISTERS OF A PHARMACIST WHO CEASES TO PRACTISE

239. Section 4.01 of the Regulation respecting the preservation, use or destruction of the records, books and registers of a pharmacist who ceases to practise (chapter P-10, r. 13) is amended by replacing “is placed under protective supervision” by “is placed under tutorship or under a protection mandate”.

RÈGLEMENT SUR L'EXERCICE DE LA PHARMACIE EN SOCIÉTÉ

240. Section 2 of the Règlement sur l'exercice de la pharmacie en société (chapter P-10, r. 16, French only) is amended by replacing “d'un régime de protection” in subparagraph *b* of paragraph 2 by “d'une tutelle au majeur ou d'un mandat de protection homologué”.

241. Section 4 of the Regulation is amended by replacing “d'un régime de protection” in subparagraph *b* of subparagraph 9 of the first paragraph by “d'une tutelle au majeur ou d'un mandat de protection homologué”.

242. Section 5 of the Regulation is amended by replacing “de l'ouverture d'un régime de protection, le tuteur ou le curateur” in paragraph 2 by “d'une tutelle au majeur ou d'un mandat de protection homologué, le tuteur ou le mandataire”.

ORGANIZATION AND MANAGEMENT OF INSTITUTIONS
REGULATION

243. Section 43 of the Organization and Management of Institutions Regulation (chapter S-5, r. 5) is amended by replacing “the curator of the beneficiary” in the second paragraph by “the tutor or mandatary of the beneficiary”.

REGULATION UNDER THE ACT RESPECTING THE QUÉBEC
CORRECTIONAL SYSTEM

244. Section 56 of the Regulation under the Act respecting the Québec correctional system (chapter S-40.1, r. 1) is amended by replacing subparagraph 8 of the first paragraph by the following subparagraph:

“(8) tutor or mandatary as designated by the judgment instituting the tutorship or homologating the protection mandate.”

TRANSITIONAL AND FINAL PROVISIONS

245. A person of full age under curatorship on the date of coming into force of section 46 is deemed to be under tutorship. The curator of the person of full age is deemed to be his or her tutor.

However, until the tutorship ceases or is modified, where applicable, the person of full age must be represented for the same acts as when under curatorship. A curator who has become a tutor may only perform acts of simple administration.

246. A person of full age provided with an adviser on the date of coming into force of section 52 remains under advisership as long as there is no release from or modification of the protective supervision.

During that period, the provisions concerning advisers to persons of full age and persons of full age provided with an adviser that are repealed or amended by this Act continue to have effect with regard to such advisers and persons of full age.

247. An application for the institution of protective supervision that is pending on the date of coming into force of section 46 is deemed to be an application for the institution of tutorship to a person of full age. However, the medical and psychosocial assessment reports must be replaced by such reports that comply with section 68 of the Public Curator Act (chapter C-81), as amended by section 153.

248. A tutor to the person who is party to proceedings pertaining to the property of a minor or a person of full age that are pending on the date of coming into force of section 7 continues the proceedings.

249. An insurer who, before the date of coming into force of section 11, has received the required proof of loss for a payment is not subject to the 15-day notice period prescribed in article 217 of the Civil Code, as replaced by section 11, if complying with that notice period prevents the insurer from complying with the time limit prescribed in article 2436 of the Code. In such a case, the insurer must fulfil the obligation imposed on it by that article 217 as soon as possible.

250. A protection mandate made before the date of coming into force of section 82 may not be invalidated for the sole reason that it was made jointly by two or more persons.

The first paragraph ceases to apply to such a mandate if changes are made to the mandate after the date specified in that paragraph.

The third paragraph of article 2166.1 of the Civil Code, enacted by section 83, applies only with respect to a protection mandate made on or after the date of coming into force of section 83.

Article 2167.4 of the Code, enacted by section 84, applies only with respect to a protection mandate homologated on or after the date of coming into force of section 84.

251. For the purposes of the reassessment of a person of full age who is under protective supervision on the date of coming into force of section 42, the following time limits continue to apply, taking into account the time that has already passed since the last assessment:

- (1) the five-year time limit, if the person was under curatorship;
- (2) the three-year time limit, if the person is under tutorship or provided with an adviser;

(3) the shorter time limit set by the court, if applicable.

252. A will made by a person of full age under curatorship who died after the date preceding the date of coming into force of section 46 may be confirmed by the court if the nature of its provisions and the circumstances in which it was drawn up allow it.

253. The Public Curator must send the Chief Electoral Officer the name, address, date of birth and sex of all persons of full age under curatorship on the date of coming into force of section 46.

The name of every such person of full age must be entered on the permanent list of electors by the Chief Electoral Officer. The Chief Electoral Officer must provide written confirmation to such electors that their names have been entered on the permanent list of electors and invite them to correct or complete the information which concerns them, if necessary.

If the confirmation notice is returned to the Chief Electoral Officer without having reached the addressee or if the Chief Electoral Officer is informed by the person that he or she cannot be or does not wish to be entered on the permanent list of electors, his or her name is struck off the list.

254. Unless the context indicates otherwise, in any other provision of an Act or of a regulation, the following terms and expressions are struck out, with the necessary adaptations:

(1) “curator”, when used elsewhere than in “Public Curator”, and “curators”, except in the following provisions:

(a) articles 1239 and 1289 of the Civil Code;

(b) sections 810 and 905.0.3 of the Taxation Act (chapter I-3);

(c) section 30 of the Pharmacy Act (chapter P-10);

(d) section 13 of the Règlement sur l’exercice de la pharmacie en société (chapter P-10, r. 16, French only);

(e) section 308 of the Supplemental Pension Plans Act (chapter R-15.1);

(f) section 94 of the General Regulation respecting supplemental pension plans (chapter R-15.1, r. 6.2);

(2) “curatorship” and “curatorships”;

(3) “adviser to a person of full age” and “advisers to persons of full age”.

255. The Government may, by order, authorize the Public Curator to implement a pilot project on any matter within the scope of this Act or the regulations with a view to studying, improving or defining standards applicable to those matters.

All pilot projects must be in line with the objectives pursued by this Act.

A pilot project is established for a period of up to three years which the Government may extend by up to one year. The Government may modify or terminate a pilot project at any time.

256. The Public Curator must, on the expiry of five years after the coming into force of this Act, report to the Minister of Families on the carrying out of the amendments made by this Act with respect to tutorship to a person of full age, including the right to vote, with respect to temporary representation and with respect to assistance to a person of full age, and on the advisability of amending the relevant legislative provisions. The Minister tables the report in the National Assembly within 30 days of its receipt or, if the Assembly is not sitting, within 30 days of resumption. The report is examined by the competent committee of the National Assembly in the year following the date of its tabling.

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

2020, chapter 12

AN ACT MAINLY TO PROMOTE THE EFFICIENCY OF PENAL JUSTICE AND TO ESTABLISH THE TERMS GOVERNING THE INTERVENTION OF THE COURT OF QUÉBEC WITH RESPECT TO APPLICATIONS FOR APPEAL

Bill 32

Introduced by Madam Sonia LeBel, Minister of Justice

Introduced 13 June 2019

Passed in principle 6 November 2019

Passed 3 June 2020

Assented to 5 June 2020

Coming into force: 5 June 2020, except

(1) paragraph 2 of section 15, sections 16, 19 to 29, 31 to 34, 54, 58, 63 and 64, paragraph 1 of section 74, paragraphs 1 to 4 of section 75 and section 83, which come into force on 13 July 2020; and

(2) sections 2 to 12, 36, 40 to 42, 59, 61, 62 and 71, paragraph 2 of section 74, paragraph 5 of section 75, sections 76 to 82, 85 to 116, 124 to 128 and 138 to 142, paragraphs 1 to 4 of section 144, paragraphs 1 to 4 and 6 to 8 of section 145, paragraphs 2 and 5 of section 146, and sections 148, 149 and 154 to 159, which come into force on the date or dates to be set by the Government, which dates, except for section 71, may not be later than 1 January 2021, or on that latter date for the provisions not yet in force on that date.

Legislation amended:

Tax Administration Act (chapter A-6.002)

Act respecting legal aid and the provision of certain other legal services (chapter A-14)

Cannabis Regulation Act (chapter C-5.3)

Code of Civil Procedure (chapter C-25.01)

Code of Penal Procedure (chapter C-25.1)

Act respecting municipal courts (chapter C-72.01)

Real Estate Brokerage Act (chapter C-73.2)

Act respecting hunting and fishing rights in the James Bay and New Québec territories (chapter D-13.1)

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

Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3)

Election Act (chapter E-3.3)

Act respecting municipal taxation (chapter F-2.1)

Petroleum Resources Act (chapter H-4.2)

(cont'd on next page)

Legislation amended: (cont'd)

Mining Tax Act (chapter I-0.4)
Taxation Act (chapter I-3)
The Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)
Jurors Act (chapter J-2)
Act respecting lotteries, publicity contests and amusement machines (chapter L-6)
Mining Act (chapter M-13.1)
Act respecting the Ministère de la Justice (chapter M-19)
Act respecting labour standards (chapter N-1.1)
Cultural Heritage Act (chapter P-9.002)
Police Act (chapter P-13.1)
Youth Protection Act (chapter P-34.1)
Act respecting the Régie de l'assurance maladie du Québec (chapter R-5)
Act respecting the Québec Pension Plan (chapter R-9)
Act respecting property tax refund (chapter R-20.1)
Fire Safety Act (chapter S-3.4)
Act respecting the Québec sales tax (chapter T-0.1)
Lobbying Transparency and Ethics Act (chapter T-11.011)
Act to establish the Administrative Labour Tribunal (chapter T-15.1)
Courts of Justice Act (chapter T-16)

Regulations amended:

Regulation respecting legal aid (chapter A-14, r. 2)
Regulation respecting the form of statements of offence (chapter C-25.1, r. 1)
Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age (chapter C-25.1, r. 3)
Tariff of court costs in penal matters (chapter C-25.1, r. 6)
Tariff of fees of court bailiffs (chapter H-4.1, r. 13.1)

Explanatory notes

This Act proposes a number of measures to increase the efficiency of penal justice.

To that end, it amends the Code of Penal Procedure mainly to

- (1) clarify the Attorney General's and the Director of Criminal and Penal Prosecutions' intervention powers;
- (2) allow a defendant, with the prosecutor's consent, to waive acquired prescription with regard to proceedings;
- (3) allow, subject to certain conditions, an arrested person who is required to appear with a view to being released from custody to do so using a technological means;
- (4) introduce a warrant of entry enabling a person entrusted with executing a warrant for witness, warrant to bring a defendant, warrant of committal or warrant of arrest to enter a dwelling house to carry out an arrest;
- (5) extend the use of telewarrants;
- (6) set out rules for the use of information systems on the premises of a search;

(cont'd on next page)

Explanatory notes (cont'd)

(7) allow a judge to make new orders prohibiting or limiting access to, or prohibiting the communication of, certain information or documents;

(8) allow copies of documents seized to be made before the documents are returned;

(9) introduce a general warrant allowing a peace officer or a person entrusted with the enforcement of any Act to use any investigative device, technique or procedure or do anything that would, if not so authorized, constitute an unreasonable search or seizure;

(10) introduce a communication order addressed to third parties, including with respect to banking information;

(11) include measures allowing the social situation of certain defendants to be taken into account so as to, among other things, promote their rehabilitation, by introducing such options as their participation in an adaptation program that offers an alternative to penal proceedings or allows them to replace compensatory work by alternative measures;

(12) allow an expert's report filed by the prosecutor to stand in lieu of the expert's testimony in trials by default;

(13) allow a defendant to plead not guilty for a penal offence he or she has been charged with and to plead guilty for another penal offence relating to the same case;

(14) update the rules applicable to the period of detention of things seized, and those applicable to a stay of execution of a judgment that may be ordered if a defendant applies for a revocation of the judgment;

(15) modernize the rules governing service of a written proceeding; and

(16) make the rules in the Code of Civil Procedure concerning the summoning of witnesses who reside in another province or in a territory of Canada applicable in penal matters.

The Courts of Justice Act is amended to establish the terms governing the intervention of the Court of Québec with respect to applications for appeal and contestations heard by that court. The Act makes a distinction between applications for appeal and contestations heard by the Court of Québec under various Acts.

The Courts of Justice Act is further amended to increase the number of Court of Québec judges from 306 to 308 and to allow an advocate who is not a member of the public service to hold the position of secretary of the Conseil de la magistrature. In addition, the rules in the Code of Civil Procedure concerning the summoning of witnesses who reside in another province or in a territory of Canada are amended.

The Act respecting the Ministère de la Justice is amended to allow the Minister of Justice to take the measures necessary for the proper administration of justice in exceptional situations.

The Act respecting labour standards is amended to allow the Commission des normes, de l'équité, de la santé et de la sécurité du travail to assist an employee on whom a sanction has been imposed by his or her employer on the grounds that the employee has been summoned as a prospective juror, has acted as a juror, has been called to attend at court or has acted as a witness.

Lastly, the Act proposes other measures to enhance the legal aid system and increase the efficiency of the Commission des services juridiques.



Chapter 12

AN ACT MAINLY TO PROMOTE THE EFFICIENCY OF PENAL JUSTICE AND TO ESTABLISH THE TERMS GOVERNING THE INTERVENTION OF THE COURT OF QUÉBEC WITH RESPECT TO APPLICATIONS FOR APPEAL

[Assented to 5 June 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

MEASURES TO INCREASE THE EFFICIENCY OF PENAL JUSTICE AND ALLOW THE SOCIAL SITUATION OF CERTAIN DEFENDANTS TO BE TAKEN INTO ACCOUNT

CODE OF PENAL PROCEDURE

1. The Code of Penal Procedure (chapter C-25.1) is amended by inserting the following article after article 2.1:

“2.2. In applying this Code, appropriate technological means that are available to both the parties and the court should be used whenever possible, taking into account the technological environment in place to support the business of the courts.

Subject to article 61, a judge may, even on his own initiative, use such means or order that such means be used by the parties, including for case management purposes.”

2. Article 11 of the Code is replaced by the following articles:

“11. The Attorney General or the Director of Criminal and Penal Prosecutions may, if of the opinion that the public interest so requires,

(1) intervene as a party in first instance to take or not take the place of the party who instituted proceedings;

(2) intervene as a party in appeal to take or not take the place of the party who was prosecutor in first instance;

(3) order proceedings stayed before judgment is rendered in first instance, whether or not the proceedings were instituted by the Attorney General or the Director of Criminal and Penal Prosecutions or by any other prosecutor; and

(4) allow proceedings to be continued within six months of being stayed, whether or not the proceedings were instituted by the Attorney General or the Director of Criminal and Penal Prosecutions or by any other prosecutor.

The intervention, stay or continuation commences, without notice or formality and without having to prove an interest, when the representative of the Attorney General or of the Director of Criminal and Penal Prosecutions informs the clerk. The clerk shall inform the parties without delay.

Where the Attorney General or the Director of Criminal and Penal Prosecutions intervenes as a party to a proceeding, he becomes a party to any subsequent proceeding.

The intervention of either as a party in first instance to take the place of the party who instituted proceedings modifies the designation of the prosecutor in the statement of offence.

“11.1. In a proceeding involving a public interest issue, the judge, even on his own initiative, may order the prosecutor to invite the Attorney General or the Director of Criminal and Penal Prosecutions to intervene.”

3. Article 14 of the Code is amended by adding the following paragraph at the end:

“A defendant may, with the consent of the prosecutor, waive acquired prescription with regard to the proceedings.”

4. Articles 19 and 20 of the Code are replaced by the following articles:

“19. Service of a written proceeding prescribed by this Code or the court regulations may be made by any appropriate method that provides the person serving the proceeding with proof that the proceeding was delivered, sent or published.

Such methods include service by registered mail, courier or another carrier, by technological means, by a peace officer or bailiff or by public notice.

Whatever the method of service used, the proceeding is deemed to have been served on an addressee if he acknowledges receipt of it or admits having received it.

“19.1. A proceeding, other than a statement of offence, an application for revocation of a judgment, a notice of appeal or an application for leave to appeal, may be served only on the defendant’s attorney if the defendant is so represented.

“20. Service by registered mail or by courier or another carrier is made by sending the proceeding to the addressee’s residence or business establishment or, in the case of a legal person, to its head office, one of its establishments or the establishment of one of its agents. A proceeding is considered to be mailed by registered mail if attestation is made of its delivery or receipt.

The proceeding may also be sent to a person designated by the addressee or to the addressee’s elected domicile recorded in the register of enterprises. If the addressee has no residence, head office, establishment, or agent having an establishment in Québec, the proceeding, including those mentioned in article 19.1, may be sent to the attorney representing the person.

Where attestation is made of receipt of the proceeding, service is deemed to have been made on the date on which the notice of receipt was signed by the addressee or any other person to whom the proceeding may be delivered under article 21. Where attestation is made of delivery of the proceeding, service is deemed to have been made on the date of the notice of delivery, unless imprisonment of the addressee is requested.”

5. Article 20.1 of the Code is amended

(1) by striking out “or, where the witness may be so reached, by fax machine or by electronic means”;

(2) by inserting “or a person entrusted with the enforcement of an Act” after “is a peace officer”;

(3) by inserting “or the person” after “whom the peace officer”.

6. The Code is amended by inserting the following article after article 20.1:

“20.2. Service by a technological means is made by sending the proceeding to the address indicated by the addressee as the address where the addressee accepts to receive the proceeding, or to the address that is publicly known as the address where the addressee accepts to receive documents, provided the address is active at the time of sending.

However, service by a technological means on a party not represented is permitted only with the party’s consent or if authorized by a judge.

Service is presumed to have been made on the day the proceeding was sent. If the proceeding was sent after 5 p.m. on a Saturday or on a holiday, service is presumed to have been made on the following working day.”

7. Article 21 of the Code is replaced by the following article:

“21. Service by a peace officer or bailiff is made by delivery of the proceeding to the addressee. It may also be made at the addressee’s residence by delivery of the proceeding to a person who appears to be capable of receiving it.

Service on a legal person may be made at its head office, one of its establishments or the establishment of one of its agents by delivery of the proceeding to one of its directors, officers or agents or to a person in charge of the premises. Service may also be made by delivering the proceeding to one of its directors, officers or agents, regardless of location.

Service may also be made by delivery of the proceeding to a person designated by the addressee or to a person in charge of the addressee's elected domicile recorded in the register of enterprises. If the addressee has no residence, head office, establishment, or agent having an establishment in Québec, service may be made by delivering the proceeding, including those mentioned in article 19.1, to the attorney representing the addressee.

If the proceeding cannot be delivered, the person serving the proceeding shall record that fact, along with the place, date and time of the unsuccessful delivery, and shall leave the proceeding at an appropriate place in a sealed envelope or in any other form that protects its confidentiality. Service is deemed to have been made on that date, unless imprisonment of the addressee is requested."

8. The Code is amended by inserting the following article after article 22:

"22.1. Service by public notice is made with the authorization of a judge. It may also be made by the bailiff who tried unsuccessfully to serve the proceeding on the addressee and who recorded that fact, unless imprisonment of the addressee is requested.

Service by public notice is made by publishing a notice directing the addressee to retrieve the proceeding at the place specified in the notice within 30 days of the publication of the notice. The notice must mention the judge's authorization or the bailiff's attempt to serve the proceeding.

The notice must be published by any means likely to reach the addressee, such as by publishing it in a newspaper circulated in the municipality of the addressee's last known address, by posting it on the website of such a newspaper, on a website recognized by an order of the Minister of Justice or at the office of the court. The notice must be published only once in a printed newspaper or for 30 days on a website or at the office of the court; if the circumstances so require, the notice may be published more than once.

Service is deemed to have taken place on the expiry of the time specified in the notice for retrieving the proceeding."

9. Article 24 of the Code is amended by replacing "The" in the second paragraph by "Where a judge's authorization is required under this division, the".

10. Article 27 of the Code is amended

(1) by inserting "or by courier or another carrier" after "registered mail" in the first paragraph;

(2) by adding the following sentence at the end of the first paragraph: “Failing that, the sender’s declaration that the document was sent, with a reference to the delivery or receipt status, serves as an attestation of service.”;

(3) by striking out the second paragraph.

11. The Code is amended by inserting the following articles after article 27:

“27.1. Where service is made by a technological means, the sender must keep the information that establishes the date, hour and minute of sending, as well as its source and destination.

That information serves as an attestation of service.

“27.2. Where service is made by public notice, a copy of the notice, showing the date and the method or place of publication, serves as an attestation of service.”

12. The Code is amended by inserting the following article after article 35:

“35.1. Where the witness is resident in another province or in a territory of Canada, the rules applicable to the calling of witnesses and immunity set out in article 497 of the Code of Civil Procedure (chapter C-25.01) apply, with the necessary modifications.

Where a person resident in Québec is summoned under a summons of another province or of a territory of Canada to testify in a penal case, the summons is homologated in accordance with the rules set out in article 498 of that Code, with the necessary modifications.

For the purposes of those rules, the powers conferred on the court are exercised by a judge.”

13. Article 42 of the Code is amended

(1) by striking out “or priority” in paragraph 1;

(2) by replacing “warrant of arrest” in paragraph 2 by “warrant for witness”.

14. Articles 43, 44 and 45 of the Code are amended by replacing all occurrences of “warrant of arrest” by “warrant for witness”.

15. Article 46 of the Code is amended

(1) by replacing “warrant of arrest” in the introductory clause of the first paragraph by “warrant for witness”;

(2) by adding the following subparagraph at the end of the first paragraph:

“(4) if the arrest is carried out in a dwelling house under a warrant or telewarrant of entry, allow the witness and, where applicable, the person in charge of the premises to examine the warrant or telewarrant or, if it is not in his possession, promptly allow them to examine it.”

16. Article 47 of the Code is amended by replacing “To execute a warrant of arrest, a person” in the first paragraph by “Subject to article 94.1, a person executing a warrant for witness”.

17. Article 49 of the Code is amended by replacing “warrant of arrest” by “warrant for witness”.

18. Article 51 of the Code is amended by replacing “warrant of arrest” in the second paragraph by “warrant for witness”.

19. Article 83 of the Code is amended by inserting “and in Chapter II.1” at the end.

20. Article 84 of the Code is amended by inserting “and state his name and quality” at the end of the second paragraph.

21. Article 85 of the Code is amended, in the second paragraph,

(1) by inserting “and state his name and quality” after “in the place”;

(2) by replacing “qu’un tel avis” in the French text by “que cela”.

22. Article 87 of the Code is amended by inserting “and Chapter II.1” in the first paragraph after “this chapter”.

23. The Code is amended by inserting the following article after article 89:

“**89.1.** An arrested person who is required to appear with a view to being released from custody may do so in person or consent to doing so using a technological means considered appropriate and authorized by the judge.

However, in the latter case, the consent of the prosecutor and the arrested person is required where witnesses must testify at the appearance and where the arrested person is unable to appear using a technological means that allows him and the judge to view one another and to communicate at the same time.

The appearance using a technological means must allow the defendant, if represented by a lawyer, to communicate privately with his lawyer.”

24. Article 92 of the Code is amended by inserting the following paragraph after the first paragraph:

“If the judge orders that the detention of the arrested person be continued, he may, on the application of the person or of the prosecutor, adjourn the trial, complying with the time limit prescribed in article 94, and order, by remand warrant, that the arrested person be remanded to custody in a detention centre.”

25. The Code is amended by inserting the following chapter after article 94:

“CHAPTER II.1

“WARRANT OF ENTRY

“**94.1.** An arrest in a dwelling house under a warrant for witness, warrant to bring a defendant, warrant of committal or warrant of arrest must be authorized by a warrant or telewarrant of entry issued by a judge.

Such authorization is not required

- (1) if a person is taking refuge in a dwelling house in order to flee from arrest;
- (2) if the person in charge of the premises agrees to allow the person responsible for executing the warrant for witness, warrant to bring a defendant, warrant of committal or warrant of arrest to enter the dwelling house; or
- (3) if the conditions for issuing the warrant set out in article 94.3 are met and urgent circumstances make it difficult to obtain it.

Circumstances are urgent if the person responsible for executing the warrant has reasonable grounds to suspect that it is necessary to enter the dwelling house to prevent imminent bodily harm to or the death of a person.

“**94.2.** An application for a warrant or telewarrant of entry may be made by the person who is applying or who applied for the warrant for witness, warrant to bring a defendant, warrant of committal or warrant of arrest or by the person responsible for executing it.

A warrant or telewarrant of entry may be issued at any time in a judicial district by the judge who issues or issued the warrant for witness, warrant to bring a defendant, warrant of committal or warrant of arrest or by any other judge having jurisdiction in that judicial district or in the judicial district in which the dwelling house is located. It shall be signed by the judge who issues it.

“**94.3.** No warrant or telewarrant of entry may be issued unless the judge is satisfied that the person making the application has reasonable grounds to believe that the person to be arrested is or will be in that dwelling house at the time of the arrest.

“94.4. The judge shall set out in the warrant or telewarrant of entry any terms and conditions the judge considers appropriate to ensure that entry into the dwelling house is reasonable in the circumstances, including with respect to the hour and period of execution.

“94.5. Before entering a dwelling house, the person executing the warrant shall give a notice of his presence and of the purpose thereof to a person in the place and state his name and quality.

The judge may authorize the person making the arrest to enter a dwelling house without notice if the judge is satisfied that there are reasonable grounds to believe that such notice would expose him or another person to imminent bodily harm or death.

Despite such authorization, the person executing the warrant may not enter the dwelling house without notice unless he has reasonable grounds at the time to suspect that such notice would expose him or another person to imminent bodily harm or death.

“94.6. A person authorized under a warrant or telewarrant of entry to arrest a person in a dwelling house may not enter under the warrant unless he has reasonable grounds at the time to believe that the person to be arrested is there.

“94.7. The person executing the warrant or telewarrant of entry must allow the arrested person and, as the case may be, the person in charge of the premises to examine the warrant. If it is not in his possession, he must promptly allow them to examine it.

“94.8. The warrant or telewarrant of entry must state the name of the person to be arrested, the dwelling house where the person may be arrested and, by name or in general terms, who may enter it to arrest the person. It must be numbered and mention the warrant for witness, warrant to bring a defendant, warrant of committal or warrant of arrest to be executed.

“94.9. Articles 99 to 101.1 apply, with the necessary modifications, to the issue of a warrant or telewarrant of entry.”

26. The heading of Chapter III of the Code is replaced by the following heading:

“SEARCH AND SEIZURE”.

27. The heading of Division I of Chapter III of the Code is replaced by the following heading:

“GENERAL PROVISIONS REGARDING SEARCHES”.

28. Article 96 of the Code is amended

(1) in the first paragraph,

(a) by inserting “or telewarrant” after “authorized by a warrant”;

(b) by striking out the second sentence;

(c) by replacing “exigent” by “urgent”;

(2) in the second paragraph,

(a) by replacing “exigent” by “urgent”;

(b) by striking out “even”;

(c) by inserting “life or” after “human”;

(d) by inserting “house” after “dwelling”;

(e) by inserting “life,” after “grounds to believe that the”.

29. Article 103 of the Code is amended by striking out the last sentence.**30.** The Code is amended by inserting the following article after article 109:

“109.1. A person authorized, in accordance with this division, to search the data contained in an information technology medium or data accessed by that medium may use or cause to be used any computer, equipment or other thing that is on the premises to access such data and to search for, examine, copy or print out such data. The person may seize and remove such a copy or printout.

Division IV of Chapter III applies to such a copy or printout.

The person in charge of the premises being searched must see to it that the authorized person is able to proceed with the required operations provided for in the first paragraph.”

31. Article 114 of the Code is amended by replacing “exigent” in the second paragraph by “urgent”.

32. Articles 124 to 128 of the Code are replaced by the following division:

“DIVISION III.1

“ORDER PROHIBITING OR RESTRICTING ACCESS TO CERTAIN INFORMATION OR DOCUMENTS OR PROHIBITING THEIR COMMUNICATION

“124. On the application of the prosecutor or of a person who proposes to execute or has executed a warrant, a telewarrant, an order provided for in article 141.5 or 141.6 or any other judicial authorization, the judge may make an order, to the extent that it is necessary to do so, to prohibit access to or the communication of information or documents relating to the warrant, telewarrant, order or other judicial authorization or those relating to an application made under this paragraph. Such an order is made where the judge considers that such access or communication would be prejudicial to the ends of justice or where the information or documents could be used for unlawful ends and where the risk outweighs the importance of access to the information, in particular in the following cases:

- (1) the confidentiality of the identity of an informant would be compromised;
- (2) the information or document could interfere with an investigation in progress relating to the commission of an offence;
- (3) the information or document could endanger persons who use secret intelligence-gathering techniques and would compromise subsequent investigations in which such techniques would be used; or
- (4) the information or document could cause prejudice to an innocent third party.

The judge shall make the order to prohibit access to or the communication of information or documents under the first paragraph, subject to any terms and conditions the judge considers appropriate in the circumstances, in particular with respect to the duration of the prohibition, the partial communication of information or a document, deletion of certain information or the occurrence of a condition. The prohibition regarding access to or communication of information or a document referred to in subparagraph 2 of the first paragraph expires not later than the time the information or document is submitted as evidence in proceedings.

Where an order to prohibit access or communication is made, all the information or documents covered by the order, including the information or documents relating to the application made under the first paragraph, are sealed, subject to any terms and conditions set out in the order. The sealed documents shall be kept in the custody of the court in a place the public cannot access or any other place the judge authorizes. They shall not be disposed of except in accordance with the terms and conditions specified by the judge in the order or as varied under the fourth paragraph.

An application to terminate an order or vary any of its terms or conditions may be made to the judge who made it or to a judge of the court that may be seized of the proceedings resulting from the investigation in the course of which the warrant, the telewarrant, the order provided for in article 141.5 or 141.6 or the other judicial authorization was issued.

“125. Where a document relating to a warrant, a telewarrant, an order provided for in article 141.5 or 141.6 or any other judicial authorization contains information the disclosure of which may result in danger to human life or safety, the judge may, on an application, make an order to fix conditions before allowing examination of such information or to temporarily or permanently prohibit examination of the information.

Where the application is made by a person other than the prosecutor or the person who executed the warrant, telewarrant, order or other judicial authorization, prior notice of not less than one clear day must be served on that person and, where applicable, on the prosecutor.

“126. On the application of a person who has an interest in a document relating to a warrant, a telewarrant, an order provided for in article 141.5 or 141.6 or any other judicial authorization, the judge may, having regard in particular to the interests of justice and the right to privacy, make an order to fix conditions before allowing examination of such a document or part of it or to temporarily prohibit access to it until not later than the time the document is submitted as evidence in proceedings.

The order may not, however, affect the right of the person who made the search, the prosecutor, the person on whose premises the search was made, the person from whom a thing was seized or the defendant to have access to and examine the document.

Prior notice of not less than one clear day of the application must be served on the person who made the search and, where applicable, on the prosecutor.

“127. Applications referred to in this division shall be made to the judge who issued the warrant, the telewarrant, the order provided for in article 141.5 or 141.6 or the other judicial authorization or to a judge of the court that may be seized of the proceedings resulting from the investigation in the course of which the warrant, telewarrant, order or other judicial authorization was issued. Where the application concerns only the minutes of seizure, it may also be made to a judge having jurisdiction to issue a search warrant in the judicial district where the duplicate was filed.

“128. Where a search was made without a warrant or telewarrant, articles 124 to 127 apply, with the necessary modifications, to the documents referred to in paragraphs 3 and 5 of article 123. The applications referred to in those articles may also be made to a judge of the judicial district where the affidavit relating to the search without a warrant or telewarrant was filed.

“128.1. Any decision respecting access to information or a document rendered under articles 124 to 126 and 128 may be reviewed by a judge of the Superior Court in the judicial district where it was rendered.

Prior notice of not less than one clear day of an application for review must be served on the parties in first instance.”

33. Article 133 of the Code is amended by replacing “of not more than 90 days” in the first paragraph by “the judge determines, but that may not exceed one year following the date of seizure”.

34. The Code is amended by inserting the following divisions after article 141:

“DIVISION V

“GENERAL WARRANT

“141.1. A judge may, on an application following an affidavit by a peace officer or a person entrusted with the enforcement of an Act, issue a general warrant or telewarrant authorizing the person to use any investigative device, technique or procedure or do anything described by the judge that would, if not so authorized, constitute an unreasonable search or seizure in respect of a person or a person’s property.

The judge may not, however, authorize the interception of a private communication, as defined in section 183 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46). Nor may the judge authorize the observation by means of a television camera or other similar electronic device of any person who is engaged in an activity in circumstances in which the person has a reasonable expectation of privacy.

The application for a mandate shall be made in writing and must be supported by an affidavit. An application for a telewarrant may also be made by telephone or by another means of telecommunication.

The judge may issue the general warrant or telewarrant if the judge is satisfied

(1) that there are reasonable grounds to believe that an offence against an Act has been or will be committed and that information concerning the offence will be obtained through the use of the investigative device, technique or procedure or the doing of the thing;

(2) that it is in the best interests of the administration of justice to issue the authorization; and

(3) that there is no provision in this Code or in another Act that would provide for a warrant, authorization or order permitting the device, technique or procedure to be used or the thing to be done.

Nothing in this article operates to permit interference with the physical integrity of any person.

“141.2. The general warrant or telewarrant shall set out such terms and conditions as the judge considers appropriate, in the circumstances, in particular concerning the execution of the authorization, to ensure that the search or seizure is reasonable and to protect lawyers’ and notaries’ professional secrecy.

“141.3. A judge who issues a general warrant or telewarrant authorizing a person to enter and search a place covertly must require that notice of the entry and search be given after its execution within the time the judge considers appropriate in the circumstances.

Where that judge or another judge having jurisdiction to issue such a warrant is satisfied, on a written application made on the basis of an affidavit, that the interests of justice warrant the issue of such a warrant, the judge may grant an extension of the period referred to in the first paragraph, up to a maximum of three years. The extension may be granted any time before expiry of the three-year period.

“141.4. Articles 99 to 101.1 apply, with the necessary modifications, to the issue of the general warrant or telewarrant.

Divisions III and IV apply to a general warrant or telewarrant that authorizes a search.

“DIVISION VI

“COMMUNICATION ORDERS ISSUED TO A THIRD PARTY

“141.5. A judge may, on an application made on the basis of an affidavit by a peace officer or a person entrusted with the enforcement of an Act, order a person, other than the person under investigation,

(1) to communicate information in his possession or control when he receives the order, or a copy, certified by affidavit, of a document in his possession or control at that time; or

(2) to prepare a document based on information or documents in his possession or control when he receives the order and communicate it.

The order shall specify the place, form and time limit for communicating the documents or information as well as the name of the peace officer or the person entrusted with the enforcement of an Act to whom they must be communicated.

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

- (1) an offence against an Act has been or will be committed;
- (2) the information or documents will afford evidence respecting the commission of the offence; and
- (3) the person concerned has possession or control of the information or documents.

The order may contain any terms and conditions the judge considers appropriate, in particular 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 application made on the basis of an affidavit submitted by a peace officer or a person entrusted with the enforcement of an Act 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.

Any copy of a document communicated under this article, provided it is certified by affidavit, is admissible in evidence in any proceeding and has the same probative force as the original document would have had if it had been filed as evidence in the usual manner.

“141.6. A judge may, on an application made on the basis of an affidavit by a peace officer or a person entrusted with the enforcement of an Act, order a financial institution within the meaning of section 2 of the Bank Act (Statutes of Canada, 1991, chapter 46) or a person or entity referred to in section 5 of the Proceeds of Crime (Money Laundering) and Terrorist Financing Act (Statutes of Canada, 2000, chapter 17), unless that financial institution, person or entity is under investigation, to prepare and communicate a document setting out the following information that is in their possession or control when they receive the order:

- (1) the account number of the person named in the order or the name of the person whose account number is specified in the order;
- (2) the type of account;
- (3) the status of the account; and
- (4) the date on which it was opened or closed.

For the purpose of confirming the identity of the person who is named or whose account number is specified in the order, the order may also require the financial institution, person or entity to prepare and communicate a document setting out the following information that is in their possession or control when they receive the order:

- (1) the date of birth of the person who is named or whose account number is specified in the order;
- (2) that person's address at the time the order is made; and
- (3) all previous addresses of that person.

The order shall specify the place, form and time limit for communicating the documents or information as well as the name of the peace officer or the person entrusted with the enforcement of an Act to whom they must be communicated.

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

- (1) that an offence against an Act has been or will be committed;
- (2) that the information requested will be useful for the investigation relating to the offence; and
- (3) that the person who is the subject of the order has possession or control of the information.

The order may contain any terms and conditions the judge considers appropriate, in particular 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 application made on the basis of an affidavit submitted by a peace officer or a person entrusted with the enforcement of an Act 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.

Any copy of a document communicated under this section, provided it is certified by affidavit, is admissible in evidence in any proceeding and has the same probative force as the original document would have had if it had been filed in evidence in the usual manner.

141.7. A document prepared for communication purposes under article 141.5 or 141.6 is deemed to be an original for the purposes of the Canada Evidence Act (Revised Statutes of Canada, 1985, chapter C-5).

“141.8. No person is excused from complying with an order made under article 141.5 or 141.6 on the ground that information or documents the person is required to communicate or prepare may tend to incriminate the person or subject the person to a proceeding or penalty. However, no information or document that a natural person is required to communicate or prepare may be used or received in evidence against him in a proceeding that is subsequently instituted against him, except in a prosecution for perjury, the giving of contradictory testimony or the fabrication of evidence.

“141.9. A judge may, on an application made on the basis of an affidavit by a peace officer or a person entrusted with the enforcement of an Act, make an order prohibiting any person from disclosing the existence or part or all of the content of an order made under article 141.5 or 141.6, for the period specified in the order.

Before making the order, the judge must be satisfied that there are reasonable grounds to believe that disclosure of the information in the specified period could interfere with the investigation relating to the offence that is the subject of the order made under article 141.5 or 141.6.

The peace officer, the person entrusted with the enforcement of an Act, or the person, financial institution or entity mentioned in the order made under the first paragraph may apply in writing to the judge who made the order, or to a judge having jurisdiction to make such an order, to vary or revoke the order.

“141.10. Before being required to communicate information or a certified copy or to prepare and communicate a document under an order made under article 141.5 or 141.6, the person, financial institution or entity mentioned in the order may apply in writing to the judge who made the order, or to a judge having jurisdiction to make such an order, to vary or revoke the order.

The application may be made within 30 days after the day on which the order is made, provided prior notice of not less than three clear days of the intention to do so is given to a peace officer or a person entrusted with the enforcement of an Act named in the order. The person, financial institution or entity concerned is not required to communicate the information or the certified copy or prepare and communicate the document under the order until the judge has ruled on the application.

A judge to whom an application is made under this section may vary or revoke the order if satisfied

(1) that it is unreasonable in the circumstances to require the person, financial institution or entity to communicate the information or the certified copy or to prepare and communicate the document under the order; or

(2) that such communication would disclose information that is privileged or otherwise protected from disclosure by law.

“**141.11.** Applications made to a judge under article 141.5, 141.6 or 141.9 are made in the sole presence of the applicant.

“**141.12.** Article 122 and Division IV of Chapter III do not apply to information or documents communicated under an order provided for in article 141.5 or 141.6.”

35. The Code is amended by inserting the following division after article 159:

“**DIVISION III.1**

“**PROCEEDING RULES ADAPTATION PROGRAM**

“**159.1.** The purpose of a program to adapt the rules governing proceedings is to offer defendants, within the framework of an education, public awareness, prevention, intervention, reparation or rehabilitation process, an alternative to going to trial or to a continuation of proceedings. Participation in such a program results in, among other things, the withdrawal of one or more counts, in accordance with article 12.

The processes undertaken by a defendant before the defendant’s participation in such a program must also be taken into consideration by the prosecutor.

“**159.2.** Before a judgment is rendered, the prosecutor may offer the defendant the possibility of participating in an adaptation program, to the extent that such a program is available.

To make such an offer, the prosecutor must ensure that

- (1) there is sufficient evidence to go to trial or to continue proceedings;
- (2) participation in such a program corresponds to the defendant’s needs;
- (3) the defendant acknowledges the facts resulting in the offence or does not contest them and wishes to participate in the program;
- (4) no rule of law prevents the beginning or continuation of proceedings;
- (5) the defendant has been informed of his right to obtain the assistance of a lawyer;
- (6) the defendant renounces, in writing, invoking the time spent participating in the program for the calculation of the time spent waiting to be tried; and
- (7) the offer is in the interests of justice.

For the purposes of subparagraph 2 of the second paragraph, the defendant’s needs shall be determined in cooperation with the defendant.

“159.3. If the defendant agrees in writing to participate in an adaptation program during proceedings, the judge shall adjourn them.

“159.4. The defendant’s participation in an adaptation program ends when he withdraws his consent. The same applies if the prosecutor finds that the defendant is no longer complying with the conditions of the program, in particular if he ceases to cooperate.

In such a case, the judicial proceedings provided for in this Code resume and the information gathered during the defendant’s participation in the program may not be admitted as evidence against him in those proceedings or any other proceeding.

“159.5. Where the defendant completes the adaptation program in compliance with the conditions determined in the program, the prosecutor withdraws the counts against the defendant, in accordance with article 12, for offences or classes of offences covered by the program.

The same applies where the defendant partially completes the adaptation program, to the prosecutor’s satisfaction, taking into account the circumstances.”

36. Article 162 of the Code is amended by adding the following paragraph at the end:

“The same applies if, after entering a plea of not guilty, the defendant transmits the whole amount before proceedings begin.”

37. Article 184 of the Code is amended

(1) by adding the following subparagraphs at the end of the first paragraph:

“(9) the defendant has completed the adaptation program, in compliance with the conditions determined in the program, for that count;

“(10) the defendant has partially completed the adaptation program, in compliance with the conditions determined in the program, for that count, and maintaining the proceedings would be unjust in the circumstances.”;

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

“Before rendering a decision under subparagraph 10 of the first paragraph, the judge may take into account the defendant’s behaviour while participating in the program.”

38. Article 188 of the Code is amended by adding the following sentence at the end of the first paragraph: “In such a case, a witness may, should the prosecutor so choose, make his deposition at a distance using any technological means that allows the witness to be identified, heard and seen live.”

39. The Code is amended by inserting the following article after article 188:

“188.1. In the context of proceedings under article 188, the prosecutor may file an expert’s report, along with a document detailing the expert’s qualifications, without notice or other formality. The expert’s report stands in lieu of his testimony.”

40. Article 192 of the Code is replaced by the following articles:

“192. The prosecutor and the defendant may act personally or through an attorney. A legal person may act through an attorney or through its directors or officers.

For the purposes of this article, the president, chief executive officer, chief operating officer, chief financial officer and secretary of a legal person, and any other person holding a similar position within the legal person, are officers.

“192.1. Once an attorney begins to act on behalf of a defendant, one of them shall notify the prosecutor in writing of that fact. The notice shall include the attorney’s contact information and may be sent to the prosecutor by any means of communication.

However, such a notice is not required if the attorney informs the court, in the presence of a representative of the prosecutor, that he is acting on behalf of the defendant.”

41. The Code is amended by inserting the following article after article 193:

“193.1. Despite any provision of this Code, a defendant may plead not guilty regarding an offence he has been charged with and plead guilty regarding another offence relating to the same case, whether or not it is an included offence.

The judge may, with the consent of the prosecutor, admit the defendant’s plea of guilty for that other offence. If the plea is admitted, the judge shall acquit the defendant of the offence he has been charged with and declare the defendant guilty of the other offence.”

42. Article 255 of the Code is amended by adding the following paragraph at the end:

“The stay of execution, if ordered, ends on the date set for the presentation of an application for revocation of judgment, unless the judge orders the stay to be extended

(1) until the date to which he adjourns the presentation of the application for revocation of judgment; or

(2) until he renders a decision on the application for revocation of judgment made to him.”

43. Article 257 of the Code is amended by inserting the following paragraph after the first paragraph:

“The prosecutor may also make an application for revocation of a judgment to such a judge where the defendant has fully or partially, to the prosecutor’s satisfaction, completed a judgment execution rules adaptation program referred to in the second paragraph of article 333 for the offences or classes of offences covered by the program. The processes undertaken by the defendant before the defendant’s participation in such a program must also be taken into consideration by the prosecutor.”

44. Article 259 of the Code is amended by adding the following paragraphs at the end:

“In the case referred to in the second paragraph of article 257, the judge shall grant the application for revocation if he is satisfied that

(1) the judgment execution rules adaptation program in which the defendant participated corresponds to the defendant’s needs;

(2) the defendant fully or partially completed the program in compliance with the conditions determined in the program; and

(3) the revocation is in the interests of justice.

The prosecutor shall provide the judge with confirmation that the conditions set out in subparagraphs 1 to 3 of the third paragraph have been met.”

45. Article 318 of the Code is amended by adding the following paragraph at the end:

“The intervention of the Attorney General or the Director of Criminal and Penal Prosecutions as a party to take the place of the party who instituted proceedings does not operate to change the specific rules set out in another Act specifying the payee of the fines.”

46. Article 324 of the Code is amended

(1) by replacing “warrant ordering that the defendant be arrested and brought” in the first paragraph by “warrant to bring a defendant”;

(2) by striking out “of arrest” in the second paragraph.

47. Article 325 of the Code is amended by replacing “warrant of arrest” in the first paragraph by “warrant to bring a defendant”.

48. Article 326 of the Code is amended

(1) by replacing “warrant of arrest” in the first paragraph by “warrant to bring a defendant”;

(2) by replacing “A warrant of arrest” in the second paragraph by “Such a warrant”.

49. Article 333 of the Code is amended by adding the following paragraphs at the end:

“All or part of the compensatory work may be replaced by alternative measures to the extent that a judgment execution rules adaptation program, within the framework of an education, public awareness, prevention, intervention, reparation or rehabilitation process, is available.

In this Code, unless the context indicates otherwise, “compensatory work” also refers to the alternative measures provided for in such a program.”

50. Article 336 of the Code is amended by adding the following paragraph at the end:

“Where the defendant opts for alternative measures, the duration of the compensatory work may be modified.”

51. Article 337 of the Code is amended by inserting the following paragraphs after the first paragraph:

“Where the defendant opts for alternative measures in place of compensatory work, the number of hours provided for in the first paragraph does not apply.

Among other things, a commitment by the defendant to undertake a training program or to keep a dwelling constitutes an alternative measure.”

52. Article 338 of the Code is amended by adding the following paragraph at the end:

“Where the defendant opts for alternative measures, the time limits prescribed in the first paragraph do not apply.”

53. Article 347 of the Code is amended by adding the following sentence at the end of the first paragraph: “However, the judge may order imprisonment and issue the warrant only if he is satisfied that the defendant has, without a reasonable excuse, refused or neglected to pay those sums or settle them pursuant to this chapter.”

54. Article 354 of the Code is amended by inserting the following subparagraph after subparagraph 3 of the first paragraph:

“(3.1) if the arrest was made in a dwelling house under a warrant or telewarrant of entry, allow the defendant and, where applicable, the person in charge of the premises, to examine the warrant or telewarrant or, if it is not in his possession, promptly allow them to examine it;”.

55. The Code is amended by inserting the following article after article 367:

“**367.1.** The Minister of Justice may, by regulation, determine the offences or classes of offences for which a proceeding rules adaptation program within the meaning of article 159.1 and a judgment execution rules adaptation program within the meaning of the second paragraph of article 333 may be implemented. The Minister may also determine the offences and classes of offences for which an application may be made for a revocation of judgment under the second paragraph of article 257.”

56. Article 368 of the Code is amended by striking out “are subject to approval by the Government and” in the third paragraph.

57. The Code is amended by inserting the following articles after article 368:

“**368.1.** After considering the effects of a pilot project on the rights of individuals and obtaining the agreement of the Chief Justice of Québec or the Chief Justice of the Superior Court or the Chief Judge of the Court of Québec, according to their jurisdiction, and after consulting the Barreau du Québec and, if applicable, the Chambre des huissiers de justice du Québec, the Minister of Justice may, by regulation, modify a rule of procedure or introduce a new one for the period determined by the Minister, which period may not exceed three years, for the purposes of such a project conducted in the judicial districts specified by the Minister.

“**368.2.** In a state of emergency declared by the Government or in a situation where it is impossible in fact to comply with the rules of this Code or to use a means of communication, the Chief Justice of Québec and the Minister of Justice may jointly suspend or extend a prescription or procedural period for a specified time, or authorize the use of another means of communication in the manner they specify.

Their decision takes effect immediately, and must be published without delay in the *Gazette officielle du Québec*.”

TAX ADMINISTRATION ACT

58. Section 40.1.1 of the Tax Administration Act (chapter A-6.002) is amended

(1) by inserting “device,” after “investigative” in the first paragraph;

(2) by inserting “other than a general warrant provided for in that Code,” after “a warrant” in subparagraph *c* of the fourth paragraph.

CODE OF CIVIL PROCEDURE

59. Article 72 of the Code of Civil Procedure (chapter C-25.01) is amended by inserting “except in the cases described in article 497,” after “witness,” in the first paragraph.

60. Article 274 of the Code is amended by replacing “an arrest warrant” in the second paragraph by “a warrant for witness”.

61. Article 497 of the Code is amended

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

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

“The court issues a certificate in keeping with the model established by the Minister of Justice and with the requirements of the law of the witness’s place of residence if it is established that the witness’s attendance at court is necessary to resolve the matter regarding which the witness is called to attend. The subpoena, together with the advance on the witness indemnity and the certificate, must be homologated and notified in accordance with the law of the witness’s place of residence.

During the period in which the witness is present to attend at the court, the witness is deemed not to be subject to the jurisdiction of Québec courts otherwise than as a witness in the matter regarding which the witness was called to attend at court. Furthermore, the witness enjoys immunity that prohibits notifying pleadings to, undertaking execution measures against and compelling or imprisoning the witness under Québec law, unless it results from a fact that occurred during that period.”

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

“498. The court homologates a subpoena issued by an authority in another province or in a territory of Canada if it is accompanied by the advance on the witness indemnity and a certificate stating that the authority is convinced that the witness’s attendance at court is necessary to resolve the matter regarding which the witness is called to attend.

If the witness’s attendance in person is required, the court homologates the subpoena only if the law of the witness’s place of residence provides for immunity similar to that provided for in article 497.

Once homologated, the subpoena must be notified to the witness at least 10 days before the time at which the witness is scheduled to attend at court.”

CANNABIS REGULATION ACT

63. Sections 78 and 79 of the Cannabis Regulation Act (chapter C-5.3) are repealed.

64. Section 82 of the Act is replaced by the following section:

“82. The rules established in Division IV of Chapter III of the Code of Penal Procedure (chapter C-25.1) and the third and fourth paragraphs of section 73 of this Act apply, with the necessary modifications, to things seized under section 80.”

ACT RESPECTING MUNICIPAL COURTS

65. Section 56.2 of the Act respecting municipal courts (chapter C-72.01) is amended by inserting “, except regulations respecting criminal and penal matters” at the end of the first sentence of the fourth paragraph.

JURORS ACT

66. Section 4 of the Jurors Act (chapter J-2) is amended by replacing “convicted of a criminal act” in paragraph *j* by “found guilty of an indictable offence”.

ACT RESPECTING THE MINISTÈRE DE LA JUSTICE

67. The Act respecting the Ministère de la Justice (chapter M-19) is amended by inserting the following section after section 5:

“5.1. In a state of emergency declared by the Government or in a situation where it is impossible in fact to comply with the rules of the Code of Civil Procedure (chapter C-25.01) or of the Code of penal procedure (chapter C-25.1), the Minister of Justice may, if necessary for the proper administration of justice, amend any rule of procedure, introduce a new one or provide for any other measure.

Such measures shall be published in the *Gazette officielle du Québec* and may take effect on the date on which the state of emergency is declared or the situation occurs or on any later date specified in the measures. They are applicable for the period determined by the Minister, which may not exceed one year after the end of the state of emergency or of the situation. If necessary for the proper administration of justice, the Minister may, each year for five years, extend the period before it expires.

Before adopting or extending the measures, the Minister must take into consideration their effects on the rights of individuals and obtain the agreement of the Chief Justice of Québec and the Chief Justice of the Superior Court or the Chief Judge of the Court of Québec, according to their jurisdiction. The Minister must also take into consideration the opinion of the Barreau du Québec and, if applicable, the Chambre des notaires du Québec or the Chambre des huissiers de justice du Québec.”

FIRE SAFETY ACT

68. Section 114 of the Fire Safety Act (chapter S-3.4) is amended by replacing “warrant for the person’s arrest” by “warrant for witness”.

69. Section 115 of the Act is amended by replacing “warrant of arrest” by “warrant for witness”.

70. Section 124 of the Act is amended by replacing “warrants of arrest” in subparagraph *b* of subparagraph 2 of the first paragraph by “warrants for witness”.

COURTS OF JUSTICE ACT

71. Section 32 of the Courts of Justice Act (chapter T-16) is amended, in the first paragraph,

(1) by replacing “30” in subparagraph 2 by “29”;

(2) by striking out “the districts of Gaspé and Bonaventure, another of” in subparagraph 2;

(3) by inserting the following subparagraph after subparagraph 2:

“(2.1) for the districts of Gaspé and Bonaventure, with residence at Percé or New-Carlisle or the immediate vicinity thereof, one judge;”;

(4) by inserting “, at Val d’Or” after “Amos” in subparagraph 5.

72. Section 147 of the Act is amended by striking out “shall be submitted to the Government for approval and” in the first paragraph.

73. Schedule I to the Act is amended by inserting “of Ville de Gracefield and” after “Over the territory” in the column describing the territory over which concurrent jurisdiction is exercised for the districts of Gatineau and Labelle.

74. Schedule IV to the Act is amended

(1) by inserting the following item, after the sixth item in the Class 2 lists of paragraphs 1 and 2:

“— authorizing appearances from a distance using a technological means (article 89.1 of the Code of Penal Procedure);”;

(2) by replacing all occurrences of “authorizing a special method of service (article 24 of the Code of Penal Procedure” by “authorizing a method of service (articles 20.2, 22.1 and 24 of the Code of Penal Procedure”.

75. Schedule V to the Act is amended, in paragraph 1,

(1) by inserting “and article 92 of the Code of Penal Procedure” after “516 of the Criminal Code” in the fourth item;

(2) by inserting the following item after the fourth item:

“— authorizing appearances from a distance using a technological means (article 89.1 of the Code of Penal Procedure);”;

(3) by inserting “, telewarrants, orders” after “warrants” in the sixth item;

(4) by replacing “warrant for the arrest of a witness” in the thirteenth item by “warrant for witness”;

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

“—issuing certificates and homologating summonses to appear in accordance with article 35.1 of the Code of Penal Procedure.”

REGULATION RESPECTING THE FORM OF STATEMENTS OF OFFENCE

76. Schedule I to the Regulation respecting the form of statements of offence (chapter C-25.1, r. 1) is amended by inserting the following sentence after the sixth sentence of the portion entitled “PLEA OF GUILTY AND PAYMENT”:

“A defendant who transmits the total amount of the fine and costs requested after having entered a plea of not guilty and before the trial is deemed to have transmitted a plea of guilty.”

77. Schedule II to the Regulation is amended by inserting the following sentence after the fifth sentence of the portion entitled “PLEA OF GUILTY AND PAYMENT”:

“A defendant who transmits the total amount of the fine and costs requested after having entered a plea of not guilty and before the trial is deemed to have transmitted a plea of guilty.”

78. Schedule III to the Regulation is amended by adding the following sentence at the end of the portion entitled “PLEA OF GUILTY AND PAYMENT”:

“A defendant who transmits the total amount of the fine and costs requested after having entered a plea of not guilty and before the trial is deemed to have transmitted a plea of guilty.”

79. Schedule IV to the Regulation is amended by adding the following sentence at the end of the portion entitled “PLEA OF GUILTY AND PAYMENT”:

“A defendant who transmits the total amount of the fine and costs requested after having entered a plea of not guilty and before the trial is deemed to have transmitted a plea of guilty.”

80. Schedule V to the Regulation is amended by adding the following sentence at the end of the portion entitled “PLEA OF GUILTY AND PAYMENT”:

“A defendant who transmits the total amount of the fine and costs requested after having entered a plea of not guilty and before the trial is deemed to have transmitted a plea of guilty.”

REGULATION RESPECTING CERTAIN COURT COSTS IN PENAL MATTERS APPLICABLE TO PERSONS UNDER 18 YEARS OF AGE

81. Section 2 of the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age (chapter C-25.1, r. 3) is amended by replacing paragraph 7 by the following paragraph:

“(7) for the amount of supplementary costs payable by a defendant who entered a plea of not guilty and changed it before the trial to enter a plea of guilty but has not paid the total amount of the fine and costs requested in the statement of offence: \$13.”

TARIFF OF COURT COSTS IN PENAL MATTERS

82. Section 1 of the Tariff of court costs in penal matters (chapter C-25.1, r. 6) is amended by replacing subparagraph 8 of the first paragraph by the following paragraph:

“(8) for the amount of supplementary costs payable by a defendant who entered a plea of not guilty and changed it before the trial to enter a plea of guilty but has not paid the total amount of the fine and costs requested: \$28.”

TARIFF OF FEES OF COURT BAILIFFS

83. Section 44 of the Tariff of fees of court bailiffs (chapter H-4.1, r. 13.1) is amended by inserting “or telewarrant” after “of a warrant” in the first paragraph.

CHAPTER II

MEASURES CONCERNING COURTS OF JUSTICE

DIVISION I

APPEAL AND CONTESTATION BEFORE THE COURT OF QUÉBEC

§1. — *Appeal before the Court of Québec*

COURTS OF JUSTICE ACT

84. The Courts of Justice Act (chapter T-16) is amended by inserting the following section after section 83:

“83.1. In cases where the law confers jurisdiction on the Court over an appeal of a decision made in the exercise of an adjudicative function, or over a contestation of a decision made in the exercise of an administrative function, the Court shall render its decision without being required to defer to the conclusions on issues of law ruled on by the decision under appeal or on any issues regarding the decision being contested.

Such jurisdiction shall be exercised exclusively by the judges of the Court designated by the chief judge on the basis of their notable experience, expertise, sensitivity and interest regarding the matter that is the subject of the appeal or the contestation.

Unless otherwise provided and with the necessary modifications, the appeal is governed by articles 351 to 390 of the Code of Civil Procedure (chapter C-25.01) and the proceeding to contest is governed by the rules of that Code that are applicable to a court of original jurisdiction.”

§2. — *Contestation before the Court of Québec*

SPECIAL AMENDING PROVISIONS

TAX ADMINISTRATION ACT

85. Section 10.1 of the Tax Administration Act (chapter A-6.002) is amended by replacing subparagraph *b* of the first paragraph by the following subparagraph:

“(b) if the person files a contestation in accordance with Chapter III.2 or Chapter IV or brings an appeal.”

86. Section 12.0.3 of the Act is amended, in the introductory clause of the first paragraph,

(1) by replacing “an appeal or a summary appeal” and “appeal or summary appeal” by “a contestation under Chapter III.2 or Chapter IV or an appeal”;

(2) by replacing “bringing an appeal or summary appeal” by “filing such a contestation or bringing such an appeal”.

87. Section 21.0.1 of the Act is amended by replacing subparagraph *b* of the first paragraph by the following subparagraph:

“(b) if the person files a contestation in accordance with Chapter III.2 or Chapter IV or brings an appeal.”

88. Section 27.0.1 of the Act is amended by replacing “an appeal or a summary appeal” by “a contestation filed in accordance with Chapter III.2 or Chapter IV or an appeal”.

89. Section 35.4 of the Act is amended

(1) in the introductory clause,

(a) by inserting “, who has filed a contestation in accordance with Chapter III.2 or Chapter IV” after “an assessment”;

(b) by replacing “to appeal has expired” by “to contest has expired”;

(c) by replacing “the appeal is disposed of” by “the contestation is disposed of”;

(2) by replacing “the objection or appeal” in paragraph *a* by “the objection, contestation or appeal”.

90. Section 65 of the Act is amended

(1) in the first paragraph,

(a) by replacing “any appeal brought” by “any contestation filed”;

(b) by replacing “the appeal” by “the contestation”;

(2) in the second paragraph,

(a) by replacing “to the appellant” by “to the contesting party”;

(b) by replacing “such appeal” by “the contestation”;

(3) by replacing “to a summary appeal brought” in the third paragraph by “to a contestation filed”.

91. Section 83 of the Act is amended by replacing “or appeal” by “, a contestation or an appeal”.

92. Section 93.1.8 of the Act is amended, in the third paragraph,

(1) by replacing “is issued, an objection or appeal was made to an earlier assessment or determination” by “was issued, an earlier assessment or determination was the subject of an objection, contestation or appeal, respectively”;

(2) by replacing “or for filing” by “or a contestation or bringing”.

93. The heading of Chapter III.2 of the Act is replaced by the following heading:

“CONTESTATION BEFORE THE COURT OF QUÉBEC AND APPEAL TO THE COURT OF APPEAL”.

94. Section 93.1.10 of the Act is amended by replacing “may appeal to” in the introductory clause of the first paragraph by “may file a contestation with” and by replacing “appeal” in the second paragraph by “file a contestation”.

95. Section 93.1.10.1 of the Act is amended

(1) by replacing “appeal to” in the introductory clause of the first paragraph by “file a contestation with”;

(2) in the second paragraph,

(a) by replacing “The appeal provided for” by “The contestation provided for”;

(b) by replacing “be instituted” by “be filed”.

96. Section 93.1.12 of the Act is amended by replacing “appeal from” in the first and second paragraphs and “for the appeal” in the second paragraph by “contest” and “for the contestation”, respectively.

97. Section 93.1.13 of the Act is amended by replacing “No appeal” and “be instituted” in the first paragraph and “limited by the first paragraph for appealing” in the second paragraph by “No contestation”, “be filed” and “specified in the first paragraph”, respectively.

98. Section 93.1.15 of the Act is amended

(1) by replacing “An appeal may be brought before the Court of Québec from” in the first paragraph by “A contestation may be filed under this chapter regarding”;

(2) by replacing “The appeal must be brought” in the second paragraph by “The contestation must be filed”.

99. Section 93.1.15.1 of the Act is amended by replacing “no appeal may be brought from” and “from a decision revoking” by “no contestation may be filed regarding or appeal brought from” and “a decision revoking”, respectively.

100. Section 93.1.15.2 of the Act is amended

(1) by replacing “An appeal may be brought before the Court of Québec from” in the first paragraph by “A contestation may be filed under this chapter regarding”;

(2) by replacing “The appeal must be brought” in the second paragraph by “The contestation must be filed”.

101. Section 93.1.15.3 of the Act is amended

(1) by replacing “An appeal may be brought before the Court of Québec from” in the first paragraph by “A contestation may be filed under this chapter regarding”;

(2) by replacing “The appeal must be brought” in the second paragraph by “The contestation must be filed”.

102. Section 93.1.17 of the Act is amended

(1) by replacing “An appeal before the Court of Québec is brought by an application” and “contentious proceedings governing” in the first paragraph by “A contestation before the Court of Québec is filed” and “procedure for contentious proceedings that governs”, respectively;

(2) in the second paragraph,

(a) by replacing “a single appeal” by “a single contestation”;

(b) by replacing “appealing assessments may not join in the same appeal” by “contesting assessments may not join in the same contestation”.

103. Section 93.1.21 of the Act is amended

(1) by inserting “contestation or” before “appeal” in the first paragraph;

(2) in the second paragraph,

(a) by inserting “a contestation filed or” after “Court decides”;

(b) by inserting “contestation or” after “without trial of the”;

(c) by inserting “that the contestation or” after “Court considers”;

(d) by inserting “the contestation was filed or continued or” after “reasons for which”.

104. Section 93.1.21.1 of the Act is amended by replacing “an appeal brought” by “a contestation filed”.

105. Section 93.1.24 of the Act is amended by replacing “An appeal or a summary appeal” and “of the appeal” by “A contestation filed in accordance with this chapter or Chapter IV or an appeal” and “of the contestation or appeal”, respectively.

106. The heading of Chapter IV of the Act is replaced by the following heading:

“CONTESTATION BEFORE THE SMALL CLAIMS DIVISION OF THE COURT OF QUÉBEC”.

107. Section 93.2 of the Act is amended by replacing “bring a summary appeal before” and “the summary appeal” in the introductory clause by “file a contestation with” and “the contestation”, respectively.

108. Section 93.4 of the Act is amended

(1) by replacing “of a summary appeal” by “of a contestation”;

(2) by replacing “of the appeal” by “of the contestation”.

109. Section 93.7 of the Act is amended

(1) by replacing “Where a summary appeal” by “Where a contestation filed in accordance with this chapter”;

(2) by replacing “the summary appeal lapses” by “the contestation filed in accordance with this chapter lapses”.

110. Section 93.9 of the Act is amended

(1) in the first paragraph,

(a) by replacing “a summary appeal may be entered” by “a contestation filed in accordance with this chapter may be entered”;

(b) by replacing “pour être continué” in the French text by “pour être continuée”;

(2) in the third paragraph,

(a) by replacing “the summary appeal could be brought” by “the contestation could be filed”;

(b) by replacing “s’il porte” in the French text by “si elle porte”.

III. Section 93.11 of the Act is amended

(1) in the first paragraph,

(a) by replacing “bring a summary appeal” by “file a contestation in accordance with this chapter”;

(b) by replacing “prescribed by the said law for appeal before the Court of Québec” by “prescribed by that law for filing a contestation in accordance with Chapter III.2”;

(2) by replacing “bring a summary appeal” in the second paragraph by “file a contestation in accordance with this chapter”.

II2. Section 93.12 of the Act is amended by replacing “Where the time to bring a summary appeal has expired and not more than one year has elapsed after the first day on which such an appeal could have been brought” in the first paragraph by “Where the time to file a contestation in accordance with this chapter has expired and not more than one year has elapsed since the first day on which such a contestation could have been filed”.

II3. Section 93.13 of the Act is amended

(1) by replacing “A summary appeal is exercised by means of” in the first paragraph by “A contestation is filed using”;

(2) in the third paragraph,

(a) by replacing “a single appeal” by “a single contestation”;

(b) by replacing “cet appel” in the French text by “cette contestation”;

(c) by replacing “same summary appeal” by “same contestation”.

II4. Section 93.29 of the Act is amended

(1) by replacing “the summary appeal” in the first paragraph by “the contestation”;

(2) in the third paragraph,

(a) by replacing “a summary appeal brought” by “a contestation filed”;

(b) by replacing “the summary appeal” by “the contestation”;

(c) by replacing “the appeal was not reasonably founded” by “that the contestation was not reasonably founded”;

(d) by replacing “the appeal was brought or continued” by “the contestation was filed or continued”.

115. Section 93.33 of the Act is amended by replacing “any other summary appeal or in any appeal” in the second paragraph by “any other contestation filed in accordance with this chapter or in any contestation filed”.

116. Section 94.1 of the Act is amended by replacing “is not subject to opposition or appeal” in the third paragraph by “may not be the subject of an objection, contestation or appeal”.

REAL ESTATE BROKERAGE ACT

117. Section 43 of the Real Estate Brokerage Act (chapter C-73.2) is amended

(1) in the first paragraph,

(a) by replacing “Any appeal from” by “Any contestation of”;

(b) by replacing “or from” by “or of”;

(c) by replacing “is brought before” by “is filed with”;

(2) by replacing “An appeal” in the second paragraph by “A contestation”.

ACT RESPECTING HUNTING AND FISHING RIGHTS IN THE JAMES BAY AND NEW QUÉBEC TERRITORIES

118. Section 51.11 of the Act respecting hunting and fishing rights in the James Bay and New Québec territories (chapter D-13.1) is amended

(1) by replacing “appeal from the decision to” in the first paragraph by “contest the decision before”;

(2) by replacing “An appeal shall suspend” in the second paragraph by “A contestation suspends”.

119. Section 51.12 of the Act is amended by replacing “The appeal is brought” in the first paragraph by “The contestation is made”.

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

120. Section 512.20 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended

(1) by replacing “appeal” in the first paragraph by “contest”;

(2) in the third paragraph,

(a) by replacing “The appeal shall be heard and decided” by “The contestation shall be heard and decided”;

(b) by replacing “The appeal does not suspend” by “The contestation does not suspend”.

ACT RESPECTING SCHOOL ELECTIONS TO ELECT CERTAIN MEMBERS OF THE BOARDS OF DIRECTORS OF ENGLISH-LANGUAGE SCHOOL SERVICE CENTRES

121. Section 209.26 of the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3) is amended

(1) by replacing “appeal” in the first paragraph by “contest”;

(2) by replacing “The notice of appeal” in the second paragraph by “The contestation”;

(3) in the third paragraph,

(a) by replacing “The appeal shall be heard and decided” by “The contestation shall be heard and decided”;

(b) by replacing “The appeal does not suspend” by “The contestation does not suspend”.

ELECTION ACT

122. Section 457.21 of the Election Act (chapter E-3.3) is amended

(1) by replacing “appeal” in the first paragraph by “contest”;

(2) in the third paragraph,

(a) by replacing “The appeal shall be heard and decided” by “The contestation shall be heard and decided”;

(b) by replacing “The appeal does not suspend” by “The contestation does not suspend”.

PETROLEUM RESOURCES ACT

123. Section 169 of the Petroleum Resources Act (chapter H-4.2) is amended by replacing “The appeal is brought” by “The contestation is made”.

TAXATION ACT

124. Section 766.2.1 of the Taxation Act (chapter I-3) is amended by replacing “is not subject to opposition or appeal” in the third paragraph by “may not be the subject of an objection, contestation or appeal”.

125. Section 899 of the Act is amended by replacing “an appeal” in the first paragraph by “a contestation”.

126. Section 1044.4 of the Act is amended by replacing subparagraph iv of paragraph c by the following subparagraph:

“iv. if the corporation has filed a contestation with or brought an appeal before a court of competent jurisdiction regarding an assessment referred to in subparagraph i or ii, or has applied for leave to file a contestation or bring an appeal regarding such an assessment before such a court, the day on which the court dismisses the application, the day on which the corporation discontinues its application, contestation or appeal or the day on which final judgment is rendered on the contestation or the appeal.”.

127. Section 1050 of the Act is amended by inserting “contestation or” after “in any”.

128. Section 1065 of the Act is amended by replacing “for appealing if the decision has not been appealed” in subsection 2 by “for contesting if the decision has not been contested”.

THE EDUCATION ACT FOR CREE, INUIT AND NASKAPI
NATIVE PERSONS

129. Section 466 of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14) is amended by replacing “the appeal” and “appellant” in the second paragraph by “the contestation” and “contesting party”, respectively.

130. Section 470 of the Act is amended

(1) in subsection 1,

(a) by replacing “the decision of the commissioners appealed from” by “the decision of the commissioners being contested”;

(b) by replacing “the appeal” by “the contestation”;

(2) by replacing “the appeal” in subsection 2 by “the contestation”.

ACT RESPECTING LOTTERIES, PUBLICITY CONTESTS AND AMUSEMENT MACHINES

131. Section 99 of the Act respecting lotteries, publicity contests and amusement machines (chapter L-6) is amended by replacing “No appeal under section 98 may be instituted” by “No contestation under section 98 may be filed”.

132. Section 102 of the Act is amended by replacing “his appeal” in the first paragraph by “his application”.

MINING ACT

133. Section 297 of the Mining Act (chapter M-13.1) is amended by replacing “The appeal is brought” by “The contestation is made”.

CULTURAL HERITAGE ACT

134. Section 108 of the Cultural Heritage Act (chapter P-9.002) is amended by replacing “No appeal may be instituted” in the first paragraph by “No contestation may be made”.

135. Section 115 of the Act is amended by striking out “resulting from the appeal”.

POLICE ACT

136. Section 89 of the Police Act (chapter P-13.1) is amended

- (1) by replacing “appealed” in the first paragraph by “contested”;
- (2) by replacing “The appeal is” and “appellant” in the second paragraph by “The contestation must be” and “contesting party”, respectively;
- (3) by replacing “an appeal brought” and “the appeal” in the third paragraph by “a contestation filed” and “the contestation”, respectively;
- (4) in the fourth paragraph,
 - (a) by replacing “If the appeal” by “If the contestation”;
 - (b) by replacing all occurrences of “the appellant” by “the contesting party”;
 - (c) by replacing “de l’appellant” in the French text by “du demandeur”.

YOUTH PROTECTION ACT

137. Section 71.26 of the Youth Protection Act (chapter P-34.1) is amended

(1) in the first paragraph,

(a) by replacing “appeal to the court by application” by “contest the decision by filing an application with the court”;

(b) by replacing “the decision to be appealed” by “the decision being contested”;

(2) by replacing “The appeal” in the third paragraph by “The contestation”.

ACT RESPECTING PROPERTY TAX REFUND

138. Section 28 of the Act respecting property tax refund (chapter R-20.1) is amended by replacing “to appeal” and “of a summary appeal referred to in section 93.13” in the second paragraph by “to contest” and “of a contestation filed under Chapter IV”, respectively.

139. Section 39 of the Act is amended

(1) by inserting “, contests” after “objects to”;

(2) by replacing “or appeal from” by “, contest or appeal from”.

140. Section 40 of the Act is amended

(1) by replacing “or appeal from that decision” by “or contest or appeal from that decision”;

(2) by inserting “, file a contestation regarding” after “does not object to”.

ACT RESPECTING THE QUÉBEC SALES TAX

141. Section 42.0.22 of the Act respecting the Québec sales tax (chapter T-0.1) is amended by inserting “a contestation filed or” after “purposes of” in the introductory clause.

142. Section 42.0.24 of the Act is amended by replacing “appeals the assessment” in the introductory clause by “contests or appeals the assessment”.

LOBBYING TRANSPARENCY AND ETHICS ACT

143. Section 57 of the Lobbying Transparency and Ethics Act (chapter T-11.011) is amended

(1) by replacing “be appealed” in the first paragraph by “be contested”;

(2) in the second paragraph,

(a) by replacing both occurrences of “The appeal” by “The contestation”;

(b) by replacing “L’appel est entendu et jugé” in the French text by “La contestation est entendue et jugée”.

GENERAL AMENDING PROVISIONS

144. The following provisions are amended in the following manner, with the necessary modifications:

(1) by replacing “appeal” in sections 93.1.19, 93.1.20 and 93.1.22 of the Tax Administration Act (chapter A-6.002) by “contestation”;

(2) by replacing “appeal” in section 51.14 and, unless the context indicates otherwise, section 51.15 of the Act respecting hunting and fishing rights in the James Bay and New Québec territories (chapter D-13.1) by “contestation”;

(3) by replacing “appeal” in sections 168 and 172 of the Petroleum Resources Act (chapter H-4.2) by “contestation”;

(4) by replacing “appeal” in paragraphs *a* and *c* of section 710.3 and paragraphs *a* and *c* of section 752.0.10.4.1 of the Taxation Act (chapter I-3) by “contestation”;

(5) by replacing “appeal” in the headings of Part VI and of Division III of that Part and in sections 463 and 467 of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14), “An appeal lies to” and “An appeal shall also lie to” in section 461 of that Act and “The appeal or recourse may be taken” in section 462 of that Act by “contestation”, “A contestation may be filed with”, “A contestation may also be filed with” and “The contestation may be filed or the recourse taken”, respectively;

(6) by replacing “on appeal” in section 100 of the Act respecting lotteries, publicity contests and amusement machines (chapter L-6), “appeal” in section 101 and sections 103 to 105 of that Act and “proceedings in appeal” in section 117 of that Act by “on a contestation”, “contestation” and “contestation proceedings”, respectively;

(7) by replacing “appeal” in sections 38, 142.1, 296 and 300 of the Mining Act (chapter M-13.1) and “appeal from” in section 288 of that Act by “contestation” and “contestation of”, respectively;

(8) by replacing “Appeals to” in the heading of subdivision 3 of Division X of Chapter III of the Cultural Heritage Act (chapter P-9.002), “An appeal is brought” in section 109 of that Act and “appeal” in sections 110, 113 and 114 of that Act by “Contestations filed with”, “A contestation is made” and “contestation”, respectively;

(9) by replacing “appeal” and “time for appeal” in subparagraph 2 of the second paragraph of section 88 of the Police Act (chapter P-13.1) by “contestation” and “time for filing a contestation”, respectively.

145. The following provisions are amended in the following manner, with the necessary modifications:

(1) by replacing “contested or appealed” in section 10 of the Tax Administration Act, “proceedings in appeal” in section 91 of that Act, and “on appeal” in section 93.1.14 of that Act by “the subject of an objection, contestation or appeal”, “contestation or appeal proceedings” and “on a contestation or an appeal”, respectively;

(2) by replacing “opposition or appeal in respect of such reimbursement is in process” in section 220.9 of the Act respecting municipal taxation (chapter F-2.1) by “objection, contestation or appeal in respect of that reimbursement is pending”;

(3) by replacing “or an appeal” in paragraph 9 of section 8.0.1 of the Mining Tax Act (chapter I-0.4) by “, contestation or appeal”;

(4) by replacing “an appeal” in paragraph *f* of section 312 of the Taxation Act and “or appeal” in paragraph *e* of section 336 of that Act by “a contestation or appeal” and “, contestation or appeal”, respectively;

(5) by replacing “objection to or appeal from” in section 84 of the Act respecting lotteries, publicity contests and amusement machines, “or appeal” in section 88 of that Act, “An appeal brought” in section 107 of that Act and “or appeal” in section 113 of that Act by “objection, contestation or appeal regarding”, “, contestation or appeal”, “A contestation filed or appeal brought” and “, a contestation or an appeal”, respectively;

(6) by replacing “is not subject to opposition or appeal” in the fifth paragraph of section 34.1.6 of the Act respecting the Régie de l’assurance maladie du Québec (chapter R-5) by “may not be the subject of an objection, contestation or appeal”;

(7) by replacing “opposition or appeal” in section 78 of the Act respecting the Québec Pension Plan (chapter R-9) by “objection, contestation or appeal”;

(8) by replacing “or an appeal in respect of that property tax refund is in progress” in section 22 of the Act respecting property tax refund (chapter R-20.1) by “, contestation or appeal in respect of that property tax refund is pending”.

146. The following provisions are amended in the following manner, with the necessary modifications:

(1) by replacing “AND APPEAL” in the heading of Chapter XIV of the Petroleum Resources Act by “, CONTESTATION AND APPEAL”;

(2) by replacing “and appeal” in sections 1006, 1006.1 and, unless the context indicates otherwise, section 1007.4 of the Taxation Act by “, contestation and appeal”;

(3) by replacing “*Appeals*” in the heading of subdivision 5 of Division III of Chapter V of the Act respecting lotteries, publicity contests and amusement machines by “*Contestations and appeals*”;

(4) by replacing “AND APPEAL” in the heading of Chapter IX of the Mining Act by “, CONTESTATION AND APPEAL”;

(5) by replacing “AND APPEALS” in the heading of Division V of the Act respecting property tax refund, “*Appeals*” in the heading of subdivision 2 of Division V of that Act and “*or appeal*” in the heading of subdivision 3 of Division V of that Act by “, CONTESTATIONS AND APPEALS”, “*Contestations and appeals*” and “, *contestation or appeal*”, respectively.

147. The following provisions are amended in the following manner, with the necessary modifications:

(1) by replacing “appellant” in section 170 of the Petroleum Resources Act by “contesting party”;

(2) by replacing “appellant” in section 298 of the Mining Act by “contesting party”;

(3) by replacing “appellant” in sections 111 and 112 of the Cultural Heritage Act and “appellant’s” and “evaluation appealed from” in section 111 of that Act by “contesting party”, “contesting party’s” and “contested evaluation”, respectively.

148. The second paragraph of section 1010.0.1, the first paragraph of section 1014 and the second paragraph of section 1079.13.2 of the Taxation Act are amended by replacing “an appeal or a summary appeal” and “appeal or summary appeal” by “contestation or appeal”.

149. Section 93.2.1 of the Tax Administration Act is amended by replacing “A summary appeal is brought” and “bring a summary appeal” by “A contestation is filed” and “file a contestation”, respectively, sections 93.8, 93.14, 93.17 and 93.18 of that Act are amended by replacing “summary appeal” by “contestation” and section 93.6 of that Act is amended by replacing “summary appeal” by “a contestation”.

150. The following provisions are amended in the following manner, with the necessary modifications:

(1) by replacing “appeal from it to” in section 167 of the Petroleum Resources Act by “contest it before”;

(2) by replacing “appeal to” in section 98 of the Act respecting lotteries, publicity contests and amusement machines by “file a contestation with”;

(3) by replacing “appeal therefrom to” in section 295 of the Mining Act by “contest it before”;

(4) by replacing “appeal to” in section 107 of the Cultural Heritage Act by “file a contestation with”.

151. The following provisions are amended in the following manner, with the necessary modifications:

(1) by replacing “decision being appealed from” in section 51.13 of the Act respecting hunting and fishing rights in the James Bay and New Québec territories by “contested decision”;

(2) by replacing “decision appealed from” in section 171 of the Petroleum Resources Act by “contested decision”;

(3) by replacing “resolution appealed from” in section 468 of the Education Act for Cree, Inuit and Naskapi Native Persons” by “contested resolution”;

(4) by replacing “decision appealed from” in section 299 of the Mining Act by “contested decision”.

DIVISION II

APPOINTMENT OF CERTAIN JUDGES TO THE COURT OF QUÉBEC AND OF THE SECRETARY OF THE CONSEIL DE LA MAGISTRATURE

COURTS OF JUSTICE ACT

152. Section 85 of the Courts of Justice Act (chapter T-16) is amended by replacing “306” by “308”.

153. Section 255 of the Act is amended

(1) by striking out “who are members of the public service” in the first paragraph;

(2) by inserting “, where applicable,” after “the secretary shall cease” in the second paragraph.

DIVISION III**PROTECTION OF JURORS AND WITNESSES IN CASES OF EMPLOYER-IMPOSED PENALTIES****JURORS ACT**

154. Section 47 of the Jurors Act (chapter J-2) is amended by striking out the second paragraph.

ACT RESPECTING LABOUR STANDARDS

155. Section 3.1 of the Act respecting labour standards (chapter N-1.1) is amended by replacing “17” in the second paragraph by “19”.

156. Section 122 of the Act is amended by adding the following subparagraphs after subparagraph 17 of the first paragraph:

“(18) on the ground that the employee has been summoned as a prospective juror under the Jurors Act (chapter J-2) or that the employee has acted as a juror; or

“(19) on the ground that the employee has been called to attend at court or that the employee has acted as a witness before a court of justice.”

157. Section 140 of the Act is amended by replacing “17” in paragraph 6 by “19”.

ACT TO ESTABLISH THE ADMINISTRATIVE LABOUR TRIBUNAL

158. Schedule I to the Act to establish the Administrative Labour Tribunal (chapter T-15.1) is amended by striking out paragraphs 15 and 27.

COURTS OF JUSTICE ACT

159. Section 5.2 of the Courts of Justice Act (chapter T-16) is amended by replacing the second paragraph by the following paragraph:

“Any contravention of the first paragraph is an offence.”

CHAPTER III**MEASURES AIMED AT ENHANCING THE LEGAL AID SYSTEM AND INCREASING THE EFFECTIVENESS OF THE COMMISSION DES SERVICES JURIDIQUES****ACT RESPECTING LEGAL AID AND THE PROVISION OF CERTAIN OTHER LEGAL SERVICES**

160. Section 4 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14) is amended by striking out “, in the second paragraph of section 32.1” in the first paragraph.

161. Section 4.4 of the Act is replaced by the following sections:

“**4.3.1.** Legal aid shall be granted for legal advice, except with regard to services expressly excluded.

“**4.4.** Legal aid shall be granted, to the extent determined by the provisions of this subdivision and the regulations, for services rendered before an action is brought, in particular during participation in private dispute prevention and resolution processes aimed at avoiding referral of disputes to the courts and for matters brought or to be brought before a court. It may be granted at any stage of the process or proceedings, in first instance or in appeal. It may be granted, to the same extent, in respect of proceedings in execution.

Legal aid may also be granted for legal services described in section 4.10 and, by way of exception, for legal services described in section 4.13.”

162. Section 4.5 of the Act is amended by replacing “une demande d’emprisonnement” in paragraph 4 in the French text by “une demande d’imposition d’une peine d’emprisonnement”.

163. Section 4.10 of the Act is amended by striking out “harmful” in paragraph 3.

164. Section 32.1 of the Act is amended by striking out the second paragraph.

165. Section 74 of the Act is amended

(1) by replacing “The application shall be decided by three members, including at least one advocate. The application releases the advocate of the person applying for the review” in the first paragraph by “The application shall be decided by a committee of three members, including at least one advocate, except in the case of an application regarding a decision made under subparagraph *a* of the first paragraph of section 70, which shall be decided by a single member, who must be an advocate. An application for review releases the applicant’s advocate”;

(2) by replacing “Where the review committee decides that the person having applied for the review” in the third paragraph by “Where it is decided that the applicant”.

166. Section 76 of the Act is replaced by the following section:

“**76.** Subject to section 75, the application for review or contestation shall be made in writing and summarily set out the reasons invoked. If need be, a copy of the application must be sent to the advocate or notary who is entrusted with rendering professional services to the applicant.”

167. Section 77 of the Act is amended by replacing “The review committee shall, before making its decision” by “The three-member committee or the single member must, before making a decision”.

168. Section 78 of the Act is replaced by the following section:

“**78.** The decision must include reasons and be sent without delay to the persons concerned and to the centre.”

REGULATION RESPECTING LEGAL AID

169. Section 43.1 of the Regulation respecting legal aid (chapter A-14, r. 2) is amended by inserting “if an advocate assists a person participating in a program for the non-judicial treatment of certain criminal offences. It shall also be granted” after “that aid shall be granted” in the introductory clause of the first paragraph.

170. The Regulation is amended by inserting the following section after section 43.1:

“**43.2.** Legal aid shall be granted within the scope of the services mentioned in section 4.7 of the Act, except those in family cases, for participation in a collaborative law process or a mediation process. In the latter case, only services rendered by an advocate or notary assisting the recipient are covered.”

171. Section 45.1 of the Regulation is repealed.

CHAPTER IV

FINAL PROVISIONS

172. The Minister must, not later than 5 June 2025, report to the Government on the deployment of the adaptation programs within the meaning of article 159.1 of the Code of Penal Procedure (chapter C-25.1), enacted by section 35, and the second paragraph of article 333 of that Code, enacted by section 49.

The report must be tabled in the National Assembly within 30 days or, if the Assembly is not sitting, within 30 days of resumption.

173. The provisions of this Act come into force on 5 June 2020, except

(1) paragraph 2 of section 15, sections 16, 19 to 29, 31 to 34, 54, 58, 63 and 64, paragraph 1 of section 74, paragraphs 1 to 4 of section 75 and section 83, which come into force on 13 July 2020; and

(2) sections 2 to 12, 36, 40 to 42, 59, 61, 62 and 71, paragraph 2 of section 74, paragraph 5 of section 75, sections 76 to 82, 85 to 116, 124 to 128 and 138 to 142, paragraphs 1 to 4 of section 144, paragraphs 1 to 4 and 6 to 8 of section 145, paragraphs 2 and 5 of section 146, and sections 148, 149 and 154 to 159, which come into force on the date or dates to be set by the Government, which dates, except for section 71, may not be later than 1 January 2021, or on that latter date for the provisions not yet in force on that date.

2020, chapter 13

AN ACT TO AMEND THE CIVIL CODE, IN PARTICULAR TO MAKE CIVIL ACTIONS FOR SEXUAL AGGRESSION, VIOLENCE SUFFERED DURING CHILDHOOD AND SPOUSAL VIOLENCE IMPRESCRIPTIBLE

Bill 55

Introduced by Madam Sonia LeBel, Minister of Justice

Introduced 4 June 2020

Passed in principle 5 June 2020

Passed 12 June 2020

Assented to 12 June 2020

Coming into force: 12 June 2020

Legislation amended:

Civil Code of Québec

Explanatory notes

Under this Act, actions for damages for bodily injury resulting from an act which could constitute a criminal offence are made imprescriptible if the injury results from a sexual aggression, violent behaviour suffered during childhood, or the violent behaviour of a spouse or former spouse.

The Act, however, provides that an action for damages for bodily injury resulting from an act which could constitute a criminal offence directed against an heir, a legatee by particular title or a successor of the author of the act or against the liquidator of the author's succession, must, under pain of forfeiture, be instituted within three years after the author's death, unless the defendant is sued for the defendant's own fault or as a principal. Likewise, an action brought for injury suffered by the victim must be instituted within three years after the victim's death.

The Act establishes certain rules concerning apologies, including that an apology may not constitute an admission.

Lastly, the Act contains transitional measures. In particular, it provides, for a period of three years, that an action which is thus imprescriptible and which was dismissed in the past solely on the grounds of prescription being acquired may be reinstated before a court.



Chapter 13

AN ACT TO AMEND THE CIVIL CODE, IN PARTICULAR TO MAKE CIVIL ACTIONS FOR SEXUAL AGGRESSION, VIOLENCE SUFFERED DURING CHILDHOOD AND SPOUSAL VIOLENCE IMPREScriptIBLE

[Assented to 12 June 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

1. The Civil Code of Québec is amended by inserting the following article after article 2853:

“2853.1. An apology may not constitute an admission.

Furthermore, it may not be admitted into evidence, affect the determination of fault or liability, interrupt prescription or cancel or reduce the insurance coverage to which the insured or a third person is entitled.

Any express or implied expression of sympathy or regret constitutes an apology.”

2. Article 2926.1 of the Code is amended

(1) by replacing “However, the prescriptive period is 30 years” in the first paragraph by “Nevertheless, such an action cannot be prescribed”;

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

“However, an action against an heir, a legatee by particular title or a successor of the author of the act or against the liquidator of the author’s succession must, under pain of forfeiture, be instituted within three years after the author’s death, unless the defendant is sued for the defendant’s own fault or as a principal. Likewise, an action brought for injury suffered by the victim must, under pain of forfeiture, be instituted within three years after the victim’s death.”

3. Article 2930 of the Code is amended by replacing “of less than 3 years, 10 years or 30 years, as the case may be, cannot affect a prescriptive period provided for in this Book” by “that is less than that provided for in this Book, cannot defeat a prescriptive period provided for in this Book”.

TRANSITIONAL AND FINAL PROVISIONS

4. Article 2926.1 of the Civil Code, amended by section 2, applies to all actions for damages for bodily injury resulting from an act which could constitute a criminal offence if the injury results from a sexual aggression, violent behaviour suffered during childhood, or the violent behaviour of a spouse or former spouse, regardless of any prescriptive period applicable before the coming into force of this Act.

5. An action that was dismissed before 12 June 2020 solely on the grounds of prescription being acquired may be reinstated before a court within three years after that date if

(1) the action is an action for damages for bodily injury resulting from an act which could constitute a criminal offence;

(2) the injury results from a sexual aggression, violent behaviour suffered during childhood, or the violent behaviour of a spouse or former spouse; and

(3) the action is not prescribed under the second paragraph of article 2926.1 of the Civil Code, as amended by section 2, on the date on which it is reinstated.

6. This Act comes into force on 12 June 2020.

2020, chapter 14
APPROPRIATION ACT NO. 3, 2020–2021

Bill 63

Introduced by Mr. Christian Dubé, Minister Responsible for Government Administration
and Chair of the Conseil du trésor

Introduced 26 May 2020

Passed in principle 26 May 2020

Passed 26 May 2020

Assented to 12 June 2020

Coming into force: 12 June 2020

Legislation amended: None

Explanatory notes

This Act authorizes the Government to pay out of the general fund of the Consolidated Revenue Fund, for the 2020–2021 fiscal year, a sum not exceeding \$32,783,657,917.00, including \$225,400,000.00 for the payment of expenditures chargeable to the 2021–2022 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 forecasts for the special funds for the 2020–2021 fiscal year, and the excess special fund expenditures and investments for the 2018–2019 fiscal year.



Chapter 14

APPROPRIATION ACT NO. 3, 2020–2021

[Assented to 12 June 2020]

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 \$32,783,657,917.00 to defray a part of the Expenditure Budget of Québec tabled in the National Assembly for the 2020–2021 fiscal year, for which provision has not otherwise been made, including an amount of \$225,400,000.00 for the payment of expenditures chargeable to the 2021–2022 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 \$36,069,239,483.00 of the appropriations voted pursuant to the Appropriation Act No. 1, 2020–2021 (2020, chapter 3) and to the Appropriation Act No. 2, 2020–2021 (2020, chapter 9) and the appropriations provided by the special warrant No. 1-2020–2021, issued on 8 April 2020.

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 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, 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 forecasts for the special funds listed in Schedule 3 is approved for the 2020–2021 fiscal year.

5. The excess special fund expenditures and investments for the 2018–2019 fiscal year listed in Schedule 4 are approved.

6. This Act comes into force on 12 June 2020.

SCHEDULE 1

GENERAL FUND

AFFAIRES MUNICIPALES ET HABITATION

PROGRAM 1

Support for Departmental Activities	29,742,650.00
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PROGRAM 2

Municipal Infrastructure Modernization	209,101,900.00
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PROGRAM 4

Development of the Regions and Territories	126,640,700.00
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PROGRAM 5

Promotion and Development of Greater Montréal	8,546,100.00
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PROGRAM 6

Commission municipale du Québec	6,015,250.00
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PROGRAM 7

Housing	416,533,550.00
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	796,580,150.00

AGRICULTURE, PÊCHERIES ET ALIMENTATION

PROGRAM 1

Bio-food Business Development, Training and Food Quality	137,437,850.00
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PROGRAM 2

Government Bodies	218,584,150.00
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	356,022,000.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

PROGRAM 1

Support for the Conseil du trésor	51,449,000.00
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PROGRAM 2

Support for Government Operations	122,148,700.00
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PROGRAM 3

Commission de la fonction publique	2,955,350.00
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PROGRAM 4

Retirement and Insurance Plans	2,222,250.00
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PROGRAM 5

Contingency Fund	1,054,698,100.00
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	1,233,473,400.00
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CONSEIL EXÉCUTIF

PROGRAM 1

Lieutenant-Governor's Office	379,200.00
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PROGRAM 2

Support Services for the Premier and the Conseil exécutif	50,469,850.00
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PROGRAM 3

Canadian Relations	7,532,500.00
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PROGRAM 4

Indigenous Affairs	130,801,850.00
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PROGRAM 5

Youth	26,820,300.00
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PROGRAM 6

Access to Information and Reform of Democratic Institutions	5,088,750.00
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	221,092,450.00
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CULTURE ET COMMUNICATIONS

PROGRAM 1

Management, Administration and Mission Support	32,959,350.00
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PROGRAM 2

Support and Development of Culture, Communications and Heritage	385,042,835.00
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	418,002,185.00

ÉCONOMIE ET INNOVATION

PROGRAM 1

Management and Administration	16,234,550.00
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PROGRAM 2

Economic Development	167,398,300.00
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PROGRAM 3

Development of Science, Research and Innovation	110,139,750.00
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PROGRAM 4

Economic Development Fund Interventions	136,774,050.00
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PROGRAM 5

Research and Innovation Bodies	11,621,900.00
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	442,168,550.00

ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

PROGRAM 1	
Administration	132,610,600.00
PROGRAM 2	
Support for Organizations	63,357,000.00
PROGRAM 3	
Financial Assistance for Education	487,358,450.00
PROGRAM 4	
Preschool, Primary and Secondary Education	5,583,479,550.00
PROGRAM 5	
Higher Education	3,109,712,500.00
PROGRAM 6	
Development of Recreation and Sports	45,162,700.00
PROGRAM 8	
School Taxes – Fiscal Balancing Subsidy	636,244,250.00
PROGRAM 9	
Status of Women	12,163,300.00
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	10,070,088,350.00

ÉNERGIE ET RESSOURCES NATURELLES

PROGRAM 1

Management of Natural Resources	64,896,750.00
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	64,896,750.00

ENVIRONNEMENT ET LUTTE CONTRE LES CHANGEMENTS
CLIMATIQUES

PROGRAM 1

Environmental Protection	144,585,750.00
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PROGRAM 2

Bureau d'audiences publiques sur l'environnement	3,000,400.00
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	147,586,150.00
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FAMILLE

PROGRAM 1

Planning, Research and Administration	28,140,500.00
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PROGRAM 2

Assistance Measures for Families	56,301,700.00
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PROGRAM 3

Childcare Services	1,166,476,538.00
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PROGRAM 4

Public Curator	33,751,500.00
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	1,284,670,238.00
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FINANCES

PROGRAM 1

Management and Administration	16,354,700.00
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PROGRAM 2

Economic, Taxation, Budgetary and Financial Activities	27,152,350.00
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PROGRAM 3

Contributions, Bank Service Fees and Provisions for Transferring Appropriations	47,860,350.00
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	91,367,400.00
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FORÊTS, FAUNE ET PARCS

PROGRAM 1

Management and Administration	4,288,300.00
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PROGRAM 2

Management of Forest Resources	121,704,050.00
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PROGRAM 3

Management of Wildlife Resources and Parks	74,591,850.00
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	200,584,200.00
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IMMIGRATION, FRANCISATION ET INTÉGRATION

PROGRAM 1

Management and Support for Departmental Activities	23,842,850.00
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PROGRAM 2

Immigration, Francization and Integration	249,846,850.00
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PROGRAM 3

French Language	21,242,200.00
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	294,931,900.00

JUSTICE

PROGRAM 1

Administration of Justice	184,643,050.00
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PROGRAM 2

Judicial Activity	18,973,100.00
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PROGRAM 3

Administrative Justice	4,642,700.00
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PROGRAM 5

Other Bodies Reporting to the Minister	85,852,700.00
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PROGRAM 6

Criminal and Penal Prosecutions	89,681,750.00
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	383,793,300.00

PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

PROGRAM 1

The Public Protector	9,202,450.00
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PROGRAM 2

The Auditor General	16,153,400.00
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PROGRAM 4

The Lobbyists Commissioner	3,175,050.00
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	28,530,900.00
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RELATIONS INTERNATIONALES ET FRANCOPHONIE

PROGRAM 1

Management and Administration	9,885,400.00
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PROGRAM 2

International Affairs	49,600,450.00
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	59,485,850.00
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SANTÉ ET SERVICES SOCIAUX

PROGRAM 1

Coordination Functions	90,551,100.00
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PROGRAM 2

Services to the Public	13,142,773,500.00
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PROGRAM 3

Office des personnes handicapées du Québec	7,029,750.00
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PROGRAM 5

Status of Seniors	17,227,000.00
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	13,257,581,350.00
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SÉCURITÉ PUBLIQUE

PROGRAM 1

Management and Administration	39,807,150.00
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PROGRAM 2

Services of the Sûreté du Québec	190,958,250.00
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PROGRAM 3

Management of the Correctional System	263,106,600.00
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PROGRAM 4

Security and Prevention	66,163,300.00
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PROGRAM 5

Scientific and Forensic Expertise	11,366,800.00
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PROGRAM 6

Management and Oversight	26,455,400.00
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PROGRAM 7

Promotion and Development of the Capitale-Nationale	19,144,100.00
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	617,001,600.00

TOURISME

PROGRAM 1

Management, Administration and Program Management	8,154,300.00
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PROGRAM 2

Tourism Development	23,158,300.00
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PROGRAM 3

Bodies Reporting to the Minister	50,726,650.00
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	82,039,250.00

TRANSPORTS

PROGRAM 1

Infrastructures and Transportation Systems	570,525,650.00
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PROGRAM 2

Administration and Corporate Services	31,854,800.00
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	602,380,450.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

PROGRAM 1

Governance, Administration and Client Services	266,753,344.00
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PROGRAM 2

Financial Assistance Measures	1,456,895,450.00
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PROGRAM 3

Employment Assistance Measures	407,732,700.00
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	2,131,381,494.00
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	32,783,657,917.00
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SCHEDULE 2

GENERAL FUND

APPROPRIATIONS TO BE VOTED FOR EXPENDITURES
CHARGEABLE TO THE 2021–2022 FISCAL YEAR

FAMILLE

PROGRAM 3

Childcare Services

225,400,000.00

225,400,000.00

225,400,000.00

SCHEDULE 3

SPECIAL FUNDS

AFFAIRES MUNICIPALES ET HABITATION

REGIONS AND RURALITY FUND

Expenditure Forecast	<u>130,582,700.00</u>
SUBTOTAL	
Expenditure Forecast	130,582,700.00

CULTURE ET COMMUNICATIONS

AVENIR MÉCÉNAT CULTURE
FUND

Expenditure Forecast	2,562,200.00
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QUÉBEC CULTURAL HERITAGE
FUND

Expenditure Forecast	<u>15,815,000.00</u>
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SUBTOTAL

Expenditure Forecast	18,377,200.00
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ÉCONOMIE ET INNOVATION

NATURAL RESOURCES AND
ENERGY CAPITAL FUND

Expenditure Forecast	85,500.00
Investment Forecast	247,847,500.00

ECONOMIC DEVELOPMENT
FUND

Expenditure Forecast	213,614,550.00
Investment Forecast	323,679,500.00

QUÉBEC ENTERPRISE
GROWTH FUND

Expenditure Forecast	75,000.00
Investment Forecast	50,000,000.00

SUBTOTALS

Expenditure Forecast	213,775,050.00
Investment Forecast	621,527,000.00

ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

SPORTS AND PHYSICAL ACTIVITY
DEVELOPMENT FUND

Expenditure Forecast	46,543,550.00
Investment Forecast	71,499,950.00

UNIVERSITY EXCELLENCE AND
PERFORMANCE FUND

Expenditure Forecast	<u>12,500,000.00</u>
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SUBTOTALS

Expenditure Forecast	59,043,550.00
Investment Forecast	71,499,950.00

ÉNERGIE ET RESSOURCES NATURELLES

NATURAL RESOURCES FUND

Expenditure Forecast	20,933,150.00
Investment Forecast	300,000.00

ENERGY TRANSITION FUND

Expenditure Forecast	645,800.00
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TERRITORIAL INFORMATION
FUND

Expenditure Forecast	58,951,100.00
Investment Forecast	27,865,600.00

SUBTOTALS

Expenditure Forecast	80,530,050.00
Investment Forecast	28,165,600.00

ENVIRONNEMENT ET LUTTE CONTRE LES CHANGEMENTS
CLIMATIQUESFUND FOR THE PROTECTION OF
THE ENVIRONMENT AND
THE WATERS IN THE DOMAIN
OF THE STATE

Expenditure Forecast	18,329,750.00
Investment Forecast	100,000.00

GREEN FUND

Expenditure Forecast	569,401,200.00
Investment Forecast	<u>1,646,000.00</u>

SUBTOTALS

Expenditure Forecast	587,730,950.00
Investment Forecast	1,746,000.00

FAMILLE

EDUCATIONAL CHILDCARE
SERVICES FUND

Expenditure Forecast	<u>1,114,796,988.00</u>
SUBTOTAL	
Expenditure Forecast	1,114,796,988.00

FINANCES

FINANCING FUND

Expenditure Forecast	1,394,800.00
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CANNABIS SALES
REVENUE FUND

Expenditure Forecast	49,125,350.00
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NORTHERN PLAN FUND

Expenditure Forecast	49,938,800.00
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FUND OF THE FINANCIAL
MARKETS ADMINISTRATIVE
TRIBUNAL

Expenditure Forecast	1,873,850.00
Investment Forecast	7,039,000.00

TAX ADMINISTRATION FUND

Expenditure Forecast	<u>512,382,900.00</u>
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SUBTOTALS

Expenditure Forecast	614,715,700.00
Investment Forecast	7,039,000.00

FORÊTS, FAUNE ET PARCS

NATURAL RESOURCES FUND –
SUSTAINABLE FOREST
DEVELOPMENT COMPONENT

Expenditure Forecast	232,450,650.00
Investment Forecast	9,124,950.00
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SUBTOTALS

Expenditure Forecast	232,450,650.00
Investment Forecast	9,124,950.00

JUSTICE

ACCESS TO JUSTICE FUND

Expenditure Forecast	9,927,400.00
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CRIME VICTIMS
ASSISTANCE FUND

Expenditure Forecast	17,175,100.00
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REGISTER FUND OF
THE MINISTÈRE DE LA JUSTICE

Expenditure Forecast	29,732,700.00
Investment Forecast	1,628,500.00

FUND OF THE ADMINISTRATIVE
TRIBUNAL OF QUÉBEC

Expenditure Forecast	23,214,100.00
Investment Forecast	1,023,850.00

PUBLIC CONTRACTS FUND

Expenditure Forecast	3,850.00
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SUBTOTALS

Expenditure Forecast	80,053,150.00
Investment Forecast	2,652,350.00

SANTÉ ET SERVICES SOCIAUX

CANNABIS PREVENTION AND
RESEARCH FUND

Expenditure Forecast	36,350,000.00
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CAREGIVER SUPPORT FUND

Expenditure Forecast	8,990,000.00
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HEALTH AND SOCIAL
SERVICES INFORMATION
RESOURCES FUND

Expenditure Forecast	160,263,250.00
Investment Forecast	56,870,800.00

SUBTOTALS

Expenditure Forecast	205,603,250.00
Investment Forecast	56,870,800.00

SÉCURITÉ PUBLIQUE

POLICE SERVICES FUND

Expenditure Forecast	358,997,000.00
Investment Forecast	<u>8,682,900.00</u>

SUBTOTALS

Expenditure Forecast	358,997,000.00
Investment Forecast	8,682,900.00

TOURISME

TOURISM PARTNERSHIP FUND

Expenditure Forecast	97,356,900.00
Investment Forecast	597,000.00
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SUBTOTALS	
Expenditure Forecast	97,356,900.00
Investment Forecast	597,000.00

TRANSPORTS

AIR SERVICE FUND

Expenditure Forecast	38,918,750.00
Investment Forecast	4,350,000.00

ROLLING STOCK
MANAGEMENT FUND

Expenditure Forecast	67,289,950.00
Investment Forecast	27,607,050.00

HIGHWAY SAFETY FUND

Expenditure Forecast	22,662,200.00
Investment Forecast	98,750.00

LAND TRANSPORTATION
NETWORK FUND

Expenditure Forecast	2,370,738,750.00
Investment Forecast	1,136,202,050.00

SUBTOTALS

Expenditure Forecast	2,499,609,650.00
Investment Forecast	1,168,257,850.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

ASSISTANCE FUND FOR
INDEPENDENT COMMUNITY
ACTION

Expenditure Forecast	11,130,340.00
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LABOUR MARKET
DEVELOPMENT FUND

Expenditure Forecast	634,932,650.00
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GOODS AND SERVICES FUND

Expenditure Forecast	60,893,950.00
Investment Forecast	1,397,000.00

INFORMATION TECHNOLOGY
FUND OF THE MINISTÈRE
DE L'EMPLOI ET DE
LA SOLIDARITÉ SOCIALE

Expenditure Forecast	10,970,800.00
Investment Forecast	10,200,000.00

ADMINISTRATIVE LABOUR
TRIBUNAL FUND

Expenditure Forecast	40,323,200.00
Investment Forecast	1,470,000.00

FONDS QUÉBÉCOIS
D'INITIATIVES SOCIALES

Expenditure Forecast	4,252,050.00
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SUBTOTALS

Expenditure Forecast	762,502,990.00
Investment Forecast	13,067,000.00

TOTALS

Expenditure Forecast	7,056,125,778.00
Investment Forecast	1,989,230,400.00

SCHEDULE 4

EXCESS SPECIAL FUND EXPENDITURES AND INVESTMENTS FOR
THE 2018–2019 FISCAL YEAR

ÉCONOMIE ET INNOVATION

NATURAL RESOURCES AND
ENERGY CAPITAL FUND

Expenditure excess	206,531,500.00
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ECONOMIC DEVELOPMENT
FUND

Investment excess	<u>251,032,500.00</u>
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SUBTOTALS

Expenditure excess	206,531,500.00
Investment excess	251,032,500.00

ÉNERGIE ET RESSOURCES NATURELLES

TERRITORIAL INFORMATION
FUND

Investment excess	<u>9,212,200.00</u>
SUBTOTAL	
Investment excess	9,212,200.00

FINANCES

NORTHERN PLAN FUND

Expenditure excess	<u>49,381,500.00</u>
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SUBTOTAL

Expenditure excess	49,381,500.00
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FORÊTS, FAUNE ET PARCS

NATURAL RESOURCES FUND –
SUSTAINABLE FOREST
DEVELOPMENT COMPONENT

Expenditure excess	<u>64,170,500.00</u>
SUBTOTAL	
Expenditure excess	64,170,500.00

SANTÉ ET SERVICES SOCIAUX

HEALTH AND SOCIAL SERVICES
INFORMATION RESOURCES FUND

Investment excess	<u>30,098,200.00</u>
SUBTOTAL	
Investment excess	30,098,200.00

SÉCURITÉ PUBLIQUE

CAPITALE-NATIONALE
REGION FUND

Expenditure excess	5,300,000.00
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POLICE SERVICES FUND

Expenditure excess	<u>27,776,100.00</u>
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SUBTOTAL

Expenditure excess	33,076,100.00
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TOURISME

TOURISM PARTNERSHIP
FUND

Expenditure excess	<u>6,241,900.00</u>
SUBTOTAL	
Expenditure excess	6,241,900.00

TRANSPORTS

ROLLING STOCK
MANAGEMENT FUND

Expenditure excess	2,292,700.00
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LAND TRANSPORTATION
NETWORK FUND

Expenditure excess	227,048,400.00
Investment excess	203,541,000.00
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SUBTOTALS

Expenditure excess	229,341,100.00
Investment excess	203,541,000.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

ASSISTANCE FUND FOR
INDEPENDENT COMMUNITY
ACTION

Expenditure excess	1,192,600.00
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FONDS QUÉBÉCOIS
D'INITIATIVES SOCIALES

Expenditure excess	<u>4,970,900.00</u>
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SUBTOTAL

Expenditure excess	<u>6,163,500.00</u>
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TOTALS

Expenditure excess	594,906,100.00
Investment excess	493,883,900.00

2020, chapter 15

AN ACT TO AMEND THE PROFESSIONAL CODE AND OTHER PROVISIONS IN PARTICULAR IN THE ORAL HEALTH AND THE APPLIED SCIENCES SECTORS

Bill 29

Introduced by Madam Sonia LeBel, Minister of Justice

Introduced 5 June 2019

Passed in principle 24 September 2019

Passed 24 September 2020

Assented to 24 September 2020

Coming into force: 24 September 2020

Legislation amended:

Civil Code of Québec

Architects Act (chapter A-21)

Professional Code (chapter C-26)

Chartered Professional Accountants Act (chapter C-48.1)

Dental Act (chapter D-3)

Denturologists Act (chapter D-4)

Engineers Act (chapter I-9)

Pharmacy Act (chapter P-10)

Regulation enacted:

Regulation respecting works excluded from the application of section 3 of the Engineers Act (2020, chapter 15, section 61)

Regulations amended:

Regulation respecting the categories of permits issued by the Ordre professionnel de la physiothérapie du Québec (chapter C-26, r. 196.1)

Code of ethics of the members of the Ordre des techniciens et techniciennes dentaires du Québec (chapter C-26, r. 226)

Règlement sur les stages de perfectionnement des techniciens dentaires (chapter C-26, r. 234, French only)

Regulation respecting certain professional activities that may be engaged in by respiratory therapists (chapter M-9, r. 6)

(cont'd on next page)

Regulation repealed:

Regulation respecting certain acts that may be performed by dental hygienists (chapter D-3, r. 3)

Explanatory notes

This Act amends various provisions of the Professional Code in order to modernize it, in particular as concerns reserved titles and descriptions of the scopes of practice of certain reserved-title professions. It also brings professional orders constituted by letters patent within the purview of the Professional Code.

The Act specifies the minimum information required to be provided on an order's website and provides for website standard guidelines to be set by the Office des professions du Québec. It provides that a general meeting of the members of a professional order may be held by a technological means. In addition, it extends the time limit for filing a factum with the Professions Tribunal.

The Act amends the Architects Act and the Engineers Act to include a description of the relevant scope of practice in each of them and redefine the professional activities reserved to architects and engineers.

The Act revises the duty imposed on the Ordre des architectes du Québec to determine, by regulation, the activities reserved to architects that may be engaged in by certain other persons, specifying that the regulation must determine the activities that may be engaged in by professional technologists whose competency is in architectural technology. It imposes on the Ordre des ingénieurs du Québec a duty to determine, by regulation, the activities reserved to engineers that may be engaged in by professional technologists whose competency is in engineering technology.

The Act amends the Civil Code to broaden the application of the provisions governing the responsibilities of persons who direct or supervise work, in particular architects and engineers, to cover professional technologists.

The Act also amends the Professional Code, the Dental Act and the Denturologists Act to redefine, in the oral health sector, the scopes of professional practice for the professions of dentist, denturologist, dental hygienist, and dental prosthesis and appliance technologist, which title replaces that of "dental technician".

Under the Act, aesthetic activities in the oral health sector that entail risks of injury are now reserved to dentists.

Lastly, the Act contains consequential and harmonization provisions as well as technical provisions.



Chapter 15

AN ACT TO AMEND THE PROFESSIONAL CODE AND OTHER PROVISIONS IN PARTICULAR IN THE ORAL HEALTH AND THE APPLIED SCIENCES SECTORS

[Assented to 24 September 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

PROFESSIONAL CODE

1. Section 24 of the Professional Code (chapter C-26) is replaced by the following section:

“**24.** The professional orders mentioned in the first paragraph of Schedule I are constituted by a special Act.

Those mentioned in the second paragraph of that Schedule are constituted in accordance with this Code.”

2. Section 31 of the Code is amended by replacing “in paragraphs 1 to 21.5” by “in the first paragraph”.

3. Section 35 of the Code is amended by replacing “in paragraphs 22 to 38” by “in the second paragraph”.

4. Section 36 of the Code is amended

(1) by inserting the following subparagraphs before subparagraph *c* of the first paragraph:

“(a) use the title “Vocational Guidance Counsellor”, “Guidance Counsellor”, “Vocational Counsellor” or any title or abbreviation which may lead to the belief that he is such a counsellor, or use initials which may lead to the belief that he is such a counsellor, or use the initials “V.G.C.”, “G.C.” or “V.C.”, unless he holds a valid permit for that purpose and is entered on the roll of the *Ordre professionnel des conseillers et conseillères d’orientation du Québec*;

“(b) use the title “Criminologist” or any title or abbreviation which may lead to the belief that he is a criminologist, or use initials which may lead to the belief that he is a criminologist, or use the abbreviation “Criminol.”, unless he holds a valid permit for that purpose and is entered on the roll of the *Ordre professionnel des criminologues du Québec*.”;

(2) by replacing “diététistes” in subparagraph *c* of the first paragraph by “diététistes-nutritionnistes”;

(3) by replacing subparagraph *g* of the first paragraph by the following subparagraph:

“(g) use the title “Psychoeducator” or any title or abbreviation which may lead to the belief that he is a psychoeducator, or use initials which may lead to the belief that he is a psychoeducator, or use the abbreviation “Ps. Ed.”, unless he holds a valid permit for that purpose and is entered on the roll of the *Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec*”;

(4) by replacing subparagraph *l* of the first paragraph by the following subparagraph:

“(l) use the title “Dental Prosthesis and Appliance Technologist” or any title or abbreviation which may lead to the belief that he is a dental prosthesis and appliance technologist, or initials which may lead to the belief that he is a dental prosthesis and appliance technologist, or the initials “D.P.A.T.”, unless he holds a valid permit for that purpose and is entered on the roll of the *Ordre professionnel des technologues en prothèses et appareils dentaires du Québec*”;

(5) by replacing subparagraph *n* of the first paragraph by the following subparagraph:

“(n) use the title “Physiotherapist”, “Physical Therapist” or “Physiotherapy Technologist”, the abbreviation “pht” or “Phys. T.”, the initials “P.T.” or any title, abbreviation or initials which may lead to the belief that he is a physiotherapist or a physiotherapy technologist, unless he holds a valid permit for that purpose and is entered on the roll of the *Ordre professionnel de la physiothérapie du Québec*”;

(6) by adding the following subparagraph at the end of the first paragraph:

“(u) use the title “Sexologist” or any title, abbreviation or initials which may lead to the belief that he is a sexologist, unless he holds a valid permit for that purpose and is entered on the roll of the *Ordre professionnel des sexologues du Québec*.”

5. Section 37 of the Code is amended

(1) by inserting the following paragraphs before paragraph *c*:

“(a) the *Ordre professionnel des conseillers et conseillères d’orientation du Québec*: assess psychological functioning, personal resources and conditions in the milieu, respond to needs with regard to identity, and develop and maintain proactive adjustment strategies with a view to helping a person make personal and vocational choices throughout life, regain socio-vocational autonomy and carry out career projects in interaction with his environment;

“(b) the Ordre professionnel des criminologues du Québec: assess a person’s criminogenic factors and offending behaviour as well as the effects of crime on the victim, determine an intervention plan and ensure that it is implemented, support and restore the social skills of the offender and the victim with a view to fostering their social integration in interaction with their environment;”;

(2) by replacing “diététistes” in paragraph *c* by “diététistes-nutritionnistes”;

(3) by replacing paragraph *g* by the following paragraph:

“(g) the Ordre professionnel des psychoéducatrices et psychoéducateurs du Québec: assess a person’s adjustment problems and capacity to adjust, determine an intervention plan and ensure that it is implemented, restore and develop the person’s capacity to adjust, and contribute to the development of conditions in the milieu with a view to fostering the person’s optimal adjustment in interaction with his environment;”;

(4) by replacing paragraphs *k* and *l* by the following paragraphs:

“(k) the Ordre professionnel des hygiénistes dentaires du Québec: assess a person’s oral health, teach the principles of oral hygiene, determine a dental hygiene care plan and ensure that it is carried out, and provide care and treatment in order to prevent oral disease and maintain and restore the person’s oral health;

“(l) the Ordre professionnel des technologues en prothèses et appareils dentaires du Québec: produce dental prostheses or dental appliances in order to replace a person’s missing teeth or to correct an oral abnormality and advise the dentist, denturologist or physician, in particular on technical aspects;”;

(5) by replacing paragraph *s* by the following paragraph:

“(s) the Ordre professionnel des inhalothérapeutes du Québec: assess a person’s cardiopulmonary condition, participate in the administration of anesthesia and sedation analgesia, and treat problems affecting the cardiopulmonary system in order to restore and maintain the person’s cardiopulmonary health;”;

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

“(u) the Ordre professionnel des sexologues du Québec: assess a person’s sexual behaviour and development, determine, recommend and carry on interventions and treatment in order to foster a better sexual balance in the person in interaction with the person’s environment.”

6. Section 37.1 of the Code is amended

(1) by replacing “diététistes” in paragraph 1 by “diététistes-nutritionnistes”;

(2) by replacing “tribunal” in subparagraph *c* of paragraph 1.1.1 and subparagraph *d* of paragraph 1.2 by “court”;

(3) by replacing paragraphs 1.3 to 1.3.2 by the following paragraphs:

“(1.3) the Ordre professionnel des conseillers et conseillères d’orientation du Québec:

(a) assess a person suffering from a mental or neuropsychological disorder attested by the diagnosis or evaluation of an authorized professional;

(b) assess mental disorders, provided a continuing education certificate has been issued to the member by the Order pursuant to a regulation under subparagraph *o* of the first paragraph of section 94;

(c) assess mental retardation; and

(d) assess a handicapped student or a student with a social maladjustment with a view to formulating an individualized education plan in accordance with the Education Act;

“(1.4) the Ordre professionnel des hygiénistes dentaires du Québec:

(a) assess a person’s oral condition;

(b) topically apply an anaesthetic, anticariogenic or desensitizing agent;

(c) seal pits and grooves;

(d) polish teeth;

(e) place a temporary filling without preparing a cavity;

(f) carry out supra and subgingival scaling;

(g) design, fabricate and sell mouth guards;

(h) perform diagnostic tests, including the taking of x-rays, according to a prescription;

(i) perform non-surgical periodontal debridement, in accordance with the terms and conditions prescribed in a regulation adopted by the board of directors of the Order, after consultation with the Office and the Ordre professionnel des dentistes du Québec, or according to a prescription;

- (j) insert and sculpt filling material according to a prescription;
 - (k) fabricate and cement temporary restorations on natural teeth and remove them according to a prescription;
 - (l) place and remove periodontal dressings according to a prescription;
 - (m) remove sutures according to a prescription;
 - (n) contribute to orthodontic treatments and follow-ups according to a prescription; and
 - (o) apply teeth whitening techniques according to a prescription;
- “(1.5) the Ordre professionnel des technologues en prothèses et appareils dentaires du Québec: design, fabricate and repair dental prostheses and dental appliances according to a prescription;”;
- (4) by adding the following subparagraph at the end of paragraph 7:
- “(h) assess the cardiopulmonary condition of a symptomatic person;”;
- (5) by adding the following paragraphs at the end:
- “(8) the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec:
- (a) assess a person suffering from a mental or neuropsychological disorder attested by the diagnosis or evaluation of an authorized professional;
 - (b) assess a person further to a decision of the director of youth protection or of a tribunal made under the Youth Protection Act;
 - (c) assess an adolescent further to a decision of a court made under the Youth Criminal Justice Act;
 - (d) determine the intervention plan for a person who suffers from a mental disorder or exhibits suicidal tendencies and who resides in a facility run by an institution operating a rehabilitation centre for young persons with adjustment problems;
 - (e) assess a handicapped student or a student with a social maladjustment with a view to formulating an individualized education plan in accordance with the Education Act;
 - (f) assess a child not yet admissible to preschool education who shows signs of developmental delay, in order to determine the appropriate adjustment and rehabilitation services to meet the child’s needs;

(g) make decisions as to the use of restraint measures in accordance with the Act respecting health services and social services and the Act respecting health services and social services for Cree Native persons; and

(h) make decisions as to the use of isolation measures in accordance with the Act respecting health services and social services and the Act respecting health services and social services for Cree Native persons;

“(9) the Ordre professionnel des criminologues du Québec:

(a) assess a person suffering from a mental or neuropsychological disorder attested by the diagnosis or evaluation of an authorized professional;

(b) assess a person further to a decision of the director of youth protection or of a tribunal made under the Youth Protection Act;

(c) assess an adolescent further to a decision of a court made under the Youth Criminal Justice Act;

(d) make decisions as to the use of restraint measures in accordance with the Act respecting health services and social services and the Act respecting health services and social services for Cree Native persons;

(e) make decisions as to the use of isolation measures in accordance with the Act respecting health services and social services and the Act respecting health services and social services for Cree Native persons; and

(f) determine the intervention plan for a person who suffers from a mental disorder or exhibits suicidal tendencies and who resides in a facility run by an institution operating a rehabilitation centre for young persons with adjustment problems;

“(10) the Ordre professionnel des sexologues du Québec:

(a) assess sexual disorders, provided a continuing education certificate has been issued to the member by the Order pursuant to a regulation under subparagraph *o* of the first paragraph of section 94;

(b) assess a person suffering from a mental or neuropsychological disorder attested by the diagnosis or evaluation of an authorized professional; and

(c) assess an adolescent further to a decision of a court made under the Youth Criminal Justice Act.”

7. Section 39.2 of the Code is amended by replacing “paragraphs 3, 5, 15, 21, 24 to 26, 28, 34 to 38 and 40 of Schedule I” by “subparagraphs 10, 11, 14, 17, 22 and 25 of the first paragraph of Schedule I and subparagraphs 2, 4, 5, 6, 8 to 16 and 20 of the second paragraph of that Schedule”.

8. Section 39.3 of the Code is replaced by the following section:

“39.3. In this Code and in an Act constituting a professional order, unless the context indicates a different meaning, the word “prescription” means an individual or collective direction given by a professional authorized by law, specifying in particular the medications, treatments, examinations and other forms of care required, the circumstances in which they may be required and the possible contraindications.

For the purposes of the first paragraph, a person authorized by a law of another province or of a territory of Canada is also a professional authorized by law to the extent that the person would be authorized to give such a prescription if the person engaged in the person’s activities in Québec.”

9. The Code is amended by inserting the following section after section 39.10:

“39.11. The sale of mouth guards does not constitute an activity reserved to members of a professional order where their fabrication does not require an impression to be taken.”

10. Sections 43 and 57 of the Code are repealed.

11. The Code is amended by inserting the following section after section 62.0.1:

“62.0.1.1. An order’s website shall include information about the order’s organization, admission to the profession, the roll of the order, the mechanisms in place to protect the public, and the laws and regulations governing the order and its members.

The Office, after consultation with the Interprofessional Council, shall set guidelines for standards relating to the site map, minimum content and updating of an order’s website.

The board of directors shall draw on those guidelines in administering the order’s website.”

12. Section 102 of the Code is amended by adding the following paragraphs at the end:

“A general meeting shall be held in person, using a technological means or simultaneously in both manners.

The board of directors shall set the date and time of the meeting and, if necessary, the place.”

13. Section 103 of the Code is amended by striking out the second paragraph.

14. Section 167 of the Code is amended by replacing both occurrences of “30” in the first paragraph by “60”.

15. Section 185 of the Code is amended by replacing “or dentist” by “, dentist or dental hygienist”.

16. Section 187.1 of the Code is amended by replacing “et des psychoéducateurs et psychoéducatrices du Québec, the Ordre professionnel des ergothérapeutes du Québec, the Ordre professionnel des infirmières et infirmiers du Québec” in the first paragraph by “du Québec, the Ordre professionnel des criminologues du Québec, the Ordre professionnel des ergothérapeutes du Québec, the Ordre professionnel des infirmières et infirmiers du Québec, the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec, the Ordre professionnel des sexologues du Québec”.

17. The heading of Chapter VI.2 of the Code is amended by inserting “AND DENTAL APPLIANCE” after “PROSTHESIS”.

18. Section 187.6 of the Code is amended

- (1) by inserting “and dental appliances” after “dental prostheses”;
- (2) by inserting “and dental appliance” after “dental prosthesis”;
- (3) by replacing “manufacture” by “fabricate”.

19. Section 187.7 of the Code is amended

- (1) by inserting “and dental appliance” after “prosthesis” in paragraph 1;
- (2) by inserting “and dental appliances” after “prostheses” in paragraph 2;
- (3) by replacing “manufacture” in paragraph 2 by “fabricate”.

20. Section 187.8 of the Code is amended

(1) by replacing “the Ordre professionnel des techniciens et techniciennes dentaires” in the first paragraph by “the Ordre professionnel des technologues en prothèses et appareils dentaires”;

- (2) by striking out the second paragraph.

21. Section 187.10 of the Code is replaced by the following section:

“187.10. This chapter does not apply

(1) to a member of the Ordre professionnel des dentistes du Québec who fabricates or repairs a dental prosthesis or a dental appliance for a natural person having direct recourse to the member’s services in the practice of the member’s profession;

(2) to a member of the Ordre professionnel des denturologistes du Québec who fabricates or repairs a dental prosthesis or fabricates a mouth guard for a natural person having direct recourse to the member's services in the practice of the member's profession; or

(3) to a member of the Ordre professionnel des hygiénistes dentaires du Québec who fabricates a mouth guard for a natural person having direct recourse to the member's services in the practice of the member's profession.”

22. Schedule I to the Code is replaced by the following schedule:

“SCHEDULE I

(Sections 1, 24, 31, 35 and 39.2)

The following professional orders are constituted by a special Act:

- (1) the Ordre professionnel des acupuncteurs du Québec;
- (2) the Ordre professionnel des agronomes du Québec;
- (3) the Ordre professionnel des architectes du Québec;
- (4) the Ordre professionnel des arpenteurs-géomètres du Québec;
- (5) the Ordre professionnel des audioprothésistes du Québec;
- (6) the Ordre professionnel des avocats du Québec;
- (7) the Ordre professionnel des chimistes du Québec;
- (8) the Ordre professionnel des chiropraticiens du Québec;
- (9) the Ordre professionnel des comptables professionnels agréés du Québec;
- (10) the Ordre professionnel des dentistes du Québec;
- (11) the Ordre professionnel des denturologistes du Québec;
- (12) the Ordre professionnel des géologues du Québec;
- (13) the Ordre professionnel des huissiers de justice du Québec;
- (14) the Ordre professionnel des infirmières et infirmiers du Québec;
- (15) the Ordre professionnel des ingénieurs du Québec;
- (16) the Ordre professionnel des ingénieurs forestiers du Québec;
- (17) the Ordre professionnel des médecins du Québec;

- (18) the Ordre professionnel des médecins vétérinaires du Québec;
- (19) the Ordre professionnel des notaires du Québec;
- (20) the Ordre professionnel des opticiens d'ordonnances du Québec;
- (21) the Ordre professionnel des optométristes du Québec;
- (22) the Ordre professionnel des pharmaciens du Québec;
- (23) the Ordre professionnel des podiatres du Québec;
- (24) the Ordre professionnel des sages-femmes du Québec; and
- (25) the Ordre professionnel des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec.

The following professional orders are constituted in accordance with this Code:

- (1) the Ordre professionnel des administrateurs agréés du Québec;
- (2) the Ordre professionnel des conseillers et conseillères d'orientation du Québec;
- (3) the Ordre professionnel des conseillers en ressources humaines et en relations industrielles agréés du Québec;
- (4) the Ordre professionnel des criminologues du Québec;
- (5) the Ordre professionnel des diététistes-nutritionnistes du Québec;
- (6) the Ordre professionnel des ergothérapeutes du Québec;
- (7) the Ordre professionnel des évaluateurs agréés du Québec;
- (8) the Ordre professionnel des hygiénistes dentaires du Québec;
- (9) the Ordre professionnel des infirmières et infirmiers auxiliaires du Québec;
- (10) the Ordre professionnel des inhalothérapeutes du Québec;
- (11) the Ordre professionnel des orthophonistes et audiologistes du Québec;
- (12) the Ordre professionnel de la physiothérapie du Québec;
- (13) the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec;

- (14) the Ordre professionnel des psychologues du Québec;
- (15) the Ordre professionnel des sexologues du Québec;
- (16) the Ordre professionnel des technologistes médicaux du Québec;
- (17) the Ordre professionnel des technologues professionnels du Québec;
- (18) the Ordre professionnel des technologues en prothèses et appareils dentaires du Québec;
- (19) the Ordre professionnel des traducteurs, terminologues et interprètes agréés du Québec;
- (20) the Ordre professionnel des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec; and
- (21) the Ordre professionnel des urbanistes du Québec.”

ARCHITECTS ACT

23. Section 1 of the Architects Act (chapter A-21) is amended by replacing paragraph *c* by the following paragraph:

“(c) “architect” or “member of the Order”: any person who holds a permit issued by the Order and is entered on the roll;”.

24. Section 5.1 of the Act is replaced by the following section:

“**5.1.** The board of directors shall make a regulation pursuant to subparagraph *h* of the first paragraph of section 94 of the Professional Code (chapter C-26) to determine, from among the professional activities reserved to architects, those that may be engaged in by professional technologists whose competency is in architectural technology.”

25. The heading of Division V of the Act is replaced by the following heading:

“PRACTICE OF ARCHITECTURE”.

26. Sections 15 to 16.1 of the Act are replaced by the following sections:

“**14.** No one who is not an architect may

(1) engage in a professional activity referred to in the first paragraph of section 16;

(2) assume the title of architect;

(3) use any title, designation or abbreviation which may lead to the belief that the person is authorized to practise the profession of architect, or advertise himself as such; or

(4) act as an architect or in such a way as to lead to the belief that the person is authorized to act as such.

Nothing in this section prevents

(1) a person who is a landscape architect from bearing that title;

(2) a person from engaging in a professional activity referred to in the first paragraph of section 16 in accordance with a regulation made pursuant to subparagraph *h* of the first paragraph of section 94 of the Professional Code (chapter C-26);

(3) an owner, contractor, superintendent or foreman from coordinating work;

(4) a person from contributing, as an employee, under the supervision of an architect, to the preparation of plans, estimates or specifications; or

(5) a person entrusted with the enforcement of an Act from exercising a function determined in that Act.

“15. The practice of architecture consists in engaging in analysis, design or advisory activities applied to the construction, enlargement or alteration of a building with regard to its siting, envelope and interior layout as well as to the materials and methods used, in order to ensure that the building is durable, functional and harmonious.

The practice of architecture also consists in coordinating the work of persons who, as part of architectural work, participate in the construction, enlargement or alteration of a building.

Respect for the environment and for life, the protection of property, heritage preservation and economic efficiency are part of the practice of architecture to the extent that they are related to the architect’s professional activities.

“16. The following professional activities in the practice of architecture are reserved to architects:

(1) preparing, modifying, signing and sealing plans, estimates, specifications, completion certificates, expert reports or supervision reports relating to the construction, enlargement or alteration of a building;

(2) supervising work relating to the construction, enlargement or alteration of a building, particularly for the purpose of producing a certificate of conformity required under an Act; and

(3) as part of a professional activity referred to in subparagraph 1 or 2, giving opinions and signing and sealing written opinions.

For the purposes of this Act, the configuration of the interior layout of a building or of part of a building is considered to be the construction, enlargement or alteration of a building, as applicable, if it results in a change in the building's use or affects the building's structural integrity, walls or firewalls, envelope or exits or access to the building's exits.

“16.1. Section 16 does not apply to the construction, enlargement or alteration of the following buildings:

(1) a detached single-family dwelling unit having, after the work is completed, no more than one basement storey, a building height not exceeding two storeys and a gross area of less than 600 m²;

(2) a semi-detached or attached single-family dwelling unit, a multi-family dwelling that contains no more than four units, a mercantile occupancy, a business occupancy, an industrial occupancy or a combination of such dwellings or occupancies having, after the work is completed, no more than one basement storey, a building height not exceeding two storeys and a gross area of less than 300 m²;

(3) a silo, livestock waste storage facility or feed storage platform; or

(4) an agricultural occupancy having, after the work is completed, two storeys and a gross area of less than 300 m².

Nor does that section apply to the construction of an agricultural occupancy having, after the work is completed, no more than one storey and a gross area of less than 750 m², or to the enlargement or alteration of such an occupancy having, after the work is completed, no more than one storey and a gross area of less than 1,050 m².

“16.1.1. An architect must sign all plans and specifications referred to in subparagraph 1 of the first paragraph of section 16 that he has prepared. In the case of final plans and specifications, the architect must also seal them.”

27. Section 16.2 of the Act is amended

(1) by inserting the following definition in alphabetical order:

““agricultural occupancy” means the occupancy or use, or intended occupancy or use, of a building or of part of a building for an agricultural activity within the meaning of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);”;

(2) by replacing “who are involuntarily detained” in the definition of “dwelling unit” by “for the involuntary detention of persons”.

28. Sections 17 and 18 of the Act are replaced by the following sections:

“17. No one may, for the construction, enlargement or alteration of a building to which section 16 applies, use or allow the use of plans or specifications that are not signed by an architect, or final plans or specifications that are not signed and sealed by an architect.

Nothing in the first paragraph prevents the use of plans or specifications signed and, as applicable, sealed in accordance with the provisions of a regulation made pursuant to subparagraph *h* of the first paragraph of section 94 of the Professional Code (chapter C-26).

“17.1. Anyone who contravenes section 14 or 17 is guilty of an offence and is liable to the penalties prescribed by section 188 of the Professional Code (chapter C-26).

Penal proceedings for such an offence are prescribed three years after the date on which the prosecutor becomes aware of its commission.

However, no proceedings may be brought if seven years have elapsed since the commission of the offence.

A certificate from the secretary of the Order attesting the date on which the Order became aware of the commission of the offence constitutes, in the absence of any evidence to the contrary, sufficient proof of that fact.

“18. Any inspector designated by the board of directors may

(1) enter, at any reasonable hour, a place where the construction, enlargement or alteration of a building to which section 16 applies is planned or in progress or has ended, in order to verify compliance with this Act;

(2) take photographs of the place and of the property located there;

(3) require any information or document enabling the inspector to verify compliance with this Act; and

(4) require any person who is on the premises to provide reasonable assistance.

An inspector must, on request, provide identification and produce a certificate of authority signed by the secretary of the Order.

“19. Any inspector may, by a request sent by registered mail or personal service, require any 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.

19.1. An inspector designated by the board of directors cannot be prosecuted for acts performed in good faith in the exercise of the inspector’s functions.

19.2. Anyone who in any way hinders or attempts to hinder an inspector in the exercise of the inspector’s functions, in particular by concealment or misrepresentation, by refusing to provide information or a document, by concealing or destroying a document the inspector is entitled to require or by refusing to give the inspector reasonable assistance is guilty of an offence and is liable to the penalties prescribed by section 188 of the Professional Code (chapter C-26).”

29. Section 20 of the Act is amended by replacing “15” by “14”.

30. Division V.1 of the Act, comprising section 22.1, is repealed.

CHARTERED PROFESSIONAL ACCOUNTANTS ACT

31. Section 4 of the Chartered Professional Accountants Act (chapter C-48.1) is amended by replacing “de vérification” in subparagraphs 1 and 2 of the third paragraph in the French text by “d’audit”.

DENTAL ACT

32. Section 2 of the Dental Act (chapter D-3) is amended by replacing “l’art dentaire” in the French text by “la médecine dentaire”.

33. Section 19 of the Act is amended by replacing “acts contemplated in sections 26 and 27 those which, under certain prescribed conditions, may be performed” in subparagraph *a* of the first paragraph by “activities contemplated in sections 26 and 27 those which, under certain prescribed conditions, may be engaged in”.

34. The heading of Division V of the Act is amended by replacing “L’ART DENTAIRE” in the French text by “LA MÉDECINE DENTAIRE”.

35. Sections 26 and 27 of the Act are replaced by the following sections:

26. The practice of dentistry consists in assessing and diagnosing any deficiency of the teeth, mouth and jaws and of adjacent tissue, and in preventing and treating diseases of the same in order to maintain or restore oral health in human beings.

27. The following activities in the practice of dentistry are reserved to dentists:

- (1) diagnosing deficiencies and diseases;
- (2) prescribing diagnostic examinations;

- (3) using diagnostic techniques that are invasive or entail risks of injury;
- (4) determining a treatment plan;
- (5) prescribing medications or other substances;
- (6) prescribing procedures or treatments;
- (7) using techniques or applying treatments that are invasive or entail risks of injury, including aesthetic procedures;
- (8) prescribing the fabrication or repair of a dental prosthesis or a dental appliance;
- (9) selling dental prostheses or dental appliances; and
- (10) providing clinical monitoring of the condition of persons whose state of health is problematic.”

36. Section 28 of the Act is repealed.

37. Section 31 of the Act is amended by replacing “perform professional acts other than those specifically authorized” in the second paragraph by “engage in professional activities other than those specifically authorized”.

38. Section 35 of the Act is amended

- (1) by replacing “any dental prosthesis” in the first paragraph by “dental prostheses or dental appliances”;
- (2) by replacing “manufacture” in the first paragraph by “fabrication”;
- (3) by replacing “dental technician” in the second paragraph by “dental prosthesis and appliance technologist”.

39. The heading of Division VI of the Act is amended by replacing “L’ART DENTAIRE” in the French text by “LA MÉDECINE DENTAIRE”.

40. Section 38 of the Act is amended

- (1) by replacing “perform one of the acts described in sections 26 and 27” in the first paragraph by “engage in any of the activities referred to in sections 26 and 27”;
- (2) by replacing “acts performed” in the introductory clause of the second paragraph by “activities engaged in”;
- (3) by replacing “performs” in subparagraph *b* of the second paragraph by “engages in”;

(4) by replacing “perform” in subparagraph *c* of the second paragraph by “engage in”.

DENTUROLOGISTS ACT

41. Section 6 of the Denturologists Act (chapter D-4) is replaced by the following section:

“6. The practice of denturology consists in assessing a person’s prosthetic needs and designing, fabricating, installing, adjusting and repairing dental prostheses in order to replace a person’s missing teeth.

The following activities in the practice of denturology are reserved to denturologists:

(1) determining the appropriate type of dental prostheses other than implant-borne dental prostheses and bridges and crowns on natural teeth;

(2) performing the non-invasive procedures required to design, install and adjust dental prostheses, other than implant-borne dental prostheses and bridges and crowns on natural teeth;

(3) contributing to the determination of an implantology treatment plan;

(4) performing the non-invasive procedures required to design, install and adjust implant-borne dental prostheses, other than sealed dental prostheses, according to a prescription and provided a continuing education certificate has been issued to them by the Order pursuant to a regulation adopted under subparagraph *o* of the first paragraph of section 94 of the Professional Code (chapter C-26);

(5) removing and replacing a healing cap and placing an abutment on an implant head, according to a prescription and provided a continuing education certificate has been issued to them by the Order pursuant to a regulation adopted under subparagraph *o* of the first paragraph of section 94 of the Professional Code;

(6) prescribing the fabrication and repair of dental prostheses other than sealed dental prostheses;

(7) selling dental prostheses other than sealed dental prostheses; and

(8) designing, fabricating and selling mouth guards.”

42. Sections 7 and 8 of the Act are repealed.

43. Section 13 of the Act is amended

(1) by replacing “perform any of the acts described” in the first paragraph by “engage in any of the activities described”;

(2) by replacing “acts performed” in the second paragraph by “activities engaged in”.

44. Section 15 of the Act is amended by inserting “or mouth guards” after “dental prostheses”.

45. Section 16 of the Act is amended

(1) by inserting “or mouth guards” after “prostheses” in the first paragraph;

(2) by inserting “or mouth guards” after “prostheses” in the second paragraph;

(3) by replacing “manufacture” in the second paragraph by “fabrication”.

ENGINEERS ACT

46. Section 1 of the Engineers Act (chapter I-9) is amended

(1) by replacing paragraph *c* by the following paragraph:

“(c) “member”: any person who holds a permit issued by the Order and is entered on the roll;”;

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

“(f) “structure”: an assembly of components arranged to support a load.”

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

“PRACTICE OF ENGINEERING”.

48. Sections 2 to 5 of the Act are replaced by the following sections:

1.1. The practice of engineering consists, regardless of life cycle phase of works, in engaging in scientific analysis, design, execution, alteration, operation or advisory activities applied to structures and materials as well as to processes and systems that extract, use, exchange, transform, transport or store energy, information or matter in order to produce a reliable, safe and durable environment.

The practice of engineering also consists in coordinating the work of persons who participate in the carrying out of engineering works.

Respect for the environment and for life, the protection of property, heritage preservation and economic efficiency are part of the practice of engineering to the extent that they are related to the engineer’s professional activities.

2. The following professional activities in the practice of engineering are reserved to engineers when they relate to works referred to in section 3:

(1) determining the concepts, parameters, equations or models that, on the basis of models derived from engineering principles, make it possible to anticipate the behaviour of structures, materials, processes or systems;

(2) performing tests or calculations that require using models derived from engineering principles;

(3) supervising work, particularly for the purpose of producing a certificate of compliance required under an Act;

(4) inspecting works;

(5) preparing, modifying, signing and sealing plans, estimates, reports, calculations, studies, drawings, operating or maintenance manuals, decommissioning plans or specifications; and

(6) giving opinions and signing and sealing written opinions relating to a professional activity.

3. The activities reserved to engineers under the first paragraph of section 2 relate to the following works:

(1) a structural component and a mechanical, thermal or electrical system of a building, except

(a) a building, other than an industrial occupancy, regarding which complete acceptable solutions provided for in Part 9 of the National Building Code, as incorporated into Chapter I of the Construction Code (chapter B-1.1, r. 2), are applied; and

(b) an agricultural occupancy, other than a silo or a livestock waste storage facility having, after the work is completed,

i. no more than one storey, exterior wall studs no more than 3.6 metres high, a building area of no more than 600 m² and a height of no more than 6 metres measured from grade average ground level to its roof ridge; or

ii. no more than two storeys and a building area of no more than 150 m²;

(2) a temporary or permanent structure that requires studies on the properties of the materials composing or supporting it, in particular a structure used

(a) for the transportation of persons or material, such as a bridge, road, crane, pipeline or tower or the structural components of a sewer; or

(b) for the control or use of waters, such as a dam or retention basin or the structural components of waterworks; and

(3) a system to generate, accumulate, transmit, use or distribute energy in electrical, mechanical or thermal form, such as industrial equipment or a pumping system used to treat water, excluding a system whose malfunction

does not present a risk for the safety of persons and a system intended for use by a single dwelling unit.

Such professional activities also relate to the dependencies of road works.

For the purposes of the first paragraph, industrial-scale transformation or extraction processes, excluding a process to extract a forest resource, are considered to be works.

A system for the discharge, collection or treatment of waste water from an isolated dwelling referred to in a regulation made under the Environment Quality Act (chapter Q-2), as well as a private waterworks system and a private system for the treatment, disposal or reclamation of residual materials intended for use by a single dwelling unit having not more than six bedrooms, are excluded from the first paragraph.

“3.1. For the purposes of section 3,

“agricultural occupancy” means the occupancy or use, or the intended occupancy or use, of a building or of part of a building for an agricultural activity within the meaning of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);

“building area” means the largest horizontal surface of the building above average ground level, measured between the outside of exterior walls or between the outside of exterior walls and the centre line of firewalls;

“dwelling unit” means a building or part of a building that provides sleeping accommodation for persons but is not used for the housing or detention of persons who require medical care or for the involuntary detention of persons;

“industrial occupancy” means the occupancy or use of a building or of part of a building for assembling, fabricating, manufacturing, processing, repairing or storing products, goods or materials.

“3.2. The Government may, by regulation,

(1) exclude works from the application of section 3, in the cases and on the conditions it determines; and

(2) determine any other works to which the professional activities referred to in the first paragraph of section 2 relate, in the cases and on the conditions it determines.

The Government shall, before making such a regulation, consult the Office des professions du Québec and the Order.

“3.3. An engineer must sign and seal all plans and specifications that he has prepared in relation to works referred to in section 3.

“4. For works referred to in subparagraph 1 of the first paragraph of section 3, an engineer may not prepare or modify plans, estimates, reports, calculations, studies, designs or specifications without the collaboration of an architect, unless the activity is related to an existing building and does not alter its form.

“5. Nothing in this Act shall

(1) infringe on the rights granted by law to architects, provided that they have the collaboration of an engineer for works referred to in subparagraph 1 of the first paragraph of section 3, or prevent them from collaborating with an engineer who retains their services for works referred to in that section;

(2) infringe on the rights granted by law to another professional;

(3) infringe on the rights granted by law to members of the Corporation of Master Pipe-Mechanics of Québec or the Corporation of Master Electricians of Québec;

(4) prevent an owner, contractor, superintendent or foreman from coordinating work;

(5) prevent a person from engaging in an activity reserved to engineers, provided that the person does so in accordance with a regulation made pursuant to subparagraph *h* of the first paragraph of section 94 of the Professional Code (chapter C-26);

(6) prevent bacteriologists or physicists from engaging in their activities;

(7) prevent a person from engaging in an activity relating to ore prospecting;

(8) restrict the normal practice of the art or trade of artisans or skilled tradespersons;

(9) prevent a municipality from supervising work it carries out itself insofar as the work is for minor repairs that do not alter the original design of the works;

(10) prevent a person from engaging in activities related to teaching and research for an educational institution;

(11) prevent a person from contributing, as an employee and under the supervision of an engineer, to the preparation or modification of plans, estimates, reports, calculations, studies, drawings, operating or maintenance manuals, decommissioning plans or specifications;

(12) prevent a person from exercising a function that has been delegated to him or for which an authorization has been issued to him under a law or a regulation under Transport Canada’s responsibility;

(13) prevent a person from engaging in his information technology activities; or

(14) prevent a person entrusted with the enforcement of an Act from exercising a function determined in that Act.”

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

“10. The board of directors shall make a regulation pursuant to subparagraph *h* of the first paragraph of section 94 of the Professional Code (chapter C-26) to determine, from among the professional activities reserved to engineers, those that may be engaged in by professional technologists whose competency is in an engineering technology.”

50. Section 18 of the Act is replaced by the following section:

“18. The board of directors may, on the conditions it determines, issue a temporary permit, valid for a renewable period of not more than one year, for specific work in connection with a specific project, to a person who is

(1) the holder of a diploma in engineering, a bachelor’s degree in applied sciences or an equivalent diploma issued by an educational institution recognized by the board of directors; or

(2) a member of an association of engineers recognized by the board of directors.”

51. Sections 19 and 20 of the Act are repealed.

52. Section 22 of the Act is replaced by the following section:

“22. No one who is not an engineer may

(1) engage in a professional activity referred to in section 2;

(2) assume the title of engineer alone or qualified;

(3) use any title, designation or abbreviation which may lead to the belief that the person is authorized to practise the profession of engineer, or advertise himself as such; or

(4) act as an engineer or in such a way as to lead to the belief that the person is authorized to act as such.”

53. The Act is amended by striking out the following before section 24:

“DIVISION VI

“MISCELLANEOUS PROVISIONS”.

54. Sections 24 and 25 of the Act are replaced by the following:

“24. No one may, for the carrying out of works referred to in section 3, use or allow the use of plans or specifications not signed and sealed by an engineer.

Despite the first paragraph, plans or specifications prepared outside Québec may be used for the carrying out of works provided they are related to a component integrated into other works and were specified and included in a document prepared by an engineer.

Nothing in the first paragraph prevents the use of plans or specifications signed and sealed in accordance with the provisions of a regulation made pursuant to subparagraph *h* of the first paragraph of section 94 of the Professional Code (chapter C-26).

“24.1. Anyone who contravenes section 22, 24 or 26 is guilty of an offence and is liable to the penalties prescribed by section 188 of the Professional Code (chapter C-26).

Penal proceedings for such an offence are prescribed three years after the date on which the prosecutor becomes aware of its commission.

However, no proceedings may be brought if seven years have elapsed since the commission of the offence.

A certificate from the secretary of the Order attesting to the date on which the Order became aware of the commission of the offence constitutes, in the absence of any evidence to the contrary, sufficient proof of that fact.

“25. Any inspector designated by the board of directors may

(1) enter, at any reasonable hour, a place where works referred to in section 3 are located, including works in the process of being carried out, and a place where the carrying out of such works is planned, in order to verify compliance with this Act;

(2) take photographs of the place and of the property located there;

(3) require any information or document enabling the inspector to verify compliance with this Act; and

(4) require any person who is on the premises to provide reasonable assistance.

An inspector must, on request, provide identification and produce a certificate of authority signed by the secretary of the Order.

“25.1. Any inspector may, by a request sent by registered mail or personal service, require any 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.

“25.2. An inspector designated by the board of directors cannot be prosecuted for acts performed in good faith in the course of the inspector’s duties.

“25.3. Anyone who in any way hinders or attempts to hinder an inspector in the course of the inspector’s duties, in particular by concealment or misrepresentation, by refusing to provide information or a document, by concealing or destroying a document the inspector is entitled to require or by refusing to give the inspector reasonable assistance is guilty of an offence and is liable to the penalties prescribed by section 188 of the Professional Code (chapter C-26).

“DIVISION VI

“MISCELLANEOUS PROVISIONS”.

55. Section 26 of the Act is amended by striking out “, on pain of the penalties provided in section 22” in the first paragraph.

PHARMACY ACT

56. Section 1 of the Pharmacy Act (chapter P-10) is amended by striking out paragraph *j*.

CIVIL CODE OF QUÉBEC

57. Article 2118 of the Civil Code of Québec is amended by replacing “and the engineer” by “, the engineer and the professional technologist”.

58. Article 2119 of the Code is amended

(1) by replacing “or the engineer” in the first paragraph by “, engineer or professional technologist”;

(2) by replacing both occurrences of “or engineer” in the second paragraph by “, engineer or professional technologist”.

59. Article 2120 of the Code is amended by replacing “and the engineer” by “, the engineer and the professional technologist”.

60. Article 2121 of the Code is amended by replacing “or an engineer” by “, engineer or professional technologist”.

ENACTMENT OF THE REGULATION RESPECTING WORKS
EXCLUDED FROM THE APPLICATION OF SECTION 3 OF THE
ENGINEERS ACT

61. The Regulation respecting works excluded from the application of section 3 of the Engineers Act, the text of which appears in this section, is enacted.

“REGULATION RESPECTING WORKS EXCLUDED FROM THE
APPLICATION OF SECTION 3 OF THE ENGINEERS ACT

1. Culverts that meet the following requirements are excluded from the application of section 3 of the Engineers Act (chapter I-9):

(1) they are situated in a farming environment or in a forest in the private domain;

(2) they are not situated on a road open to public vehicular traffic or on any other land where such traffic is allowed;

(3) the area of the watershed upstream from them is less than 100 ha; and

(4) the width of their conduit is equal to or less than 1.2 m or, if they have several conduits, the total width does not exceed 1.2 m.”

REGULATION RESPECTING THE CATEGORIES OF PERMITS ISSUED
BY THE ORDRE PROFESSIONNEL DE LA PHYSIOTHÉRAPIE DU
QUÉBEC

62. Section 3 of the Regulation respecting the categories of permits issued by the Ordre professionnel de la physiothérapie du Québec (chapter C-26, r. 196.1) is amended

(1) by replacing “physical rehabilitation therapist” in the first paragraph by “physiotherapy technologist”;

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

“The holder of such a permit may only use the title “Physiotherapy Technologist” and the abbreviation “Phys. T.”.”

CODE OF ETHICS OF THE MEMBERS OF THE ORDRE DES
TECHNICIENS ET TECHNICIENNES DENTAIRE DU QUÉBEC

63. Section 1.01 of the Code of ethics of the members of the Ordre des techniciens et techniciennes dentaires du Québec (chapter C-26, r. 226) is amended

(1) by replacing paragraph *a* by the following paragraph:

“(a) “Order” means the Ordre professionnel des technologues en prothèses et appareils dentaires du Québec;”;

(2) by striking out paragraph *b*;

(3) by replacing “making” in paragraph *c* by “fabrication”.

64. Section 2.01 of the Code is amended by replacing “making” by “fabrication”.

65. Section 4.02.01 of the Code is amended

(1) by replacing “manufacturing” and “manufactured” in paragraph *c* by “fabricating” and “fabricated”, respectively;

(2) by replacing “manufacture” in paragraph *d* by “fabrication”.

66. Section 5.01.07 of the Code is replaced by the following section:

“**5.01.07.** A technologist must indicate his name and title in any advertising.”

RÈGLEMENT SUR LES STAGES DE PERFECTIONNEMENT DES
TECHNICIENS DENTAIRE

67. Section 1.01 of the Règlement sur les stages de perfectionnement des techniciens dentaires (chapter C-26, r. 234, French only) is amended

(1) by striking out paragraphs *a* and *b*;

(2) by replacing paragraph *d* by the following paragraph:

“*d*) « stagiaire »: un technologue en prothèses et appareils dentaires tenu de compléter un stage;”;

(3) by replacing “technicien dentaire” in paragraph *e* by “technologue en prothèses et appareils dentaires”.

68. The Regulation is amended by replacing all occurrences of “technicien dentaire stagiaire” by “stagiaire”.

REGULATION RESPECTING CERTAIN ACTS THAT MAY BE PERFORMED BY DENTAL HYGIENISTS

69. The Regulation respecting certain acts that may be performed by dental hygienists (chapter D-3, r. 3) is repealed.

REGULATION RESPECTING CERTAIN PROFESSIONAL ACTIVITIES THAT MAY BE ENGAGED IN BY RESPIRATORY THERAPISTS

70. Section 1.1 of the Regulation respecting certain professional activities that may be engaged in by respiratory therapists (chapter M-9, r. 6) is repealed.

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

71. Unless the context indicates otherwise, in any Act other than the Professional Code (chapter C-26) and the Dental Act (chapter D-3) and in any regulation and any other document,

(1) “Ordre professionnel des techniciens et techniciennes dentaires du Québec”, “Ordre professionnel des techniciennes et techniciens dentaires du Québec”, “Ordre des techniciens et techniciennes dentaires du Québec” and “Ordre des techniciennes et techniciens dentaires du Québec” are replaced by “Ordre professionnel des technologues en prothèses et appareils dentaires du Québec”; and

(2) “dental technician”, “dental technicians” and any similar expression are replaced by “dental prosthesis and appliance technologist”, with the necessary modifications.

However, if “dental technician” occurs more than once in a regulation, only the first occurrence is replaced by “dental prosthesis and appliance technologist”, the other occurrences being replaced by “technologist”.

72. Unless the context indicates otherwise, in any Act other than the Dental Act and in any regulation and any other document, “art dentaire” in the French text is replaced by “médecine dentaire”, with the necessary modifications.

73. Unless the context indicates otherwise, in any Act other than the Professional Code and in any regulation and any other document, “Ordre professionnel des diététistes du Québec” is replaced by “Ordre professionnel des diététistes-nutritionnistes du Québec”, with the necessary modifications.

74. Unless the context indicates otherwise, in any Act other than the Professional Code and in any regulation and any other document, “physical rehabilitation therapist” and “physical rehabilitation therapists” are replaced by “physiotherapy technologist” and “physiotherapy technologists”, respectively, with the necessary modifications.

75. A member of the Ordre professionnel des techniciens dentaires du Québec who holds a dental technician permit becomes the holder of a dental prosthesis and appliance technologist permit.

Such a person may, until 24 September 2025, use the title “dental prosthesis and appliance technologist, dental technician” or the initials that refer to that title, in particular the initials “D.P.A.T., D.T.”.

Until that date, anyone who uses the title “Dental Technician” or the initials “D.T.” is guilty of an offence and is liable to the penalty prescribed by section 188 of the Professional Code, unless they do so in a manner compliant with the second paragraph.

76. A member of the Ordre professionnel de la physiothérapie du Québec who holds a physical rehabilitation therapist permit becomes the holder of a physiotherapy technologist permit.

Such a person may, until 24 September 2025, use the title “physiotherapy technologist, physical rehabilitation therapist” or the abbreviations or initials that refer to that title, in particular “Phys. T., P.R.T.”.

Until that date, anyone who uses the title “physical rehabilitation therapist” or the initials “P.R.T.” is guilty of an offence and is liable to the penalty prescribed by section 188 of the Professional Code, unless they do so in a manner compliant with the second paragraph.

77. The board of directors of the Ordre des architectes du Québec must make the regulation provided for in section 5.1 of the Architects Act (chapter A-21), replaced by section 24, not later than 24 September 2021.

The board of directors of the Ordre des ingénieurs du Québec must make the regulation provided for in section 10 of the Engineers Act (chapter I-9), enacted by section 49, not later than 24 September 2021.

78. This Act comes into force on 24 September 2020.

2020, chapter 16

AN ACT TO GIVE EFFECT TO FISCAL MEASURES ANNOUNCED IN THE BUDGET SPEECH DELIVERED ON 21 MARCH 2019 AND TO VARIOUS OTHER MEASURES

Bill 42

Introduced by Mr. Eric Girard, Minister of Finance

Introduced 7 November 2019

Passed in principle 19 November 2019

Passed 23 September 2020

Assented to 24 September 2020

Coming into force: 24 September 2020

Legislation amended:

Tax Administration Act (chapter A-6.002)

Act respecting contracting by public bodies (chapter C-65.1)

Act to establish the Fonds de solidarité des travailleurs du Québec (F.T.Q.) (chapter F-3.2.1)

Mining Tax Act (chapter I-0.4)

Taxation Act (chapter I-3)

Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1)

Act respecting the Québec sales tax (chapter T-0.1)

Act to improve the performance of the Société de l'assurance automobile du Québec, to better regulate the digital economy as regards e-commerce, remunerated passenger transportation and tourist accommodation and to amend various legislative provisions (2018, chapter 18)

Regulations amended:

Regulation respecting the Taxation Act (chapter I-3, r. 1)

Regulation respecting the Québec sales tax (chapter T-0.1, r. 2)

Explanatory notes

The purpose of this Act is to give effect to fiscal measures announced in the Budget Speech delivered on 21 March 2019 and in various Information Bulletins published in 2017, 2018 and 2019.

For the purpose of introducing or modifying fiscal measures specific to Québec, the Act amends, among others,

(cont'd on next page)

Explanatory notes (*cont'd*)

(1) the Tax Administration Act to standardize the penalty relating to the attribution of tips with other penalties provided for in that Act;

(2) the Mining Tax Act to introduce a sustainable development certification allowance;

(3) the Taxation Act to make amendments that deal, among other things, with

(a) in connection with the refundable tax credit granting an allowance to families, the enhancement of the basic component and broadening of the supplement for handicapped children requiring exceptional care;

(b) the introduction of a refundable tax credit for small and medium-sized businesses to foster the retention of experienced workers;

(c) the addition of new eligible expenses for the purposes of the refundable tax credit relating to tip reporting;

(d) the temporary enhancement of the refundable tax credit for investments relating to manufacturing and processing equipment; and

(e) the introduction of additional deductions for depreciation;

(4) the Tax Administration Act, the Act respecting contracting by public bodies and the Taxation Act to implement additional measures to protect the integrity and fairness of the Québec tax system, including a special framework to better counter sham tax schemes; and

(5) the Act respecting the sectoral parameters of certain fiscal measures to make amendments that deal, among other things, with the reduction of the capital investment threshold applicable to a large investment project carried out in a remote region.

In addition, the Taxation Act and the Act respecting the Québec sales tax are amended to make amendments similar to those made to the Income Tax Act and the Excise Tax Act by federal bills assented to mainly in 2017 and 2018. More specifically, the amendments deal with

(1) fiscal treatment of certain indemnities or benefits paid to Canadian Forces members and veterans;

(2) tax on split income;

(3) tax consequences relating to the holding of certain investments or the granting of certain benefits through registered education savings plans or registered disability savings plans;

(4) rules to facilitate the reorganization of certain investment funds with tax deferral; and

(5) rules relating to the Québec sales tax rebate in respect of pension plans.

Lastly, the Act makes various technical amendments as well as consequential and terminology-related amendments.



Chapter 16

AN ACT TO GIVE EFFECT TO FISCAL MEASURES ANNOUNCED IN THE BUDGET SPEECH DELIVERED ON 21 MARCH 2019 AND TO VARIOUS OTHER MEASURES

[Assented to 24 September 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

TAX ADMINISTRATION ACT

I. (1) Section 25.1.2 of the Tax Administration Act (chapter A-6.002) is amended

(1) by replacing “Where” in the first paragraph by “Subject to the second paragraph, where”;

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

“Where the formal demand referred to in the first paragraph relates to an amount that may be owed by a particular person under the Act respecting the Québec sales tax (chapter T-0.1) or to a refund to which the particular person may be entitled under that Act, the period during which the time limit described in the second paragraph of section 25 is suspended begins on the day an application for judicial review is presented before the Superior Court in relation to the formal demand, where the formal demand is notified to the particular person in accordance with the first paragraph of section 39, or, where the Minister made, in accordance with section 39.2, an application to a judge of the Court of Québec to issue an order, in relation to the formal demand, the day on which the particular person contests the application for an order, and ends on the day on which a final judgment is rendered in relation to the formal demand or the order and on which, if applicable, the information, additional information or documents, as the case may be, are filed in accordance with the formal demand or the order.”

(2) Subsection 1 has effect from 13 December 2018, except where paragraph 2 of subsection 1 applies in relation to a formal demand for information, additional information or documents held abroad, in which case it applies in relation to an application for judicial review of the formal demand or to a contestation of an application for an order in relation to the formal demand that occurs after 25 October 2018.

(3) For the purposes of subsection 2, information, additional information or documents held abroad means such information available, or documents located, outside Canada that may be taken into account for the application or enforcement of the Act respecting the Québec sales tax (chapter T-0.1), in particular for the collection of an amount payable or remittable by a person under that Act.

2. (1) Section 59.1 of the Act is replaced by the following section:

“59.1. Every person who fails to pay or remit an amount that the person was required to pay or remit under a fiscal law and that relates to an amount that the person did not attribute as a tip in accordance with section 42.11 of the Taxation Act (chapter I-3) and that should have been so attributed incurs a penalty equal to 50% of the amount the person so failed to pay or remit.

However, no person shall incur, in respect of the same omission, both the penalty under the first paragraph and the penalty under section 59.3.”

(2) Subsection 1 applies in respect of a penalty imposed after 21 March 2019.

3. (1) Section 69.1 of the Act is amended by replacing subparagraph z.3 of the second paragraph by the following subparagraph:

“(z.3) the Autorité des marchés publics, in respect of information necessary for the purposes of Chapters V.1 and V.2 of the Act respecting contracting by public bodies (chapter C-65.1);”.

(2) Subsection 1 has effect from 17 May 2019.

4. (1) Section 69.5.3 of the Act is replaced by the following section:

“69.5.3. The Autorité des marchés publics may, without the consent of the person concerned, record in the register of enterprises ineligible for public contracts that it keeps under section 21.6 of the Act respecting contracting by public bodies (chapter C-65.1) information obtained under subparagraph z.3 of the second paragraph of section 69.1 to the extent that the information concerns a penalty imposed on the person under any of sections 1079.13.1, 1079.13.2, 1082.0.2 and 1082.0.3 of the Taxation Act (chapter I-3).”

(2) Subsection 1 has effect from 17 May 2019. However, where section 69.5.3 of the Act applies before 21 February 2020, it is to be read as if “any of sections 1079.13.1, 1079.13.2, 1082.0.2 and 1082.0.3” were replaced by “section 1082.0.2 or 1082.0.3”.

5. Section 93.1.5 of the Act is amended by replacing “final judgment of the Court of Québec” in the second paragraph by “judgment of the Court of Québec that terminates a proceeding”.

6. Section 93.1.13 of the Act is amended by replacing “final judgment of the Court of Québec” in the fourth paragraph by “judgment of the Court of Québec that terminates a proceeding”.

7. Section 93.1.22 of the Act is amended by replacing “final judgment of the Court of Québec” in the second paragraph by “judgment of the Court of Québec that terminates a proceeding”.

8. Section 93.1.23 of the Act is amended by replacing “final judgment of the Court of Québec” in the first paragraph by “judgment of the Court of Québec that terminates a proceeding”.

9. (1) The Act is amended by inserting the following section after section 95.1:

“95.2. At any time after the expiry of the time limit provided for in the second paragraph of section 25, paragraph 3 of section 43 of the Mining Tax Act (chapter I-0.4) or paragraph *a* or *a.0.1* of subsection 2 of section 1010 of the Taxation Act (chapter I-3) to make a reassessment, the Minister may formulate an alternative basis or argument—including that all or any portion of the income to which an amount relates was from a different source—in support of all or any portion of the total amount determined on assessment to be payable or remittable by a taxpayer under a fiscal law unless, on a summary appeal or an appeal under this Act

(*a*) there is relevant evidence that the taxpayer is no longer able to produce without the leave of the court; and

(*b*) it is not appropriate in the circumstances for the court to order that the evidence referred to in paragraph *a* be produced.”

(2) Subsection 1 applies from 25 September 2020.

ACT RESPECTING CONTRACTING BY PUBLIC BODIES

10. (1) Section 21.1.1 of the Act respecting contracting by public bodies (chapter C-65.1) is replaced by the following section:

“21.1.1. For the purposes of this chapter, an enterprise is deemed to have been found guilty, by a final judgment, of an offence listed in Schedule I if a penalty has been imposed on the enterprise under any of sections 1079.13.1, 1079.13.2, 1082.0.2 and 1082.0.3 of the Taxation Act (chapter I-3), in connection with an assessment regarding which any time limit for objecting has expired or, if the enterprise has validly objected to the assessment or appealed from it to a court of competent jurisdiction, the objection or the appeal, as applicable, has been finally settled.

Likewise, a person who is an associate of an enterprise within the meaning of section 21.2 is deemed to have been found guilty, by a final judgment, of an offence listed in Schedule I if a penalty has been imposed on the person under

any of sections 1079.13.1, 1079.13.2, 1082.0.2 and 1082.0.3 of the Taxation Act, in connection with an assessment regarding which any time limit for objecting has expired or, if the person has validly objected to the assessment or appealed from it to a court of competent jurisdiction, the objection or the appeal, as applicable, has been finally settled.

In such cases, the provisions of this Act apply, with the necessary modifications.”

(2) Subsection 1 has effect from 17 May 2019. However, where section 21.1.1 of the Act refers to a penalty imposed under section 1079.13.1 or 1079.13.2 of the Taxation Act, it applies only in respect of the assessment of such a penalty that results from an audit or investigation by the Agence du revenu du Québec or the Canada Revenue Agency that began after 20 April 2020, in respect of an avoidance transaction within the meaning of section 1079.11 of the Taxation Act.

(3) For the purposes of subsection 2, the start date of an audit or investigation of a person, general partnership, limited partnership or undeclared partnership, in respect of an avoidance transaction, means the day the person, one of the person’s shareholders, officers or directors or one of the partnership’s associates or officers may reasonably be considered to have known or ought to have known that the Agence du revenu du Québec or the Canada Revenue Agency was about to undertake or had begun an audit or investigation regarding the avoidance transaction.

II. (1) Section 21.26.1 of the Act is replaced by the following section:

“21.26.1. For the purposes of this chapter and despite section 21.29, an enterprise, person or entity is deemed to have been found guilty of an offence listed in Schedule I if a penalty has been imposed on the enterprise, person or entity under any of sections 1079.13.1, 1079.13.2, 1082.0.2 and 1082.0.3 of the Taxation Act (chapter I-3), in connection with an assessment regarding which any time limit for objecting has expired or, if the enterprise, person or entity has validly objected to the assessment or appealed from it to a court of competent jurisdiction, the objection or the appeal, as applicable, has been finally settled.

In such cases, the provisions of this Act apply, with the necessary modifications.”

(2) Subsection 1 has effect from 17 May 2019. However, where section 21.26.1 of the Act refers to a penalty imposed under section 1079.13.1 or 1079.13.2 of the Taxation Act, it applies only in respect of the assessment of such a penalty that results from an audit or investigation by the Agence du revenu du Québec or the Canada Revenue Agency that began after 20 April 2020, in respect of an avoidance transaction within the meaning of section 1079.11 of the Taxation Act.

(3) For the purposes of subsection 2, the start date of an audit or investigation of a person, general partnership, limited partnership or undeclared partnership, in respect of an avoidance transaction, means the day the person, one of the person's shareholders, officers or directors or one of the partnership's associates or officers may reasonably be considered to have known or ought to have known that the Agence du revenu du Québec or the Canada Revenue Agency was about to undertake or had begun an audit or investigation regarding the avoidance transaction.

ACT TO ESTABLISH THE FONDS DE SOLIDARITÉ DES TRAVAILLEURS DU QUÉBEC (F.T.Q.)

12. (1) Section 15 of the Act to establish the Fonds de solidarité des travailleurs du Québec (F.T.Q.) (chapter F-3.2.1) is amended, in the twelfth paragraph,

(1) by striking out subparagraphs 2 and 3;

(2) by inserting the following subparagraph after subparagraph 3:

“(3.0.1) the aggregate of the investments described in subparagraphs 5, 5.1 and 6 of that paragraph may not exceed 27.5% of the Fund's net assets at the end of the preceding fiscal year;”.

(2) Subsection 1 applies to a fiscal year that begins after 31 May 2018.

MINING TAX ACT

13. (1) Section 4.8 of the Mining Tax Act (chapter I-0.4) is amended by replacing subparagraph *a* of paragraph 2 by the following subparagraph:

“(a) relates to the undepreciated capital cost of the operator's property of a class within the meaning of section 9, the operator's cumulative exploration, mineral deposit evaluation and mine development expenses within the meaning of section 16.1, the operator's cumulative exploration expenses in respect of expenses incurred after 30 March 2010 within the meaning of section 16.9, the operator's cumulative pre-production development expenses in respect of expenses incurred after 30 March 2010 within the meaning of section 16.11, the operator's cumulative post-production development expenses in respect of a mine within the meaning of section 16.13, the cumulative community consultation expenses within the meaning of section 16.13.2, the cumulative environmental studies expenses within the meaning of section 16.13.4, the cumulative sustainable development certification expenses within the meaning of section 16.13.6, the operator's cumulative exploration expenses in respect of expenses incurred before 31 March 2010 within the meaning of section 19.2, and the cumulative expenses relating to a Northern mine within the meaning of section 26.2 (each of which is in this paragraph referred to as a “pool amount”), and”.

(2) Subsection 1 applies to a fiscal year that ends after 21 March 2019.

14. (1) Section 8 of the Act is amended, in the second paragraph,

(1) by replacing subparagraph *b* of subparagraph 1 by the following subparagraph:

“(b) an amount, other than government assistance, received or receivable by the operator in the fiscal year from a person or partnership, because of an expense incurred by the operator for a particular fiscal year and that is an expense deducted in computing annual profit for the particular fiscal year or an expense taken into account for the particular fiscal year, for the purposes of subparagraph *b* of subparagraph 1 of the second paragraph of section 16.1 or subparagraph *a* of subparagraph 1 of the second paragraph of any of sections 16.9, 16.11, 16.13.2, 16.13.4 and 16.13.6; and”;

(2) by adding the following subparagraph at the end of subparagraph 2:

“(j) subject to section 16.13.5, the amount deducted by the operator, for the fiscal year, as a sustainable development certification allowance.”

(2) Subsection 1 applies to a fiscal year that ends after 21 March 2019.

15. (1) Section 8.0.2 of the Act is amended by replacing “*f to i*” by “*f to j*”.

(2) Subsection 1 applies to a fiscal year that ends after 21 March 2019.

16. (1) The heading of Division III.1 of Chapter III of the Act is replaced by the following heading:

“EXPLORATION, DEVELOPMENT, COMMUNITY CONSULTATIONS,
ENVIRONMENTAL STUDIES AND SUSTAINABLE DEVELOPMENT
CERTIFICATION ALLOWANCES”.

(2) Subsection 1 has effect from 21 March 2019.

17. (1) Section 16.8 of the Act is amended by replacing “*d to i*” in subparagraph *b* of paragraph 2 by “*d to j*”.

(2) Subsection 1 applies to a fiscal year that ends after 21 March 2019.

18. (1) The Act is amended by inserting the following subdivision after section 16.13.4:

“§3.3.— *Sustainable development certification allowance*

“**16.13.5.** The amount that an operator may deduct, as a sustainable development certification allowance, under subparagraph *j* of subparagraph 2 of the second paragraph of section 8, in computing its annual profit for a fiscal

year that ends after 21 March 2019, must not exceed its cumulative sustainable development certification expenses at the end of the fiscal year.

“16.13.6. The cumulative sustainable development certification expenses of an operator, at any time (in this section referred to as “that time”), are the amount determined by the formula

A – B.

In the formula in the first paragraph,

(1) A is the aggregate of

(a) subject to sections 16.14 and 16.15, the aggregate of all amounts each of which is expenses incurred by the operator after 21 March 2019 and before that time, to the extent that they are required by the body responsible for certification in relation to the sustainable development standard of the mineral exploration industry, developed by the UQAT-UQAM Chair in Mining Entrepreneurship, to obtain or maintain such certification, and

(b) the aggregate of all amounts each of which is an amount repaid by the operator before that time pursuant to a legal obligation to repay, in whole or in part, government assistance relating to an amount referred to in subparagraph *a*; and

(2) B is the aggregate of

(a) the aggregate of all amounts each of which is an amount deducted by the operator in computing its annual profit for a fiscal year that ends after 21 March 2019 and before that time, as a sustainable development certification allowance under subparagraph *j* of subparagraph 2 of the second paragraph of section 8, and

(b) the aggregate of all amounts each of which is an amount of government assistance relating to an amount referred to in subparagraph *a* of subparagraph 1, that the operator received or was entitled to receive before that time.”

(2) Subsection 1 applies to a fiscal year that ends after 21 March 2019.

19. (1) Section 16.14 of the Act is replaced by the following section:

“16.14. An operator may include expenses referred to in subparagraph *a* of subparagraph 1 of the second paragraph of any of sections 16.9, 16.11, 16.13, 16.13.2, 16.13.4 and 16.13.6 in computing its cumulative exploration expenses, cumulative pre-production development expenses, cumulative post-production development expenses, cumulative community consultation expenses, cumulative environmental studies expenses or cumulative sustainable development certification expenses, as the case may be, for a fiscal year only

if the operator reports them to the Minister on or before the date on or before which it is required to file a return, in accordance with section 36, for the fiscal year following the one in which the expenses were incurred.”

(2) Subsection 1 applies to a fiscal year that ends after 21 March 2019.

20. (1) Section 16.15 of the Act is amended by replacing “16.13.2 and 16.13.4” in the portion before paragraph 1 by “16.13.2, 16.13.4 and 16.13.6”.

(2) Subsection 1 applies to a fiscal year that ends after 21 March 2019.

21. (1) Section 32 of the Act is amended

(1) by adding the following subparagraph at the end of subparagraph *b* of subparagraph 4 of the first paragraph:

“v. the aggregate of all amounts each of which is the amount of the expenses referred to in subparagraph *a* of subparagraph 1 of the second paragraph of section 16.13.6 that were incurred by the operator for the fiscal year, without exceeding the amount deducted by the operator for the fiscal year under subparagraph *j* of subparagraph 2 of the second paragraph of section 8; and”;

(2) by adding the following subparagraph at the end of subparagraph *b* of subparagraph 5 of the first paragraph:

“iv. the aggregate of all amounts each of which is the amount of the expenses referred to in subparagraph *a* of subparagraph 1 of the second paragraph of section 16.13.6 that were incurred by the operator for the fiscal year, without exceeding the amount deducted by the operator for the fiscal year under subparagraph *j* of subparagraph 2 of the second paragraph of section 8.”;

(3) by replacing the portion of the second paragraph before subparagraph 1 by the following:

“For the purpose of determining the amount of the expenses referred to in subparagraphs *i* and *ii* of subparagraph *b* of subparagraph 1 of the first paragraph, of the expenses referred to in subparagraphs *i* to *iii* of subparagraph *b* of subparagraph 2 of that paragraph, of the expenses referred to in subparagraphs *i* and *ii* of subparagraph *b* of subparagraph 3 of that paragraph, of the expenses referred to in subparagraphs *i* to *v* of subparagraph *b* of subparagraph 4 of that paragraph and of the expenses referred to in subparagraphs *i* to *iv* of subparagraph *b* of subparagraph 5 of that paragraph that were incurred by an operator for a fiscal year, the following rules apply:”.

(2) Subsection 1 applies to a fiscal year that ends after 21 March 2019.

22. (1) Section 35.3 of the Act is amended by adding the following paragraph at the end:

“(16) each of the amounts incurred before the amalgamation by a predecessor legal person in respect of expenses referred to in subparagraph *a* of subparagraph 1 of the second paragraph of section 16.13.6, or allowed the predecessor legal person as a deduction in computing its annual profit under subparagraph *j* of subparagraph 2 of the second paragraph of section 8, is deemed to be an amount so incurred by the new legal person or an amount so allowed the new legal person as a deduction.”

(2) Subsection 1 applies to a fiscal year that ends after 21 March 2019.

TAXATION ACT

23. Section 1 of the Taxation Act (chapter I-3) is amended

(1) by replacing “an interest in” in the portion of the definition of “former business property” before paragraph *a* by “a right in”;

(2) by replacing “real or personal” in the definition of “property” by “movable or immovable”;

(3) by replacing paragraph *b* of the definition of “taxable Québec property” by the following paragraph:

“(b) a timber resource property situated in Québec, including at any particular time a right in and an option in respect of the property;”;

(4) by replacing the definition of “succession” by the following definition:

““succession” has the meaning assigned by section 646 and includes, for common law, an estate;”.

24. The Act is amended by inserting the following section after section 1:

“1.0.1. In this Act and the regulations, where a provision applies in a common law context, the following rules apply:

(a) a reference to movable property or immovable property must be read, with the necessary modifications, as including a reference to personal property or real property, respectively;

(b) a reference to corporeal property or incorporeal property must be read, with the necessary modifications, as including a reference to tangible property or intangible property, respectively; and

(c) a reference to a right in a property must be read, with the necessary modifications, as including a reference to an interest in a property and a reference to a right in or to a property as including a reference to an interest or a right in a property.”

25. Section 1.1 of the Act is replaced by the following section:

“1.1. In this Act and the regulations, a real right in an immovable property includes a lease on such property, and for common law purposes, a leasehold interest in immovable property, but does not include a right, as security only, derived by virtue of a hypothecary claim, mortgage, agreement of sale or other similar obligation.”

26. Section 2.1.1 of the Act is amended

(1) by replacing subparagraphs *a* to *e* of the first paragraph by the following subparagraphs:

“(a) each such person who had a right in the property immediately before that time is deemed not to have disposed at that time of that proportion, not exceeding 1, of the right that the fair market value of that person’s right in the property immediately after that time is of the fair market value of that person’s right in the property immediately before that time;

“(b) each such person who has a right in the property immediately after that time is deemed not to have acquired at that time that proportion of the right that the fair market value of that person’s right in the property immediately before that time is of the fair market value of that person’s right in the property immediately after that time;

“(c) each such person who had a right in the property immediately before that time is deemed to have had until that time, and to have disposed at that time of, that proportion of the person’s right to which subparagraph *a* does not apply;

“(d) each such person who has a right in the property immediately after that time is deemed not to have had before that time, and to have acquired at that time, that proportion of the person’s right to which subparagraph *b* does not apply; and

“(e) subparagraphs *a* to *d* do not apply where the right of the person is a right in fungible corporeal property described in that person’s inventory.”;

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

“For the purposes of this section, where a right in the property is an undivided right, the fair market value of the right at any time is deemed to be equal to that proportion of the fair market value of the property at that time that the right is of all the undivided rights in the property.”

27. Section 2.1.2 of the Act is amended

(1) by replacing the portion before subparagraph *a* of the first paragraph by the following:

“**2.1.2.** Where a property owned by two or more persons is the subject of a partition among such persons and, as a consequence thereof, each such person has, in the property, a new right the fair market value of which immediately after the partition, expressed as a percentage of the fair market value of all the rights in the property immediately after the partition, is equal to the fair market value of that person’s undivided right immediately before the partition, expressed as a percentage of the fair market value of all the undivided rights in the property immediately before the partition, the following rules apply:”;

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

“(b) the new right of each such person is deemed to be a continuation of that person’s undivided right in the property immediately before the partition.”;

(3) by replacing subparagraph *b* of the second paragraph by the following subparagraph:

“(b) where a right in the property is or includes an undivided right, the fair market value of the right must be determined without regard to any discount or premium that may apply to a minority or majority right in the property.”

28. Section 7.3 of the Act is amended

(1) by replacing “Aux fins” in the portion before paragraph *a* in the French text by “Pour l’application”;

(2) by replacing paragraph *b* by the following paragraph:

“(b) a gift *inter vivos* made under the laws of Québec of a right in, or a property of, a succession that is made within the period referred to in paragraph *a* to the person or persons who would have benefited if the donor had made a renunciation of the succession that was not made in favour of any person.”

29. Section 21.0.5 of the Act is amended by replacing subparagraphs 2 and 3 of subparagraph *vi* of paragraph *b* of the definition of “investment fund” by the following subparagraphs:

“(2) immovable property or a real right in an immovable property,

“(3) Canadian resource property, foreign resource property or a right in such property, or”.

30. (1) The Act is amended by inserting the following section after section 21.25:

“21.25.1. For the purposes of this Part and for the purpose of determining whether a taxpayer has, in respect of a corporation, any direct or indirect influence that, if exercised, would result in control in fact of the corporation, the following rules apply:

(a) all factors that are relevant in the circumstances must be taken into consideration; and

(b) the determination must not be limited to, and the relevant factors need not include, whether the taxpayer has a legally enforceable right or ability to effect a change in the board of directors of the corporation, or its powers, or to exercise influence over the shareholder or shareholders who have that right or ability.”

(2) Subsection 1 applies to a taxation year that begins after 21 March 2017.

31. (1) Section 43.4 of the Act is replaced by the following section:

“43.4. An individual shall, in computing income for a taxation year from an office or employment, include the total of the following amounts received by the individual in the year on account of

(a) an earnings loss benefit, an income replacement benefit (other than an amount determined under subsection 1 of section 19.1, paragraph *b* of subsection 1 of section 23 or subsection 1 of section 26.1 of the Veterans Well-being Act (Statutes of Canada, 2005, chapter 21), as modified, where applicable, under Part 5 of that Act), a supplementary retirement benefit or a career impact allowance payable to the individual under Part 2 of the Veterans Well-being Act; or

(b) an amount payable under subsection 6 of section 99, subsection 1 of section 109, subsection 5 of section 115 or sections 124 to 126 of the Veterans Well-being Act.”

(2) Subsection 1 has effect from 1 April 2019.

32. (1) The Act is amended by inserting the following sections after section 85.6:

“85.7. Where a taxpayer has made a valid election under subsection 1 of section 10.1 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement), the following rules apply in respect of the taxation years to which the election applies for the purposes of that Act (each such taxation year being referred to in this section as a “particular taxation year”):

(a) where the taxpayer is a financial institution, within the meaning of section 851.22.1, in the particular taxation year, each eligible derivative held by the taxpayer in the particular year is, for the purposes of this Act and with the necessary modifications, deemed to be mark-to-market property, within the meaning of section 851.22.1, of the taxpayer for the particular year; and

(b) in any other case, the taxpayer is deemed

i. to have disposed, immediately before the end of the particular taxation year, of each eligible derivative held by the taxpayer at the end of that year and received proceeds of disposition or paid an amount, as the case may be, equal to the fair market value of the eligible derivative at the time of disposition, and

ii. to have reacquired, or reissued or renewed, at the end of the taxation year, each of the eligible derivatives referred to in subparagraph i at an amount equal to the proceeds of disposition or the amount paid, as the case may be, referred to in subparagraph i, in respect of the eligible derivative.

For the purposes of the first paragraph, where a taxpayer revokes, under subsection 2 of section 10.1 of the Income Tax Act and for the purposes of that Act, an election made under subsection 1 of that section 10.1, a taxation year in relation to which the revocation applies for the purposes of that Act is not a particular taxation year.

Chapter V.2 of Title II of Book I applies in relation to an election made under subsection 1 of section 10.1 of the Income Tax Act or an application for revocation made under subsection 2 of that section 10.1.

“85.8. For the purposes of sections 85.7 and 85.9 to 85.12, an eligible derivative of a taxpayer for a taxation year means a swap agreement, a forward purchase or sale agreement, a forward rate agreement, a futures agreement, an option agreement or a similar agreement, held in the year by the taxpayer, where

(a) the agreement is not a capital property, a Canadian resource property, a foreign resource property or an obligation on account of capital of the taxpayer;

(b) either

i. the taxpayer has produced audited financial statements prepared in accordance with generally accepted accounting principles for the taxation year, or

ii. if the taxpayer has not produced financial statements described in subparagraph i, the agreement has a readily ascertainable fair market value; and

(c) if the agreement is held by a financial institution within the meaning of section 851.22.1, the agreement is not a tracking property within the meaning of that section (other than an excluded property within the meaning of that section) of the financial institution.

“85.9. Where a taxpayer holds an eligible derivative at the beginning of its first taxation year in respect of which an election provided for in section 85.7 applies (in this section referred to as the “election year”) and, in the taxation year immediately preceding the election year, the taxpayer did not compute its profit or loss in respect of that eligible derivative in accordance with a method of profit computation that produces a substantially similar effect to that provided for in subparagraph *b* of the first paragraph of section 85.7, the following rules apply:

(a) the taxpayer is deemed

i. to have disposed of the eligible derivative immediately before the beginning of the election year and received proceeds of disposition or paid an amount, as the case may be, equal to the fair market value of the eligible derivative at that time, and

ii. to have reacquired, or reissued or renewed, the eligible derivative at the beginning of the election year at an amount equal to the proceeds of disposition or the amount paid, as the case may be, referred to in subparagraph i;

(b) the profit or loss that would arise, but for this paragraph, on the deemed disposition under subparagraph i of paragraph *a*

i. is deemed not to arise in the taxation year immediately preceding the election year, and

ii. is deemed to arise in the taxation year in which the taxpayer disposes of the eligible derivative (otherwise than under subparagraph i of subparagraph *b* of the first paragraph of section 85.7 or paragraph *a* of section 851.22.15); and

(c) for the purposes of section 175.9, in respect of the disposition of the eligible derivative referred to in subparagraph ii of paragraph *b*, the profit or loss deemed to arise because of the application of that subparagraph is included in determining the amount of the transferor’s loss, if any, from the disposition.

“85.10. Where section 85.7 does not apply to a taxpayer referred to in subparagraph *b* of the first paragraph of that section in respect of a taxation year, the taxpayer shall not use a method of profit computation that produces a substantially similar effect to that provided for in that subparagraph *b* for the purpose of computing the taxpayer’s income from a business or property in respect of a swap agreement, a forward purchase or sale agreement, a forward rate agreement, a futures agreement, an option agreement or a similar agreement for the year.

“85.11. For the purposes of sections 85.7 to 85.9, if an agreement that is an eligible derivative of a taxpayer is not a property of the taxpayer, the taxpayer is deemed

(a) to hold the eligible derivative at any time while the taxpayer is a party to the agreement; and

(b) to have disposed of the eligible derivative when it is settled or extinguished in respect of the taxpayer.

“85.12. Where there has been an amalgamation, within the meaning of section 544, of two or more corporations and subparagraph *b* of the first paragraph of section 85.7 applies to a predecessor corporation, within the meaning of section 544, in its last taxation year, each eligible derivative of the predecessor corporation immediately before the end of its last taxation year is deemed to have been reacquired, or reissued or renewed, as the case may be, by the new corporation, within the meaning of section 544, at its fair market value immediately before the amalgamation.

Where the rules set out in sections 556 to 564.1 and 565 apply to the winding-up of a subsidiary, within the meaning of section 556, the subsidiary’s taxation year in which an eligible derivative was distributed to, or assumed by, the parent, within the meaning of section 556, on the winding-up is deemed, for the purposes of subparagraph *b* of the first paragraph of section 85.7, to have ended immediately before the time when the eligible derivative was distributed or assumed.”

(2) Subsection 1 applies to a taxation year that begins after 21 March 2017. However, for the purpose of applying section 21.4.7 of the Act to an election referred to in the first paragraph of section 85.7 of the Act before 24 September 2020, a taxpayer is deemed to have complied with a requirement of section 21.4.6 of the Act if the taxpayer complies with it on or before 23 March 2021.

33. Section 87 of the Act is amended by replacing subparagraph *iv* of paragraph *w* by the following subparagraph:

“*iv.* may not reasonably be considered to be a payment made in respect of the acquisition by the particular person or the public authority of an interest in the taxpayer, a right in the taxpayer’s business or a real right in the taxpayer’s property, or”.

34. Section 92.5 of the Act is replaced by the following section:

“92.5. For the purposes of sections 92, 92.1, 92.7, 157.6 and 167, where a taxpayer acquires a right in a prescribed debt obligation, interest on the obligation, computed in prescribed manner, is deemed to accrue to the taxpayer in each taxation year during which the taxpayer holds the right.”

35. Section 92.5.1 of the Act is amended by replacing the first paragraph by the following paragraph:

“Where a taxpayer disposes of a right in a debt obligation that is a debt obligation in respect of which the proportion of the payments of principal to which the taxpayer is entitled is not equal to the proportion of the payment of interest to which the taxpayer is entitled, such portion of the proceeds of

disposition received by the taxpayer as may reasonably be considered to represent a recovery of the cost to the taxpayer of the right in the debt obligation must not, despite any other provision of this Part, be included in computing the taxpayer's income."

36. (1) The Act is amended by inserting the following sections after section 113.3:

"113.4. Where, at a particular time, a person or partnership (in this section and sections 113.5 to 113.7 referred to as the "intended borrower") owes an amount as or on account of a debt or other obligation to pay an amount (in this section and sections 113.5 to 113.7 referred to as the "shareholder debt") to another person or partnership (in this section and sections 113.5 to 113.7 referred to as the "immediate funder") and the conditions of the second paragraph are met at that time, the intended borrower is, for the purposes of this division and sections 487.1 to 487.5.4, deemed to receive a loan at that time from each particular ultimate funder to whom the second paragraph refers, the amount of which is equal to the amount determined by the formula

$$(A \times B/C) - (D - E).$$

The conditions referred to in the first paragraph are as follows:

(a) in the absence of this section, section 113 would not apply in respect of the shareholder debt;

(b) at the particular time, a funder, in respect of a particular funding arrangement,

i. owes an amount to a person or partnership as or on account of a debt or other obligation to pay an amount that is not a debt or other obligation in respect of which section 113 applies, or would apply if it were not a pertinent loan or indebtedness within the meaning of section 113.1, and that is a debt or other obligation in respect of which either of the following conditions is met:

(1) recourse in respect of the debt or other obligation is limited in whole or in part, either immediately or in the future and either absolutely or contingently, to a funding arrangement, or

(2) it can reasonably be concluded that all or a portion of the particular funding arrangement was entered into or was permitted to remain owing because all or a portion of the debt or other obligation was entered into or was permitted to remain owing, or the funder anticipated that all or a portion of the debt or other obligation would become owing or remain owing, or

ii. has a specified right in respect of a particular property that was granted directly or indirectly by a person or partnership and

(1) the existence of the specified right is required under the terms and conditions of the particular funding arrangement, or

(2) it can reasonably be concluded that all or a portion of the particular funding arrangement was entered into, or was permitted to remain in effect, because the specified right was granted or the funder anticipated that it would be granted; and

(c) at the particular time, one or more funders is an ultimate funder.

In the formula in the first paragraph,

(a) A is the lesser of

i. the amount owing as or on account of the shareholder debt at the particular time, and

ii. the aggregate of all amounts each of which is, at the particular time,

(1) an amount owing as or on account of a debt or other obligation that is owed by a funder (other than an ultimate funder) to an ultimate funder under a funding arrangement in respect of the shareholder debt, or

(2) the fair market value of a particular property in respect of which an ultimate funder has granted a specified right to a funder (other than an ultimate funder) under a funding arrangement in respect of the shareholder debt;

(b) B is the aggregate of all amounts each of which is, at the particular time,

i. an amount owing as or on account of a debt or other obligation that is owed by a funder (other than an ultimate funder) to the particular ultimate funder under a funding arrangement in respect of the shareholder debt, or

ii. the fair market value of a particular property in respect of which the particular ultimate funder has granted a specified right to a funder (other than an ultimate funder) under a funding arrangement in respect of the shareholder debt;

(c) C is the aggregate determined under subparagraph ii of subparagraph *a*;

(d) D is the aggregate of all amounts each of which is, in respect of the shareholder debt, an amount that the intended borrower has been deemed under this section to have received from the particular ultimate funder as a loan at any time before the particular time; and

(e) E is the aggregate of all amounts each of which is a repayment deemed, under section 113.5 or 113.6, to have occurred before the particular time, in respect of a loan that has been deemed to have been received from the particular ultimate funder and that is referred to in subparagraph *d*.

“113.5. Where section 113.4 has applied, before a particular time, in respect of a shareholder debt to deem one or more loans to have been received by an intended borrower from a particular ultimate funder and, at that time, any of the conditions of the second paragraph is met, the intended borrower is, for the purposes of this division and sections 177 and 487.1 to 487.5.4, deemed to repay at that time, in whole or in part, one or more of the deemed loans, and the total amount of the deemed repayments is determined by the formula

$$A - B - (C \times D/E).$$

The conditions to which the first paragraph refers are as follows:

(a) an amount owing in respect of the shareholder debt is repaid in whole or in part;

(b) an amount owing as or on account of a debt or other obligation that is owed by a funder (other than an ultimate funder) to the particular ultimate funder under a funding arrangement in respect of the shareholder debt is repaid in whole or in part; and

(c) either

i. there is a decrease in the fair market value of a property in respect of which a specified right was granted by the particular ultimate funder to a funder (other than an ultimate funder) under a funding arrangement in respect of the shareholder debt, or

ii. a right described in subparagraph i is extinguished.

In the formula in the first paragraph,

(a) A is the aggregate of all amounts each of which is the amount of a loan deemed, under section 113.4, to have been received, at any time before the particular time, by an intended borrower from the particular ultimate funder in respect of the shareholder debt;

(b) B is the aggregate of all amounts deemed under this section to have been repaid, at any time before the particular time, by the intended borrower in respect of a loan referred to in subparagraph a;

(c) C is the lesser of

i. the amount owing as or on account of the shareholder debt, immediately after the particular time, and

ii. the aggregate of all amounts each of which is, immediately after the particular time,

(1) an amount owing as or on account of a debt or other obligation that is owed by a funder (other than an ultimate funder) to an ultimate funder under a funding arrangement in respect of the shareholder debt, or

(2) the fair market value of a particular property in respect of which an ultimate funder has granted a specified right to a funder (other than an ultimate funder) under a funding arrangement in respect of the shareholder debt;

(d) D is the aggregate of all amounts each of which is, immediately after the particular time,

i. an amount owing as or on account of a debt or other obligation that is owed by a funder (other than an ultimate funder) to the particular ultimate funder under a funding arrangement in respect of the shareholder debt, or

ii. the fair market value of a particular property in respect of which the particular ultimate funder has granted a specified right to a funder (other than an ultimate funder) under a funding arrangement in respect of the shareholder debt; and

(e) E is the aggregate determined under subparagraph ii of subparagraph c.

“113.6. Where the amount determined, at a particular time, by the formula in the first paragraph of section 113.4 would, but for section 7.5, be less than zero, the intended borrower is, for the purposes of this division and sections 177 and 487.1 to 487.5.4, deemed to repay, in whole or in part, one or more of the loans deemed under section 113.4 to have been received, before that time, by the intended borrower from the particular ultimate funder and the total amount of the deemed repayments is equal to the absolute value of that negative amount.

“113.7. In this section and sections 113.4 to 113.6,

“funder”, in respect of a funding arrangement, means

(a) if the funding arrangement is described in paragraph a of the definition of that expression, the immediate funder;

(b) if the funding arrangement is described in paragraph b of the definition of that expression, the creditor in respect of the debt or other obligation or the grantor of the specified right, as the case may be; or

(c) a person or partnership who does not deal at arm’s length with a person or partnership referred to in paragraph a or b;

“funding arrangement” means

(a) the shareholder debt; and

(b) each debt or other obligation or specified right, owing by or granted to a funder, in respect of a particular funding arrangement, if the conditions of subparagraph i or ii, as the case may be, of subparagraph *b* of the second paragraph of section 113.4 are met in respect of the debt or other obligation or specified right;

“specified right” has the meaning assigned by subparagraph *b.5.1* of the first paragraph of section 172, with the necessary modifications;

“ultimate funder” means a funder whose substitution to the immediate funder as creditor of the shareholder debt would result in the application of section 113 in respect of the shareholder debt.”

(2) Subsection 1 applies,

(1) if the immediate funder in respect of a shareholder debt is a debtor, or holder of a specified right, under a funding arrangement under which an ultimate funder is the creditor or the grantor of the specified right,

(a) in respect of a loan received or an indebtedness incurred in respect of the shareholder debt after 21 March 2016, or

(b) in respect of any portion of a particular loan received or particular indebtedness incurred in respect of the shareholder debt before 22 March 2016 that remains owing on that day, as if that portion were a separate loan or separate indebtedness that was received or incurred, as the case may be, on 22 March 2016 in the same manner and on the same terms as the particular loan or particular indebtedness; and

(2) in any other case,

(a) in respect of a loan received or an indebtedness incurred after 31 December 2016, or

(b) in respect of any portion of a particular loan received or particular indebtedness incurred before 1 January 2017 that remains owing on that day, as if that portion were a separate loan or separate indebtedness that was received or incurred, as the case may be, on 1 January 2017 in the same manner and on the same terms as the particular loan or particular indebtedness.

37. (1) The Act is amended by inserting the following divisions after section 156.7.3:

“DIVISION VIII.2.3

“ADDITIONAL DEDUCTION OF 35% OR 60% IN RESPECT OF CERTAIN INVESTMENTS

“156.7.4. Subject to section 156.7.5, a taxpayer may deduct, in computing the taxpayer’s income from a business for a taxation year, an amount equal to the amount determined, in respect of a prescribed depreciable property, by the formula

$$A \times (B/C).$$

In the formula in the first paragraph,

(a) A is an amount equal to the product obtained by multiplying the amount deducted by the taxpayer in computing the taxpayer’s income for the year under paragraph *a* of section 130 in respect of the prescribed class that includes the property by

i. 35%, where the property is acquired after 28 March 2017 and before 28 March 2018, or

ii. 60%, where the property is acquired after 27 March 2018 and before

(1) 1 July 2019, if the property was acquired pursuant to an obligation in writing entered into before 4 December 2018 or if the construction of the property, by or on behalf of the taxpayer, began before 4 December 2018, or

(2) 4 December 2018, in any other case;

(b) B is

i. where the taxation year includes the time at which the property is considered to have become available for use, within the meaning of section 93.7, either of the following amounts:

(1) if the property is acquired after 20 November 2018, the amount attributable to the property that is added to the undepreciated capital cost of the prescribed class that includes the property, determined for the purpose of computing the amount that is deductible by the taxpayer in computing the taxpayer’s income for the year under paragraph *a* of section 130, or

(2) in any other case, one half of the capital cost of the property at the end of the year,

ii. where the taxation year is the particular year that follows the year referred to in subparagraph i, the amount by which the capital cost of the property at the end of the particular year exceeds the portion of the amount deducted by the taxpayer in computing the taxpayer's income for the preceding year under paragraph *a* of section 130 that is attributable to the property, or

iii. in any other case, zero; and

(c) *C* is the undepreciated capital cost at the end of the year of property of the prescribed class that includes the property, determined for the purpose of computing the amount that is deductible by the taxpayer in computing the taxpayer's income for the year under paragraph *a* of section 130 before any deduction under that paragraph *a* for the year.

“156.7.5. The amount that a taxpayer may deduct in computing the taxpayer's income from a business for a particular taxation year under section 156.7.4, in respect of a property acquired after 20 November 2018, may not exceed

(a) where the particular year includes the time at which the property is considered to have become available for use, within the meaning of section 93.7,

i. in the case where the property is included in Class 50 of Schedule B to the Regulation respecting the Taxation Act (chapter I-3, r. 1), the product obtained by multiplying 16.5% of the capital cost of the property at the end of the particular year by the proportion that the number of days in the particular year is of 365, or

ii. in the case where the property is included in Class 53 of Schedule B to the Regulation respecting the Taxation Act, the product obtained by multiplying 15% of the capital cost of the property at the end of the particular year by the proportion that the number of days in the particular year is of 365; or

(b) where the particular year is the year following the year referred to in subparagraph *a*, the lesser of

i. the total of

(1) the amount by which the amount computed under section 156.7.4 in respect of the property for the year referred to in subparagraph *a* exceeds the amount determined under that subparagraph in respect of the property for that year, and

(2) the amount computed under section 156.7.4 in respect of the property for the particular year, and

ii. the total of

(1) the amount by which the amount computed under subparagraph *a* in respect of the property for the year referred to in that subparagraph exceeds the amount computed under section 156.7.4 in respect of the property for that year, and

(2) the product obtained by multiplying the amount determined under the second paragraph in respect of the property by the proportion that the number of days in the particular year is of 365.

The amount to which subparagraph 2 of subparagraph ii of subparagraph *b* of the first paragraph refers is

(a) 23.9% of the capital cost of the property at the end of the particular year, if it is included in Class 50 of Schedule B to the Regulation respecting the Taxation Act; or

(b) 22.5% of the capital cost of the property at the end of the particular year, if it is included in Class 53 of Schedule B to the Regulation respecting the Taxation Act.

“DIVISION VIII.2.4

“ADDITIONAL DEDUCTION OF 30% IN RESPECT OF CERTAIN INVESTMENTS

“**156.7.6.** A taxpayer may deduct, in computing a taxpayer’s income from a business for a taxation year, an amount equal to 30% of the aggregate of all amounts each of which is an amount deducted by the taxpayer in computing income for the preceding taxation year under paragraph *a* of section 130 or the second paragraph of section 130.1, in respect of a prescribed depreciable property acquired after 3 December 2018.”

(2) Subsection 1 has effect from 29 March 2017.

38. Section 157.6 of the Act is amended by replacing the portion before paragraph *a* by the following:

“**157.6.** Where a taxpayer disposes of a property that is a right in a debt obligation for consideration equal to its fair market value at the time of disposition, there may be deducted in computing the taxpayer’s income for the taxation year in which the disposition occurs the amount by which the aggregate of all amounts each of which was included in computing the taxpayer’s income for the year or a preceding taxation year as interest on the property exceeds the aggregate of all amounts each of which is”.

39. Section 158.8 of the Act is amended by replacing paragraph *b* by the following paragraph:

“(b) during the period that begins at the time of the disposition or expiry and ends 30 days after that time, a taxpayer that had an interest, directly or indirectly, in the right to receive production has another interest, directly or indirectly, in another right to receive production, which other interest is a tax shelter or a tax shelter investment as defined by section 851.38.”

40. Section 158.9 of the Act is amended by replacing subparagraph *v* of paragraph *b* in the French text by the following subparagraph:

“v. dans le cas où l’article 158.8 s’applique autrement qu’en raison de son paragraphe *a*, le moment où débute une période de 30 jours tout au long de laquelle aucun contribuable ayant eu, directement ou indirectement, une part dans le droit aux produits, n’a de part, directement ou indirectement, dans un autre droit aux produits, si une ou plusieurs de ces parts dans l’autre droit aux produits est un abri fiscal ou un abri fiscal déterminé au sens de l’article 851.38.”

41. Section 159.1 of the Act is amended by replacing “or an estate” and “or estate” by “or a succession” and “or succession”, respectively.

42. Section 172 of the Act is amended by replacing subparagraph *b.5.2* of the first paragraph by the following subparagraph:

“(b.5.2) “security interest”, in respect of a property, means a right in the property that secures payment of an obligation;”.

43. Section 174 of the Act is amended

(1) by replacing paragraph *a* by the following paragraph:

“(a) the taxpayer owes a particular amount as or on account of a particular debt or other particular obligation to pay an amount to a person (in this section and section 174.0.1 referred to as the “intermediary”);”;

(2) by replacing paragraph *c* by the following paragraph:

“(c) the intermediary or a person that does not deal at arm’s length with the intermediary

i. owes an amount to a particular person that is, in respect of the taxpayer, a specified person not resident in Canada as or on account of a debt or other obligation to pay an amount (in this section and section 174.0.1 referred to as the “intermediary debt”), in respect of which any of the following conditions is met:

(1) recourse in respect of the debt or other obligation is limited in whole or in part, either immediately or in the future and either absolutely or contingently, to the particular debt or other particular obligation, or

(2) it can reasonably be concluded that all or a portion of the particular amount became owing, or was permitted to remain owing, because all or a portion of the debt or other obligation was entered into or was permitted to remain owing, or the intermediary anticipated that all or a portion of the debt or other obligation would become owing or remain owing, or

ii. has a specified right in respect of a particular property that was granted directly or indirectly by a particular person that is, in respect of the taxpayer, a specified person not resident in Canada and in respect of which any of the following conditions is met:

(1) the existence of the specified right is required under the terms and conditions of the particular debt or other particular obligation, or

(2) it can reasonably be concluded that all or a portion of the particular amount became owing, or was permitted to remain owing, because the specified right was granted or the intermediary anticipated that it would be granted; and”;

(3) by replacing the portion of paragraph *d* before subparagraph i by the following:

“(d) the aggregate of all amounts—each of which is, in respect of the particular debt or other particular obligation, an amount owing as or on account of an intermediary debt or the fair market value of a particular property described in subparagraph ii of paragraph *c*—is equal to at least 25% of the total of”;

(4) by replacing the portion of subparagraph ii of paragraph *d* before subparagraph 1 by the following:

“ii. the aggregate of all amounts each of which is an amount (other than the particular amount) that the taxpayer, or a person that does not deal at arm’s length with the taxpayer, owes to the intermediary as or on account of a debt or other obligation to pay an amount under the agreement, or an agreement that is connected to the agreement, under which the particular debt or other particular obligation was entered into if”.

44. Section 174.0.1 of the Act is amended

(1) by replacing “outstanding” by “owing” in the following provisions:

- the portion of subparagraph *a* of the first paragraph before subparagraph i;
- subparagraph i of subparagraph *a* of the first paragraph;
- the portion of subparagraph ii of subparagraph *a* of the first paragraph before subparagraph 1;
- subparagraphs *b* and *c* of the second paragraph;

(2) by replacing subparagraph 1 of subparagraph ii of subparagraph *a* of the first paragraph by the following subparagraph:

“(1) an amount owing as or on account of an intermediary debt in respect of the particular debt or other particular obligation that is owed to the particular person or any other person that is, in respect of the taxpayer, a specified person not resident in Canada, or”;

(3) by replacing the portion of subparagraph *b* of the first paragraph before the formula by the following:

“(b) the portion of the interest paid or payable by the taxpayer, in respect of a period throughout which subparagraph *a* applies, on the particular debt or other particular obligation referred to in paragraph *a* of section 174 that is equal to the amount determined by the following formula is deemed to be paid or payable by the taxpayer to the particular person, and not to the intermediary, as interest for the period on the amount that is deemed under subparagraph *a* to be owing to the particular person.”.

45. (1) Section 175.8 of the Act is amended by replacing subparagraph *c* by the following subparagraph:

“(c) the disposition is not a disposition that is deemed to have occurred under subparagraph *b* of the first paragraph of section 85.7, paragraph *a* of section 85.9, any of Divisions I to III of Chapter III of Title VII, section 653, Chapter I of Title I.1 of Book VI, paragraph *a* or *c* of section 785.5, or any of sections 832.1, 851.22.0.4 and 999.1;”.

(2) Subsection 1 applies to a taxation year that begins after 21 March 2017. However, where section 175.8 of the Act applies to a taxation year that begins before 1 January 2018, its paragraph *c* is to be read as if “any of sections 832.1, 851.22.0.4 and” were replaced by “section 832.1 or”.

46. (1) The Act is amended by inserting the following division after section 175.10:

“DIVISION XII.3

“STRADDLE LOSSES

“175.11. For the purposes of this division,

“offsetting position”, in respect of a particular position of a person or partnership (in this definition referred to as the “holder”), means one or more positions that

(a) are held by

i. the holder,

ii. another person or partnership that does not deal at arm's length with, or is affiliated with, the holder (that other person or partnership being referred to in this section and sections 175.13 and 175.15 as the "connected person"), or

iii. any combination of the holder and one or more connected persons;

(b) have the effect, or would have the effect if each of the positions held by a connected person were held by the holder, of eliminating all or substantially all of the holder's risk of loss and opportunity for gain or profit in respect of the particular position; and

(c) if held by a connected person, can reasonably be considered to have been held with the purpose of obtaining the effect described in paragraph b;

"position", of a person or partnership, means one or more properties, obligations or liabilities of the person or partnership, where

(a) each property, obligation or liability is

i. a share of the capital stock of a corporation,

ii. an interest in a partnership,

iii. an interest in a trust,

iv. a commodity,

v. foreign currency,

vi. a swap agreement, a forward purchase or sale agreement, a forward rate agreement, a futures agreement, an option agreement or a similar agreement,

vii. a debt owed to or owing by the person or partnership that, at any time,

(1) is denominated in a foreign currency,

(2) would be described in subparagraph *d* of the first paragraph of section 92.5R3 of the Regulation respecting the Taxation Act (chapter I-3, r. 1) if that subparagraph were read without reference to " , other than one described in any of subparagraphs *a* to *c*," , or

(3) is convertible into or exchangeable for a right in any property that is described in any of subparagraphs i to iv,

viii. an obligation to transfer or return to another person or partnership a property identical to a particular property described in any of subparagraphs i to vii that was previously transferred or lent to the person or partnership by that other person or partnership, or

ix. a right in any property that is described in any of subparagraphs i to vii; and

(b) it is reasonable to conclude that, if there is more than one property, obligation or liability, each of them is held in connection with each other;

“successor position”, in respect of a position (in this definition referred to as the “initial position”), means a particular position if

(a) the particular position is an offsetting position in respect of a second position;

(b) the second position was an offsetting position in respect of the initial position that was disposed of at a particular time; and

(c) the particular position was entered into during the period that begins 30 days before, and ends 30 days after, the particular time;

“unrecognized loss”, in respect of a position of a person or partnership at a particular time in a taxation year, means the loss, if any, that would be deductible in computing the income of the person or partnership for the year with respect to the position if it were disposed of immediately before the particular time for proceeds of disposition equal to its fair market value at the time of disposition;

“unrecognized profit”, in respect of a position of a person or partnership at a particular time in a taxation year, means the profit, if any, that would be included in computing the income of the person or partnership for the year with respect to the position if it were disposed of immediately before the particular time for proceeds of disposition equal to its fair market value at the time of disposition.

“175.12. Subject to section 175.13, the rule set out in the second paragraph applies in respect of the disposition of a particular position by a person or partnership (in this section and sections 175.13 and 175.15 referred to as the “transferor”), if

(a) the disposition is not a deemed disposition under any of Divisions I to III of Chapter III of Title VII, section 653, Chapter I of Title I.1 of Book VI or section 832.1 or 999.1;

(b) the transferor is not a financial institution (within the meaning of section 851.22.1), a mutual fund corporation or a mutual fund trust; and

(c) the particular position was, immediately before its disposition, not a capital property, or an obligation or liability on account of capital, of the transferor.

Where the conditions of the first paragraph are met in respect of the disposition of a particular position by a transferor, the portion of the transferor's loss, if any, from the disposition of the particular position that is deductible in computing the transferor's income for a particular taxation year is equal to the amount determined by the formula

$$A + B - C.$$

In the formula in the second paragraph,

(a) A is

i. if the particular taxation year is the taxation year in which the disposition occurs, the amount of the loss determined with reference to section 175.9 but without reference to this section, and

ii. in any other taxation year, nil;

(b) B is

i. if the disposition occurred in a taxation year preceding the particular taxation year, the amount determined under subparagraph *c* in respect of the disposition for the taxation year preceding the particular taxation year, and

ii. in any other case, nil; and

(c) C is the lesser of

i. the amount determined under subparagraph *a* for the taxation year in which the disposition occurs, and

ii. the amount determined by the formula

$$D - (E + F).$$

In the formula in subparagraph ii of subparagraph *c* of the third paragraph,

(a) D is the aggregate of all amounts each of which is equal to the amount of unrecognized profit at the end of the particular taxation year in respect of

i. the particular position,

ii. positions that are offsetting positions in respect of the particular position or those that would be such offsetting positions, to the extent that there is no successor position in respect of the particular position, if the particular position continued to be held by the transferor,

iii. successor positions in respect of the particular position, and

iv. positions that are offsetting positions in respect of any successor position referred to in subparagraph iii or those that would be such offsetting positions if any such successor position continued to be held by the transferor;

(b) E is the aggregate of all amounts each of which is equal to the amount of unrecognized loss at the end of the particular taxation year in respect of positions referred to in subparagraphs i to iv of subparagraph *a*; and

(c) F is the aggregate of all amounts each of which is equal to the amount determined by the formula

$G - H$.

In the formula in subparagraph *c* of the fourth paragraph,

(a) G is the amount determined under subparagraph *a* of the third paragraph for the taxation year in which the disposition occurs in respect of another position that was disposed of prior to the disposition of the particular position, if

i. the particular position was a successor position in respect of the other position, and

ii. the other position was

(1) an offsetting position in respect of the particular position,

(2) an offsetting position in respect of a position in respect of which the particular position was a successor position, or

(3) the particular position; and

(b) H is the aggregate of all amounts each of which is, in respect of another position described in subparagraph *a*, an amount determined under the second paragraph for the particular taxation year or a preceding taxation year.

For the purposes of subparagraph iii of subparagraph *a* of the fourth paragraph, subparagraph i of subparagraph *a* of the fifth paragraph and subparagraph 2 of subparagraph ii of that subparagraph *a*, a successor position in respect of a position includes a successor position that is in respect of a successor position in respect of the position.

“175.13. Section 175.12 does not apply in respect of a particular position of a transferor if

(a) the following conditions are met:

i. either the particular position, or the offsetting position in respect of the particular position, consists of

(1) commodities that the holder of the position manufactures, produces, grows, extracts or processes, or

(2) debt that the holder of the position incurs in the course of a business that consists of one or any combination of the activities described in subparagraph 1, and

ii. it can reasonably be considered that the position not described in subparagraph i—the particular position if the position that is described in subparagraph i is the offsetting position, or the offsetting position if the position that is described in that subparagraph i is the particular position—is held to reduce the risk, with respect to the position described in subparagraph i, from

(1) in the case of a position described in subparagraph i that consists of commodities described in subparagraph 1 of that subparagraph i, price changes or fluctuations in the value of currency with respect to such commodities, or

(2) in the case of a position described in subparagraph i that consists of a debt described in subparagraph 2 of that subparagraph i, fluctuations in interest rates or in the value of currency with respect to the debt;

(b) the transferor or a connected person (in this subparagraph referred to as the “holder”) continues to hold a position—that would be an offsetting position in respect of the particular position if the particular position continued to be held by the transferor—throughout a 30-day period beginning on the date of disposition of the particular position, and at no time during the period

i. is the holder’s risk of loss or opportunity for gain or profit with respect to the position reduced in any material respect by another position entered into or disposed of by the holder, or

ii. would the holder’s risk of loss or opportunity for gain or profit with respect to the position be reduced in any material respect by another position entered into or disposed of by a connected person, if the other position were entered into or disposed of by the holder; or

(c) it can reasonably be considered that none of the main purposes of the series of transactions or events, or any of the transactions or events in the series, of which the holding of both the particular position and offsetting position are part, is to avoid, reduce or defer tax that would otherwise be payable under this Act.

“175.14. For the purposes of this division,

(a) if a position of a person or partnership is not a property of the person or partnership, the person or partnership is deemed

i. to hold the position at any time while it is a position of the person or partnership, and

ii. to have disposed of the position when the position is settled or extinguished in respect of the person or partnership;

(b) the disposition of a position is deemed to include the disposition of a portion of the position;

(c) a first position held by one or more persons or partnerships referred to in paragraph *a* of the definition of “offsetting position” in section 175.11 is deemed to be an offsetting position in respect of a particular position of a person or partnership if

i. there is a high degree of negative correlation between changes in value of the first position and that of the particular position, and

ii. it can reasonably be considered that the principal purpose of the series of transactions or events, or any of the transactions in the series, of which the holding of both the first position and the particular position are part, is to avoid, reduce or defer tax that would otherwise be payable under this Act; and

(d) one or more positions held by one or more persons or partnerships referred to in paragraph *a* of the definition of “offsetting position” in section 175.11 are deemed to be a successor position in respect of a particular position of a person or partnership if

i. a portion of the particular position was disposed of at a particular time,

ii. the position is, or the positions include, as the case may be, a position that consists of the portion of the particular position that was not disposed of (in this paragraph referred to as the “remaining portion of the particular position”),

iii. where there is more than one position, any position that does not consist of the remaining portion of the particular position was entered into during the period that begins 30 days before, and ends 30 days after, the particular time referred to in subparagraph i,

iv. the position is, or the positions taken together would be, as the case may be, an offsetting position in respect of a second position (within the meaning assigned by the definition of “successor position” in section 175.11),

v. the second position described in subparagraph iv was an offsetting position in respect of the particular position, and

vi. it can reasonably be considered that the principal purpose of the series of transactions or events, or any of the transactions in the series, of which the disposition of a portion of the particular position and the holding of one or more positions are part, is to avoid, reduce or defer tax that would otherwise be payable under this Act.

“175.15. The presumption provided for in the second paragraph applies where

(a) at any time in a particular taxation year of a transferor, a position referred to in any of subparagraphs ii to iv of subparagraph *a* of the fourth paragraph of section 175.12 (in this section referred to as the “gain position”) is held by a connected person;

(b) the connected person disposes of the gain position in the particular taxation year; and

(c) the taxation year of the connected person in which the disposition referred to in subparagraph *b* occurs ends after the end of the particular taxation year.

Where the conditions of the first paragraph are met, the portion of the profit, if any, realized from the disposition of the gain position referred to in subparagraph *b* of the first paragraph that is determined by the following formula is deemed, for the purposes of the definition of “unrecognized profit” in section 175.11 and the second paragraph of section 175.12, to be unrecognized profit in respect of the gain position until the end of the taxation year of the connected person in which the disposition occurs:

$$A \times B/C.$$

In the formula in the second paragraph,

(a) *A* is the amount of the profit otherwise determined;

(b) *B* is the number of days in the taxation year of the connected person in which the disposition referred to in subparagraph *b* of the first paragraph occurs that are after the end of the particular taxation year; and

(c) *C* is the total number of days in the taxation year of the connected person in which the disposition referred to in subparagraph *b* of the first paragraph occurs.”

(2) Subsection 1 applies in respect of a position (as defined in section 175.11 of the Act, enacted by subsection 1) of a person or partnership where

(1) the position is acquired, entered into, renewed or extended, or becomes owing, by the person or partnership after 21 March 2017; or

(2) an offsetting position (as defined in section 175.11 of the Act, enacted by subsection 1) in respect of the position is acquired, entered into, renewed or extended, or becomes owing, by the person or partnership or a connected person (within the meaning assigned by subparagraph ii of paragraph *a* of the definition of “offsetting position” in that section 175.11) after 21 March 2017.

47. (1) Section 230 of the Act is amended by replacing “in respect of” in subparagraph ii of subparagraph *c* of the first paragraph by “for”.

(2) Subsection 1 applies in respect of an expenditure incurred after 16 September 2016.

48. (1) Section 230.0.0.4.1 of the Act is amended by replacing the first paragraph by the following paragraph:

“A taxpayer shall, in respect of an expenditure that would be an expenditure made by the taxpayer in a taxation year that begins after 31 December 1995 if this Act were read without reference to section 482 and that is claimed by the taxpayer for the year as a deduction under this division, file with the Minister, on or before the day that is 12 months after the taxpayer’s filing-due date for the year, the prescribed form containing

- (a) prescribed information in respect of the expenditure; and
- (b) claim preparer information within the meaning of section 1045.0.1.3.”

(2) Subsection 1 has effect from 14 December 2017.

49. (1) The Act is amended by inserting the following section after section 230.0.0.4.1:

“**230.0.0.4.2.** Subject to section 230.0.0.5, where prescribed information in relation to an expenditure referred to in subparagraph *a* of the first paragraph of section 230.0.0.4.1 is not contained in the form referred to in that section, no amount in relation to the expenditure may be deducted under sections 222 to 224.”

(2) Subsection 1 has effect from 14 December 2017.

50. (1) Section 238 of the Act is amended by replacing paragraph *a* by the following paragraph:

“(a) a disposition deemed to have occurred under section 242, as it read before 1 January 1993, any of sections 281, 283, 299 to 300, 436, 440, 444, 450, 450.6 and 653, Chapter I of Title I.1 of Book VI, paragraph *a* or *c* of section 785.5 or any of sections 832.1, 851.22.0.4, 851.22.15, 851.22.23 to 851.22.31, 861, 862 and 999.1;”.

(2) Subsection 1 applies to a taxation year that begins after 31 December 2017.

51. (1) Section 257 of the Act is amended

(1) by replacing paragraph *i* by the following paragraph:

“(i) where the property is a share, or a right in or to a share, of the capital stock of a corporation acquired before 1 August 1976, an amount equal to the expenses incurred by the taxpayer as consideration to acquire the property, to the extent that such expenses are for the taxpayer Canadian exploration and

development expenses under paragraph *e* of section 364, Canadian exploration expenses under paragraph *e* of section 395, Canadian development expenses under paragraph *e* of section 408 or Canadian oil and gas property expenses under paragraph *c* of section 418.2.”;

(2) by replacing subparagraph 3 of subparagraph *i* of paragraph *l* by the following subparagraph:

“(3) paragraph *z.4* of section 87, sections 89 to 91 and 144, section 144.1, as it read before being repealed, section 145, paragraph *j* of section 157, as it read before being struck out, sections 205 to 207, 235, 236.2 to 241, 264, 271, 273, 288 and 293, Division XV of Chapter IV, section 425, paragraphs *g* and *h* of section 489, as they read before being struck out, sections 638.1, 741.2 and 743, section 744.1, as it applied to dispositions of property that occurred before 27 April 1995, and section 744.6.”.

(2) Paragraph 2 of subsection 1 has effect from 16 September 2016.

52. (1) Section 262.0.1 of the Act is amended

(1) by replacing subparagraph *a* of the first paragraph by the following subparagraph:

“(a) at any time a corporation resident in Canada or a partnership of which such a corporation is a member (such corporation or partnership being in this section and section 262.0.2 referred to as the “borrowing party”) has received a loan from, or become indebted to, a creditor that is a foreign affiliate (in this section and section 262.0.2 referred to as a “creditor affiliate”) of a qualifying entity or that is a partnership (in this section referred to as a “creditor partnership”) of which such an affiliate is a member; and”;

(2) by striking out subparagraph *c* of the first paragraph;

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

“The rules to which the first paragraph refers, in relation to the borrowing party’s capital gain or capital loss in respect of the repayment of the loan or indebtedness that would be determined, in the absence of this section, under section 262, are the following:

(a) in the case of a capital gain, the gain is to be reduced,

i. if the creditor is a creditor affiliate, by an amount, not exceeding that capital gain, that is equal to twice the aggregate of all amounts each of which is an amount that would—in the absence of subparagraph *ii* of paragraph *g* of subsection 2 of section 40 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) and paragraph *g.04* of subsection 2 of section 95 of that Act and on the assumption that the creditor affiliate’s capital loss in respect of the repayment of the loan or indebtedness were a capital gain of the creditor affiliate, the creditor affiliate had no other income,

loss, capital gain or capital loss for any taxation year, and no other foreign affiliate of a qualifying entity had any income, loss, capital gain or capital loss for any taxation year—be included in computing a qualifying entity’s income for the purposes of the Income Tax Act under subsection 1 of section 91 of that Act for its taxation year that includes the last day of the taxation year of the creditor affiliate that includes the later time, or

ii. if the creditor is a creditor partnership, by an amount, not exceeding that capital gain, that is equal to twice the amount that is the total of each amount, determined in respect of a particular member of the creditor partnership that is a foreign affiliate of a qualifying entity, that is equal to the aggregate of all amounts each of which is an amount that would—in the absence of subparagraph ii of paragraph g of subsection 2 of section 40 of the Income Tax Act and paragraph g.04 of subsection 2 of section 95 of that Act and on the assumption that the creditor partnership’s capital loss in respect of the repayment of the loan or indebtedness were a capital gain of the creditor partnership, the particular member had no other income, loss, capital gain or capital loss for any taxation year, and no other foreign affiliate of a qualifying entity had any income, loss, capital gain or capital loss for any taxation year—be included in computing a qualifying entity’s income for the purposes of the Income Tax Act under subsection 1 of section 91 of that Act for its taxation year that includes the last day of the taxation year of the particular member that includes the last day of the creditor partnership’s fiscal period that includes the later time; and

(b) in the case of a capital loss, the amount of the loss is to be reduced,

i. if the creditor is a creditor affiliate, by an amount, not exceeding that capital loss, that is, in relation to the creditor affiliate’s capital gain in respect of the repayment of the loan or indebtedness, equal to twice the aggregate of all amounts each of which is an amount that would—in the absence of paragraph g.04 of subsection 2 of section 95 of the Income Tax Act and on the assumption that the creditor affiliate had no other income, loss, capital gain or capital loss for any taxation year, and no other foreign affiliate of a qualifying entity had any income, loss, capital gain or capital loss for any taxation year—be included in computing a qualifying entity’s income for the purposes of the Income Tax Act under subsection 1 of section 91 of that Act for its taxation year that includes the last day of the taxation year of the creditor affiliate that includes the later time, or

ii. if the creditor is a creditor partnership, by an amount, not exceeding that capital loss, that is, in relation to the creditor partnership’s capital gain in respect of the repayment of the loan or indebtedness, equal to twice the amount that is the total of each amount, determined in respect of a particular member of the creditor partnership that is a foreign affiliate of a qualifying entity, that is equal to the aggregate of all amounts each of which is an amount that would—in the absence of paragraph g.04 of subsection 2 of section 95 of the Income Tax Act and on the assumption that the particular member had no other income, loss, capital gain or other capital loss for any taxation year, and no other foreign affiliate of a qualifying entity had any income, loss, capital gain or capital loss for any taxation year—be included in computing a qualifying

entity's income for the purposes of the Income Tax Act under subsection 1 of section 91 of that Act for its taxation year that includes the last day of the taxation year of the particular member that includes the last day of the creditor partnership's fiscal period that includes the later time.”;

(4) by adding the following paragraphs at the end:

“The first and second paragraphs do not apply in respect of a repayment, in whole or in part, of a loan or indebtedness if a valid election was made in respect of the repayment under subsection 2.3 of section 39 of the Income Tax Act.

Chapter V.2 of Title II of Book I of Part I applies in relation to an election referred to in the third paragraph. However, for the application of section 21.4.7 to such an election, a taxpayer is deemed to have complied with a requirement of section 21.4.6 if the taxpayer complies with it on or before 23 March 2021.”

(2) Subsection 1 applies in respect of any portion of a loan received or indebtedness incurred before 20 August 2011 that remains outstanding on 19 August 2011 and that is repaid, in whole or in part, before 20 August 2016.

53. (1) The Act is amended by inserting the following section after section 262.0.1:

“**262.0.2.** For the purposes of section 262.0.1, “qualifying entity” means

(a) in the case of a borrowing party that is a corporation,

i. the borrowing party,

ii. a corporation resident in Canada of which

(1) the borrowing party is a subsidiary wholly-owned corporation, or

(2) a corporation described in this subparagraph ii is a subsidiary wholly-owned corporation,

iii. a corporation resident in Canada

(1) each share of the capital stock of which is owned by the borrowing party or a corporation described in subparagraph ii or this subparagraph iii, or

(2) all or substantially all of the capital stock of which is owned by one or more corporations resident in Canada that are borrowing parties in respect of the creditor affiliate under section 577.6, or

iv. a partnership each member of which is

(1) a corporation described in any of subparagraphs i to iii, or

- (2) another partnership described in this subparagraph iv; and
- (b) in the case of a borrowing party that is a partnership,
 - i. the borrowing party,

ii. if each member of the borrowing party is either a corporation resident in Canada (in this subparagraph *b* referred to as the “parent”) or a corporation resident in Canada that is a subsidiary wholly-owned corporation, within the meaning of subsection 5 of section 544, of the parent,

- (1) the parent, or

(2) a corporation resident in Canada that is a subsidiary wholly-owned corporation, within the meaning of subsection 5 of section 544, of the parent, or

- iii. a partnership each member of which is

- (1) the borrowing party,

- (2) a corporation described in subparagraph ii, or

- (3) another partnership described in this subparagraph iii.

For the purposes of subparagraph ii of subparagraph *b* of the first paragraph, a member of a particular partnership is deemed to be a member of any other partnership of which the particular partnership is a member.”

(2) Subsection 1 applies in respect of any portion of a loan received or indebtedness incurred before 20 August 2011 that remains outstanding on 19 August 2011 and that is repaid, in whole or in part, before 20 August 2016.

54. Section 271 of the Act is amended by replacing subparagraph i of subparagraph *d* of the second paragraph by the following subparagraph:

“i. where the acquisition date is before 23 February 1994 and the individual or a spouse of the individual elected under section 726.9.2 in respect of the property or a right therein that was owned, immediately before the disposition, by the individual, $\frac{4}{3}$ of the lesser of

(1) the aggregate of all amounts each of which is the taxable capital gain of the individual or of a spouse of the individual that would have resulted from an election by the individual or spouse under section 726.9.2 in respect of the property or right if this Act were read without reference to section 726.9.3 and the amount designated in the election were equal to the amount by which the fair market value of the property or right at the end of 22 February 1994 exceeds the amount designated in the election that was made in respect of the property or right that exceeds $\frac{11}{10}$ of its fair market value at that time, and

(2) the aggregate of all amounts each of which is the taxable capital gain of the individual or of a spouse of the individual that would have resulted from an election that was made under section 726.9.2 in respect of the property or right if the property were the principal residence of neither the individual nor the spouse for each particular taxation year unless the property was designated, in a fiscal return for the taxation year that includes 22 February 1994 or for a preceding taxation year, to be the principal residence of either of them for the particular taxation year, and”.

55. (1) Section 311 of the Act is amended by inserting the following paragraph after paragraph *c.1*:

“(c.2) an income replacement benefit paid under Part 2 of the Veterans Well-being Act (Statutes of Canada, 2005, chapter 21), if the amount is determined under subsection 1 of section 19.1, paragraph *b* of subsection 1 of section 23 or subsection 1 of section 26.1 of that Act (as modified, where applicable, under Part 5 of that Act);”.

(2) Subsection 1 has effect from 1 April 2019.

56. Section 333.8 of the Act is amended by replacing paragraph *b* by the following paragraph:

“(b) the restrictive covenant directly relates to the acquisition from one or more other persons (in this section and section 333.13 referred to as the “vendors”) by the purchaser of a right in the individual’s employer, in a corporation related to that employer or in a business carried on by that employer;”.

57. Section 333.9 of the Act is amended by replacing subparagraph *b* of the second paragraph by the following subparagraph:

“(b) the vendor does not, at any time after the grant of the restrictive covenant and whether directly or indirectly in any manner whatever, have a right in the family corporation or in the eligible corporation of the eligible individual, as the case may be.”

58. Section 333.13 of the Act is amended by striking out “or interest” in paragraph *a*.

59. (1) Section 336 of the Act is amended by replacing subparagraph *iv* of paragraph *e* by the following subparagraph:

“iv. a decision of the Canada Employment Insurance Commission under the Employment Insurance Act or an appeal of such a decision to the Social Security Tribunal.”.

(2) Subsection 1 applies in respect of an appeal to the Social Security Tribunal filed, and a decision made by the Canada Employment Insurance Commission, after 31 March 2013. It also applies in respect of an appeal for which leave has been granted under section 267 or 268 of the Jobs, Growth and Long-term Prosperity Act (Statutes of Canada, 2012, chapter 19).

60. (1) Section 336.8 of the Act is amended by replacing subparagraph *i* of paragraph *c* of the definition of “eligible retirement income” in the first paragraph by the following subparagraph:

“*i.* the aggregate of all amounts received by the individual in the year on account of

(1) a retirement income security benefit paid under Part 2 of the Veterans Well-being Act (Statutes of Canada, 2005, chapter 21), or

(2) an income replacement benefit paid under Part 2 of the Veterans Well-being Act, if the amount is determined under subsection 1 of section 19.1, paragraph *b* of subsection 1 of section 23 or subsection 1 of section 26.1 of that Act (as modified, where applicable, under Part 5 of that Act), and”.

(2) Subsection 1 has effect from 1 April 2019.

61. (1) Section 359.2.1 of the Act is amended by replacing the portion before paragraph *a* by the following:

“359.2.1. Where a person gave consideration under an agreement to a corporation for the issue of a flow-through share of the corporation, the corporation’s paid-up capital amount at the time the consideration was given was not more than \$15,000,000, and during the period beginning on the particular day the agreement was entered into and ending on the earlier of 31 December 2018 and the day that is 24 months after the end of the month that included that particular day, the corporation incurred Canadian development expenses that are described in paragraph *a* or *a.1* of section 408 or that would be described in paragraph *d* of that section if the words “expenses described in paragraphs *a* to *c*” in that paragraph were read as “expenses described in paragraph *a* or *a.1*” and that are not expenses deemed to have been incurred after 31 December 2018 under section 359.8, the corporation may, after it complies with section 359.10 in respect of the share and before 1 March of the first calendar year that begins after that period, renounce to the person in respect of the share the amount by which the part of those expenses incurred by it on or before the effective date of the renunciation, which part is in this section referred to as the “specified expenses”, exceeds the aggregate of”.

(2) Subsection 1 has effect from 14 December 2017. However, where section 359.2.1 of the Act applies in respect of an agreement entered into after 31 December 2016 but before 22 March 2017, the portion of that section 359.2.1 before paragraph *a* is to be read as if “the earlier of 31 December 2018 and” were struck out.

62. Section 360 of the Act is amended by replacing the second paragraph by the following paragraph:

“Such regulation may allow an amount for only a part of or for all of the natural accumulations of petroleum or natural gas, oil or gas wells or mineral resources in which the taxpayer has a right, or of the ore processing operations referred to in the first paragraph and carried on by the taxpayer, and the Government may prescribe a formula to determine such amount.”

63. Section 370 of the Act is amended

- (1) by striking out “or real property” in paragraphs *c* and *e*;
- (2) by striking out “or an interest” in paragraphs *d* and *d.1*;
- (3) by replacing paragraphs *f* and *g* by the following paragraphs:

“(f) any right in or to any property described in any of paragraphs *a* to *d.1*, other than such a right that the taxpayer has because the taxpayer is a beneficiary under a trust or a member of a partnership; or

“(g) a real right in an immovable property described in paragraph *e*, other than such a right that the taxpayer has because the taxpayer is a beneficiary under a trust or a member of a partnership.”

64. (1) Section 395 of the Act is amended

(1) by adding the following subparagraph at the end of subparagraph *i* of paragraph *b.1*:

“(3) the expense is incurred before 1 January 2019, excluding an expense that is deemed to have been incurred on 31 December 2018 under section 359.8, or before 1 January 2021 in connection with an obligation in writing entered into by the taxpayer before 22 March 2017, including an obligation towards a government under the terms of a license or permit, excluding an expense that is deemed to have been incurred on 31 December 2020 under section 359.8;”;

(2) by replacing “any interest in or right to” in paragraph *e* by “any right in or to”.

(2) Paragraph 1 of subsection 1 has effect from 14 December 2017.

65. Section 408 of the Act is amended

(1) by replacing the portion of paragraph *c* before subparagraph *i* by the following:

“(c) despite section 144, the cost to the taxpayer of a property described in any of paragraphs *b*, *d.1* and *e* of section 370 or of a right in or to such a property, other than a right that the taxpayer has because the taxpayer is a beneficiary under a trust or a member of a partnership, including any payment for the preservation of a taxpayer’s rights in respect of such a property or such a right, but excluding, except for the application of this paragraph to a taxation year that begins after 31 December 2007,”;

(2) by replacing “any interest in or right to” in paragraph *e* by “any right in or to”.

66. Section 412 of the Act is amended by replacing the portion of paragraph *b* before subparagraph *i* by the following:

“(b) all amounts each of which is, in respect of the disposition by the taxpayer before that time of a property described in any of paragraphs *b*, *d.1* and *e* of section 370, of a property disposed of after 21 March 2011 which was described in any of those paragraphs and the cost of which when acquired by the taxpayer was included in the Canadian development expense of the taxpayer, or of any right in or to such a property, other than such a right that the taxpayer has by reason of being a beneficiary under a trust or a member of a partnership, equal to the amount by which”.

67. Section 418.3 of the Act is replaced by the following section:

“**418.3.** Canadian oil and gas property expense does not include, however, any consideration given by the taxpayer for any share or any right in or to a share, except as provided by paragraph *c* of section 418.2, or any expense referred to in that paragraph and incurred by any other taxpayer to the extent that the expense is for the latter a Canadian oil and gas property expense under that paragraph, a Canadian exploration expense under paragraph *e* of section 395 or a Canadian development expense under paragraph *e* of section 408.”

68. Section 421.7 of the Act is replaced by the following section:

“**421.7.** Where a person owns or leases a motor vehicle jointly with one or more other persons, the reference in paragraphs *d.3* and *d.4* of section 99 to the amount of \$20,000, in section 421.5 to the amount of \$250 and in section 421.6 to the amounts of \$600, \$20,000 and \$23,529 is to be read as a reference to that proportion of each of those amounts or such other amounts as may be prescribed for the purposes of those provisions that the fair market value of the first-mentioned person’s right in the vehicle is of the fair market value of the rights in the vehicle of all those persons.”

69. Section 449 of the Act is replaced by the following section:

“**449.** The amounts that must be deducted from the debts of the individual under paragraph *b* of section 445 and section 446 are the duties payable, by reason of the individual’s death, in respect of any property of the trust or any right in such a property, and any debt secured by a hypothec or mortgage on property owned by the individual immediately before the individual’s death.”

70. (1) Section 467.1 of the Act is amended by replacing paragraph *d* by the following paragraph:

“(*d*) by a trust that acquired the property, or other property for which the property is a substitute, from a particular individual, if

i. the particular individual acquired the property or the other property, as the case may be, in respect of another individual because of the application of subsection 1 of section 122.61 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement), section 4 of the Universal Child Care Benefit Act, enacted by section 168 of the Budget Implementation Act, 2006 (Statutes of Canada, 2006, chapter 4), or section 1029.8.61.18, and

ii. the trust has no beneficiaries, within the meaning of the second paragraph of section 646, who may for any reason receive directly from the trust all or part of the income or capital of the trust other than individuals in respect of whom the particular individual acquired property because of the application of a provision described in subparagraph i.”

(2) Subsection 1 applies to a taxation year that ends after 15 September 2016.

71. Section 487.2 of the Act is replaced by the following section:

“**487.2.** The amount to which the first paragraph of section 487.1 refers is the amount by which the amount computed under section 487.2.1 is exceeded by the aggregate of all amounts each of which is the interest, computed at the prescribed rate, in respect of each such debt for the period of the year in which it was unpaid, or the interest paid or payable for the year in respect of each such debt

(*a*) by a person or partnership that employed or planned to employ the individual;

(*b*) by a person or partnership to which or for which the corporation provided or was to provide services; or

(*c*) by a person who was not a debtor of the debt and who was related to the person or partnership described in paragraph *a* or was not dealing at arm’s length with the person or partnership described in paragraph *b*.”

72. (1) Section 487.4 of the Act is replaced by the following section:

“**487.4.** The amount to which section 487.3 refers is the amount by which the aggregate of all amounts each of which is the interest in respect of each such debt, computed at the prescribed rate for the period of the year in which it was unpaid, exceeds the aggregate of all amounts each of which is

(a) the amount of interest paid for the year in respect of each such debt (other than debts incurred as or on account of loans that are deemed to have been received under section 113.4) not later than 30 days after the end of the year; or

(b) the amount of interest determined, for the year, in respect of each debt incurred as or on account of loans that are deemed to have been received under section 113.4.”

(2) Subsection 1 applies

(1) in respect of a debt incurred after 21 March 2016; or

(2) in respect of any portion of a particular debt incurred before 22 March 2016 that remains owing on that day, as if that portion were a separate debt that was incurred on 22 March 2016 in the same manner and on the same terms as the particular debt.

73. (1) The Act is amended by inserting the following section after section 487.4:

“**487.4.1.** For the purposes of sections 487.1 to 487.6, the specified interest amount, for a year, in respect of a debt (in this section referred to as the “deemed loan”) contracted as or on account of a loan that is deemed to have been received under section 113.4 from a particular ultimate funder, is the amount determined by the formula

$$A \times B/C.$$

In the formula in the first paragraph,

(a) A is the total amount of interest for the year paid not later than 30 days after the end of the year in respect of all debts that are owing to the particular ultimate funder under one or more funding arrangements by one or more funders, but excluding any funders that are ultimate funders, and that gave rise to the deemed loan;

(b) B is the average amount owing for the year in respect of the deemed loan; and

(c) C is the aggregate of all amounts each of which is the average amount owing in the year as or on account of an amount owing in respect of a debt described in subparagraph *a*.

In this section, “funder”, “funding arrangement” and “ultimate funder” have the meaning assigned by section 113.7.”

(2) Subsection 1 applies

(1) in respect of a debt contracted after 21 March 2016; or

(2) in respect of any portion of a particular debt contracted before 22 March 2016 that remains owing on that day, as if that portion were a separate debt that was contracted on 22 March 2016 in the same manner and on the same terms as the particular debt.

74. Section 487.5.1 of the Act is replaced by the following section:

“**487.5.1.** For the purpose of computing the benefit under the first paragraph of section 487.1 in a taxation year in respect of a debt contracted for a home purchase loan or a home relocation loan, the aggregate of all amounts each of which is the interest on all such debts, computed at the prescribed rate for the period in the year during which it was outstanding, must not exceed the aggregate of the amounts that would have been determined in this manner if the interest had been computed at the rate of 8% in the case of a debt contracted before 1 May 1987 or, in any other case, at the prescribed rate in effect at the time the debt was contracted.”

75. Section 487.5.2 of the Act is replaced, in the French text, by the following section:

“**487.5.2.** Pour l’application des articles 487.1 à 487.6, à l’exception du paragraphe *b* de l’article 487.5, dans le cas d’une dette, autre qu’une dette prescrite, contractée au titre d’un prêt consenti pour l’acquisition d’une résidence ou d’un prêt à la réinstallation d’un particulier, dont le délai de remboursement est supérieur à cinq ans, le solde dû sur la dette le jour qui survient cinq ans après le jour où la dette a été contractée ou est réputée pour la dernière fois avoir été contractée en vertu du présent article est réputé une nouvelle dette contractée au titre d’un prêt pour l’acquisition d’une résidence ce même jour.”

76. Section 487.5.4 of the Act is amended, in the French text,

(1) by replacing “réfère” in the portion before paragraph *a* by “fait référence”;

(2) by replacing paragraph *c* by the following paragraph:

“*c*) une personne liée à une personne visée à l’un des paragraphes *a* et *b*.”

77. (1) Section 491 of the Act is amended

(1) by replacing paragraph *e.1* by the following paragraph:

“(*e.1*) an amount received on account of

i. a Canadian Forces income support benefit payable under Part 2 of the Veterans Well-being Act (Statutes of Canada, 2005, chapter 21),

ii. pain and suffering compensation, additional pain and suffering compensation or a critical injury benefit, disability award, death benefit, clothing allowance or detention benefit payable under Part 3 of the Veterans Well-being Act,

iii. a caregiver recognition benefit payable under Part 3.1 of the Veterans Well-being Act, or

iv. an amount payable under subsection 1 of section 132 of the Veterans Well-being Act;”;

(2) by adding the following paragraph after paragraph *g*:

“(*h*) an amount received under the Memorial Grant Program for First Responders established under the authority of the Department of Public Safety and Emergency Preparedness Act (Statutes of Canada, 2015, chapter 10) in respect of individuals who die in the course of, or as a result of, their duties or as a result of an occupational illness or psychological impairment.”

(2) Paragraph 1 of subsection 1 has effect from 1 April 2019. However, where section 491 of the Act applies to the taxation year 2019, it is to be read as if “family caregiver relief benefit or” were inserted before “caregiver recognition benefit” in subparagraph iii of paragraph *e.1*.

(3) Paragraph 2 of subsection 1 applies in respect of an amount received after 31 March 2018.

78. (1) Section 529 of the Act is amended by replacing the first paragraph by the following paragraph:

“Where a partnership disposes of any property (other than an eligible derivative, within the meaning of section 85.8, if subparagraph *b* of the first paragraph of section 85.7 applies to the partnership) to a taxable Canadian corporation for consideration that includes a share of the capital stock of the corporation, and all the members of the partnership and the corporation make a valid election for the purposes of subsection 2 of section 85 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) in respect of the disposition or, where that election cannot be made by reason of subsection 21.2 of section 13 of that Act, make an election, in the prescribed

form referred to in the first paragraph of section 520.1, the provisions of Divisions I to III apply, with the necessary modifications, in respect of the disposition as if the partnership were a taxpayer resident in Canada that had disposed of the property to the corporation.”

(2) Subsection 1 applies to a taxation year that begins after 21 March 2017.

79. (1) The Act is amended by inserting the following section after section 555.0.3:

“555.0.4. If, at a particular time, there is a merger of two or more foreign corporations, one of the foreign corporations (in this section referred to as the “particular corporation”) disposes, because of the merger, of a particular taxable Canadian property that is a share of the capital stock of a corporation, an interest in a partnership or an interest in a trust, the particular property becomes property of the corporation resulting from the merger (in this section referred to as the “new corporation”) and the new corporation and the particular corporation make a valid election under paragraph *e* of subsection 8.4 of section 87 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) in respect of the merger, the following rules apply:

(a) if the particular property is an interest in a partnership,

i. the particular corporation is deemed not to have disposed of the particular property, and

ii. the new corporation is deemed

(1) to have acquired the particular property at a cost equal to the cost of the particular property to the particular corporation, and

(2) to be the same corporation as, and a continuation of, the particular corporation in respect of the particular property; and

(b) if the particular property is a share of the capital stock of a corporation or an interest in a trust,

i. the particular property is deemed to have been disposed of at the particular time by the particular corporation to the new corporation for proceeds of disposition equal to the adjusted cost base of the property to the particular corporation immediately before that time, and

ii. the cost of the particular property to the new corporation is deemed to be equal to the amount that is deemed to be the proceeds of disposition of the property under subparagraph i.

Chapter V.2 of Title II of Book I applies in relation to an election made under paragraph *e* of subsection 8.4 of section 87 of the Income Tax Act.”

(2) Subsection 1 applies to a merger that occurs after 15 September 2016. However, for the application of section 21.4.7 of the Act to an election referred to in the first paragraph of section 555.0.4 of the Act and made before 24 September 2020, the electors are deemed to have complied with a requirement of section 21.4.6 of the Act if they comply with it on or before 23 March 2021.

80. Section 572.2 of the Act is amended by replacing “a right or an interest in” by “a right in”.

81. (1) Section 576.2 of the Act is amended by replacing paragraph *b* of the definition of “specified debtor” by the following paragraph:

“(b) a person with which the taxpayer does not, at that time, deal at arm’s length, other than

i. a corporation not resident in Canada that is, at that time, a controlled foreign affiliate, within the meaning of section 127.1, of the taxpayer, or

ii. a corporation not resident in Canada (other than a corporation described in subparagraph i) that is, at that time, a foreign affiliate of the taxpayer, if each share of the capital stock of the affiliate is owned at that time by any of

(1) the taxpayer,

(2) a person resident in Canada,

(3) a person not resident in Canada that deals at arm’s length with the taxpayer,

(4) a person described in subparagraph i,

(5) a partnership each member of which is a partnership described in this subparagraph 5 or a person described in any of subparagraphs 1 to 4 and 6, and

(6) a corporation each shareholder of which is a partnership described in subparagraph 5 or a person described in any of subparagraphs 1 to 4 or in this subparagraph 6;”.

(2) Subsection 1 applies in respect of a loan received or indebtedness incurred after 19 August 2011. In addition, it applies in respect of any portion of a loan received or indebtedness incurred before 20 August 2011 that remains outstanding on 19 August 2014.

82. (1) The Act is amended by inserting the following section after section 577.5:

“**577.5.1.** For the purposes of sections 262.0.1, 262.0.2, 576.2, 577.5 and 577.6 to 577.11, the rules set out in the second paragraph apply at a particular time where

(a) immediately before the particular time, a person or partnership (in this section referred to as the “original debtor”) owes an amount in respect of a loan or indebtedness (in this section referred to as the “pre-transaction loan”) to another person or partnership (in this section referred to as the “original creditor”);

(b) the pre-transaction loan was, at the time it was made or entered into, a loan or indebtedness described in section 577.5; and

(c) in the course of an amalgamation, a merger, a winding-up or a liquidation and dissolution, any of the following facts occurs:

i. the amount owing in respect of the pre-transaction loan becomes owing at the particular time by another person or partnership (the amount owing after the particular time and the other person or partnership being in the second paragraph referred to as the “post-transaction loan payable” and the “new debtor”, respectively),

ii. the amount owing in respect of the pre-transaction loan becomes owing at the particular time to another person or partnership (the amount owing after the particular time and the other person or partnership being in the second paragraph referred to as the “post-transaction loan receivable” and the “new creditor”, respectively), or

iii. the taxpayer in respect of which the original debtor was a specified debtor at the time referred to in subparagraph *b*

(1) ceases to exist, or

(2) merges with one or more corporations to form one corporate entity (in the second paragraph referred to as the “new corporation”).

The rules to which the first paragraph refers are as follows:

(a) if the fact described in subparagraph i of subparagraph *c* of the first paragraph occurred,

i. the post-transaction loan payable is deemed to be the same loan or indebtedness as the pre-transaction loan, and

ii. the new debtor is deemed to be the same debtor as, and a continuation of, the original debtor;

(b) if the fact described in subparagraph ii of subparagraph *c* of the first paragraph occurred,

i. the post-transaction loan receivable is deemed to be the same loan or indebtedness as the pre-transaction loan, and

ii. the new creditor is deemed to be the same creditor as, and a continuation of, the original creditor;

(c) if the fact described in subparagraph 1 of subparagraph iii of subparagraph c of the first paragraph occurred,

i. subject to subparagraph ii, each entity that held an interest in the taxpayer described in that subparagraph iii immediately before the winding-up (in this subparagraph c referred to as a “successor entity”) is deemed to be the same entity as, and a continuation of, the taxpayer, and

ii. for the purpose of applying section 577.10 and subparagraph a of the second paragraph of section 577.11, an amount, in respect of a loan or indebtedness, equal to whichever of the following amounts is applicable is deemed to have been included under section 577.5 in computing the income of each successor entity:

(1) if the taxpayer is a partnership, the amount that may reasonably be considered to be the successor entity’s share of the specified amount that was required to be included in computing the taxpayer’s income under section 577.5 in respect of the loan or indebtedness, such share being determined in a manner consistent with the determination of the successor entity’s share of the income of the partnership under section 600 for the taxpayer’s final fiscal period, and

(2) in any other case, the portion of the specified amount included in computing the taxpayer’s income under section 577.5, in respect of the loan or indebtedness, represented by the proportion that the fair market value of the successor entity’s interest in the taxpayer, immediately before the distribution of the taxpayer’s assets on the winding-up, is of the fair market value of all interests in the taxpayer at that time; and

(d) if the fact described in subparagraph 2 of subparagraph iii of subparagraph c of the first paragraph occurred, the new corporation is deemed to be the same corporation as, and a continuation of, the taxpayer.”

(2) Subsection 1 applies to a transaction or event that occurs after 15 September 2016. In addition, it has effect from 20 August 2011 in respect of a taxpayer that made a valid election under subsection 5 of section 27 of the Budget Implementation Act, 2017, No. 2 (Statutes of Canada, 2017, chapter 33).

(3) Chapter V.2 of Title II of Book I of Part I of the Taxation Act applies in relation to an election referred to in subsection 2. However, for the application of section 21.4.7 of the Taxation Act to such an election, a taxpayer is deemed to have complied with a requirement of section 21.4.6 of the Act if the taxpayer complies with it on or before 23 March 2021.

83. (1) Section 577.6 of the Act is amended by replacing the portion before paragraph *a* by the following:

“577.6. For the purposes of this section and sections 262.0.1, 262.0.2, 576.2, 577.5 and 577.7 to 577.11, if at any time a person or partnership (in this section referred to as the “intermediate lender”) makes a loan to another person or partnership (in this section referred to as the “intended borrower”) because the intermediate lender received a loan from another person or partnership (in this section referred to as the “initial lender”), the following rules apply:”.

(2) Subsection 1 applies in respect of a loan received or indebtedness incurred after 19 August 2011. In addition, it applies in respect of any portion of a particular loan received or particular indebtedness incurred before 20 August 2011 that remains outstanding on 19 August 2014, as if that portion were a separate loan or separate indebtedness that was received or incurred, as the case may be, on 20 August 2014 in the same manner and on the same terms as the particular loan or particular indebtedness.

84. Section 591.2 of the Act is amended by replacing “a direct or indirect right or interest in” in subparagraphs *a* and *b* of the first paragraph by “a direct or indirect right in”.

85. Section 591.3 of the Act is amended by replacing “a direct or indirect right or interest in” in subparagraphs *a* and *b* of the first paragraph by “a direct or indirect right in”.

86. (1) Section 595 of the Act is amended by replacing subparagraph 1 of subparagraph ii of paragraph *b* by the following subparagraph:

“(1) the trust’s income for the particular taxation year (other than income—not including dividends or interest—from sources in Canada) is deemed to be from sources in that country and not to be from any other source, and”.

(2) Subsection 1 applies to a taxation year that ends after 15 September 2016.

87. Section 597.1 of the Act is amended

(1) by replacing “or an interest in” in paragraph *a* by “or a right in”;

(2) by replacing “has an interest in” in paragraph *b* by “has a right in”.

88. Section 597.3 of the Act is amended, in the first paragraph,

(1) by replacing “has an interest in” in the portion before subparagraph *a* by “has a right in”;

(2) by replacing “the interest in” in the portion of subparagraph *d* before subparagraph i by “the right in”.

89. Section 597.4 of the Act is replaced by the following section:

“597.4. Where in a taxation year a taxpayer holds or has a right in an offshore investment fund property and it may reasonably be concluded, taking all the circumstances into account, that one of the main reasons for the taxpayer acquiring, holding or having the right in such property was to derive a benefit from portfolio investments in assets listed in paragraphs *a* to *h* of section 597.2 in such a manner that the taxes on the income, profits and gains from such assets for a particular year are significantly less than the tax that would have been payable under this Part if the income, profits and gains had been earned directly by the taxpayer, the amount determined under section 597.6 for that year in respect of that property is to be included in computing the taxpayer’s income for the year.”

90. (1) Section 614 of the Act is amended by replacing the portion of the second paragraph before subparagraph *a* by the following:

“Despite any other provision of this Part, other than section 93.3.1 and the third paragraph, where a taxpayer disposes of any property (other than an eligible derivative, within the meaning of section 85.8, of the taxpayer if subparagraph *b* of the first paragraph of section 85.7 applies to the taxpayer) that is a capital property, Canadian resource property, foreign resource property or inventory to a partnership that, immediately after the disposition, is a Canadian partnership of which the taxpayer is a member, and the taxpayer and all the other members of the partnership make a valid election for the purposes of subsection 2 of section 97 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) in respect of the disposition or, where that election cannot be made because of subsection 21.2 of section 13 of that Act, make an election, in the prescribed form referred to in the first paragraph of section 520.1, the following rules apply:”.

(2) Subsection 1 applies to a taxation year that begins after 21 March 2017.

91. (1) The Act is amended by inserting the following section after section 619:

“619.1. For the purposes of sections 622, 623, 628 and 629, a leasehold interest in a depreciable property and an option to acquire a depreciable property are deemed to be depreciable properties.”

(2) Subsection 1 applies in respect of a partnership that ceases to exist after 15 September 2016.

92. Section 620 of the Act is amended

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

“However, the rules referred to in the first paragraph apply only if each of those persons has in each such property, immediately after that time, an undivided right equal, when expressed as a percentage, to the person’s undivided right, when so expressed, in each other property of the partnership, if all those persons make a valid election for the purposes of subsection 3 of section 98 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) in respect of the property and if sections 530 to 533 and 626 to 631 do not apply.”;

(2) by replacing “of the undivided interest” in the third paragraph by “of the undivided right”.

93. Section 622 of the Act is replaced by the following section:

“**622.** The cost to each person to whom section 620 applies of an undivided right in each property of the partnership is deemed to be equal to that person’s share of the cost amount to the partnership of the property immediately before its distribution, plus, where the property is a non-depreciable capital property and the amount determined under paragraph *a* of section 621 in respect of that person exceeds the aggregate determined under paragraph *b* of section 621 in respect of that person, the portion of such excess designated by that person.”

94. Section 624 of the Act is replaced by the following section:

“**624.** For the purposes of sections 93 to 104, 130 and 130.1 and of the regulations made under paragraph *a* of section 130, where depreciable property of a prescribed class is distributed and the share of a person contemplated in section 620 in the capital cost of that property to the partnership exceeds the cost, to the person, of the person’s undivided right in that property, as determined under section 622, the following rules apply:

(*a*) the capital cost, to the person, of the person’s undivided right in the property is deemed to be equal to the person’s former share of the capital cost of such property to the partnership; and

(*b*) the excess is deemed to have been allowed to the person as depreciation for the taxation years before the acquisition by the person of the undivided right.”

95. (1) Section 637 of the Act is amended by replacing subparagraph *a* of the first paragraph by the following subparagraph:

“(a) subject to the second paragraph, 1/2 of the portion of the taxpayer’s capital gain for the year from the disposition that can reasonably be attributed to the increase in the value of a property of the particular partnership that is

capital property (other than depreciable property) held directly or indirectly by the particular partnership through one or more other partnerships; and”.

(2) Subsection 1 applies in respect of a disposition that occurs after 13 August 2012.

96. Section 649 of the Act is amended

(1) by replacing “an interest”, “or interest” and “interests” by “a right”, “or a right” and “rights”, respectively, wherever they appear in the following provisions:

- subparagraphs 1 and 2 of subparagraph ii of paragraph *b*;
- subparagraph 6 of subparagraph iii of paragraph *b*;
- subparagraphs i and iii of paragraph *d*;

(2) by replacing subparagraph 7 of subparagraph iii of paragraph *b* by the following subparagraph:

“(7) rights in or to any rental or royalty computed by reference to the volume or value of production from a natural accumulation of petroleum or natural gas in Canada, from an oil or gas well in Canada or from a mineral resource in Canada.”.

97. (1) Section 668.1 of the Act is amended by replacing the portion of paragraph *b* before subparagraph i by the following:

“(b) the beneficiary is deemed, for the purposes of sections 28, 462.8 to 462.10 and 727 to 737, as they apply for the purposes of Title VI.5 of Book IV, and Divisions III and IV of Chapter II.1 of Title I of Book V, to have disposed of a capital property referred to in subparagraph i or ii if a capital gain is determined under either of those subparagraphs in respect of the beneficiary for the beneficiary’s taxation year in which the designation year ends and to have a taxable capital gain for that taxation year”.

(2) Subsection 1 applies from the taxation year 2018.

98. (1) Section 693.5 of the Act is amended

(1) by replacing the portion before the formula in the first paragraph by the following:

“**693.5.** Where the amount of \$400,000 referred to in subparagraph *a* of the first paragraph of section 726.7.1 is to be used for a taxation year subsequent to the taxation year 2014, it must be adjusted annually in such a manner that the amount used for that taxation year is equal to the total of the amount that,

but for the fifth paragraph, would have been used for the preceding taxation year and the product that is obtained by multiplying that amount so used by the factor determined by the formula”;

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

“If an index established in accordance with the third paragraph or the factor determined by the formula in the first paragraph has more than three decimal places, only the first three decimal digits are retained and the third is increased by one unit if the fourth is greater than 4.”

(2) Subsection 1 applies from the taxation year 2015.

99. (1) Section 725 of the Act is amended by replacing subparagraph ii of paragraph *d.1* by the following subparagraph:

“ii. the employment income that would have been earned by the individual while serving on the mission referred to in subparagraph i if the individual had been paid at the maximum rate of pay that applied, during the mission, to a Lieutenant-Colonel (General Service Officers) of the Canadian Forces; or”.

(2) Subsection 1 applies from the taxation year 2017.

100. (1) Section 744.6 of the Act is amended, in the third paragraph,

(1) by replacing the portion of subparagraph *b* before subparagraph i by the following:

“(b) B is, where the taxpayer is deemed to have received a dividend under section 508, to the extent that that section refers to section 506, in respect of the share, the aggregate determined under subparagraph ii, or, in any other case, the lesser of”;

(2) by replacing subparagraph iii of subparagraph *c* by the following subparagraph:

“iii. where the taxpayer is a partnership, a loss of a member of the partnership on a deemed disposition of the share before the particular time was reduced because of section 741.2 or 743; and”.

(2) Subsection 1 applies in respect of a disposition that occurs after 26 February 2018.

101. (1) The Act is amended by inserting the following section after section 745.2:

“**745.2.1.** For the purposes of paragraph *b* of section 744.6.1, section 745.1 does not apply in respect of a particular dividend received on a share on which a taxpayer is deemed to have received a dividend under section 508, to the

extent that section 508 refers to section 506, where the particular dividend is received during a synthetic disposition period of a synthetic disposition arrangement in respect of that share.”

(2) Subsection 1 applies in respect of a disposition that occurs after 26 February 2018.

102. (1) Section 752.0.7.4 of the Act is amended by adding the following subparagraph at the end of the second paragraph:

“(c) the aggregate of all amounts received in the year by the individual on account of an income replacement benefit payable under Part 2 of the Veterans Well-being Act, if the amount is determined under subsection 1 of section 19.1, paragraph *b* of subsection 1 of section 23 or subsection 1 of section 26.1 of that Act (as modified, where applicable, under Part 5 of that Act) or, as the case may be, the aggregate of all amounts received as such in the year by that eligible spouse.”

(2) Subsection 1 has effect from 1 April 2019.

103. Section 752.0.7.5 of the Act is amended by replacing paragraph *a* by the following paragraph:

“(a) the amount deductible by the particular individual for the year under section 752.0.7.4, determined without reference to this section, shall be reduced by such portion of the amount as the particular individual and the eligible spouse agree to attribute to the eligible spouse for the year in the prescribed form filed with the Minister by the particular individual with the particular individual’s fiscal return under this Part for the year;”.

104. (1) Section 752.0.10.0.8 of the Act is amended, in the first paragraph,

(1) by replacing paragraphs *a* and *b* of the definition of “dwelling” by the following paragraphs:

“(a) a housing unit; or

“(b) a share of the capital stock of a housing cooperative, the holder of which is entitled to possession of a housing unit;”;

(2) by replacing the portion of the definition of “eligible dwelling” before paragraph *a* by the following:

““eligible dwelling” in relation to an individual means a dwelling situated in Québec that is acquired at a particular time after 31 December 2017”.

(2) Subsection 1 applies from the taxation year 2018.

105. Section 752.0.10.10.2 of the Act is amended by striking out “or interest” in the portion of subparagraph *i* of paragraph *b* before subparagraph 1.

106. Section 752.0.18.3 of the Act is amended by striking out paragraph *i*.

107. Sections 752.0.18.4 and 752.0.18.5 of the Act are amended by striking out all occurrences of “and *i*”.

108. Section 752.0.18.6 of the Act is amended by replacing “paragraphs *a*, *b*, *d* to *g* and *i*” in the first paragraph by “any of paragraphs *a*, *b* and *d* to *g*”.

109. (1) Section 766.3.3 of the Act is amended

(1) by inserting the following definitions in alphabetical order:

““arm’s length capital”, of a specified individual, means property of the individual if the property, or property for which it is a substitute, was not

(a) acquired as income from, or a taxable capital gain or profit from the disposition of, another property that was derived directly or indirectly from a related business in respect of the specified individual;

(b) borrowed by the specified individual under a loan or other indebtedness; or

(c) transferred, directly or indirectly by any means whatever, to the specified individual from a person who was related to the specified individual (other than as a consequence of the death of the person);

““excluded business”, of a specified individual for a taxation year, means a business if the specified individual is actively engaged on a regular, continuous and substantial basis in the activities of the business in either

(a) the taxation year, except in respect of an amount described in paragraph *e* of the definition of “split income”; or

(b) any five prior taxation years of the specified individual;

““excluded shares”, of a specified individual at a particular time, means shares of the capital stock of a corporation owned by the specified individual if the following conditions are met:

(a) less than 90% of the business income of the corporation for the last taxation year of the corporation that ends at or before the particular time (or, if the corporation has no such taxation year, for the taxation year of the corporation that includes the particular time) was from the provision of services;

(b) the corporation is not a professional corporation;

(c) immediately before the particular time, the specified individual owns shares of the capital stock of the corporation that

i. give the holders thereof 10% or more of the votes that could be cast at the annual meeting of the shareholders of the corporation, and

ii. have a fair market value of 10% or more of the fair market value of all of the issued and outstanding shares of the capital stock of the corporation; and

(d) all or substantially all of the income of the corporation for the relevant taxation year in paragraph *a* is income that is not derived, directly or indirectly, from one or more related businesses in respect of the specified individual other than a business of the corporation;

““related business”, in respect of a specified individual for a taxation year, means

(a) a business carried on by

i. a source individual in respect of the specified individual at any time in the year, or

ii. a corporation, partnership or trust if a source individual in respect of the specified individual at any time in the year is actively engaged on a regular basis in the activities of the corporation, partnership or trust, as the case may be, related to earning income from the business;

(b) a business of a particular partnership, if a source individual in respect of the specified individual at any time in the year has an interest—including directly or indirectly—in the particular partnership; or

(c) a business of a corporation, if the following conditions are met at any time in the year:

i. a source individual in respect of the specified individual owns

(1) shares of the capital stock of the corporation, or

(2) property that derives, directly or indirectly, all or part of its fair market value from shares of the capital stock of the corporation, and

ii. the amount that is 10% of the total fair market value of all of the issued and outstanding shares of the capital stock of the corporation is equal to or less than the aggregate of

(1) the total fair market value of shares described in subparagraph 1 of subparagraph i, and

(2) the portion of the total fair market value of property described in subparagraph 2 of subparagraph i that is derived from shares of the capital stock of the corporation;”;

(2) by replacing the definition of “excluded amount” by the following definition:

““excluded amount”, in respect of an individual for a taxation year, means an amount that is the individual’s income for the year from, or the individual’s taxable capital gain or profit for the year from the disposition of, a property to the extent that the amount

(a) where the individual has not attained the age of 24 years before the year, is from a property that was acquired by, or for the benefit of, the individual as a consequence of the death of a person who is

i. the individual’s father or mother, or

ii. any other person, if the individual is enrolled as a full-time student during the year at a prescribed educational institution for the purposes of paragraph *d* of the definition of “trust” in section 890.15, or an individual in respect of whom subparagraphs *a* to *c* of the first paragraph of section 752.0.14 apply for the year;

(b) is from a property acquired by the individual under a transfer described in section 1034.0.1;

(c) is a taxable capital gain that arises because of section 436;

(d) is a taxable capital gain for the year from the disposition by the individual of property that is, at the time of the disposition, qualified farm or fishing property, within the meaning of section 726.6, or qualified small business corporation shares, within the meaning of section 726.6.1, unless the amount would be deemed to be a dividend under section 766.3.5 or 766.3.6 if this definition were read without reference to this paragraph;

(e) where the individual has attained the age of 17 years before the year, is

i. not derived directly or indirectly from a related business in respect of the individual for the year, or

ii. derived directly or indirectly from an excluded business of the individual for the year;

(f) where the individual has attained the age of 17 years but not the age of 24 years before the year, is

i. a safe harbour capital return of the individual, or

ii. a reasonable return in respect of the individual, having regard only to the contributions of arm's length capital by the individual; or

(g) where the individual has attained the age of 24 years before the year, is

i. income from, or a taxable capital gain from the disposition of, excluded shares of the individual, or

ii. a reasonable return in respect of the individual;”;

(3) by inserting the following definition in alphabetical order:

““source individual”, in respect of a specified individual for a taxation year, means an individual (other than a trust) who, at any time in the year, is resident in Canada and is related to the specified individual;”;

(4) by replacing the definition of “specified individual” by the following definition:

““specified individual”, for a taxation year, means an individual (other than a trust) who meets the following conditions:

(a) the individual is resident in Canada at the end of the year or, if the individual dies in the year, is resident in Canada immediately before the death; and

(b) if the individual has not attained the age of 17 years before the year, the individual's father or mother is resident in Canada in the year;”;

(5) by inserting the following definitions in alphabetical order:

““reasonable return”, in respect of a specified individual for a taxation year, means a particular amount derived directly or indirectly from a related business in respect of the specified individual that

(a) would be an amount described in the definition of “split income” in respect of the specified individual for the year if the definition of “excluded amount” were read without reference to subparagraph ii of paragraphs *f* and *g*; and

(b) is reasonable having regard to the following factors relating to the relative contributions of the specified individual, and each source individual in respect of the specified individual, in respect of the related business:

i. the work they performed in support of the related business,

ii. the property they contributed, directly or indirectly, in support of the related business,

iii. the risks they assumed in respect of the related business,

iv. the total of all amounts that were paid or that became payable, directly or indirectly, by any person or partnership to, or for the benefit of, them in respect of the related business, and

v. such other factors as may be relevant;

““safe harbour capital return”, of a specified individual for a taxation year, means an amount that does not exceed the product obtained by multiplying the amount that is the highest of the rates that are determined in accordance with paragraph *c* of section 4301 of the Income Tax Regulations made under the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) in effect for a quarter in the year by the aggregate of all amounts each of which is determined by the formula

$A \times B/C$ ”;

(6) by replacing paragraph *b* of the definition of “split income” by the following paragraph:

“(b) a portion of an amount included because of the application of paragraph *f* of section 600 in computing the individual’s income for the year, to the extent that the portion is not included in an amount described in paragraph *a* and can reasonably be considered to be income derived directly or indirectly from

i. one or more related businesses in respect of the individual for the year, or

ii. the rental of property by a partnership or trust, if a person who is related to the individual at any time in the year is actively engaged on a regular basis in the activities of the partnership or trust related to the rental of property or, in the case of a partnership, has an interest in the partnership directly or indirectly through one or more other partnerships;”;

(7) by replacing subparagraphs iii and iv of paragraph *c* of the definition of “split income” by the following subparagraphs:

“iii. to be income derived directly or indirectly from one or more related businesses in respect of the individual for the year, or

“iv. to be income derived from the rental of property by a partnership or trust, if a person who is related to the individual at any time in the year is actively engaged on a regular basis in the activities of the partnership or trust related to the rental of property;”;

(8) by adding the following paragraphs after paragraph *c* of the definition of “split income”:

“(d) an amount included in computing the individual’s income for the year to the extent that the amount is in respect of a debt obligation that

i. is of a corporation (other than a mutual fund corporation or a corporation a class of shares of the capital stock of which is listed on a designated stock exchange), partnership or trust (other than a mutual fund trust), and

ii. is not described in paragraph *a* of the definition of “fully exempt interest” in subsection 3 of section 212 of the Income Tax Act, listed or traded on a public market, or a deposit, standing to the credit of the individual,

(1) within the meaning assigned by the Canada Deposit Insurance Corporation Act (Revised Statutes of Canada, 1985, chapter 3), or

(2) with a credit union or a branch in Canada of a bank; or

“(e) an amount in respect of a property, to the extent that

i. the amount

(1) is a taxable capital gain, or a profit, of the individual for the year from the disposition after 31 December 2017 of the property, or

(2) is included under section 662 or 663 in computing the individual’s income for the year and can reasonably be considered to be attributable to a taxable capital gain, or a profit, of any person or partnership for the year from the disposition after 31 December 2017 of the property, and

ii. the property is

(1) a share of the capital stock of a corporation (other than a share of a class listed on a designated stock exchange or a share of the capital stock of a mutual fund corporation), or

(2) a property in respect of which the following conditions are met:

(a) the property is an interest in a partnership, an interest as a beneficiary under a trust (other than a mutual fund trust or a trust described in section 851.25, or a debt obligation (other than a debt obligation described in subparagraph ii of paragraph *d*), and

(b) either an amount is included, in respect of the property, in the individual’s split income for the year or an earlier taxation year, or all or any part of the fair market value of the property, immediately before the disposition referred to in subparagraph 1 or 2 of subparagraph i, is derived, directly or indirectly, from a share described in subparagraph 1.”;

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

“In the formula in the definition of “safe harbour capital return” in the first paragraph,

(a) A is the fair market value of property contributed by the specified individual in support of a related business at the time it was contributed;

(b) B is the number of days in the year that the property (or property substituted for it) is used in support of the related business and has not directly or indirectly, in any manner whatever, been returned to the specified individual; and

(c) C is the number of days in the year.”

(2) Subsection 1 applies from the taxation year 2018. However, where section 766.3.3 of the Act applies to the taxation year 2018, the portion of paragraph *c* of the definition of “excluded shares” in the first paragraph before subparagraph *i* is to be read as follows:

“(c) immediately before the particular time or at the end of the taxation year 2018, the shares”.

110. (1) The Act is amended by inserting the following section after section 766.3.3:

“766.3.3.1. For the purpose of applying this division in respect of a specified individual for a taxation year, the following rules apply:

(a) an individual is deemed to be actively engaged on a regular, continuous and substantial basis in the activities of a business in a taxation year if the individual works for the business at least 20 hours per week during the portion of the year in which the business operates;

(b) where an amount would, but for this paragraph, be split income of a specified individual who has attained the age of 17 years before the taxation year in respect of a property, and that property was acquired by, or for the benefit of, the specified individual as a consequence of the death of another person, the following rules apply:

i. for the purpose of applying paragraph *b* of the definition of “reasonable return” in the first paragraph of section 766.3.3 and to the extent that the particular amount referred to in that paragraph is in respect of the property, the factors referred to in that paragraph in respect of the other person are to be included for the purpose of determining a reasonable return in respect of the individual,

ii. for the purposes of this subparagraph and the definition of “excluded business” in the first paragraph of section 766.3.3, where the other person was actively engaged on a regular, continuous and substantial basis in the activities of a business throughout five previous taxation years, the individual is deemed to have been actively engaged on a regular, continuous and substantial basis in the activities of the business throughout those five years, and

iii. for the purpose of applying paragraph g of the definition of “excluded amount” in the first paragraph of section 766.3.3 in respect of that property, the individual is deemed to have attained the age of 24 years before the year if the other person had attained the age of 24 years before the year;

(c) an amount that is a specified individual’s income for a taxation year from, or the specified individual’s taxable capital gain or profit for the year from the disposition of, a property is deemed to be an excluded amount in respect of the specified individual for the year if

i. the following conditions are met:

(1) the amount would be an excluded amount in respect of the individual’s spouse for the year, if the amount were included in computing the spouse’s income for the year, and

(2) the individual’s spouse has attained the age of 64 years before the year, or

ii. the amount would have been an excluded amount in respect of an individual who was, immediately before the individual’s death, the specified individual’s spouse, if the amount were included in computing the spouse’s income for the spouse’s last taxation year (determined as if this division applies in respect of that year);

(d) an amount derived directly or indirectly from a business includes

i. an amount that is derived from the provision of property or services to, or in support of, the business, or arises in connection with the ownership or disposition of an interest in the person or partnership carrying on the business, and

ii. an amount derived from an amount described in this paragraph; and

(e) an individual is deemed not to be related to the individual’s spouse at any time in a year if, at the end of the year, the individual is living separate and apart from the individual’s spouse because of a breakdown of their marriage.”

(2) Subsection 1 applies from the taxation year 2018.

III. (1) Section 766.3.5 of the Act is replaced by the following section:

“766.3.5. If a specified individual who has not attained the age of 17 years before a taxation year would have for the year, but for this division, a taxable capital gain (other than an excluded amount) from a disposition of shares (other than shares listed on a designated stock exchange or shares of a mutual fund corporation) that are transferred, either directly or indirectly, in any manner whatever, to a person with whom the specified individual does not deal at arm’s

length, the amount of the taxable capital gain is deemed not to be a taxable capital gain and twice the amount is deemed to be received by the specified individual in the year as a taxable dividend that is not an eligible dividend.”

(2) Subsection 1 applies from the taxation year 2018.

112. (1) Section 766.3.6 of the Act is replaced by the following section:

“766.3.6. If a specified individual who has not attained the age of 17 years before a taxation year would be, but for this division, required under section 662 or 663 to include an amount in computing the specified individual’s income for the year, to the extent that the amount can reasonably be considered to be attributable to a taxable capital gain (other than an excluded amount) of a trust from a disposition of shares (other than shares listed on a designated stock exchange or shares of a mutual fund corporation) that are transferred, either directly or indirectly, in any manner whatever, to a person with whom the specified individual does not deal at arm’s length, sections 662 and 663 do not apply in respect of the amount and twice the amount is deemed to be received by the specified individual in the year as a taxable dividend that is not an eligible dividend.”

(2) Subsection 1 applies from the taxation year 2018.

113. (1) Section 766.3.7 of the Act is amended by replacing subparagraph *c* of the second paragraph by the following subparagraph:

“(c) *C* is the amount by which the amount added in computing the individual’s tax otherwise payable for the year under section 766.3.4 exceeds the aggregate of

i. the aggregate of all amounts each of which is an amount that is deductible under section 767 or sections 772.2 to 772.13 in computing the individual’s tax payable for the year and can reasonably be considered to be in respect of an amount included in computing the individual’s split income, within the meaning of section 766.3.3, for the year, and

ii. the amount deducted under section 752.0.14 in computing the individual’s tax payable for the year.”

(2) Subsection 1 applies from the taxation year 2018.

114. (1) Section 768 of the Act is amended

(1) by replacing the formula in subparagraph *b* of the first paragraph by the following formula:

“ $A - (B - C)$ ”;

(2) by adding the following subparagraph at the end of the second paragraph:

“(c) C is the aggregate of all amounts each of which is an amount determined under subparagraph 4 of subparagraph ii of subparagraph *a* in determining the value of A in the formula in subparagraph *b* of the first paragraph for the year.”

(2) Subsection 1 applies to a taxation year that ends after 15 September 2016.

115. (1) Section 771.1 of the Act is amended by inserting the following definition in alphabetical order in the first paragraph:

““adjusted aggregate investment income” of a corporation for a taxation year means the amount determined in respect of the corporation for the year under the definition of “adjusted aggregate investment income” in subsection 7 of section 125 of the Income Tax Act;”.

(2) Subsection 1 applies to a taxation year that begins after 31 December 2018.

(3) Subsection 1 also applies to a taxation year that begins before 1 January 2019 and ends after 31 December 2018 where

(1) the corporation’s preceding taxation year was, because of a transaction or event or a series of transactions or events, shorter than it would have been in the absence of that transaction, event or series of transactions or events; and

(2) one of the reasons for the transaction, event or series of transactions or events was to defer the application of subsection 1 to the corporation.

116. (1) Section 771.2.1.8 of the Act is amended

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

“Despite the first paragraph of section 771.2.1.3 and sections 771.2.1.4, 771.2.1.5, 771.2.1.6 and 771.2.1.7, a Canadian-controlled private corporation’s business limit for a taxation year ending in a calendar year is equal to the amount by which its business limit for the taxation year, determined without reference to this section, exceeds the greater of

(a) the amount determined by the formula

$A \times [(B - \$10,000,000)/\$5,000,000]$; and

(b) the amount determined by the formula

$A/\$500,000 \times 5 (C - \$50,000)$.”;

(2) by replacing the portion of the second paragraph before subparagraph *a* by the following:

“In the formulas in the first paragraph,”;

(3) by adding the following subparagraph at the end of the second paragraph:

“(c) C is the total of all amounts each of which is the adjusted aggregate investment income of the corporation, or of a corporation with which it is associated at any time in the taxation year, for each taxation year of the corporation, or associated corporation, as the case may be, that ends in the preceding calendar year.”;

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

“For the purposes of subparagraph *c* of the second paragraph, a particular corporation and another corporation are deemed to be associated with each other at a particular time if

(a) the particular corporation transfers or lends a property at any time, either directly or indirectly, by means of a trust or otherwise, to the other corporation;

(b) the other corporation is, at the particular time, related to the particular corporation but is not associated with it; and

(c) it may reasonably be considered that one of the reasons the transfer or loan was made was to reduce the amount determined under subparagraph *c* of the second paragraph in respect of the particular corporation, or of any corporation with which it is associated, for a taxation year.”

(2) Subsection 1 applies to a taxation year that begins after 31 December 2018.

(3) Subsection 1 also applies to a taxation year that begins before 1 January 2019 and ends after 31 December 2018 where

(1) the corporation’s preceding taxation year was, because of a transaction or event or a series of transactions or events, shorter than it would have been in the absence of that transaction, event or series of transactions or events; and

(2) one of the reasons for the transaction, event or series of transactions or events was to defer the application of subsection 1 to the corporation.

117. (1) Section 772.5.4 of the Act is amended by replacing paragraph *a* by the following paragraph:

“(a) sections 83.0.4, 83.0.5, 281 to 283 and 428 to 451, Chapter I of Title I.1 of Book VI, Title I.2 of Book VI, sections 832.1, 851.22.0.4 and 851.22.15, paragraph *b* of section 851.22.23 and sections 851.22.23.1, 851.22.23.2 and 999.1 do not apply to deem a disposition or acquisition of property to have been made;”.

(2) Subsection 1 applies to a taxation year that begins after 31 December 2017.

118. (1) Section 785.4 of the Act is amended

(1) by replacing the definition of “qualifying exchange” in the first paragraph by the following definition:

““qualifying exchange” means a transfer at any time (in this Title referred to as the “transfer time”) if

(a) the transfer is a transfer of all or substantially all of the property (including an exchange of a unit of a mutual fund trust for another unit of that trust) of

i. a mutual fund corporation (other than a SIFT wind-up corporation) to one or more mutual fund trusts, or

ii. a particular mutual fund trust to another mutual fund trust;

(b) all or substantially all of the shares issued by the mutual fund corporation referred to in subparagraph i of paragraph *a* or the particular mutual fund trust referred to in subparagraph ii of paragraph *a* (in this Title referred to as the “transferor” or the “funds”) and outstanding immediately before the transfer time are within 60 days after the transfer time disposed of to the transferor;

(c) no person disposing of shares of the transferor to the transferor within that 60-day period (otherwise than pursuant to the exercise of a statutory right of dissent) receives any consideration for the shares other than units of one or more mutual fund trusts referred to in subparagraph i of paragraph *a* or the other mutual fund trust referred to in subparagraph ii of paragraph *a* (in this Title referred to as the “transferee” or the “funds”);

(d) if property of the transferor has been transferred to more than one transferee,

i. all shares of each class of shares, that is recognized under securities legislation as or as part of an investment fund, of the transferor are disposed of to the transferor within 60 days after the transfer time, and

ii. the units received in consideration for a share of a class of shares, that is recognized under securities legislation as or as part of an investment fund, of the transferor are units of the transferee to which all or substantially all of the assets that were allocated to that investment fund immediately before the transfer time were transferred; and

(e) the funds make a valid election under paragraph *e* of the definition of “qualifying exchange” in subsection 1 of section 132.2 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) in respect of the transfer;”;

(2) by replacing “paragraph *c*” in the second paragraph by “paragraph *e*”.

(2) Subsection 1 applies in respect of a transfer that occurs after 21 March 2017.

119. (1) Section 785.5 of the Act is amended

(1) by replacing the portion of paragraph *a* before subparagraph i by the following:

“(a) each property of a fund (other than property disposed of by the transferor to a transferee at the transfer time and depreciable property) is deemed to have been disposed of, and to have been reacquired by the fund, at the first intervening time, for an amount equal to the lesser of”;

(2) by inserting the following paragraph after paragraph *a*:

“(a.1) in respect of each property transferred by the transferor to a transferee, including an exchange of a unit of a transferee for another unit of that transferee, the transferor is deemed to have disposed of the property to the transferee, and to have received units of the transferee as consideration for the disposition of the property, at the transfer time;”;

(3) by replacing the portion of paragraph *e* before subparagraph i by the following:

“(e) the transferor’s cost of particular property received by the transferor from a transferee as consideration for the disposition of property is deemed to be”;

(4) by replacing paragraph *f* by the following paragraph:

“(f) the transferor’s proceeds of disposition of any units of a transferee that were disposed of by the transferor at a particular time that is within 60 days after the transfer time in exchange for shares of the transferor are deemed to be equal to the cost amount of the units to the transferor immediately before the particular time;”;

(5) by replacing the portion of paragraph *g* before subparagraph i by the following:

“(g) where, at a particular time that is within 60 days after the transfer time, a taxpayer disposes of shares of the transferor to the transferor in exchange for units of a transferee;”;

(6) by replacing the portion of subparagraph iv of paragraph *g* before subparagraph 1 by the following:

“iv. where the taxpayer is at the particular time affiliated with the transferor or the transferee, those units are deemed not to be identical to the other units of the transferee, and”;

(7) by replacing paragraphs *h* and *i* by the following paragraphs:

“(h) where a share to which paragraph *g* applies would, but for this paragraph, cease to be a qualified investment (within the meaning assigned by subsection 1 of any of sections 146, 146.1, 146.3, 146.4 and 207.01 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) or by section 204 of that Act) because of the qualifying exchange, the share is deemed to be a qualified investment until the earlier of the day that is 60 days after the day that includes the transfer time and the time at which it is disposed of in accordance with paragraph *g*;

“(i) no amount in respect of a non-capital loss, net capital loss, restricted farm loss, farm loss or limited partnership loss of a fund for a taxation year that begins before the transfer time is deductible in computing the taxable income of the funds for a taxation year that begins after the transfer time;”;

(8) by striking out subparagraph ii of paragraph *k*;

(9) by adding the following subparagraph at the end of paragraph *k*:

“iii. for the purposes of section 1116, a dividend that becomes payable at a particular time after the acquisition time but within the 60-day period commencing immediately after the transfer time, and is paid before the end of that period, by the transferor to taxpayers that held shares of a class of shares of the capital stock of the transferor, that was recognized under securities legislation as or as part of an investment fund, immediately before the transfer time is deemed to have become payable at the first intervening time if the transferor made a valid election under subparagraph iii of paragraph *l* of subsection 3 of section 132.2 of the Income Tax Act in respect of the full amount of the dividend; and”;

(10) by replacing paragraph *l* by the following paragraph:

“(l) subject to subparagraph i of paragraph *k*, the transferor is, despite sections 1117, 1117.0.1 and 1120, deemed to be neither a mutual fund corporation nor a mutual fund trust for a taxation year that begins after the transfer time.”

(2) Paragraphs 1 to 6 of subsection 1, paragraph 7 of subsection 1, except where it replaces paragraph *h* of section 785.5 of the Act, and paragraphs 9 and 10 of subsection 1 apply in respect of a transfer that occurs after 21 March 2017.

(3) Paragraph 7 of subsection 1, where it replaces paragraph *h* of section 785.5 of the Act, has effect from 23 March 2017.

120. (1) Section 785.5.1 of the Act is amended by adding the following paragraph at the end:

“(c) where the property is a unit of the transferee and the unit ceases to exist at the time when the transferee acquires it, such time being that when the transferee would but for that cessation have acquired it, paragraphs *a* and *b* do not apply in respect of the transferee.”

(2) Subsection 1 applies in respect of a transfer that occurs after 21 March 2017.

121. (1) Section 785.6 of the Act is amended by replacing subparagraph 2 of subparagraph ii of subparagraph *b* of the first paragraph by the following subparagraph:

“(2) the amount that the transferor and the transferee agree on jointly in respect of the property in the prescribed form relating to the qualifying exchange filed pursuant to the second paragraph of section 785.4, and”.

(2) Subsection 1 applies in respect of a transfer that occurs after 21 March 2017.

122. (1) Section 832.6 of the Act is amended by replacing paragraph *b* by the following paragraph:

“(b) for the purposes of paragraphs *d*, *d.1* and *e* of section 87, sections 818 and 825 and paragraph *a* of section 844, the insurer is deemed to have carried on the insurance business in Canada in the preceding taxation year referred to in paragraph *a* and to have deducted, in computing its income for that year, the maximum amounts to which it would have been entitled under sections 140, 140.1 and 140.2, the second paragraph of section 152 and paragraphs *a* and *a.1* of section 840;”.

(2) Subsection 1 applies to a taxation year that begins after 21 March 2017.

123. (1) Section 835 of the Act is amended by adding the following subparagraphs at the end of the first paragraph:

“(r) “insurance”, of a risk, includes the reinsurance of the risk;

“(s) “designated foreign insurance business”, of a life insurer resident in Canada in a taxation year, means an insurance business that is carried on by the life insurer in a country other than Canada in the year unless more than 90% of the gross revenue from the business for the year from the insurance of risks (except risks ceded to a reinsurer) is in respect of the insurance of risks (other than specified Canadian risks) of persons with whom the life insurer deals at arm’s length;

“(t) “specified Canadian risk” has the meaning assigned by paragraph *a.23* of subsection 2 of section 95 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement).”

(2) Subsection 1 applies to a taxation year that begins after 21 March 2017.

124. (1) The Act is amended by inserting the following division after section 838:

“DIVISION I.1

“DESIGNATED FOREIGN INSURANCE BUSINESS

“838.1. The following rules apply in respect of a life insurer resident in Canada that has a designated foreign insurance business in a particular taxation year:

(a) for the purpose of computing the insurer’s income or loss from carrying on an insurance business in Canada for the particular taxation year, the insurer’s insurance business carried on in Canada is deemed to include the insurance of the specified Canadian risks that are insured as part of the designated foreign insurance business;

(b) for the purposes of paragraphs *d* to *e* of section 87, sections 818 and 825 and paragraph *a* of section 844, if, in the taxation year immediately preceding the particular taxation year, the designated foreign insurance business was not a designated foreign insurance business, the life insurer is deemed to have carried on the business in Canada in that preceding taxation year and to have deducted, in computing its income for that year, the maximum amounts to which it would have been entitled under sections 140, 140.1 and 140.2, the second paragraph of section 152 and paragraphs *a* and *a.1* of section 840 in respect of the specified Canadian risks referred to in paragraph *a* if the designated foreign insurance business had been a designated foreign insurance business in that preceding taxation year; and

(c) for the purposes of section 157.6.1 and paragraph *a.2* of section 840,

i. the insurer is deemed to have carried on the business in Canada in the taxation year immediately preceding the particular taxation year, and

ii. the amounts that would have been prescribed in respect of the insurer for the purposes of paragraph *e.1* of section 87 and paragraph *a.1* of section 844 for that preceding year in respect of the insurance policies in respect of the specified Canadian risks referred to in paragraph *a* are deemed to have been included in computing its income for that preceding year.

“838.2. For the purposes of Chapter II and this chapter, one or more risks insured by a life insurer resident in Canada, as part of an insurance business it carries on in a country other than Canada, that, but for this section, would not be specified Canadian risks, are deemed to be specified Canadian risks if those risks would be deemed to be specified Canadian risks under paragraph *a.21* of subsection 2 of section 95 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) if the insurer were a foreign affiliate of a taxpayer.

“838.3. The rules set out in the second paragraph apply in respect of one or more arrangements or agreements if

(*a*) one or more risks insured by a particular life insurer resident in Canada are deemed, under section 838.2, to be specified Canadian risks; and

(*b*) those arrangements or agreements are in respect of risks described in subparagraph *a* and have been entered into by any of the following (in the second paragraph referred to as an “agreeing party”):

- i. the particular life insurer,
- ii. another life insurer resident in Canada that does not deal at arm’s length with the particular life insurer, and
- iii. a partnership of which an insurer described in subparagraph i or ii is a member.

The rules to which the first paragraph refers, in respect of one or more arrangements or agreements, are as follows:

(*a*) to the extent that activities performed in connection with those arrangements or agreements can reasonably be considered to be performed for the purpose of obtaining the result described in subparagraph ii of paragraph *a.21* of subsection 2 of section 95 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement), with the necessary modifications, those activities are deemed to be performed in connection with the insurance business that the life insurer referred to in subparagraph i or ii of subparagraph *b* of the first paragraph, as the case may be, carries on in Canada; and

(*b*) if the agreeing party is a life insurer resident in Canada, any income from the activities referred to in subparagraph *a* (including income that pertains to or is incident to those activities) is deemed to be income from carrying on the life insurer’s insurance business in Canada.

“838.4. A life insurer that is resident in Canada for a taxation year must include, in computing its income or loss from carrying on its insurance business in Canada for the year, the amount it is required to include for the year in that computation, for the purposes of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement), under subsection 2.5 of section 138 of that Act, except to the extent that that amount is already included in computing its income or loss from carrying on its insurance business in Canada under any of sections 838.1 to 838.3.

“838.5. For the purposes of Chapter II and this chapter, the following rules apply:

(a) a risk is deemed to be a specified Canadian risk that is insured as part of the carrying on of an insurance business in Canada by a particular life insurer resident in Canada if

i. the particular life insurer insured the risk as part of a transaction or series of transactions,

ii. the risk would not be a specified Canadian risk if this Act were read without reference to this section, and

iii. it can reasonably be concluded that one of the purposes of the transaction or series of transactions was to avoid

(1) having a designated foreign insurance business, or

(2) the application of any of sections 838.1 to 838.4 in respect of the risk; and

(b) if one or more arrangements or agreements in respect of the risk referred to in paragraph *a* have been entered into by any of the persons or partnerships described in subparagraphs i to iii of subparagraph *b* of the first paragraph of section 838.3 (in this paragraph referred to as an “agreeing party”), the following rules apply:

i. any activities performed in connection with those arrangements or agreements are deemed to be performed in connection with the insurance business that the life insurer referred to in subparagraph i or ii of that subparagraph *b*, as the case may be, carries on in Canada, and

ii. if the agreeing party is a life insurer resident in Canada, any income from the activities referred to in subparagraph i (including income that pertains to or is incident to those activities) is deemed to be income from carrying on the life insurer’s insurance business in Canada.”

(2) Subsection 1 applies to a taxation year that begins after 21 March 2017.

125. Section 844.3 of the Act is replaced by the following section:

“844.3. Where, for a period of time in a taxation year, a life insurer owned land described in any of subparagraphs *a*, *c* and *d* of the second paragraph or a right therein or had a right in a building described in subparagraph *b* of that paragraph, the life insurer shall, where the land, building or right was designated insurance property of the insurer for the year, or property used or held by it in the year in the course of carrying on an insurance business in Canada, include in computing its income for the year the aggregate of all amounts each of which is the amount prescribed in respect of the cost or capital cost to it, as the case may be, of the land, building or right for the period, and the amount prescribed must, at the end of the period, be included in computing

(*a*) the cost to the insurer of the land or right therein, where such land or right is property described in subparagraph *a* of the second paragraph; or

(*b*) the capital cost to the insurer of the right in the building described in subparagraph *b* of the second paragraph, where the land, building or right therein is property described in any of subparagraphs *b* to *d* of that paragraph.

The land, right in land or right in a building to which the first paragraph refers is, as the case may be,

(*a*) land, other than land described in subparagraph *c* or *d* or a right therein that was not held primarily for the purpose of gaining or producing income from the land for the period referred to in the first paragraph;

(*b*) a right in a building that was being constructed, renovated or altered;

(*c*) land subjacent to the building described in subparagraph *b* or a right in such land; or

(*d*) land contiguous to the land described in subparagraph *c*, or a right in such contiguous land that was used or was intended to be used for a parking area, driveway, yard, garden or other use necessary for the use or intended use of the building described in subparagraph *b*.”

126. (1) Section 851.3 of the Act is replaced by the following section:

“851.3. For the purposes of paragraph *a* of section 657 and sections 652 and 663, the taxable income of a segregated fund trust for a taxation year is deemed to be an amount that has become payable in the year to the beneficiaries under the trust and the amount payable to each beneficiary is equal to the amount determined in conformity with the terms and conditions of the segregated fund policy relating to the trust.”

(2) Subsection 1 applies to a taxation year that begins after 31 December 2017.

127. (1) The Act is amended by inserting the following section after section 851.3:

“851.3.1. For the purpose of computing the taxable income of a segregated fund trust for a taxation year that begins after 31 December 2017, a non-capital loss of the trust incurred in a taxation year that begins before 1 January 2018 is deemed to be nil.”

(2) Subsection 1 has effect from 14 December 2017.

128. (1) The Act is amended by inserting the following division after section 851.22:

“DIVISION V

“REORGANIZATION OF SEGREGATED FUND TRUSTS

“851.22.0.1. In this division, “qualifying transfer” means a transfer at any time (in this division referred to as the “transfer time”) of all of the property that, immediately before the transfer time, was property of a segregated fund trust (in this division referred to as the “transferor” or the “funds”) to another segregated fund trust (in this division referred to as the “transferee” or the “funds”), if

(a) every person (in this division referred to as a “beneficiary”) that, immediately before the transfer time, had an interest in the transferor has ceased to be a beneficiary of the transferor at the transfer time and has received no consideration for the interest other than an interest in the transferee; and

(b) the trustee of the funds makes a valid election under paragraph *d* of subsection 1 of section 138.2 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) in respect of the transfer.

Chapter V.2 of Title II of Book I applies in relation to an election made under paragraph *d* of subsection 1 of section 138.2 of the Income Tax Act.

“851.22.0.2. The following rules apply in respect of a qualifying transfer:

(a) the last taxation year of the funds that began before the transfer time is deemed to have ended at the transfer time and a new taxation year of the transferee is deemed to have begun immediately after the transfer time;

(b) no amount in respect of a non-capital loss, net capital loss, restricted farm loss, farm loss or limited partnership loss of a fund for a taxation year that began before the transfer time is deductible in computing the taxable income of any of the funds for a taxation year that begins after the transfer time;

(c) each beneficiary's interest in the transferor is deemed to have been disposed of at the transfer time for proceeds of disposition, and each beneficiary's interest in the transferee received in the qualifying transfer is deemed to have been acquired at a cost, equal to the cost amount to the beneficiary of the interest in the transferor immediately before the transfer time;

(d) any amount determined under sections 851.17 and 851.18 in respect of a policyholder's interest in the transferor is deemed

i. to have been charged, transferred or paid in respect of the policyholder's interest in the transferee that is acquired on the qualifying transfer, and

ii. to not have been charged, transferred or paid in respect of the policyholder's interest in the transferor; and

(e) sections 851.20 to 851.22 do not apply in respect of any disposition of an interest in the transferor arising on the qualifying transfer.

“851.22.0.3. Where a transferor transfers a property to a transferee on a qualifying transfer, each property of the transferor held immediately before the transfer time is deemed to have been disposed of by the transferor immediately before the transfer time for proceeds of disposition equal to the lesser of the following amounts and acquired by the transferee at the transfer time at a cost equal to that amount:

(a) the fair market value of the property immediately before the transfer time; and

(b) the greater of

i. the cost amount of the property to the transferor immediately before the transfer time, and

ii. the amount that is designated in respect of the property in the election referred to in subparagraph *b* of the first paragraph of section 851.22.0.1 in respect of the qualifying transfer.

“851.22.0.4. Where a transferor transfers a property to a transferee on a qualifying transfer, each property of the transferee held immediately before the transfer time is deemed to have been disposed of by the transferee immediately before the transfer time for proceeds of disposition equal to the lesser of the following amounts and acquired again by the transferee at the transfer time at a cost equal to that amount:

(a) the fair market value of the property immediately before the transfer time; and

(b) the greater of

i. the cost amount of the property to the transferee immediately before the transfer time, and

ii. the amount that is designated in respect of the property in the election referred to in subparagraph *b* of the first paragraph of section 851.22.0.1 in respect of the qualifying transfer.

“851.22.0.5. Section 851.16 does not apply to capital losses of a fund from the disposition, under sections 851.22.0.3 and 851.22.0.4, of property on a qualifying transfer to the extent that the amount of such capital losses exceeds the amount of capital gains of the fund from the disposition of such property.”

(2) Subsection 1 has effect from 1 January 2018. However, for the application of section 21.4.7 of the Act to an election referred to in subparagraph *b* of the first paragraph of section 851.22.0.1 of the Act and made before 24 September 2020, an elector is deemed to have complied with a requirement of section 21.4.6 of the Act if the elector complies with it on or before 23 March 2021.

129. (1) The Act is amended by inserting the following section after section 851.22.16:

“851.22.16.1. Where a taxpayer is a financial institution in a taxation year and disposes of a share that is mark-to-market property of the taxpayer for the year, the taxpayer’s proceeds of disposition do not include any amount that would otherwise be proceeds of disposition to the extent that the amount is deemed under section 508 to be a dividend received except to the extent that the dividend is deemed under subparagraph *b* of section 568 not to be a dividend.”

(2) Subsection 1 applies in respect of a disposition that occurs after 26 February 2018.

130. (1) Section 890.15 of the Act is amended by striking out “or organization” in paragraph *b* of the definition of “education savings plan”.

(2) Subsection 1 has effect from 23 March 2017.

131. (1) Section 898.1.1 of the Act is amended by striking out paragraphs *a* and *b*.

(2) Subsection 1 applies in respect of

(1) an investment acquired after 22 March 2017; and

(2) an investment acquired before 23 March 2017 that ceases to be a qualified investment after 22 March 2017.

132. (1) The Act is amended by inserting the following sections after section 901:

“**901.1.** Where a trust governed by a registered education savings plan holds, in a taxation year, a property that is not a qualified investment for the trust, the trust shall, despite section 901, pay tax under this Part on the amount that would be its taxable income for the year if the trust had no income or losses from sources other than properties that are not such qualified investments for the trust, and no capital gains or capital losses other than from the disposition of such properties.

“**901.2.** For the purposes of section 901.1, the following rules apply:

(a) a trust’s income includes dividends described in sections 501 to 503;

(b) the first paragraph of section 231 must be construed as if the taxable capital gain or allowable capital loss were the total capital gain or the total capital loss, as the case may be, from the disposition of a property; and

(c) the trust’s income is computed without reference to paragraph *a* of section 657 and section 657.1.”

(2) Subsection 1 applies in respect of

(1) an investment acquired after 22 March 2017; and

(2) an investment acquired before 23 March 2017 that ceases to be a qualified investment after 22 March 2017.

133. (1) Section 904 of the Act is replaced by the following section:

“**904.** An individual shall include in computing the individual’s income for a taxation year any educational assistance payment paid out of a registered education savings plan to or for the individual in the year that exceeds the total of all excluded amounts in relation to a plan and the individual for the year.”

(2) Subsection 1 has effect from 23 March 2017.

134. (1) Section 904.1 of the Act is amended

(1) by replacing subparagraph *a* of the first paragraph by the following subparagraph:

“(a) any accumulated income payment (other than an accumulated income payment made under section 894.1) received in the year by the taxpayer under a registered education savings plan that exceeds the total of all excluded amounts in relation to a plan and the individual for the year; and”;

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

“For the purposes of section 904 and subparagraph *a* of the first paragraph, an excluded amount in relation to a registered education savings plan is an amount in respect of which a subscriber pays a tax under section 207.05 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) in relation to the plan, or another plan for which the plan was substituted by the subscriber, that

(a) has not been waived, cancelled or refunded; and

(b) has not reduced any other amount that would otherwise be included in computing an individual’s income for the year or a preceding year under the first paragraph or section 904.”

(2) Subsection 1 has effect from 23 March 2017.

135. (1) Section 905.0.3 of the Act is amended

(1) by replacing “2019” in subparagraph ii.1 of paragraph *a* of the definition of “disability savings plan” in the first paragraph by “2024”;

(2) by replacing “section 205” in subparagraph *a* of the second paragraph and subparagraph i of subparagraph *b* of that paragraph by “section 146.4”.

(2) Paragraph 1 of subsection 1 has effect from 21 June 2018.

(3) Paragraph 2 of subsection 1 has effect from 23 March 2017.

136. (1) Section 905.0.6 of the Act is amended

(1) by replacing subparagraph i of subparagraph *f* of the first paragraph by the following subparagraph:

“i. the beneficiary is not an individual eligible for the tax credit for severe and prolonged impairment in mental or physical functions for the taxation year that includes that time, unless the contribution is a specified RDSP payment within the meaning of subsection 1 of section 60.02 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) in respect of the beneficiary and, at that time, a valid election is made under subsection 4.1 of section 146.4 of that Act in respect of the beneficiary, or”;

(2) by replacing “section 205” in subparagraph *a* of the second paragraph and subparagraph i of subparagraph *d* of that paragraph by “section 146.4”.

(2) Paragraph 1 of subsection 1 applies from the taxation year 2014.

(3) Paragraph 2 of subsection 1 has effect from 23 March 2017.

137. (1) Section 905.0.12 of the Act is amended by replacing “for the purposes of paragraph *b* of subsection 5” by “by subsection 1”.

(2) Subsection 1 has effect from 23 March 2017.

138. (1) Section 905.0.15 of the Act is amended

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

“ $A \times B/C + D$ ”;

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

“(b) B is the amount by which the aggregate of all amounts each of which is the amount of a contribution made before the particular time to any registered disability savings plan of the beneficiary exceeds the aggregate of all amounts each of which would be the non-taxable portion of a disability assistance payment made before the particular time under any registered disability savings plan of the beneficiary if the formula in the first paragraph were read without reference to D.”;

(3) by adding the following subparagraph at the end of the second paragraph:

“(d) D is an amount in respect of which a holder of the plan pays a tax under section 207.05 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) in relation to the plan, or another plan for which the plan was substituted by the holder, that

i. has not been waived, cancelled or refunded, and

ii. has not otherwise been used in the year or a preceding year in computing the non-taxable portion of a disability assistance payment made under the plan or another plan for which the plan was substituted.”

(2) Subsection 1 has effect from 23 March 2017.

139. (1) Section 905.0.21 of the Act is amended by striking out subparagraph *d* of the first paragraph.

(2) Subsection 1 has effect from 23 March 2017.

140. Section 935.27 of the Act is amended by replacing paragraph *c* by the following paragraph:

“(c) each person who has a right in the separate annuity contract at the particular time is deemed to acquire the right at the particular time at a cost equal to its fair market value at the particular time.”

141. Section 935.28 of the Act is amended by replacing paragraph *b* by the following paragraph:

“(b) each person who has a right in the deposit at the particular time is deemed to acquire the right at the particular time at a cost equal to its fair market value at the particular time.”

142. Section 998 of the Act is amended by replacing subparagraphs 1 to 3 of subparagraph ii of paragraph *c.2* by the following subparagraphs:

“(1) limited its activities to acquiring, holding, maintaining, improving, leasing or managing capital property that is immovable property, or real rights in such property, owned by the corporation, a registered pension plan or another corporation described in this paragraph, other than a corporation without share capital, and investing its funds in a partnership that limits its activities to acquiring, holding, maintaining, improving, leasing or managing capital property that is immovable property, or real rights in such property, owned by the partnership,

“(2) borrowed money solely for the purpose of earning income from immovable property or a real right in such property, and

“(3) made no investments other than investments in immovable property, or a real right in such property, or investments that a pension plan is permitted to make under the Pension Benefits Standards Act, 1985 (Revised Statutes of Canada, 1985, chapter 32, 2nd Supplement) or a similar law of a province,”.

143. (1) Section 1029.6.0.0.1 of the Act is amended by replacing “II.6.5.6, II.6.5.7” in the portion of the second paragraph before subparagraph *a* and in subparagraph *b* of that paragraph by “II.6.5.6 to II.6.5.8”.

(2) Subsection 1 applies from the taxation year 2019.

144. (1) Section 1029.8.33.12 of the Act is amended by adding the following paragraphs at the end of the definition of “qualified expenditure”:

“(e) an indemnity in respect of the fulfilment of family obligations mentioned in section 79.7 of the Act respecting labour standards or the compensation, in lieu of that indemnity, provided for in a contract of employment and paid to an eligible employee of the eligible taxpayer in respect of the taxation year or of the qualified partnership in respect of the fiscal period, as the case may be; and

“(f) an indemnity in respect of health reasons mentioned in section 79.1 of the Act respecting labour standards or the compensation, in lieu of that indemnity, provided for in a contract of employment and paid to an eligible employee of the eligible taxpayer in respect of the taxation year or of the qualified partnership in respect of the fiscal period, as the case may be;”.

(2) Subsection 1 applies in respect of an indemnity paid after 31 December 2018.

145. (1) Section 1029.8.33.13 of the Act is amended by adding the following subparagraphs at the end of the third paragraph:

“(h) the aggregate of the indemnities pertaining to an absence from work to fulfil family obligations referred to in section 79.7 of the Act respecting labour standards and in the second paragraph of section 79.16 of that Act or of the compensations, in lieu of those indemnities, provided for in a contract of employment, as the case may be, received in the taxation year by the eligible employees of the eligible taxpayer in respect of the salary, wages or other remuneration paid, allocated, granted, awarded or attributed by the eligible taxpayer to eligible employees in relation to the tips reported by eligible employees to the eligible taxpayer, to the tips that eligible employees received or benefited from and that constitute service charges added to a customer’s bill and to the amounts attributed by the eligible taxpayer under section 42.11 to eligible employees; and

“(i) the aggregate of the indemnities pertaining to an absence from work for health reasons referred to in section 79.1 of the Act respecting labour standards and in the second paragraph of section 79.16 of that Act or of the compensations, in lieu of those indemnities, provided for in a contract of employment, as the case may be, received in the taxation year by the eligible employees of the eligible taxpayer in respect of the salary, wages or other remuneration paid, allocated, granted, awarded or attributed by the eligible taxpayer to eligible employees in relation to the tips reported by eligible employees to the eligible taxpayer, to the tips that eligible employees received or benefited from and that constitute service charges added to a customer’s bill and to the amounts attributed by the eligible taxpayer under section 42.11 to eligible employees.”

(2) Subsection 1 applies in respect of an indemnity paid after 31 December 2018.

146. (1) Section 1029.8.33.14 of the Act is amended by adding the following subparagraphs at the end of the fourth paragraph:

“(h) the aggregate of the indemnities pertaining to an absence from work to fulfil family obligations referred to in section 79.7 of the Act respecting labour standards and in the second paragraph of section 79.16 of that Act or of the compensations, in lieu of those indemnities, provided for in a contract of employment, as the case may be, received in the fiscal period by the eligible employees of the qualified partnership in respect of the salary, wages or other remuneration paid, allocated, granted, awarded or attributed by the qualified partnership to eligible employees in relation to the tips reported by eligible employees to the qualified partnership, to the tips that eligible employees received or benefited from and that constitute service charges added to a customer’s bill and to the amounts attributed by the qualified partnership under section 42.11 to eligible employees; and

“(i) the aggregate of the indemnities pertaining to an absence from work for health reasons referred to in section 79.1 of the Act respecting labour standards and in the second paragraph of section 79.16 of that Act or of the compensations, in lieu of those indemnities, provided for in a contract of employment, as the case may be, received in the fiscal period by the eligible employees of the qualified partnership in respect of the salary, wages or other remuneration paid, allocated, granted, awarded or attributed by the qualified partnership to eligible employees in relation to the tips reported by eligible employees to the qualified partnership, to the tips that eligible employees received or benefited from and that constitute service charges added to a customer’s bill and to the amounts attributed by the qualified partnership under section 42.11 to eligible employees.”

(2) Subsection 1 applies in respect of an indemnity paid after 31 December 2018.

147. (1) The Act is amended by inserting the following division after section 1029.8.36.59.48:

“DIVISION II.6.5.8

“CREDIT TO FOSTER THE RETENTION OF EXPERIENCED WORKERS

“§1. — *Interpretation*

“1029.8.36.59.49. In this division,

“eligible contribution” of a qualified corporation or a qualified partnership, in respect of a calendar year and in relation to an employee, means an amount that the qualified corporation or the qualified partnership, as the case may be, paid, for that calendar year and in relation to that employee, under the Act respecting industrial accidents and occupational diseases (chapter A-3.001) or under

(a) section 59 of the Act respecting parental insurance (chapter A-29.011);

(b) section 39.0.2 of the Act respecting labour standards (chapter N-1.1);

(c) section 34 of the Act respecting the Régie de l’assurance maladie du Québec (chapter R-5); or

(d) section 52 of the Act respecting the Québec Pension Plan (chapter R-9);

“eligible employee” of a qualified corporation for a taxation year or of a qualified partnership for a fiscal period means an employee of the corporation or partnership at a time in the calendar year that ends in the taxation year or the fiscal period, as the case may be, who is at least 65 years of age on 1 January of that calendar year, other than an excluded employee at any time in that calendar year;

“excluded corporation” for a taxation year means a corporation that

(a) is exempt from tax for the year under Book VIII; or

(b) would be exempt from tax for the year under section 985, but for section 192;

“excluded employee” of a corporation or a partnership at a particular time means

(a) where the employer is a corporation, an employee who is, at that time, a specified shareholder of the corporation or, where the corporation is a cooperative, a specified member of the corporation; or

(b) where the employer is a partnership, an employee who

i. is, at that time, a specified shareholder or specified member, as the case may be, of a member of the partnership, or

ii. is not, at that time, dealing at arm’s length with a member of the partnership, or with a specified shareholder or specified member, as the case may be, of that member;

“primary and manufacturing sectors corporation” for a taxation year has the meaning assigned by the first paragraph of section 771.1;

“qualified corporation” for a taxation year means a corporation, other than an excluded corporation for the year, that, in the year, carries on a business in Québec and has an establishment in Québec, whose paid-up capital attributed to the corporation for the year, determined in accordance with section 737.18.24, is less than \$15,000,000 and, unless the corporation is a primary and manufacturing sectors corporation for the year, that is referred to in section 771.2.1.2.1 for the year;

“qualified expenditure” of a qualified corporation for a taxation year or of a qualified partnership for a fiscal period, in relation to an eligible employee, means, subject to section 1029.8.36.59.51, the aggregate of all amounts each of which is an eligible contribution of the qualified corporation or the qualified partnership, as the case may be, in respect of a calendar year subsequent to the calendar year 2018 that ends in the taxation year or the fiscal period, as the case may be, in relation to the salary, wages or other remuneration that the corporation or the partnership paid, allocated, granted, awarded or attributed to the eligible employee in the calendar year, other than a salary, wages or other remuneration in respect of which no contribution is payable by the qualified corporation or the qualified partnership under section 34 of the Act respecting the Régie de l’assurance maladie du Québec, because of subparagraph *d.1* of the seventh paragraph of that section 34;

“qualified partnership” for a fiscal period means a partnership that, in the fiscal period, carries on a business in Québec, has an establishment in Québec and meets the following conditions:

(a) if the partnership were a corporation whose taxation year corresponds to its fiscal period, the paid-up capital that would be attributed to the partnership for the year in accordance with section 737.18.24 is less than \$15,000,000; and

(b) the number of remunerated hours of the partnership’s employees for the fiscal period, determined as if the partnership were referred to in section 771.2.1.2.2 for the fiscal period, exceeds 5,000, except where the partnership would be a primary and manufacturing sectors corporation for the year if it were a corporation whose taxation year corresponds to its fiscal period;

“specified employee” of a qualified corporation for a taxation year or of a qualified partnership for a fiscal period means an employee of the corporation or partnership at a time in the calendar year that ends in the taxation year or the fiscal period, as the case may be, who is at least 60 years of age and at most 64 years of age on 1 January of that calendar year, other than an excluded employee at any time in that calendar year;

“specified expenditure” of a qualified corporation for a taxation year or of a qualified partnership for a fiscal period, in relation to a specified employee, means, subject to section 1029.8.36.59.51, the aggregate of all amounts each of which is an eligible contribution of the qualified corporation or the qualified partnership, as the case may be, in respect of a calendar year subsequent to the calendar year 2018 that ends in the taxation year or the fiscal period, as the case may be, in relation to the salary, wages or other remuneration that the corporation or the partnership paid, allocated, granted, awarded or attributed to the specified employee in the calendar year, other than a salary, wages or other remuneration in respect of which no contribution is payable by the qualified corporation or the qualified partnership under section 34 of the Act respecting the Régie de l’assurance maladie du Québec, because of subparagraph *d.1* of the seventh paragraph of that section 34;

“specified member” of a corporation that is a cooperative at any time means

(a) a member having, directly or indirectly, at that time, at least 10% of the votes at a meeting of the members of the cooperative; or

(b) a person who is not, at that time, dealing at arm’s length with that member;

“total payroll” of a corporation or a partnership for a calendar year means its total payroll determined for the year in accordance with Division I of Chapter IV of the Act respecting the Régie de l’assurance maladie du Québec;

“total payroll threshold” of a corporation or a partnership for a calendar year means the total payroll threshold of the corporation or partnership, as the case may be, determined for the year in accordance with Division I of Chapter IV of the Act respecting the Régie de l’assurance maladie du Québec.

“§2. — *Credit*

1029.8.36.59.50. A qualified corporation for a taxation year that encloses the prescribed form containing prescribed information with the fiscal return it is required to file for the year under section 1000 is deemed, subject to the fifth paragraph, to have paid to the Minister on the corporation’s balance-due day for that year, on account of its tax payable for that year under this Part, an amount equal to the aggregate of

(a) the product obtained by multiplying the aggregate of all amounts each of which is the amount of its qualified expenditure for the year, in relation to an eligible employee of the corporation for the year, by the corporation’s eligible rate for the year;

(b) the product obtained by multiplying the aggregate of all amounts each of which is the amount of its specified expenditure for the year, in relation to a specified employee of the corporation for the year, by the corporation’s specified rate for the year; and

(c) where the qualified corporation is a member of a qualified partnership at the end of a fiscal period of the partnership that ends in the taxation year, the aggregate of

i. the product obtained by multiplying the aggregate of all amounts each of which is its share, for the fiscal period, of the qualified partnership’s qualified expenditure for the fiscal period, in relation to an eligible employee of the partnership for the fiscal period, by the partnership’s eligible rate for the fiscal period, and

ii. the product obtained by multiplying the aggregate of all amounts each of which is its share, for the fiscal period, of the qualified partnership’s specified expenditure for the fiscal period, in relation to a specified employee of the partnership for the fiscal period, by the partnership’s specified rate for the fiscal period.

The eligible rate of a corporation or partnership to which subparagraph *a* of the first paragraph and subparagraph *i* of subparagraph *c* of that paragraph refer, for a taxation year of the corporation or a fiscal period of the partnership, as the case may be, is determined by the formula

$$75\% - (75\% \times A/B).$$

The specified rate of a corporation or partnership to which subparagraph *b* of the first paragraph and subparagraph ii of subparagraph *c* of that paragraph refer, for a taxation year of the corporation or a fiscal period of the partnership, as the case may be, is determined by the formula

$$50\% - (50\% \times A/B).$$

In the formulas in the second and third paragraphs,

(a) A is the amount by which \$1,000,000 is exceeded by the lesser of the total payroll of the qualified corporation for the calendar year that ended in the taxation year or of the qualified partnership for the calendar year that ended in the fiscal period, as the case may be, and the total payroll threshold of the qualified corporation or the qualified partnership for that calendar year; and

(b) B is the amount by which \$1,000,000 is exceeded by the total payroll threshold of the qualified corporation for the calendar year that ended in the taxation year or of the qualified partnership for the calendar year that ended in the fiscal period, as the case may be.

For the purpose of computing the payments that a qualified corporation referred to in the first paragraph is required to make under subparagraph *a* of the first paragraph of section 1027, or any of sections 1159.7, 1175 and 1175.19 where they refer to that subparagraph *a*, the corporation is deemed to have paid to the Minister, on account of the aggregate of the corporation's tax payable for the year under this Part and of the corporation's tax payable for the year under Parts IV.1, VI and VI.1, on the date on or before which each payment is required to be made, an amount equal to the lesser of

(a) the amount by which the amount determined under the first paragraph for the year exceeds the aggregate of all amounts each of which is the portion of that amount that may reasonably be considered to be deemed to have been paid to the Minister under this paragraph in the year but before that date; and

(b) the amount by which the amount of that payment, determined without reference to this chapter, exceeds the aggregate of all amounts each of which is an amount that is deemed, under this chapter but otherwise than under the first paragraph, to have been paid to the Minister on that date, for the purpose of computing that payment.

For the purposes of this section, the share of a member of a partnership of an amount for a fiscal period is equal to the agreed proportion of the amount in respect of the member for the fiscal period.

“1029.8.36.59.51. For the purposes of this division and subject to the second and third paragraphs, the following rules apply:

(a) the qualified expenditure of a qualified corporation or of a qualified partnership for a taxation year of the corporation or a fiscal period of the partnership, in relation to an eligible employee and in respect of a calendar

year, may not exceed the quotient obtained by dividing \$1,875 by the eligible rate of the corporation for the taxation year or of the partnership for the fiscal period, as the case may be; and

(b) the specified expenditure of a qualified corporation or of a qualified partnership for a taxation year of the corporation or a fiscal period of the partnership, in relation to a specified employee and in respect of a calendar year, may not exceed the quotient obtained by dividing \$1,250 by the specified rate of the corporation for the taxation year or of the partnership for the fiscal period, as the case may be.

For the purpose of determining the qualified expenditure or the specified expenditure of a qualified corporation for a taxation year or of a qualified partnership for a fiscal period, where, at the end of a calendar year that ends in the taxation year or fiscal period, as the case may be, the qualified corporation or qualified partnership is a member of an associated group and more than one member of the group (each of whom being referred to in this section as a “particular member”) paid, in a calendar year, an amount on account of a salary, wages or other remuneration to the same employee who is, for each of the particular members, an eligible employee or a specified employee for the taxation year or fiscal period, as the case may be, of the particular member in which the calendar year ended, the qualified expenditure or the specified expenditure of the qualified corporation for the year or of the qualified partnership for the fiscal period, in relation to the employee, is, subject to the third paragraph, equal to zero.

Despite the second paragraph, where the particular members have filed with the Minister, in the prescribed form, an agreement whereby, for the purposes of this division, they allocate an amount to one or more of them as a qualified expenditure or specified expenditure for the taxation year or fiscal period, as the case may be, in relation to the same eligible employee or specified employee, the following rules apply:

(a) the amount of the qualified expenditure of the qualified corporation for the taxation year or of the qualified partnership for the fiscal period, as the case may be, in relation to that eligible employee, is deemed to be equal, where the product obtained by multiplying the aggregate of all amounts each of which is the amount so allocated to a particular member, in relation to the eligible employee, by the eligible rate of the qualified corporation for the taxation year or of the qualified partnership for the fiscal period, as the case may be, does not exceed \$1,875, to the amount so allocated to the corporation for the year or to the partnership for the fiscal period; and

(b) the amount of the specified expenditure of the qualified corporation for the taxation year or of the qualified partnership for the fiscal period, as the case may be, in relation to the specified employee, is deemed to be equal, where the product obtained by multiplying the aggregate of all amounts each of which is the amount so allocated to a particular member, in relation to the specified employee, by the specified rate of the qualified corporation for the taxation

year or of the qualified partnership for the fiscal period, as the case may be, does not exceed \$1,250, to the amount so allocated to the corporation for the year or to the partnership for the fiscal period.

For the purposes of subparagraphs *a* and *b* of the third paragraph, the eligible rate and the specified rate of a corporation or of a partnership for a taxation year or fiscal period, as the case may be, are those determined for the year or fiscal period in accordance with the second and third paragraphs of section 1029.8.36.59.50.

For the purposes of this section, an associated group, at the end of a calendar year, means all the qualified corporations and qualified partnerships that are associated with each other at that time.

“§3. — *Government assistance, non-government assistance and other particulars*

“**1029.8.36.59.52.** For the purpose of computing the amount that is deemed to have been paid to the Minister by a corporation, for a taxation year, under section 1029.8.36.59.50, the following rules apply:

(*a*) the amount of the corporation’s qualified expenditure or specified expenditure referred to in subparagraph *a* or *b* of the first paragraph of section 1029.8.36.59.50 is to be reduced, if applicable, by the amount of any government assistance or non-government assistance, attributable to the expenditure, that the corporation has received, is entitled to receive or may reasonably expect to receive on or before the corporation’s filing-due date for the taxation year; and

(*b*) the corporation’s share of the qualified expenditure or specified expenditure referred to in subparagraph *i* or *ii* of subparagraph *c* of the first paragraph of section 1029.8.36.59.50 of a partnership of which the corporation is a member, for a fiscal period of the partnership that ends in the corporation’s taxation year, is to be reduced, if applicable,

i. by the corporation’s share of the amount of any government assistance or non-government assistance, attributable to that expenditure, that the partnership has received, is entitled to receive or may reasonably expect to receive on or before the day that is six months after the end of the fiscal period, and

ii. by the amount of any government assistance or non-government assistance, attributable to that expenditure, that the corporation has received, is entitled to receive or may reasonably expect to receive on or before the day that is six months after the end of the fiscal period.

For the purposes of subparagraph *i* of subparagraph *b* of the first paragraph, the share of a corporation, for a fiscal period of a partnership, of the amount of any government assistance or non-government assistance that the partnership has received, is entitled to receive or may reasonably expect to receive, is equal to the agreed proportion of the amount in respect of the corporation for the fiscal period.

“1029.8.36.59.53. Where, in respect of a qualified expenditure or specified expenditure of a qualified corporation for a taxation year or of a qualified partnership of which the qualified corporation is a member, for a fiscal period of that partnership that ends in the corporation’s taxation year, a person or a partnership has obtained, is entitled to obtain or may reasonably expect to obtain a benefit or advantage, other than a benefit or advantage that arises from the payment of an eligible contribution, whether in the form of a reimbursement, compensation or guarantee, in the form of proceeds of disposition of a property which exceed the fair market value of the property, or in any other form or manner, the following rules apply for the purpose of computing the amount that is deemed to have been paid to the Minister, for the taxation year, by the qualified corporation under section 1029.8.36.59.50:

(*a*) the amount of the corporation’s qualified expenditure or specified expenditure referred to in subparagraph *a* or *b* of the first paragraph of section 1029.8.36.59.50 is to be reduced, if applicable, by the amount of the benefit or advantage that the person or partnership has obtained, is entitled to obtain or may reasonably expect to obtain on or before the corporation’s filing-due date for the taxation year; and

(*b*) the corporation’s share of the partnership’s qualified expenditure or specified expenditure referred to in subparagraph *i* or *ii* of subparagraph *c* of the first paragraph of section 1029.8.36.59.50 is to be reduced, if applicable,

i. by the corporation’s share of the amount of the benefit or advantage that a partnership or a person, other than a person referred to in subparagraph *ii*, has obtained, is entitled to obtain or may reasonably expect to obtain, on or before the day that is six months after the end of the fiscal period, and

ii. by the amount of the benefit or advantage that the corporation or a person with whom it does not deal at arm’s length has obtained, is entitled to obtain or may reasonably expect to obtain on or before the day that is six months after the end of the fiscal period.

For the purposes of subparagraph *i* of subparagraph *b* of the first paragraph, the share of a corporation, for a fiscal period of a partnership, of the amount of the benefit or advantage that a partnership or a person has obtained, is entitled to obtain or may reasonably expect to obtain, is equal to the agreed proportion of the amount in respect of the corporation for the fiscal period.

“1029.8.36.59.54. Where, in a taxation year (in this section referred to as the “repayment year”), a corporation pays, pursuant to a legal obligation, an amount that may reasonably be considered to be a repayment of government assistance or non-government assistance that reduced, because of subparagraph *a* of the first paragraph of section 1029.8.36.59.52, the corporation’s qualified expenditure or specified expenditure for a particular taxation year for the purpose of computing the amount that the corporation is deemed to have paid to the Minister for the particular year under section 1029.8.36.59.50, the corporation is deemed, if the corporation encloses the prescribed form containing prescribed information with the fiscal return the corporation is required to file for the repayment year under section 1000, to have paid to the Minister on the corporation’s balance-due day for the repayment year, on account of its tax payable for that year under this Part, an amount equal to the amount by which the amount that the corporation would be deemed to have paid to the Minister for the particular year under section 1029.8.36.59.50, in respect of the qualified expenditure or the specified expenditure, as the case may be, if any amount of such assistance so repaid at or before the end of the repayment year had reduced, for the particular year, the amount of any government assistance or non-government assistance referred to in subparagraph *a* of the first paragraph of section 1029.8.36.59.52, exceeds the aggregate of

(*a*) the amount that the corporation is deemed to have paid to the Minister under section 1029.8.36.59.50 for the particular year in respect of the qualified expenditure or the specified expenditure, as the case may be; and

(*b*) any amount that the corporation is deemed to have paid to the Minister under this section for a taxation year preceding the repayment year in respect of an amount of repayment of that assistance.

“1029.8.36.59.55. Where, in a fiscal period (in this section referred to as the “fiscal period of repayment”), a partnership pays, pursuant to a legal obligation, an amount that may reasonably be considered to be a repayment of government assistance or non-government assistance that reduced, because of subparagraph *i* of subparagraph *b* of the first paragraph of section 1029.8.36.59.52, a corporation’s share of the partnership’s qualified expenditure or specified expenditure for a particular fiscal period, for the purpose of computing the amount that the corporation is deemed to have paid to the Minister under section 1029.8.36.59.50, in respect of the share, for its taxation year in which the particular fiscal period ended, the corporation is deemed to have paid to the Minister on the corporation’s balance-due day for its taxation year in which the fiscal period of repayment ends, on account of its tax payable for that year under this Part, if the corporation is a member of the partnership at the end of the fiscal period of repayment and if it encloses the prescribed form containing prescribed information with the fiscal return it is required to file for the year under section 1000, an amount equal to the amount by which the particular amount that the corporation would be deemed, if the assumptions set out in the second paragraph were taken into account, to have paid to the Minister under section 1029.8.36.59.50 for its taxation year in which the particular fiscal period ends, in respect of the share, exceeds the aggregate of

(a) the amount that the corporation would be deemed to have paid to the Minister under section 1029.8.36.59.50, for its taxation year in which the particular fiscal period ends, in respect of the share, if the agreed proportion in respect of the corporation for the particular fiscal period were the same as that for the fiscal period of repayment; and

(b) any amount that the corporation would be deemed to have paid to the Minister under this section for a taxation year preceding the taxation year in which the fiscal period of repayment ends, in respect of an amount of that assistance repaid by the partnership, if the agreed proportion in respect of the corporation for the particular fiscal period were the same as that for the fiscal period of repayment.

The particular amount to which the first paragraph refers is to be computed as if

(a) any amount of assistance repaid at or before the end of the fiscal period of repayment reduced, for the particular fiscal period, the amount of any government assistance or non-government assistance referred to in subparagraph i of subparagraph *b* of the first paragraph of section 1029.8.36.59.52; and

(b) the agreed proportion in respect of the corporation for the particular fiscal period were the same as that for the fiscal period of repayment.

“1029.8.36.59.56. Where a corporation is a member of a partnership at the end of a fiscal period of the partnership (in this section referred to as the “fiscal period of repayment”) and pays, in the fiscal period of repayment, pursuant to a legal obligation, an amount that may reasonably be considered to be a repayment of government assistance or non-government assistance that reduced, because of subparagraph ii of subparagraph *b* of the first paragraph of section 1029.8.36.59.52, its share of the partnership’s qualified expenditure or specified expenditure for a particular fiscal period, for the purpose of computing the amount that the corporation is deemed to have paid to the Minister under section 1029.8.36.59.50, in respect of the share, for its taxation year in which the particular fiscal period ended, the corporation is deemed to have paid to the Minister on the corporation’s balance-due day for its taxation year in which the fiscal period of repayment ends, on account of its tax payable for that year under this Part, if it encloses the prescribed form containing prescribed information with the fiscal return it is required to file for the year under section 1000, an amount equal to the amount by which the particular amount that the corporation would be deemed, if the assumptions set out in the second paragraph were taken into account, to have paid to the Minister under section 1029.8.36.59.50 for its taxation year in which the particular fiscal period ends, in respect of the share, exceeds the aggregate of

(a) the amount that the corporation would be deemed to have paid to the Minister under section 1029.8.36.59.50 for its taxation year in which the particular fiscal period ends, in respect of the share, if the agreed proportion in respect of the corporation for the particular fiscal period were the same as that for the fiscal period of repayment; and

(b) any amount that the corporation would be deemed to have paid to the Minister under this section for a taxation year preceding the taxation year in which the fiscal period of repayment ends, in respect of an amount of that assistance repaid by the corporation, if the agreed proportion in respect of the corporation for the particular fiscal period were the same as that for the fiscal period of repayment.

The particular amount to which the first paragraph refers is to be computed as if

(a) any amount of assistance repaid at or before the end of the fiscal period of repayment reduced, for the particular fiscal period, the amount of any government assistance or non-government assistance referred to in subparagraph ii of subparagraph *b* of the first paragraph of section 1029.8.36.59.52; and

(b) the agreed proportion in respect of the corporation for the particular fiscal period were the same as that for the fiscal period of repayment.

“1029.8.36.59.57. For the purposes of sections 1029.8.36.59.54 to 1029.8.36.59.56, an amount of assistance is deemed to be repaid by a corporation or a partnership, as the case may be, at a particular time, pursuant to a legal obligation, if that amount

(a) reduced, because of section 1029.8.36.59.52, a qualified expenditure or specified expenditure or the share of a corporation that is a member of the partnership of a qualified expenditure or specified expenditure, for the purpose of computing the amount that the corporation or the corporation that is a member of the partnership is deemed to have paid to the Minister for a taxation year under section 1029.8.36.59.50;

(b) was not received by the corporation or partnership; and

(c) ceased at the particular time to be an amount that the corporation or partnership could reasonably expect to receive.”

(2) Subsection 1 applies from the taxation year 2019.

148. (1) Section 1029.8.36.166.40 of the Act is amended

(1) by inserting the following definition in alphabetical order in the first paragraph:

““metal manufacturing activities” of a corporation or a partnership means the following activities:

(a) the primary metal manufacturing activities that are included in the group described under code 331 of the North American Industry Classification System (NAICS) Canada, as amended from time to time and published by Statistics Canada; and

(b) the fabricated metal product manufacturing activities that are included in the group described under code 332 of the publication mentioned in paragraph a;”;

(2) by replacing paragraph *a* of the definition of “qualified property” in the first paragraph by the following paragraph:

“(a) is acquired by the corporation or partnership in a period that is,

i. if the property is referred to in paragraph *a.1* because of the application of subparagraph i of that paragraph and is not a property acquired pursuant to an obligation in writing entered into before 14 March 2008 or the construction of which, if applicable, by or on behalf of the purchaser, had begun by 13 March 2008, any of the following periods:

(1) where the property is acquired to be used mainly in a resource region, the period that begins on 14 March 2008 and ends on 31 December 2022, or

(2) in any other case, the period that begins on 14 March 2008 and ends on 31 December 2016 or, unless it is a property acquired pursuant to an obligation in writing entered into before 16 August 2018 or the construction of which, if applicable, by or on behalf of the purchaser, had begun by 15 August 2018, the period that begins on 16 August 2018 and ends on 31 December 2019,

ii. if the property is referred to in paragraph *a.1* because of the application of subparagraph i.1 of that paragraph, any of the following periods:

(1) where the property is acquired to be used mainly in a resource region, the period that begins on 28 January 2009 and ends on 31 December 2022, or

(2) in any other case, the period that begins on 28 January 2009 and ends on 31 December 2016 or, unless it is a property acquired pursuant to an obligation in writing entered into before 16 August 2018 or the construction of which, if applicable, by or on behalf of the purchaser, had begun by 15 August 2018, the period that begins on 16 August 2018 and ends on 31 December 2019, or

iii. if the property is referred to in paragraph *a.1* because of the application of subparagraph ii of that paragraph and is not a property acquired pursuant to an obligation in writing entered into before 21 March 2012 or the construction of which, if applicable, by or on behalf of the purchaser, had begun by 20 March 2012, any of the following periods:

(1) where the property is acquired to be used mainly in a resource region, the period that begins on 21 March 2012 and ends on 31 December 2022, or

(2) in any other case, the period that begins on 21 March 2012 and ends on 31 December 2016 or, unless it is a property acquired pursuant to an obligation in writing entered into before 16 August 2018 or the construction of which, if applicable, by or on behalf of the purchaser, had begun by 15 August 2018, the period that begins on 16 August 2018 and ends on 31 December 2019;”;

(3) by replacing “2017” in subparagraph i.1 of paragraph a.1 of the definition of “qualified property” in the first paragraph by “2020”;

(4) by inserting the following definition in alphabetical order in the first paragraph:

““expenses eligible for a temporary additional increase” of a corporation for a taxation year or of a partnership for a fiscal period, in respect of a qualified property described in the fifth paragraph, means the portion of the eligible expenses of the corporation for the year or of the partnership for the fiscal period, in respect of the property, that are incurred after 15 August 2018 and before 1 January 2020

(a) by the corporation in a taxation year for which it is a qualified metal manufacturing sector corporation; or

(b) by the partnership in a fiscal period for which it is a qualified metal manufacturing sector partnership;”;

(5) by inserting the following definition in alphabetical order in the first paragraph:

““proportion of the activities relating to the metal manufacturing sector” of a qualified corporation for a taxation year or of a qualified partnership for a fiscal period means the proportion, expressed as a percentage, that the metal manufacturing salary or wages in relation to the corporation for the taxation year or to the partnership for the fiscal period is of the salary or wages in relation to the corporation for that year or to the partnership for that period;”;

(6) by inserting the following definition in alphabetical order in the first paragraph:

““qualified metal manufacturing sector corporation” for a taxation year means a qualified corporation for the year in respect of which the proportion of the activities relating to the metal manufacturing sector for the year exceeds 50%;”;

(7) by inserting the following definition in alphabetical order in the first paragraph:

““qualified metal manufacturing sector partnership” for a fiscal period means a qualified partnership for the fiscal period in respect of which the proportion of the activities relating to the metal manufacturing sector for that period exceeds 50%;”;

(8) by replacing “in the definition of “manufacturing or processing salary or wages”” in the definition of “salary or wages” in the first paragraph by “in the definitions of “manufacturing or processing salary or wages” and “metal manufacturing salary or wages””;

(9) by replacing the definition of “manufacturing or processing salary or wages” in the first paragraph by the following definition:

““manufacturing or processing salary or wages” in relation to a qualified corporation for a taxation year or a qualified partnership for a fiscal period means the portion of the salary or wages in relation to the qualified corporation for the taxation year or the qualified partnership for the fiscal period that corresponds to the aggregate of all amounts each of which is equal to the result obtained by multiplying the gross revenue of an employee of the corporation or partnership, as the case may be, by the proportion that the employee’s working time spent on manufacturing or processing activities, other than activities listed in section 130R12 of the Regulation respecting the Taxation Act (chapter I-3, r. 1), in the taxation year or fiscal period is of all the employee’s working time in that year or period;”;

(10) by inserting the following definition in alphabetical order in the first paragraph:

““metal manufacturing salary or wages” in relation to a qualified corporation for a taxation year or a qualified partnership for a fiscal period means the portion of the salary or wages in relation to the qualified corporation for the taxation year or the qualified partnership for the fiscal period that corresponds to the aggregate of all amounts each of which is equal to the result obtained by multiplying the gross revenue of an employee of the corporation or partnership, as the case may be, by the proportion that the employee’s working time spent on metal manufacturing activities in the taxation year or fiscal period is of all the employee’s working time in that year or period;”;

(11) by replacing subparagraph *b* of the third paragraph by the following subparagraph:

“(b) the expenses incurred to acquire a property must be incurred,

i. where the property is acquired to be used mainly in a resource region, before 1 January 2023, or

ii. in any other case, before 1 January 2017, or after 15 August 2018 and before 1 January 2020.”;

(12) by inserting the following paragraph after the fourth paragraph:

“The qualified property referred to in the definition of “expenses eligible for a temporary additional increase” in the first paragraph is a qualified property that is acquired after 15 August 2018 and before 1 January 2020 otherwise than pursuant to an obligation in writing entered into before 16 August 2018 and that is not a property the construction of which, by or on behalf of the purchaser, had begun by 15 August 2018.”;

(13) by striking out the sixth paragraph;

(14) by replacing the seventh paragraph by the following paragraph:

“For the purposes of the definitions of “manufacturing or processing salary or wages” and “metal manufacturing salary or wages” in the first paragraph, an employee who spends 90% or more of working time on manufacturing or processing activities or on metal manufacturing activities, as the case may be, is deemed to spend all working time on those activities.”

(2) Paragraphs 1 to 12 and 14 of subsection 1 have effect from 16 August 2018.

(3) Paragraph 13 of subsection 1 applies to a taxation year that ends after 26 March 2015.

149. (1) Section 1029.8.36.166.43 of the Act is amended

(1) by replacing subparagraphs i and ii of subparagraph *a* of the first paragraph by the following subparagraphs:

“i. the aggregate of all amounts each of which is the product obtained by multiplying a portion of its eligible expenses for the year, in respect of the property, such portion being referred to in section 1029.8.36.166.45, by the rate determined for the year, under that section, in relation to that portion of expenses, to the extent that the aggregate of those portions of expenses (in subparagraphs ii and iii referred to as the “particular eligible expenses”) is established subject to the second paragraph and does not include the portion, determined by the corporation, of the eligible expenses incurred by the corporation in the year as a party to a joint venture that exceeds the corporation’s share for the year of the balance of the joint venture’s cumulative eligible expense limit,

“ii. the product obtained by multiplying the portion of the particular eligible expenses for the year, in respect of the property, that are expenses eligible for an additional increase of the corporation for the year, by the rate determined for the year, under section 1029.8.36.166.45.1, in relation to that portion of the particular eligible expenses, and”;

(2) by adding the following subparagraph at the end of subparagraph *a* of the first paragraph:

“iii. the product obtained by multiplying the portion of the particular eligible expenses for the year, in respect of the property, that are expenses eligible for a temporary additional increase of the corporation for the year, by the rate determined for the year, under section 1029.8.36.166.45.2, in relation to that portion of the particular eligible expenses; or”;

(3) by replacing subparagraph *b* of the first paragraph by the following subparagraph:

“(b) the total of

i. the product obtained by multiplying by 5% the amount by which the portion of its eligible expenses for the year, in respect of the property, that are expenses referred to in subparagraph *a* or *b* of the third paragraph of section 1029.8.36.166.45 (such portion being in this subparagraph *b* referred to as the “specified eligible expenses”), exceeds the portion of those specified eligible expenses that is referred to in subparagraph *i* of subparagraph *a*, and

ii. the product obtained by multiplying by 4% the amount by which the portion of its eligible expenses for the year, in respect of the property, that are not specified eligible expenses (such portion being in this subparagraph *ii* referred to as the “other eligible expenses”), exceeds the portion of those other eligible expenses that is referred to in subparagraph *i* of subparagraph *a*.”;

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

“The total of the eligible expenses that are referred to in subparagraph *i* of subparagraph *a* of the first paragraph in respect of a corporation for a taxation year may not exceed the amount that is the amount by which the balance of its cumulative eligible expense limit for the year exceeds the aggregate of all amounts each of which is its share of eligible expenses that would be referred to in subparagraph *i* of subparagraph *a* of the first paragraph of section 1029.8.36.166.44 for the year and in respect of which the corporation would be deemed to have paid an amount to the Minister for the year under section 1029.8.36.166.44 if it were read without reference to its third paragraph and if the definition of “eligible expenses” in the first paragraph of section 1029.8.36.166.40 were read without reference to “the amount by which the excluded expense amount relating to the qualified property in respect of the partnership for the particular fiscal period is exceeded by” in the portion of its paragraph *b* before subparagraph *i*.”

(2) Subsection 1 has effect from 16 August 2018.

150. (1) Section 1029.8.36.166.44 of the Act is amended

(1) by replacing subparagraphs i and ii of subparagraph *a* of the first paragraph by the following subparagraphs:

“i. the aggregate of all amounts each of which is the product obtained by multiplying its share of a portion of the partnership’s eligible expenses for the particular fiscal period, in respect of the property, such portion being referred to in section 1029.8.36.166.45, by the rate determined for the year, under that section, in relation to its share of that portion of expenses, to the extent that the aggregate of those portions of expenses (in subparagraphs ii and iii referred to as the “particular eligible expenses”) is established subject to the second paragraph and does not include the portion, determined by the qualified corporation, of the qualified partnership’s eligible expenses for the particular fiscal period that exceeds the balance of the partnership’s cumulative eligible expense limit for the particular fiscal period, or the portion, determined by the qualified corporation, of such expenses incurred by the partnership in the particular fiscal period as a party to a joint venture that exceeds the partnership’s share for the particular fiscal period of the balance of the joint venture’s cumulative eligible expense limit,

“ii. the product obtained by multiplying its share of the portion of the particular eligible expenses for the particular fiscal period, in respect of the property, that are expenses eligible for an additional increase of the partnership for that period, by the rate determined for the year, under section 1029.8.36.166.45.1, in relation to its share of that portion of the particular eligible expenses, and”;

(2) by adding the following subparagraph at the end of subparagraph *a* of the first paragraph:

“iii. the product obtained by multiplying its share of the portion of the particular eligible expenses for the particular fiscal period, in respect of the property, that are expenses eligible for a temporary additional increase of the partnership for that period, by the rate determined for the year, under section 1029.8.36.166.45.2, in relation to its share of that portion of the particular eligible expenses; or”;

(3) by replacing subparagraph *b* of the first paragraph by the following subparagraph:

“(b) the total of

i. the product obtained by multiplying by 5% its share of the amount by which the portion of the partnership’s eligible expenses for the particular fiscal period, in respect of the property, that are expenses referred to in subparagraph *a* or *b* of the third paragraph of section 1029.8.36.166.45 (such portion being in this subparagraph *b* referred to as the “specified eligible expenses”), exceeds the portion of those specified eligible expenses that is referred to in subparagraph i of subparagraph *a*, and

ii. the product obtained by multiplying by 4% its share of the amount by which the portion of the partnership's eligible expenses for the particular fiscal period, in respect of the property, that are not specified eligible expenses (such portion being in this subparagraph ii referred to as the "other eligible expenses"), exceeds the portion of those other eligible expenses that is referred to in subparagraph i of subparagraph *a.*";

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

"The total of all amounts each of which is a corporation's share of eligible expenses that is referred to in subparagraph i of subparagraph *a* of the first paragraph for a taxation year may not exceed the amount that is the amount by which the balance of its cumulative eligible expense limit for the year exceeds the total of the eligible expenses that would be referred to in subparagraph i of subparagraph *a* of the first paragraph of section 1029.8.36.166.43 for the year and in respect of which the corporation would be deemed to have paid an amount to the Minister for the year under section 1029.8.36.166.43 if it were read without reference to its third paragraph and if the definition of "eligible expenses" in the first paragraph of section 1029.8.36.166.40 were read without reference to "the amount by which the excluded expense amount relating to the qualified property in respect of the corporation for the particular year is exceeded by" in the portion of its paragraph *a* before subparagraph i."

(2) Subsection 1 has effect from 16 August 2018.

151. (1) Section 1029.8.36.166.45 of the Act is amended

(1) by replacing "to the portion" and "of the portion" in the portion before subparagraph *a* of the first paragraph by "to a portion" and "of a portion", respectively;

(2) by replacing subparagraphs *a* to *d* of the first paragraph by the following subparagraphs:

"(a) where the qualified property is acquired to be used mainly in an administrative region referred to in any of subparagraphs iv to vii of paragraph *a* of the definition of "resource region" in the first paragraph of section 1029.8.36.166.40,

i. if the portion of the expenses represents eligible expenses that are described in subparagraph *a* or *b* of the third paragraph, the rate determined by the formula

$$40\% - [35\% \times (A - \$250,000,000)/\$250,000,000],$$

ii. if subparagraph i does not apply and the portion of the expenses represents eligible expenses incurred before 1 January 2017, the rate determined by the formula

$$32\% - [28\% \times (A - \$250,000,000)/\$250,000,000], \text{ or}$$

iii. in any other case, the rate determined by the formula

$$24\% - [20\% \times (A - \$250,000,000)/\$250,000,000];$$

“(b) where the qualified property is acquired to be used mainly in one of the regional county municipalities referred to in subparagraphs i.2, i.3 and ii.2 of paragraph *b* of the definition of “resource region” in the first paragraph of section 1029.8.36.166.40,

i. if the portion of the expenses represents eligible expenses that are described in subparagraph *a* of the third paragraph and the corporation is neither deemed to have paid an amount to the Minister under Division II.6.6.6.1 for the particular taxation year nor associated, in the particular taxation year, with another corporation that is deemed to have paid an amount to the Minister under Division II.6.6.6.1 for a taxation year that ends in the particular taxation year, the rate determined by the formula

$$35\% - [30\% \times (A - \$250,000,000)/\$250,000,000],$$

ii. if subparagraph i does not apply and the portion of the expenses represents eligible expenses that are described in subparagraph *a* or *b* of the third paragraph, the rate determined by the formula

$$30\% - [25\% \times (A - \$250,000,000)/\$250,000,000],$$

iii. if subparagraphs i and ii do not apply and the portion of the expenses represents eligible expenses incurred before 1 January 2017, the rate determined by the formula

$$24\% - [20\% \times (A - \$250,000,000)/\$250,000,000], \text{ or}$$

iv. in any other case, the rate determined by the formula

$$16\% - [12\% \times (A - \$250,000,000)/\$250,000,000];$$

“(c) where the qualified property is acquired to be used mainly in an administrative region referred to in subparagraph ii or iii of paragraph *a* of the definition of “resource region” in the first paragraph of section 1029.8.36.166.40 or in one of the regional county municipalities referred to in subparagraphs i, i.1, ii, ii.1 and iii to vi of paragraph *b* of that definition,

i. if the portion of the expenses represents eligible expenses that are described in subparagraph *a* of the third paragraph and the corporation is neither deemed to have paid an amount to the Minister under Division II.6.6.6.1 for the particular taxation year nor associated, in the particular taxation year, with another corporation that is deemed to have paid an amount to the Minister under Division II.6.6.6.1 for a taxation year that ends in the particular taxation year, the rate determined by the formula

$$25\% - [20\% \times (A - \$250,000,000)/\$250,000,000],$$

ii. if subparagraph i does not apply and the portion of the expenses represents eligible expenses that are described in subparagraph *a* or *b* of the third paragraph, the rate determined by the formula

$$20\% - [15\% \times (A - \$250,000,000)/\$250,000,000],$$

iii. if subparagraphs i and ii do not apply and the portion of the expenses represents eligible expenses incurred before 1 January 2017, the rate determined by the formula

$$16\% - [12\% \times (A - \$250,000,000)/\$250,000,000], \text{ or}$$

iv. in any other case, the rate determined by the formula

$$8\% - [4\% \times (A - \$250,000,000)/\$250,000,000]; \text{ or}$$

“(d) in any other case,

i. if the portion of the expenses represents eligible expenses that are described in subparagraph *a* or *b* of the third paragraph, the rate determined by the formula

$$10\% - [5\% \times (A - \$250,000,000)/\$250,000,000], \text{ or}$$

ii. if subparagraph i does not apply and the portion of the expenses represents eligible expenses incurred before 1 January 2017, the rate determined by the formula

$$8\% - [4\% \times (A - \$250,000,000)/\$250,000,000].”;$$

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

“The expenses referred to in subparagraph *b* of the first paragraph of sections 1029.8.36.166.43 and 1029.8.36.166.44 and in subparagraphs *a* to *d* of the first paragraph of this section are

(a) eligible expenses incurred before 5 June 2014 and those incurred after 4 June 2014 and before 1 July 2015, where the property is acquired on or before 4 June 2014 or, otherwise, where the property is acquired pursuant to an obligation in writing entered into on or before that date or its construction, by or on behalf of the purchaser, had begun by that date; or

(b) eligible expenses incurred in the period that begins on 16 August 2018 and ends on 31 December 2019, where the property is acquired in that period otherwise than pursuant to an obligation in writing entered into on or before 15 August 2018 and is not a property the construction of which, by or on behalf of the purchaser, had begun by that date.”

(2) Subsection 1 has effect from 16 August 2018.

152. (1) The Act is amended by inserting the following section after section 1029.8.36.166.45.1:

“1029.8.36.166.45.2. The rate to which subparagraph iii of subparagraph *a* of the first paragraph of sections 1029.8.36.166.43 and 1029.8.36.166.44 refers, in relation to the portion of a corporation’s eligible expenses or to a corporation’s share of the portion of a partnership’s eligible expenses, in respect of a qualified property, for a taxation year is

(a) if the property is acquired to be used mainly in a resource region, the rate determined by the formula

$$5\% - [5\% \times (A - \$250,000,000)/\$250,000,000]; \text{ or}$$

(b) in any other case, the rate determined by the formula

$$10\% - [10\% \times (A - \$250,000,000)/\$250,000,000].$$

In the formulas in the first paragraph, *A* is the greater of

(a) \$250,000,000; and

(b) the lesser of \$500,000,000 and the paid-up capital attributed to the corporation for the year, determined in accordance with section 737.18.24.”

(2) Subsection 1 has effect from 16 August 2018.

153. (1) Section 1029.8.36.166.60.1 of the Act is amended by striking out the fourth paragraph.

(2) Subsection 1 applies to a taxation year that ends after 26 March 2015.

154. (1) Section 1029.8.36.166.60.19 of the Act is amended by striking out the third paragraph.

(2) Subsection 1 applies to a taxation year that ends after 26 March 2015.

155. (1) Section 1029.8.61.18 of the Act is amended

(1) by replacing “\$195” in subparagraph *b* of the second paragraph by “\$198”;

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

“(c) I is an amount (in this division referred to as the “supplement for handicapped children requiring exceptional care”) equal to the aggregate of

i. the amount (in this division and the regulations referred to as the “amount for the first level”) equal to the product obtained by multiplying \$995 by the number of eligible dependent children referred to in subparagraph *a* of the first paragraph of section 1029.8.61.19.1 in respect of whom the individual is, at the beginning of the particular month, an eligible individual, and

ii. the amount (in this division and the regulations referred to as the “amount for the second level”) equal to the product obtained by multiplying \$663 by the number of eligible dependent children referred to in subparagraph *b* of the first paragraph of section 1029.8.61.19.1, without being referred to in subparagraph *a* of that paragraph, in respect of whom the individual is, at the beginning of the particular month, an eligible individual; and”;

(3) by replacing “\$102” in subparagraph *i* of subparagraph *d* of the second paragraph by “\$104”;

(4) by replacing subparagraph *a* of the third paragraph by the following subparagraph:

“(a) C is an amount equal to the product obtained by multiplying \$2,515 by the number of eligible dependent children in respect of whom the individual is, at the beginning of the particular month, an eligible individual;”;

(5) by replacing “\$867” in subparagraph *b* of the third paragraph by “\$882”;

(6) by replacing subparagraph *e* of the third paragraph by the following subparagraph:

“(e) G is an amount equal to the product obtained by multiplying \$1,000 by the number of eligible dependent children in respect of whom the individual is, at the beginning of the particular month, an eligible individual; and”;

(7) by replacing “\$346” in subparagraph *f* of the third paragraph by “\$352”.

(2) Paragraphs 1 and 3 to 7 of subsection 1 apply from 1 January 2020.

(3) Paragraph 2 of subsection 1 has effect from 1 April 2019. However, where section 1029.8.61.18 of the Act applies before 1 January 2020, subparagraph i of subparagraph *c* of the second paragraph is to be read as if “\$995” were replaced by “\$978” and subparagraph ii of that subparagraph *c* is to be read as if “\$663” were replaced by “\$652”.

156. (1) Section 1029.8.61.19.1 of the Act is amended

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

“For the purposes of subparagraph *c* of the second paragraph of section 1029.8.61.18 and subject to sections 1029.8.61.19.2 to 1029.8.61.19.4,

(a) for the purpose of computing the amount for the first level, an eligible dependent child to whom subparagraph i of subparagraph *c* of the second paragraph of section 1029.8.61.18 refers is a child described in the first paragraph of section 1029.8.61.19 who is, according to the prescribed rules, in either of the following situations:

i. the child is two years of age or over at the beginning of the particular month and, during a foreseeable period of at least one year, has an impairment or a mental function disability entailing serious and multiple disabilities that prevent the child—to the extent prescribed for computing the amount for the first level—from independently performing the life habits of a child of his or her age, or

ii. the child’s state of health at the beginning of the particular month requires, during a foreseeable period of at least one year, specified complex medical care at home that is described in the first paragraph of section 1029.8.61.19.3 and, where the child is six years of age or over at the beginning of the particular month and the care is care described in subparagraph i or ii of subparagraph *a* of that paragraph, the child’s state of health limits the child—to the extent prescribed—in performing the life habits of a child of his or her age; and

(b) for the purpose of computing the amount for the second level, an eligible dependent child to whom subparagraph ii of subparagraph *c* of the second paragraph of section 1029.8.61.18 refers is a child described in the first paragraph of section 1029.8.61.19 who is, according to the prescribed rules, in either of the following situations:

i. the child is two years of age or over at the beginning of the particular month and, during a foreseeable period of at least one year, has an impairment or a mental function disability entailing serious and multiple disabilities that prevent the child—to the extent prescribed for computing the amount for the second level—from independently performing the life habits of a child of his or her age, or

ii. the child's state of health at the beginning of the particular month requires, during a foreseeable period of at least one year, specified complex medical care at home that is described in the second paragraph of section 1029.8.61.19.3.”;

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

“An eligible individual, in respect of a child, who becomes aware that a change in the child's condition is likely to change the child's eligibility for the amount for the first or second level must file with Retraite Québec an application for the reassessment of the child's condition.”;

(3) by inserting the following paragraph after the fourth paragraph:

“Where the reassessment of the child's condition under the fourth or fifth paragraph has the effect of increasing or reducing an amount in respect of the supplement for handicapped children requiring exceptional care that an individual is entitled to receive, the following rules apply:

(a) if the reassessment has the effect of increasing the amount that the individual is entitled to receive, the amount is revised as of the particular month following the month in which the application for reassessment is received by Retraite Québec or, if the reassessment is required by Retraite Québec under the fifth paragraph, as of the particular month following the month in which the information required for the analysis of the child's condition is received by Retraite Québec; and

(b) if the reassessment has the effect of reducing the amount that the individual is entitled to receive or of causing the individual to no longer be entitled to such an amount, the amount is revised or is no longer paid, as the case may be, as of the particular month following the month in which the decision is rendered by Retraite Québec.”

(2) Subsection 1 has effect from 1 April 2019.

157. (1) Section 1029.8.61.19.3 of the Act is amended

(1) by replacing the portion before paragraph *a* by the following:

“1029.8.61.19.3. For the purposes of subparagraph ii of subparagraph *a* of the first paragraph of section 1029.8.61.19.1, specified complex medical care at home is as follows:”;

(2) by replacing subparagraph i of paragraph *a* by the following subparagraph:

“i. non-invasive mechanical ventilation with bi-level positive airway pressure (BPAP) on a daily basis,”;

(3) by replacing paragraph *c* by the following paragraph:

“(c) complex cardiac care, namely

i. the intravenous administration of inotropes, and

ii. care related to a ventricular assist device (artificial heart pump); and”;

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

“For the purposes of subparagraph ii of subparagraph *b* of the first paragraph of section 1029.8.61.19.1, specified complex medical care at home is as follows:

(a) complex respiratory care, namely

i. oxygenotherapy or mechanical ventilation, on a daily basis and 24 hours a day, and

ii. where the child is six years of age or over at the beginning of the particular month, the care related to a tracheostomy without invasive mechanical ventilation;

(b) complex nutritional care, namely feeding through jejunal or gastro-jejunal tube; and

(c) daily skin care for extreme skin conditions affecting wide areas of the skin that are at high risk of developing pressure ulcers, synechiae or shrinkage.”

(2) Paragraphs 1, 3 and 4 of subsection 1 have effect from 1 April 2019.

(3) Paragraph 2 of subsection 1 has effect from 1 July 2019. However, where *Retraite Québec* has rendered, before 11 June 2019, a favourable decision in relation to an application referred to in the second paragraph of section 1029.8.61.19.1 of the Taxation Act, for the purpose of taking into account an amount in respect of the supplement for handicapped children requiring exceptional care, paragraph 2 of subsection 1 applies as of the month following the month in which *Retraite Québec* renders a decision after a reassessment of the child’s condition. In addition, where subparagraph i of paragraph *a* of section 1029.8.61.19.3 of the Act applies in respect of a month prior to 1 July 2019, it is to be read as if “BiPAP” were replaced by “BPAP”.

158. (1) Section 1029.8.61.19.4 of the Act is amended by replacing the portion before paragraph *a* by the following:

“**1029.8.61.19.4.** Subparagraph ii of each of subparagraphs *a* and *b* of the first paragraph of section 1029.8.61.19.1 applies in respect of a child only if”.

(2) Subsection 1 has effect from 1 April 2019.

159. (1) Section 1029.8.61.20 of the Act is amended

(1) by replacing “2019” in the portion before the formula in the first paragraph by “2020”;

(2) by replacing “\$195” in subparagraph *a* of the fourth paragraph by “\$198”;

(3) by replacing subparagraph *a.1* of the fourth paragraph by the following subparagraph:

“(a.1) the amounts of \$995 and \$663 mentioned in subparagraph *c* of the second paragraph of section 1029.8.61.18;”;

(4) by replacing “\$102” in subparagraph *a.2* of the fourth paragraph by “\$104”;

(5) by replacing subparagraph *b* of the fourth paragraph by the following subparagraph:

“(b) the amount of \$2,515 mentioned in subparagraph *a* of the third paragraph of section 1029.8.61.18;”;

(6) by replacing “\$867” in subparagraph *c* of the fourth paragraph by “\$882”;

(7) by replacing subparagraph *d* of the fourth paragraph by the following subparagraph:

“(d) the amount of \$1,000 mentioned in subparagraph *e* of the third paragraph of section 1029.8.61.18; and”;

(8) by replacing “\$346” in subparagraph *e* of the fourth paragraph by “\$352”.

(2) Subsection 1 applies from 1 January 2020.

160. Section 1029.8.80.0.1 of the Act is amended by replacing paragraph *a* by the following paragraph:

“(a) the amount the particular individual is deemed to have paid to the Minister for the year under section 1029.8.79, determined without reference to this section, shall be reduced by such portion of the amount as the particular individual and the eligible spouse agree to attribute to the eligible spouse for the year in the prescribed form filed with the Minister by the particular individual with the particular individual’s fiscal return under this Part for the year;”.

161. (1) Section 1029.8.174 of the Act is amended by replacing the portion of the definition of “eligible dwelling” before paragraph *a* by the following:

““eligible dwelling” of an individual means a dwelling that is located in Québec, other than an excluded dwelling, of which construction is completed before 1 January 2017, of which the individual is the owner when the septic system repair expenditures are incurred, that is an isolated dwelling in respect of which section 2 of the Regulation respecting waste water disposal systems for isolated dwellings applies or that is part of such a dwelling, and that is”.

(2) Subsection 1 has effect from 27 April 2017.

162. (1) Section 1034.0.0.2 of the Act is replaced by the following section:

“1034.0.0.2. Where an amount is required to be added under section 766.3.4 in computing a specified individual’s tax otherwise payable under this Part for a taxation year and the specified individual has not attained the age of 24 years before the year, the following rules apply:

(*a*) subject to subparagraph *b*, any of the following persons is solidarily liable with the specified individual to pay that amount:

i. if the specified individual has not attained the age of 17 years before the year, the father or mother of the specified individual, and

ii. if the specified individual has attained the age of 17 years before the year, the source individual in respect of the specified individual where

(1) the amount was derived directly or indirectly from a related business in respect of the specified individual, with reference to paragraph *d* of section 766.3.3.1, and

(2) the source individual meets the conditions set out in any of paragraphs *a* to *c* of the definition of “related business” in the first paragraph of section 766.3.3 in respect of the related business; and

(*b*) the liability of any of the persons referred to in subparagraph *a* in respect of the specified individual for the year is to be determined as though the only amounts included in the specified individual’s split income for the year are amounts derived from the related business referred to in subparagraph ii of subparagraph *a*.

However, nothing in this section limits the liability of the specified individual under any other provision of this Act or the liability of any of the persons referred to in subparagraph *a* of the first paragraph for the interest that the person is liable to pay under this Act on an assessment in respect of an amount that the person is liable to pay because of this section.”

(2) Subsection 1 applies from the taxation year 2018.

163. Section 1034.1 of the Act is amended by replacing “jointly and severally” in paragraph 2 by “solidarily”.

164. Section 1034.3.1 of the Act is replaced by the following section:

“1034.3.1. For the purposes of sections 1034.2 and 1034.3, the fair market value at any time of an undivided right in a property is deemed to be equal to the proportion of the fair market value of the property at that time that the right is of all the undivided rights in the property.”

165. Section 1079.8.1 of the Act is amended

(1) by inserting the following definitions in alphabetical order in the first paragraph:

““promoter” has the meaning assigned by section 1079.9;

““specified transaction” carried out by a taxpayer or a partnership means a transaction whose form and substance of the facts specific to the taxpayer or the partnership are significantly similar to the form and the substance of the facts of a transaction determined by the Minister and published in the *Gazette officielle du Québec*;”;

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

“For the purposes of this Book, in relation to a transaction determined by the Minister under the definition of “specified transaction” in the first paragraph, the Minister also determines and publishes in the *Gazette officielle du Québec* which taxpayers will be required to disclose a specified transaction in accordance with section 1079.8.6.2 and which will be the partnerships whose members will be subject to that obligation, if applicable, as well as the day from which the obligation to disclose specified transactions will apply.

The obligations provided for in this Book apply in respect of a specified transaction only if the carrying out of the specified transaction begins after the date of publication in the *Gazette officielle du Québec* of the transaction determined by the Minister to which the specified transaction relates; in that respect, section 1.5 does not apply for the purpose of determining the date on which a specified transaction begins to be carried out.”

166. (1) The Act is amended by inserting the following sections after section 1079.8.6.1:

“1079.8.6.2. A taxpayer who carries out a specified transaction or who is a member of a partnership that carries out such a transaction shall, in an information return filed in accordance with the first paragraph of section 1079.8.9 and within the time limit provided for in section 1079.8.10.1, disclose the transaction to the Minister.

The first paragraph applies to a taxpayer who carries out the specified transaction or who is a member of a partnership that carries out the transaction only if the taxpayer is, in accordance with the Minister's determination under the fourth paragraph of section 1079.8.1, subject to the obligation to disclose the transaction.

Despite the first paragraph, the obligation to disclose provided for in that paragraph applies, in the case of a limited partnership, to all of its general partners and to them only.

“1079.8.6.3. An adviser or a promoter who commercializes a transaction or promotes it, or if the adviser or promoter is a partnership, any of its members, shall—if the form and the substance of the facts of the transaction are significantly similar to the form and the substance of the facts of a transaction determined by the Minister and published in the *Gazette officielle du Québec* and if the transaction did not have to be significantly altered in its form and substance to be suitable for implementation with respect to various taxpayers or partnerships—file an information return in accordance with the second paragraph of section 1079.8.9 and within the time limit provided for in section 1079.8.10.2 in respect of the transaction.

“1079.8.6.4. A taxpayer who is a party to a nominee contract entered into in the course of a transaction having tax consequences under this Act or who is a member of a partnership that is a party to such a contract shall, in an information return sent to the Minister under separate cover by registered mail and in the prescribed form, disclose the contract and the transaction to the Minister on or before the 90th day after the date on which the contract was entered into.

The information return must contain the following information:

- (a) the date the nominee contract was entered into;
- (b) the identity of the parties to the nominee contract;
- (c) a complete description of the facts of the transaction that is sufficiently detailed to allow the Minister to analyze it and have a proper understanding of the tax consequences;
- (d) the identity of any other person or entity in respect of which the transaction has tax consequences; and
- (e) such other information as is required by the prescribed form.

A disclosure made in accordance with the first paragraph by a party to a nominee contract is deemed to be such a disclosure made by any other party to the nominee contract.

Despite the first paragraph, the obligation to disclose provided for in that paragraph applies, in the case of a limited partnership, to all of its general partners and to them only.”

(2) Subsection 1, where it enacts section 1079.8.6.4 of the Act, applies in respect of a nominee contract entered into after 16 May 2019, or before 17 May 2019 where the tax consequences of the transaction in the course of which the nominee contract was entered into continue after 16 May 2019. However, where the first paragraph of section 1079.8.6.4 of the Act applies in respect of a nominee contract entered into before 24 September 2020, it is to be read as follows:

“1079.8.6.4. A taxpayer who is a party to a nominee contract entered into in the course of a transaction having tax consequences under this Act or who is a member of a partnership that is a party to such a contract shall, in an information return sent to the Minister under separate cover by registered mail and in the prescribed form, disclose the contract and the transaction to the Minister on or before the later of the 90th day after the date on which the contract was entered into and 23 December 2020.”

167. (1) Section 1079.8.7.1 of the Act is amended by replacing “1079.8.5 to 1079.8.7” in the first paragraph by “1079.8.5 to 1079.8.6.2 and 1079.8.7”.

(2) Subsection 1 has effect from 18 September 2019. However, where section 1079.8.7.1 of the Act applies before 24 September 2020, it is to be read as if “1079.8.6.2” in the first paragraph were replaced by “1079.8.6.1”.

168. (1) Section 1079.8.9 of the Act is amended

(1) by replacing the portion before subparagraph *a* of the first paragraph by the following:

“1079.8.9. An information return, in respect of a transaction, whose filing is provided for in any of sections 1079.8.5 to 1079.8.6.2, 1079.8.7 and 1079.8.7.1 must be sent to the Minister under separate cover by registered mail, in the prescribed form, and contain the following information:”;

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

“An information return, in respect of a transaction, whose filing is provided for in section 1079.8.6.3 must be sent to the Minister under separate cover by registered mail, in the prescribed form, and contain the following information:

(*a*) a complete description of the facts of the transaction; and

(*b*) such other information as is required by the prescribed form.”

(2) Paragraph 1 of subsection 1 has effect from 17 May 2019. However, where section 1079.8.9 of the Act applies

(1) before 18 September 2019, it is to be read as if “, 1079.8.7 and 1079.8.7.1” in the portion of the first paragraph before subparagraph *a* were replaced by “and 1079.8.7”; and

(2) before 24 September 2020, it is to be read as if “1079.8.6.2” in the portion of the first paragraph before subparagraph *a* were replaced by “1079.8.6.1”.

169. (1) Section 1079.8.10 of the Act is amended by replacing the first paragraph by the following paragraph:

“Subject to the second paragraph, the information return, in respect of a transaction, whose filing is provided for in any of sections 1079.8.5 to 1079.8.6.1 and 1079.8.7 must be sent to the Minister on or before the filing-due date of the taxpayer who carried out the transaction for the taxation year referred to in that section or, if the transaction is carried out by a partnership, on or before the day, determined in accordance with section 1086R80 of the Regulation respecting the Taxation Act (chapter I-3, r. 1), on which the partnership return provided for in section 1086R78 of that Regulation is required to be filed for the partnership’s fiscal period referred to in any of sections 1079.8.5 to 1079.8.6.1 and 1079.8.7, as the case may be, or would be required to be so filed but for section 36.1 of the Tax Administration Act (chapter A-6.002).”

(2) Subsection 1 has effect from 17 May 2019.

170. The Act is amended by inserting the following sections after section 1079.8.10:

“1079.8.10.1. An information return, in respect of a specified transaction, whose filing is provided for in section 1079.8.6.2 must be sent to the Minister on or before the later of

(a) the 60th day after the day determined by the Minister, under the fourth paragraph of section 1079.8.1, from which the obligation to disclose the specified transaction applies; and

(b) the 120th day after the day of the publication in the *Gazette officielle du Québec* of the transaction determined by the Minister to which the specified transaction relates.

“1079.8.10.2. An information return, in respect of a particular transaction, whose filing is provided for in section 1079.8.6.3 must be sent to the Minister by an adviser or a promoter on or before the later of

(a) the 60th day after the day on which the adviser or the promoter commercializes the particular transaction or promotes it for the first time; and

(b) the 120th day after the day of the publication in the *Gazette officielle du Québec* of the transaction determined by the Minister to which the particular transaction relates.”

171. (1) Section 1079.8.11 of the Act is replaced by the following section:

“1079.8.11. An information return, in respect of a transaction, whose filing is provided for in any of sections 1079.8.5 to 1079.8.6.3, 1079.8.7 and 1079.8.7.1 and that is sent to the Minister is deemed to have been sent to the Minister in accordance with section 1079.8.9 if, within 120 days after the day on which it was sent, the Minister does not communicate with the person who filed the return in order to obtain additional information in relation to the transaction or the tax consequences resulting from the transaction.”

(2) Subsection 1 has effect from 17 May 2019. However, where section 1079.8.11 of the Act applies

(1) before 18 September 2019, it is to be read as if “, 1079.8.7 and 1079.8.7.1” were replaced by “and 1079.8.7”; and

(2) before 24 September 2020, it is to be read as if “1079.8.6.3” were replaced by “1079.8.6.1”.

172. (1) Section 1079.8.13 of the Act is amended by replacing the first paragraph by the following paragraph:

“If, in relation to a transaction to which any of sections 1079.8.5 to 1079.8.6.1 applies, the taxpayer who carried out the transaction or a member of the partnership that carried out the transaction fails to send, in accordance with that section, an information return within the time limit provided for in section 1079.8.10 in respect of the transaction, the taxpayer or the partnership, as the case may be, incurs a penalty of up to \$100,000 comprising a penalty of \$10,000 and a penalty of \$1,000 a day, as of the second day, for every day the failure continues.”

(2) Subsection 1 has effect from 17 May 2019.

173. (1) The Act is amended by inserting the following sections after section 1079.8.13:

“1079.8.13.1. If, in relation to a specified transaction to which section 1079.8.6.2 applies and that is carried out by a taxpayer or a partnership, the taxpayer or a member of the partnership fails to send, in accordance with that section, an information return within the time limit provided for in section 1079.8.10.1 in respect of the transaction, the taxpayer or the partnership, as the case may be, incurs a penalty of up to \$100,000 comprising a penalty of \$10,000 and an additional penalty of \$1,000 a day, as of the second day, for every day the failure continues.

In the case of a failure described in the first paragraph, the taxpayer or the partnership that carries out the specified transaction also incurs a penalty equal to 50% of the tax benefit that, but for Title I of Book XI, would result, directly or indirectly, from the transaction for any taxation year.

However, the taxpayer or the partnership, as the case may be, may not incur,

(a) in respect of the same failure, both the penalty provided for in the first paragraph and the penalty provided for in section 59 of the Tax Administration Act (chapter A-6.002); or

(b) in respect of the same transaction, both the penalty provided for in the first paragraph and the penalty provided for in section 1079.8.13.

“1079.8.13.2. If, in relation to a transaction to which section 1079.8.6.3 applies, an adviser or a promoter who commercializes the transaction or promotes it or, if the adviser or promoter is a partnership, any of its members fails to send, in accordance with that section, an information return within the time limit provided for in section 1079.8.10.2 in respect of the transaction, the promoter or adviser, as the case may be, incurs a penalty of up to \$100,000 comprising a penalty of \$10,000 and an additional penalty of \$1,000 a day, as of the second day, for every day the failure continues.

The promoter or adviser also incurs a penalty equal to 100% of the aggregate of all amounts each of which is a consideration that the promoter or adviser, or a person or partnership related to or associated with the promoter or adviser, has received or is entitled to receive, directly or indirectly, from any person or partnership for the implementation of the transaction so commercialized or promoted.

However, the promoter or adviser may not incur, in respect of the same failure, both the penalty provided for in the first paragraph and the penalty provided for in section 59 of the Tax Administration Act (chapter A-6.002).

“1079.8.13.3. If a taxpayer who is a party to a nominee contract entered into in the course of a transaction to which section 1079.8.6.4 applies or a member of a partnership that is a party to such a contract fails to send, in accordance with that section, an information return in respect of the contract and the transaction, the taxpayer or the partnership, as the case may be, incurs, solidarily with the other parties to the contract, a penalty of up to \$5,000 comprising a penalty of \$1,000 and an additional penalty of \$100 a day, as of the second day, for every day the failure continues.

However, the taxpayer or the partnership, as the case may be, may not incur, in respect of the same failure, both the penalty provided for in the first paragraph and the penalty provided for in section 59 of the Tax Administration Act (chapter A-6.002).”

(2) Subsection 1, where it enacts section 1079.8.13.3 of the Act, applies in respect of a nominee contract entered into after 16 May 2019 or before 17 May 2019 where the tax consequences of the transaction in the course of which the nominee contract was entered into continue after 16 May 2019.

174. (1) Section 1079.8.14 of the Act is replaced by the following section:

“1079.8.14. If a partnership incurs a penalty under any of sections 1079.8.13 to 1079.8.13.3, sections 1005 to 1014, 1034 to 1034.0.2, 1035 to 1044.0.2 and 1051 to 1055.1 apply, with the necessary modifications, in respect of the penalty as if the partnership were a corporation.”

(2) Subsection 1 has effect from 17 May 2019. However, where section 1079.8.14 of the Act applies before 24 September 2020, it is to be read as if “any of sections 1079.8.13 to 1079.8.13.3” were replaced by “section 1079.8.13 or 1079.8.13.3”.

175. Section 1079.8.15 of the Act is amended by replacing the portion of the first paragraph before subparagraph *a* by the following:

“1079.8.15. If, in relation to a taxation year of a particular taxpayer described in the second paragraph for which tax consequences under this Act result from a transaction with contractual protection, a transaction involving conditional remuneration, a confidential transaction or a specified transaction, a taxpayer who carried out the transaction or a member of the partnership that carried out the transaction fails to send, in accordance with any of sections 1079.8.5 to 1079.8.6.2, an information return within the time limit provided for in section 1079.8.10 or 1079.8.10.1, as the case may be, in respect of the transaction, the Minister may, despite the expiry of the time limits provided for in section 1010, redetermine the tax, interest and penalties or any other amount, under this Act, and make a redetermination, reassessment or additional assessment for the taxation year in respect of the particular taxpayer”.

176. (1) The Act is amended by inserting the following section after section 1079.8.15:

“1079.8.15.1. If a particular taxpayer is a party to a nominee contract entered into in the course of a transaction or is a member of a partnership that is a party to such a contract and if, in relation to a taxation year of the particular taxpayer for which tax consequences under this Act result from the transaction, the particular taxpayer fails to send, in accordance with section 1079.8.6.4, an information return in respect of the contract and the transaction, the Minister may, despite the expiry of the time limits provided for in section 1010, redetermine the tax, interest and penalties or any other amount, under this Act and make a redetermination, reassessment or additional assessment for the taxation year in respect of the particular taxpayer

(a) on or before the day that is three years after the day on which an information return containing the information required by section 1079.8.6.4 is sent to the Minister in respect of the transaction, if the period for which the Minister could, before the expiry of the time limits provided for in section 1010, make a reassessment or an additional assessment in respect of the particular taxpayer is the period referred to in paragraph *a* of subsection 2 of section 1010;

(b) on or before the day that is four years after the day referred to in subparagraph *a*, if the period for which the Minister could, before the expiry of the time limits provided for in section 1010, make a reassessment or an additional assessment in respect of the particular taxpayer is the period referred to in paragraph *a.0.1* of subsection 2 of section 1010;

(c) on or before the day that is six years after the day referred to in subparagraph *a*, if the period for which the Minister could, before the expiry of the time limits provided for in section 1010, make a reassessment or an additional assessment in respect of the particular taxpayer is the first period referred to in paragraph *a.1* of subsection 2 of section 1010 and if any of the conditions in subparagraphs *i* to *vii* of that paragraph *a.1* is applicable in respect of the transaction; or

(d) on or before the day that is seven years after the day referred to in subparagraph *a*, if the period for which the Minister could, before the expiry of the time limits provided for in section 1010, make a reassessment or an additional assessment in respect of the particular taxpayer is the second period referred to in paragraph *a.1* of subsection 2 of section 1010 and if any of the conditions in subparagraphs *i* to *vii* of that paragraph *a.1* is applicable in respect of the transaction.

However, the Minister may, in respect of a taxation year for which tax consequences under this Act result from a transaction referred to in the first paragraph, make a reassessment or an additional assessment under the first paragraph only to the extent that the reassessment or additional assessment may reasonably be considered to relate to those tax consequences.”

(2) Subsection 1 applies in respect of a nominee contract entered into after 16 May 2019, or before 17 May 2019 where the tax consequences of the transaction in the course of which the nominee contract was entered into continue after 16 May 2019.

177. (1) Section 1079.13.1 of the Act is amended by replacing the second paragraph by the following paragraph:

“However, the first paragraph does not apply if the person filed an information return in respect of the transaction, or series of transactions that includes the transaction, in accordance with any of sections 1079.8.5 to 1079.8.6.2, 1079.8.7 and 1079.8.7.1.”

(2) Subsection 1 has effect from 17 May 2019. However, where section 1079.13.1 of the Act applies

(1) before 18 September 2019, it is to be read as if “, 1079.8.7 and 1079.8.7.1” in the second paragraph were replaced by “and 1079.8.7”; and

(2) before 24 September 2020, it is to be read as if “1079.8.6.2” in the second paragraph were replaced by “1079.8.6.1”.

178. (1) Section 1079.15.1 of the Act is amended by replacing the portion before subparagraph *b* of the first paragraph by the following:

“1079.15.1. If section 1079.10 applies to a person in relation to a transaction and the person did not file an information return in accordance with any of sections 1079.8.5 to 1079.8.6.2 and 1079.8.7, in respect of the transaction or series of transactions that includes the transaction, the Minister may, despite the expiry of the time limit provided for, in respect of the person, in paragraph *a* or *a.0.1* of subsection 2 of section 1010, determine the tax consequences to the person, the interest and the penalties, under this Act, and make a reassessment or an additional assessment,

(*a*) on or before the day that is six years after the day referred to, for the taxation year concerned, in paragraph *a* of subsection 2 of section 1010 or, if the transaction or series of transactions must be disclosed as required by any of sections 1079.8.5 to 1079.8.6.2, the day, if it is later, on which the information return containing the information required by section 1079.8.9 is sent to the Minister in respect of the transaction or series of transactions; or”.

(2) Subsection 1 has effect from 17 May 2019. However, where section 1079.15.1 of the Act applies before 24 September 2020, it is to be read as if “1079.8.6.2” were replaced wherever it appears by “1079.8.6.1”.

179. Section 1079.15.1.1 of the Act is amended by replacing “1079.8.6.1” and “the taxpayer” in the first paragraph by “1079.8.6.2” and “the person”, respectively.

180. (1) The Act is amended by inserting the following Title before Title I.1 of Book XI of Part I:

“TITLE I.0.1

“SHAM TRANSACTION

“1082.0.1. For the purposes of sections 1082.0.1 to 1082.0.5,

“adviser” has the meaning assigned by section 1079.8.1;

“promoter” has the meaning assigned by section 1079.9;

“transaction” has the meaning assigned by section 1079.8.1.

For the purposes of this Title, the rules set out in section 1079.9.1 apply for the purpose of determining whether, at a particular time, a person or a partnership is associated with, or related to, another person or partnership.

1082.0.2. Where the Minister determines or redetermines the tax payable under this Act by a person for a taxation year for which tax consequences under this Act result from a sham transaction and makes an assessment, a reassessment or an additional assessment in respect of the taxation year concerned, the person incurs a penalty equal to the greater of \$25,000 and 50% of the excess amount that would be determined for the year, in respect of the person, under the first paragraph of section 1049 if a reference, in that first paragraph, to a false statement or an omission were replaced by a reference to a sham transaction.

1082.0.3. Where the Minister determines or redetermines the tax payable under this Act by a particular person for a taxation year for which tax consequences under this Act result from a sham transaction and makes an assessment, a reassessment or an additional assessment in respect of the taxation year concerned, the promoter of the transaction, or the adviser in respect of the transaction, incurs a penalty equal to 100% of

(a) if the transaction is carried out by the particular person, the aggregate of all amounts each of which is a consideration that the promoter or adviser, or a person or partnership related to or associated with the promoter or adviser, has received or is entitled to receive, directly or indirectly, from any person or partnership in respect of the transaction; or

(b) if the transaction is carried out by a partnership of which the particular person is a member, the amount that is the agreed proportion of the aggregate referred to in subparagraph *a* in respect of the particular person for the partnership’s fiscal period in which the transaction is carried out.

Where an assessment, a reassessment or an additional assessment referred to in the first paragraph is cancelled in consequence of an objection, an appeal or a summary appeal, as the case may be, the Minister shall, despite the expiry of the time limits provided for in section 1010, make a reassessment and redetermine the interest and penalties payable by the promoter or the adviser of the transaction, under the first paragraph, in order to take the decision or judgment into account.

Section 1079.13.3 applies, with the necessary modifications, to the determination of a penalty incurred under this section in respect of a sham transaction.

Where a partnership incurs a penalty under this section, sections 1005 to 1014, 1034 to 1034.0.2, 1035 to 1044.0.2 and 1051 to 1055.1 apply, with the necessary modifications, in respect of the penalty as if the partnership were a corporation.

“1082.0.4. The Minister may, despite the expiry of the time limit provided for in paragraph *a* or *a.0.1* of subsection 2 of section 1010, in respect of a person described in the second paragraph, redetermine the tax, interest and penalties payable under this Act, and make a reassessment or an additional assessment, in respect of that person, for a taxation year for which tax consequences under this Act result from a sham transaction,

(*a*) on or before the day that is six years after the day referred to, for the taxation year concerned, in paragraph *a* of subsection 2 of section 1010; or

(*b*) on or before the day that is seven years after the day determined in subparagraph *a* if, at the end of the taxation year concerned, the person is a mutual fund trust or a corporation other than a Canadian-controlled private corporation.

The person to whom the first paragraph refers is

(*a*) a person who is a party to the sham transaction;

(*b*) a person who is a member of a partnership that is a party to the sham transaction, at the end of the partnership’s fiscal period that ends in the taxation year;

(*c*) a corporation that is associated with the person described in subparagraph *a* or with the partnership described in subparagraph *b*, at the time the sham transaction is carried out;

(*d*) a corporation that is associated with a person who is a member of a partnership that is a party to the sham transaction, at the time the transaction is carried out;

(*e*) a person who is related to the person described in subparagraph *a* or to the partnership described in subparagraph *b*, at the time the sham transaction is carried out; or

(*f*) a person who is related to a person who is a member of a partnership that is a party to the sham transaction, at the time the transaction is carried out.

However, the Minister may, in respect of a taxation year for which tax consequences under this Act result from a sham transaction, make a reassessment or an additional assessment, under the first paragraph, only to the extent that the reassessment or additional assessment may reasonably be considered to relate to the transaction.

“1082.0.5. Where tax consequences under this Act result, for a taxation year of a taxpayer, from a sham transaction and a formal demand relating to an amount that may be owed by a taxpayer under this Act, in respect of the transaction, has been notified in accordance with the third paragraph of section 39 of the Tax Administration Act (chapter A-6.002) to a person regarding the filing of information, additional information or documents, the time limit described in paragraph *a* or *a.0.1* of subsection 2 of section 1010 or in section 1082.0.4, as the case may be, for determining or redetermining the tax, interest and penalties and for making a reassessment or an additional assessment, in respect of the taxation year concerned, in relation to the tax consequences to the taxpayer that are attributable to the sham transaction, is suspended for the period that begins on the day the application for authorization provided for in the third paragraph of that section 39 is filed and ends on the day on which that application is finally settled and on which, where the validity of the formal demand is confirmed, the information, additional information or documents, as the case may be, are filed in accordance with that section 39.

However, the Minister may, after applying the first paragraph, make a reassessment or an additional assessment beyond the period that, in respect of a taxpayer, is referred to in paragraph *a* or *a.0.1* of subsection 2 of section 1010 or in section 1082.0.4, because of the sham transaction in relation to the taxpayer, only to the extent that the reassessment or additional assessment may reasonably be considered to relate to the transaction.”

(2) Subsection 1, where it enacts sections 1082.0.1 to 1082.0.4 of the Act, applies in respect of a transaction carried out after 16 May 2019. However, it does not apply in respect of a transaction which is part of a series of transactions that began before 17 May 2019 and was completed before 1 August 2019; in that respect, section 1.5 of the Act does not apply for the purpose of determining the date on which a series of transactions began.

(3) Subsection 1, where it enacts section 1082.0.5 of the Act, applies in respect of a formal demand for which an application for authorization is filed after 17 May 2019.

181. Section 1090.2 of the Act is replaced by the following section:

“1090.2. For the purposes of subparagraph *l* of the first paragraph of sections 1089 and 1090, and section 1090.1, property that is an immovable or a timber resource property includes, at a particular time, a right in the property and an option in respect of the property, even if, in the case of an immovable, the property is not in existence at that time.”

182. Section 1117 of the Act is amended by replacing subparagraphs *i* and *ii* of paragraph *b* by the following subparagraphs:

“*i.* the investing of its funds in property, other than immovable property or a right in immovable property,

“ii. the acquiring, holding, maintaining, improving, leasing or managing of any immovable property, or any right in immovable property, that is capital property of the corporation, or”.

183. (1) The Act is amended by inserting the following Part after section 1129.4.32:

“PART III.1.8

**“SPECIAL TAX RELATING TO THE ADDITIONAL DEDUCTION OF
35% OR 60% IN RESPECT OF CERTAIN INVESTMENTS**

“1129.4.33. Where a taxpayer has deducted, in respect of a property, an amount in computing the taxpayer’s income under section 156.7.4 for a taxation year ending before all the conditions prescribed in respect of the property have been met and, in a subsequent taxation year, an event occurs that results in any of those conditions not being able to be met, the taxpayer shall pay a tax for that subsequent taxation year that is equal to the aggregate of all amounts each of which is the amount by which the tax payable by the taxpayer under Part I for a preceding taxation year for which the taxpayer deducted an amount in computing the taxpayer’s income under section 156.7.4 in respect of the property is exceeded by the tax that the taxpayer would have had to pay under Part I for that preceding taxation year if such an amount had not been deducted.

“1129.4.34. Where a partnership has deducted, in respect of a property, an amount in computing its income under section 156.7.4 for a fiscal period ending before all the conditions prescribed in respect of the property have been met and, in a subsequent fiscal period, an event occurs that results in any of those conditions not being able to be met, each taxpayer who was a member of the partnership at the end of a preceding fiscal period for which the partnership deducted such an amount in respect of the property shall pay a tax, for the taxpayer’s taxation year in which that subsequent fiscal period ends, that is equal to the aggregate of all amounts each of which is the amount by which the tax payable by the taxpayer under Part I for a taxation year in which such a preceding fiscal period ends is exceeded by the tax that the taxpayer would have had to pay for that taxation year under Part I if no amount had been deducted by the partnership under section 156.7.4 in respect of the property.

“1129.4.35. Unless otherwise provided in this Part, section 6, the first paragraph of section 549, section 564 where it refers to the first paragraph of section 549, sections 1000 to 1024 and 1026.0.1, subparagraph *b* of the first paragraph of section 1027 and sections 1037 to 1079.16 apply to this Part, with the necessary modifications.”

(2) Subsection 1 has effect from 29 March 2017.

184. (1) The Act is amended by inserting the following Part after section 1129.45.3.5.15:

“PART III.10.1.1.4

**“SPECIAL TAX RELATING TO THE CREDIT TO FOSTER THE
RETENTION OF EXPERIENCED WORKERS**

“1129.45.3.5.16. In this Part, “qualified expenditure” and “specified expenditure” have the meaning assigned by section 1029.8.36.59.49.

“1129.45.3.5.17. Every corporation that is deemed to have paid an amount to the Minister, under section 1029.8.36.59.50, on account of its tax payable under Part I for a particular taxation year, in relation to its qualified expenditure or its specified expenditure, shall pay the tax computed under the second paragraph for a subsequent taxation year (in this section referred to as the “repayment year”) in which an amount relating to the qualified expenditure or the specified expenditure, as the case may be, is, directly or indirectly, refunded or otherwise paid to the corporation or allocated to a payment to be made by it.

The tax to which the first paragraph refers is equal to the amount by which the aggregate of all amounts each of which is an amount that the corporation is deemed to have paid to the Minister for a taxation year preceding the repayment year under section 1029.8.36.59.50 or 1029.8.36.59.54, in relation to the qualified expenditure or the specified expenditure, as the case may be, exceeds the total of

(a) the aggregate of all amounts each of which is an amount that the corporation would be deemed to have paid to the Minister for a taxation year preceding the repayment year under section 1029.8.36.59.50 or 1029.8.36.59.54, in relation to the qualified expenditure or the specified expenditure, as the case may be, if every amount that is, at or before the end of the repayment year, so refunded, paid or allocated, in relation to the qualified expenditure or the specified expenditure, as the case may be, were refunded, paid or allocated in the particular taxation year; and

(b) the aggregate of all amounts each of which is a tax that the corporation is required to pay to the Minister under this section for a taxation year preceding the repayment year, in relation to the qualified expenditure or the specified expenditure, as the case may be.

“1129.45.3.5.18. Every corporation that is a member of a partnership and is deemed to have paid an amount to the Minister, under section 1029.8.36.59.50, on account of the corporation’s tax payable under Part I for a particular taxation year, in relation to a qualified expenditure or specified expenditure of the partnership for the partnership’s particular fiscal period that ends in that particular year, shall pay the tax computed under the second paragraph for the taxation year in which ends a subsequent fiscal period

of the partnership (in this section referred to as the “fiscal period of repayment”) in which an amount relating to the qualified expenditure or the specified expenditure, as the case may be, is, directly or indirectly, refunded or otherwise paid to the partnership or corporation or allocated to a payment to be made by the partnership or corporation.

The tax to which the first paragraph refers is equal to the amount by which the aggregate of all amounts each of which is an amount that the corporation would be deemed to have paid to the Minister for a taxation year in which a fiscal period of the partnership preceding the fiscal period of repayment ends under any of sections 1029.8.36.59.50, 1029.8.36.59.55 and 1029.8.36.59.56, in relation to the qualified expenditure or the specified expenditure, as the case may be, if the agreed proportion in respect of the corporation for that preceding fiscal period were the same as that for the fiscal period of repayment, exceeds the total of

(a) the aggregate of all amounts each of which is an amount that the corporation would be deemed to have paid to the Minister under any of sections 1029.8.36.59.50, 1029.8.36.59.55 and 1029.8.36.59.56, for a taxation year in which a fiscal period of the partnership preceding the fiscal period of repayment ends, in relation to the qualified expenditure or the specified expenditure, as the case may be, if

i. every amount that is, at or before the end of the fiscal period of repayment, so refunded, paid or allocated, in relation to the qualified expenditure or the specified expenditure, as the case may be, were refunded, paid or allocated in the particular fiscal period, and

ii. the agreed proportion in respect of the corporation for that preceding fiscal period were the same as that for the fiscal period of repayment; and

(b) the aggregate of all amounts each of which is a tax that the corporation would be required to pay to the Minister under this section, for a taxation year preceding the taxation year in which the fiscal period of repayment ends, in relation to the qualified expenditure or the specified expenditure, as the case may be, if the agreed proportion in respect of the corporation for the partnership’s fiscal period that ends in the preceding taxation year were the same as that for the fiscal period of repayment.

For the purposes of the second paragraph, an amount referred to in subparagraph i of subparagraph a of that paragraph that is refunded or otherwise paid to the corporation or allocated to a payment to be made by the corporation is deemed to be an amount

(a) that is refunded or otherwise paid to the partnership or allocated to a payment to be made by the partnership; and

(b) that is determined by multiplying the amount refunded, paid or allocated by the reciprocal of the agreed proportion in respect of the corporation for the fiscal period of repayment.

“1129.45.3.5.19. For the purposes of Part I, except Division II.6.5.8 of Chapter III.1 of Title III of Book IX, the following rules are taken into consideration:

(a) tax paid to the Minister by a corporation at any time, under section 1129.45.3.5.17, in relation to its qualified expenditure or its specified expenditure, is deemed to be an amount of assistance repaid by the corporation at that time in respect of that expenditure, pursuant to a legal obligation; and

(b) tax paid to the Minister by a corporation at any time, under section 1129.45.3.5.18, in relation to the qualified expenditure or the specified expenditure of a partnership referred to in that section, is deemed to be an amount of assistance repaid by the partnership at that time in respect of that expenditure, pursuant to a legal obligation.

“1129.45.3.5.20. Unless otherwise provided in this Part, section 6, the first paragraph of section 549, section 564 where it refers to the first paragraph of section 549, sections 1000 to 1024, subparagraph *b* of the first paragraph of section 1027 and sections 1037 to 1079.16 apply to this Part, with the necessary modifications.”

(2) Subsection 1 applies from the taxation year 2019.

185. Section 1129.70 of the Act is amended, in the first paragraph,

(1) by replacing “a real or”, “means real or” and “the real or” by “an”, “means an” and “the”, respectively, wherever they appear in the following provisions:

— paragraph *a* of the definition of “qualified property”;

— the definition of “eligible resale property”;

— paragraph *d* of the definition of “real estate investment fund”;

(2) by striking out “real or” wherever it appears in the following provisions:

— paragraph *b* of the definition of “qualified property”;

— subparagraph *i* of paragraph *c* of the definition of “qualified property”;

— subparagraphs *i* and *iii* of paragraph *b* of the definition of “real estate investment fund”;

— subparagraphs *i* to *iii* of paragraph *c* of the definition of “real estate investment fund”;

— the portion of the definition of “rent from real or immovable properties” before paragraph *c*;

(3) by replacing the portion of the definition of “Canadian real, immovable or resource property” before paragraph *b* by the following:

““Canadian immovable or resource property” means

(a) a property that would, but for the definition of “immovable property”, be an immovable property situated in Canada;”;

(4) by replacing paragraph *e* of the definition of “Canadian real, immovable or resource property” by the following paragraph:

“(e) any right in or to a property described in any of paragraphs *a* to *d*;”;

(5) by replacing paragraph *b* of the definition of “non-portfolio property” by the following paragraph:

“(b) a Canadian immovable or resource property, if at any time in the year the total fair market value of all properties held by the particular entity that are Canadian immovable or resource properties is greater than the amount that is 50% of the equity value of the particular entity; or”;

(6) by replacing the portion of the definition of “real or immovable property” before paragraph *a* by the following:

““immovable property” of a taxpayer includes a security held by the taxpayer that is a security of a trust that satisfies the conditions set out in paragraphs *a* to *d* of the definition of “real estate investment trust” or a security of another entity that would, if it were a trust, satisfy those conditions, or a real right in an immovable, other than a right to a rental or royalty described in paragraph *d* or *d.1* of section 370, but does not include a depreciable property, other than”.

186. Section 1129.70.1 of the Act is amended by replacing “real or immovable properties” wherever it appears in subparagraph *c* of the first paragraph by “immovable properties”.

187. Section 1129.70.2 of the Act is amended

(1) by replacing “real or immovable property” wherever it appears in paragraph *a* by “immovable property”;

(2) by replacing “a real or immovable property” and “the real or immovable property” wherever they appear in the portion of paragraph *b* before subparagraph ii by “an immovable property” and “the immovable property”, respectively.

188. The Act is amended by replacing “an interest”, “or interest” and “the interest” by “a right”, “or right” and “the right”, respectively, wherever they appear in the following provisions:

- (1) subparagraph viii of paragraph *a* of section 92.7;
- (2) the portion of section 218 before paragraph *a* and paragraphs *c* and *d* of that section;
- (3) subparagraph *b* of the first paragraph of section 220;
- (4) the first paragraph of section 280.3;
- (5) subparagraph i of subparagraph *b* of the first paragraph of section 844.4 and subparagraphs 1 and 2 of subparagraph ii of that subparagraph *b*.

189. The Act is amended by replacing “, or for any interest therein or right thereto”, “any interest in or right to” and “or any interest in any such shares or right thereto” by “or any right in or to a share”, “any right in or to” and “, or any right in or to such a share,”, respectively, wherever they appear in the following provisions:

- (1) paragraph *a* of section 396;
- (2) paragraph *a* of section 409;
- (3) paragraph *c* of section 418.2;
- (4) the portion of section 419 before paragraph *a*.

190. The Act is amended by replacing “real property” by “immovable property” in the following provisions:

- (1) the portion of section 97.2 before paragraph *a*;
- (2) section 97.3;
- (3) section 146;
- (4) the first paragraph of section 153.

191. The Act is amended by replacing “interest in or right to” by “right in or to” in the following provisions:

- (1) subparagraph i of subparagraph *a* of the third paragraph of section 418.16;
- (2) subparagraph 1 of subparagraph i of subparagraph *a* of the third paragraph of section 418.17;
- (3) subparagraph i of subparagraph *a* of the third paragraph of section 418.18;
- (4) subparagraph iii of subparagraph *c* of the first paragraph of section 418.20.

**ACT RESPECTING THE SECTORAL PARAMETERS OF CERTAIN
FISCAL MEASURES**

192. (1) Section 8.4 of Schedule E to the Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1) is amended by replacing “subparagraph *c*” in the second paragraph by “subparagraph *c* or *c.1*”.

(2) Subsection 1 has effect from 21 March 2019.

193. (1) Section 8.6 of Schedule E to the Act is amended

(1) by replacing “*b* to *d*” in subparagraph *a* of subparagraph 3 of the first paragraph by “*b*, *c* and *d*”;

(2) by replacing “*c* and *d*” in subparagraph *b* of subparagraph 3 of the first paragraph by “*c* to *d*”;

(3) by replacing subparagraph *c* of subparagraph 3 of the first paragraph by the following subparagraph:

“(c) \$75,000,000, if

i. it is determined that the project must be carried out in a designated region,

ii. the corporation or partnership either files its application for the initial qualification certificate after 10 February 2015 and before 22 March 2019 or, where it files its application before 11 February 2015 and the carrying out of the project has not yet begun before that date, elects, in accordance with the seventh paragraph, to have the threshold provided for in this subparagraph *c* apply, and

iii. where the carrying out of the project has not yet begun before 22 March 2019, the corporation or partnership does not elect to have the threshold provided for in subparagraph *c.1* apply.”;

(4) by inserting the following subparagraph after subparagraph *c* of subparagraph 3 of the first paragraph:

“(c.1) \$50,000,000, if it is determined that the project must be carried out in a designated region and the corporation or partnership either files its application for the initial qualification certificate after 21 March 2019 or, where it files its application before 22 March 2019 and the carrying out of the project has not yet begun before that date, elects, in accordance with the seventh paragraph, to have the threshold provided for in this subparagraph *c.1* apply, or”;

(5) by replacing “if subparagraph *c* does not apply” in subparagraph *d* of subparagraph 3 of the first paragraph by “if neither subparagraph *c* nor *c.1* applies”;

(6) by replacing the seventh paragraph by the following paragraph:

“The corporation or partnership makes any of the elections provided for in subparagraphs *b*, *c*, *c.1* and *d* of subparagraph 3 of the first paragraph by notifying the Minister in writing before the day on which it files its application for the first annual certificate in respect of the investment project, but on or before 20 November 2015 in the case of an election provided for in that subparagraph *b*, 20 November 2017 in the case of either of the elections provided for in those subparagraphs *c* and *d*, or 31 December 2020 in the case of an election provided for in that subparagraph *c.1*.”

(2) Subsection 1 has effect from 21 March 2019.

194. (1) Section 8.8 of Schedule E to the Act is amended by inserting the following subparagraph after subparagraph *c* of subparagraph 2 of the second paragraph:

“(c.1) \$50,000,000, if subparagraph *c.1* of that subparagraph 3 applies to the project, or”.

(2) Subsection 1 has effect from 21 March 2019.

195. (1) Section 8.9 of Schedule E to the Act is amended, in the first paragraph,

(1) by replacing “subparagraph *c*” in subparagraphs 1 and 3 by “subparagraph *c* or *c.1*”;

(2) by inserting the following subparagraph after subparagraph *c* of subparagraph 2:

“(c.1) \$50,000,000, if subparagraph *c.1* of that subparagraph 3 applies to the project, or”.

(2) Subsection 1 has effect from 21 March 2019.

ACT RESPECTING THE QUÉBEC SALES TAX

196. (1) Section 1 of the Act respecting the Québec sales tax (chapter T-0.1) is amended

(1) by replacing paragraph 1 of the definition of “pension entity” by the following paragraph:

“(1) a trust governed by the pension plan;”;

(2) by inserting the following definition in alphabetical order:

““master pension entity” of a pension plan means a person that is not a pension entity of the pension plan and that is

(1) a corporation described in paragraph *c.2* of section 998 of the Taxation Act, one or more shares of which are owned by a pension entity of the pension plan; or

(2) a master trust, within the meaning of the regulations made under paragraph *c.4* of section 998 of the Taxation Act, one or more units of which are owned by a pension entity of the pension plan;”;

(3) by replacing paragraph 1 of the definition of “taxi business” by the following paragraph:

“(1) a business carried on in Québec of transporting passengers by taxi or other similar vehicle for fares that are regulated by the Act respecting transportation services by taxi (chapter S-6.01); or”;

(4) by inserting the following definition in alphabetical order:

““master pension factor” has the meaning assigned by section 289.2;”;

(5) by replacing paragraph 1 of the definition of “pension plan” by the following paragraph:

“(1) governs a trust;”;

(6) by inserting the following subparagraph after subparagraph *d* of paragraph 1 of the definition of “investment plan”:

“(d.1) a tax-free savings account;”;

(7) by inserting the following subparagraph after subparagraph *f* of paragraph 1 of the definition of “investment plan”:

“(f.1) a registered disability savings plan;”;

(8) by striking out paragraph 4 of the definition of “investment plan”;

(9) by replacing paragraph 5 of the definition of “investment plan” by the following paragraph:

“(5) a prescribed person or a person of a prescribed class;”;

(10) by replacing the portion of the definition of “series” before paragraph 1 by the following:

““series” means, except for the purposes of section 332.1,”.

(2) Paragraphs 1 and 5 of subsection 1 have effect from 23 July 2016.

(3) Paragraph 2 of subsection 1 has effect from 23 September 2009.

(4) Paragraph 3 of subsection 1 has effect from 1 July 2017.

(5) Paragraph 4 of subsection 1 has effect from 22 July 2016.

(6) Paragraphs 6 to 9 of subsection 1 apply to a taxation year of a person that begins after 22 July 2016.

(7) Paragraph 10 of subsection 1 has effect from 23 March 2016.

197. (1) The Act is amended by inserting the following section after section 9:

“**9.1.** Where an arrangement is deemed to be a trust under section 7.10 or 7.10.1 of the Taxation Act (chapter I-3), the following rules apply:

(1) the arrangement is deemed to be a trust;

(2) property subject to rights and obligations under the arrangement is deemed to be held in trust and not otherwise;

(3) in the case of an arrangement referred to in section 7.10 of that Act, a person that has a right (whether immediate or future and whether absolute or contingent) to receive all or part of the income or capital in respect of property that is referred to in that section is deemed to be beneficially interested in the trust; and

(4) in the case of an arrangement referred to in section 7.10.1 of that Act, any property contributed at any time to the arrangement by an annuitant, a holder or a subscriber of the arrangement is deemed to have been transferred, at that time, to the trust by the annuitant, the holder or the subscriber, as the case may be.”

(2) Subsection 1 has effect from 23 July 2016.

198. (1) Section 42.0.1.2 of the Act is amended by replacing “à titre gratuit” in the portion before paragraph 1 in the French text by “sans contrepartie”.

(2) Subsection 1 has effect from 14 December 2017.

199. (1) Section 162 of the Act is amended by replacing paragraphs 6 to 9 by the following paragraphs:

“(6) a supply of a service of providing information under the Access to Information Act (Revised Statutes of Canada, 1985, chapter A-1), the Privacy Act (Revised Statutes of Canada, 1985, chapter P-21) or the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);

“(7) a supply of a law enforcement service or fire safety service made to a government or a municipality or to a commission or other body established by a government or municipality;

“(8) a supply of a service of collecting garbage, including recyclable materials; and

“(9) a supply of a right to deposit refuse at a refuse disposal site.”

(2) Subsection 1 has effect from 14 December 2017.

200. (1) Section 244.1 of the Act is amended by replacing “« mandataire désigné »” in subparagraph *a* of paragraph 1 in the French text by “« mandataire de la Couronne désigné »”.

(2) Subsection 1 has effect from 14 December 2017.

201. (1) Section 267.1 of the Act is amended by replacing “« mandataire désigné »” in the French text by “« mandataire de la Couronne désigné »”.

(2) Subsection 1 has effect from 14 December 2017.

202. (1) Section 279.3 of the Act is amended by replacing the portion before subparagraph 1 of the first paragraph by the following:

“**279.3.** For the purpose of determining an input tax refund or an eligible amount, within the meaning of section 402.13, of a qualifying taxpayer, where an amount (in this section referred to as a “qualifying expenditure”) of qualifying consideration, or of an external charge, of the qualifying taxpayer in respect of an outlay made, or expense incurred, outside Canada that is attributable to the whole or part of a property (in this section referred to as an “attributable property”) or of a qualifying service (in this section referred to as an “attributable service”) is greater than zero and, during a reporting period of the qualifying taxpayer during which the qualifying taxpayer is a registrant, tax under section 18 becomes payable by the qualifying taxpayer or is paid by the qualifying taxpayer without having become payable, in respect of the qualifying expenditure, the following rules apply:”

(2) Subsection 1 has effect from 1 January 2013.

(3) If, upon the determination by the Minister of Revenue of the amount of a rebate to which a pension entity is entitled under section 402.14 of the Act, for a claim period, a particular amount was not included as an eligible amount (within the meaning of section 402.13 of the Act) for the claim period in determining the amount of the rebate and if, as a result of the application of subsection 1, the particular amount is an eligible amount for the claim period, the pension entity is entitled to request in writing, on or before 24 September 2021, that the Minister of Revenue make an assessment or reassessment for the

purpose of taking into account that the particular amount is an eligible amount for the claim period. On receipt of the request, the Minister shall with all due dispatch

(1) consider the request; and

(2) make an assessment or reassessment of the rebate under section 402.14 of the Act for the claim period, and of any interest, penalty or other obligation of the pension entity, solely for the purpose of taking into account that the particular amount is an eligible amount for the claim period.

(4) If, upon the determination by the Minister of Revenue of the amount of any fees, interest and penalties for which a qualifying employer (within the meaning of section 402.13 of the Act) of a pension plan is liable under the Act, in respect of its net tax for a reporting period that includes the day on which an election—made jointly under any of sections 402.18, 402.19 and 402.19.1 of the Act by the qualifying employer and a pension entity of the pension plan—is filed with the Minister of Revenue, an amount was not deducted under any of sections 402.18, 402.19 and 402.19.1 of the Act and if, as a result of the application of subsection 1, the amount may be deducted under any of sections 402.18, 402.19 and 402.19.1 of the Act in determining the net tax for the reporting period, the qualifying employer is entitled to request in writing, on or before 24 September 2021, that the Minister of Revenue make an assessment or reassessment for the purpose of taking into account that the amount may be deducted under any of sections 402.18, 402.19 and 402.19.1 of the Act in determining the net tax for the reporting period. On receipt of the request, the Minister shall with all due dispatch

(1) consider the request; and

(2) make an assessment or reassessment of the net tax for the reporting period, and of any interest, penalty or other obligation of the qualifying employer, solely for the purpose of taking into account that the amount may be deducted under any of sections 402.18, 402.19 and 402.19.1 of the Act in determining the net tax for the reporting period.

203. (1) Section 279.4 of the Act is amended by replacing the portion before subparagraph 1 of the first paragraph by the following:

“279.4. For the purpose of determining an input tax refund or an eligible amount, within the meaning of section 402.13, of a qualifying taxpayer, where tax (in this section referred to as the “internal tax”) under section 18 becomes payable by the qualifying taxpayer or is paid by the qualifying taxpayer without having become payable, in respect of an internal charge and the internal charge is determined based in whole or in part on the inclusion of an outlay made, or an expense incurred, outside Canada by the qualifying taxpayer that is attributable to the whole or part of a property (in this section referred to as an “internal property”) or of a qualifying service (in this section referred to as an “internal service”), the following rules apply:”.

(2) Subsection 1 has effect from 1 January 2013.

(3) If, upon the determination by the Minister of Revenue of the amount of a rebate to which a pension entity is entitled under section 402.14 of the Act, for a claim period, a particular amount was not included as an eligible amount (within the meaning of section 402.13 of the Act) for the claim period in determining the amount of the rebate and if, as a result of the application of subsection 1, the particular amount is an eligible amount for the claim period, the pension entity is entitled to request in writing, on or before 24 September 2021, that the Minister of Revenue make an assessment or reassessment for the purpose of taking into account that the particular amount is an eligible amount for the claim period. On receipt of the request, the Minister shall with all due dispatch

(1) consider the request; and

(2) make an assessment or reassessment of the rebate under section 402.14 of the Act for the claim period, and of any interest, penalty or other obligation of the pension entity, solely for the purpose of taking into account that the particular amount is an eligible amount for the claim period.

(4) If, upon the determination by the Minister of Revenue of the amount of any fees, interest and penalties for which a qualifying employer (within the meaning of section 402.13 of the Act) of a pension plan is liable under the Act, in respect of its net tax for a reporting period that includes the day on which an election—made jointly under any of sections 402.18, 402.19 and 402.19.1 of the Act by the qualifying employer and a pension entity of the pension plan—is filed with the Minister of Revenue, an amount was not deducted under any of sections 402.18, 402.19 and 402.19.1 of the Act and if, as a result of the application of subsection 1, the amount may be deducted under any of sections 402.18, 402.19 and 402.19.1 of the Act in determining the net tax for the reporting period, the qualifying employer is entitled to request in writing, on or before 24 September 2021, that the Minister of Revenue make an assessment or reassessment for the purpose of taking into account that the amount may be deducted under any of sections 402.18, 402.19 and 402.19.1 of the Act in determining the net tax for the reporting period. On receipt of the request, the Minister shall with all due dispatch

(1) consider the request; and

(2) make an assessment or reassessment of the net tax for the reporting period, and of any interest, penalty or other obligation of the qualifying employer, solely for the purpose of taking into account that the amount may be deducted under any of sections 402.18, 402.19 and 402.19.1 of the Act in determining the net tax for the reporting period.

204. (1) Section 289.2 of the Act is amended

(1) by replacing paragraphs 1 and 2 of the definition of “pension activity” in the first paragraph by the following paragraphs:

“(1) the establishment, management or administration of the pension plan, of a pension entity of the pension plan or of a master pension entity of the pension plan; or

“(2) the management or administration of assets in respect of the pension plan, including assets held by a pension entity or master pension entity of the pension plan;”;

(2) by replacing the portion of the definition of “excluded activity” in the first paragraph before subparagraph *a* of paragraph 4.1 by the following:

““excluded activity”, in respect of a pension plan, means an activity undertaken exclusively

(1) for compliance by a participating employer of the pension plan as an issuer, or prospective issuer, of securities with reporting requirements under a law of Québec, another province, the Northwest Territories, the Yukon Territory, Nunavut or Canada in respect of the regulation of securities;

(2) for evaluating the feasibility or financial impact on a participating employer of the pension plan of establishing, altering or winding-up the pension plan, other than an activity that relates to the preparation of an actuarial report in respect of the plan required under a law of Québec, another province, the Northwest Territories, the Yukon Territory, Nunavut or Canada;

(3) for evaluating the financial impact of the pension plan on the assets and liabilities of a participating employer of the pension plan;

(4) for negotiating changes to the benefits under the pension plan with a union or similar organization of employees;

(4.1) if the pension plan is a pooled registered pension plan, for compliance by a participating employer of the pension plan as an administrator of the pension plan with requirements under the Pooled Registered Pension Plans Act (Statutes of Canada, 2012, chapter 16) or a similar law of a province, the Northwest Territories, the Yukon Territory or Nunavut, provided the activity is undertaken exclusively for the purpose of making a taxable supply of a service to a pension entity of the pension plan that is to be made”;

(3) by inserting the following paragraph after paragraph 4.1 of the definition of “excluded activity” in the first paragraph:

“(4.2) in relation to a part of the pension plan that is a defined contribution pension plan or that is a defined benefits pension plan, if no pension entity of the pension plan administers that part of the pension plan or holds assets in respect of that part of the pension plan; or”;

(4) by replacing paragraph 5 of the definition of “excluded activity” in the first paragraph by the following paragraph:

“(5) for prescribed purposes;”;

(5) by inserting the following definition in alphabetical order in the first paragraph:

““master pension factor”, in respect of a pension plan for a fiscal year of a master pension entity, means the amount (expressed as a percentage) determined by the formula

A/B ;”;

(6) by inserting the following definition in alphabetical order in the first paragraph:

““master pension group” in respect of a particular person and another person means the group of one or more pension plans that consists of every pension plan that meets the following conditions:

- (1) the particular person is a participating employer of the pension plan; and
- (2) the other person is a master pension entity of the pension plan;”;

(7) by inserting the following definitions in alphabetical order in the first paragraph:

““defined benefits pension plan” means the part of a pension plan that is in respect of benefits under the plan that are determined in accordance with a formula set forth in the plan and under which the employer contributions are not determined in accordance with a formula set forth in the plan;

““defined contribution pension plan” means the part of a pension plan that is not a defined benefits pension plan;”;

(8) by adding the following definition at the end of the first paragraph:

““specified resource” means property or a service that is acquired by a person for the purpose of making a supply of all or part of the property or service to a pension entity or a master pension entity of a pension plan of which the person is a participating employer.”;

(9) by inserting the following paragraph after the first paragraph:

“For the purposes of the formula in the definition of “master pension factor” in the first paragraph,

(1) A is the total value, on the first day of the fiscal year, of the shares or units of the master pension entity that are held by pension entities of the pension plan on that day; and

(2) B is the total value, on the first day of the fiscal year, of the shares or units of the master pension entity.”;

(10) by replacing both occurrences of “third paragraph” in subparagraph *a* of subparagraph 2 of the second paragraph by “fourth paragraph”;

(11) by replacing “second paragraph” in the portion of the third paragraph before subparagraph 1 by “third paragraph”.

(2) Paragraphs 1, 5, 6 and 8 to 11 of subsection 1 have effect from 22 July 2016.

(3) Paragraphs 2 to 4 and 7 of subsection 1 apply in respect of a fiscal year of a person that begins after 22 July 2016.

205. (1) Section 289.3 of the Act is amended by replacing paragraph 1 by the following paragraph:

“(1) for each pension entity and master pension entity of the pension plan, no tax would become payable under this Title in respect of the supply if

(a) the supply were made by the other person to the pension entity or to the master pension entity, as the case may be, and not to the particular person, and

(b) the pension entity or the master pension entity, as the case may be, and the other person were dealing at arm’s length; and”.

(2) Subsection 1 applies in respect of a fiscal year of a person that begins after 21 July 2016.

206. (1) Section 289.4 of the Act is amended by replacing the portion before paragraph 1 by the following:

“**289.4.** For the purposes of subdivision 2, if a person is a participating employer of a pension plan and the pension plan has,”.

(2) Subsection 1 applies in respect of a fiscal year of a person that begins after 21 July 2016.

207. (1) Section 289.5 of the Act is amended

(1) by replacing the portion before subparagraph 1 of the first paragraph by the following:

“289.5. If a person is both a registrant and a participating employer of a pension plan at any time in a fiscal year of the person (in this section referred to as the “particular fiscal year”) and is not a selected qualifying employer of the pension plan at that time, if the person acquires at that time a specified resource for the purpose of making a supply of all or part of the specified resource to a pension entity of the pension plan for consumption, use or supply by the pension entity in the course of pension activities in respect of the pension plan and if the specified resource is not an excluded resource of the person in respect of the pension plan, the following rules apply:”;

(2) by replacing subparagraph *b* of subparagraph 4 of the first paragraph by the following subparagraph:

“(b) except where the pension entity is a selected listed financial institution on the last day of the particular fiscal year, to have paid tax in respect of the supply referred to in subparagraph *a*, on that day, equal to the amount determined by the formula

C – D, and”;

(3) by replacing the portion of the second paragraph before subparagraph 1 by the following:

“For the purposes of the formulas in the first paragraph,”;

(4) by adding the following subparagraphs at the end of the second paragraph:

“(3) C is the amount of tax determined in accordance with subparagraph 3 of the first paragraph; and

“(4) D is the total of all amounts each of which is a part of the amount determined in accordance with subparagraph 3

(a) that is not included in determining the person’s net tax for the reporting period that includes the last day of the particular fiscal year, or

(b) that the person has recovered or is entitled to recover by way of rebate, refund or remission, or otherwise, under this or any other Act.”

(2) Paragraph 1 of subsection 1 applies in respect of a fiscal year of a person that begins after 21 July 2016.

(3) Paragraphs 2 to 4 of subsection 1 have effect from 23 September 2009, except

(1) for the purpose of determining an input tax refund of a pension entity if the input tax refund is claimed in a return filed under Chapter VIII of Title I of the Act before 23 July 2016 for a reporting period of the pension entity;

(2) in respect of a tax adjustment note issued under section 450.0.2 or 450.0.5 of the Act before 23 July 2016; and

(3) for the purpose of determining the pension rebate amount (within the meaning of section 402.13 of the Act) of a pension entity for a claim period of the pension entity if

(a) an application for a rebate under section 402.14 of the Act for the claim period is filed before 23 July 2016; or

(b) an election made under section 402.19.1 of the Act for the claim period is filed before 23 July 2016.

(4) However, where section 289.5 of the Act applies in respect of a fiscal year of a person that ends before 1 January 2013, subparagraph *b* of subparagraph 4 of the first paragraph of that section 289.5 is to be read as follows:

“(b) to have paid tax in respect of the supply referred to in subparagraph *a*, on the last day of the particular fiscal year, equal to the amount determined by the formula

C – D, and”.

208. (1) The Act is amended by inserting the following section after section 289.5:

“289.5.1. If a person that is a registrant acquires at any time in its fiscal year (in this section referred to as the “particular fiscal year”) a specified resource for the purpose of making a supply of all or part of the specified resource to a master pension entity for consumption, use or supply by the master pension entity in the course of pension activities in respect of any pension plan that is in the master pension group in respect of the person and the master pension entity at that time, if the person is not at that time a selected qualifying employer of any pension plan in the master pension group and if it is not the case that the specified resource is an excluded resource of the person in respect of any pension plan in the master pension group, the following rules apply:

(1) the person is deemed to have made a taxable supply of the specified resource or part on the last day of the particular fiscal year;

(2) tax in respect of the taxable supply referred to in subparagraph 1 is deemed to have become payable on the last day of the particular fiscal year and the person is deemed to have collected that tax on that day;

(3) the tax referred to in subparagraph 2 is deemed to be equal to the total of all amounts each of which is determined for each pension plan in the master pension group by the formula

$$A \times B \times C;$$

(4) for each pension plan in the master pension group, the specified pension entity of the pension plan is deemed for the purpose of determining an input tax refund of the specified pension entity and for the purposes of subdivision 6.6 of Division I of Chapter VII and sections 450.0.1 to 450.0.12,

(a) to have received a supply of the specified resource or part on the last day of the particular fiscal year,

(b) except where the specified pension entity is a selected listed financial institution on the last day of the particular fiscal year, to have paid tax in respect of the supply referred to in subparagraph *a*, on that day, equal to the amount determined by the formula

$$D - E, \text{ and}$$

(c) to have acquired the specified resource or part for consumption, use or supply in the course of its commercial activities to the same extent that the specified resource or part was acquired by the person for the purpose of making a supply of the specified resource or part to the master pension entity for consumption, use or supply by the master pension entity in the course of pension activities of the master pension entity that are commercial activities of the master pension entity.

For the purposes of the formulas in the first paragraph,

(1) A is the fair market value of the specified resource or part at the time it was acquired by the person;

(2) B is the provincial factor in respect of the pension plan for the particular fiscal year;

(3) C is the master pension factor in respect of the pension plan for the fiscal year of the master pension entity that includes the last day of the particular fiscal year;

(4) D is the amount of tax determined for the pension plan in accordance with subparagraph 3 of the first paragraph; and

(5) E is the total of all amounts each of which is a part of the amount determined in accordance with subparagraph 4

(a) that is not included in determining the person's net tax for the reporting period that includes the last day of the particular fiscal year, or

(b) that the person has recovered or is entitled to recover by way of rebate, refund or remission, or otherwise, under this or any other Act.”

(2) Subsection 1 applies in respect of a fiscal year of a person that begins after 21 July 2016.

209. (1) Section 289.6 of the Act is amended

(1) by replacing subparagraph *b* of subparagraph 4 of the first paragraph by the following subparagraph:

“(b) except where the pension entity is a selected listed financial institution on the last day of the fiscal year, to have paid tax in respect of the supply referred to in subparagraph *a*, on that day, equal to the amount determined by the formula

C – D, and”;

(2) by replacing the portion of the second paragraph before subparagraph 1 by the following:

“For the purposes of the formulas in the first paragraph,”;

(3) by adding the following subparagraphs at the end of the second paragraph:

“(3) C is the amount of tax determined in accordance with subparagraph 3 of the first paragraph; and

“(4) D is the total of all amounts each of which is a part of the amount determined in accordance with subparagraph 3

(a) that is not included in determining the person's net tax for the reporting period that includes the last day of the fiscal year, or

(b) that the person has recovered or is entitled to recover by way of rebate, refund or remission, or otherwise, under this or any other Act.”

(2) Subsection 1 has effect from 23 September 2009, except

(1) for the purpose of determining an input tax refund of a pension entity if the input tax refund is claimed in a return filed under Chapter VIII of Title I of the Act before 23 July 2016 for a reporting period of the pension entity;

(2) in respect of a tax adjustment note issued under section 450.0.2 or 450.0.5 of the Act before 23 July 2016; and

(3) for the purpose of determining the pension rebate amount (within the meaning of section 402.13 of the Act) of a pension entity for a claim period of the pension entity if

(a) an application for a rebate under section 402.14 of the Act for the claim period is filed before 23 July 2016; or

(b) an election made under section 402.19.1 of the Act for the claim period is filed before 23 July 2016.

(3) However, where section 289.6 of the Act applies in respect of a fiscal year of a person that ends before 1 January 2013, subparagraph *b* of subparagraph 4 of the first paragraph of that section 289.6 is to be read as follows:

“(b) to have paid tax in respect of the supply referred to in subparagraph *a*, on the last day of the fiscal year, equal to the amount determined by the formula

C – D, and”.

210. (1) The Act is amended by inserting the following section after section 289.6:

“**289.6.1.** If a person that is a registrant consumes or uses at any time in a fiscal year (in this section referred to as the “particular fiscal year”) of the person an employer resource of the person for the purpose of making a supply of property or a service (in this section referred to as the “pension supply”) to a master pension entity for consumption, use or supply by the master pension entity in the course of pension activities in respect of any pension plan that is in the master pension group in respect of the person and the master pension entity at that time, if the person is not at that time a selected qualifying employer of any pension plan in the master pension group and if it is not the case that the employer resource is an excluded resource of the person in respect of any pension plan in the master pension group, the following rules apply:

(1) the person is deemed to have made a taxable supply of the employer resource (in this section referred to as the “employer resource supply”) on the last day of the particular fiscal year;

(2) tax in respect of the employer resource supply referred to in subparagraph 1 is deemed to have become payable on the last day of the particular fiscal year and the person is deemed to have collected that tax on that day;

(3) the tax referred to in subparagraph 2 is deemed to be equal to the total of all amounts each of which is determined for each pension plan in the master pension group by the formula

$A \times B \times C$; and

(4) for each pension plan in the master pension group, the specified pension entity of the pension plan is deemed for the purpose of determining an input tax refund of the specified pension entity and for the purposes of subdivision 6.6 of Division I of Chapter VII and sections 450.0.1 to 450.0.12,

(a) to have received a supply of the employer resource on the last day of the particular fiscal year,

(b) except where the specified pension entity is a selected listed financial institution on the last day of the particular fiscal year, to have paid tax in respect of the supply referred to in subparagraph *a*, on that day, equal to the amount determined by the formula

$D - E$, and

(c) to have acquired the employer resource for consumption, use or supply in the course of its commercial activities to the same extent that the property or service supplied in the pension supply was acquired by the master pension entity for consumption, use or supply by the master pension entity in the course of pension activities of the master pension entity that are commercial activities of the master pension entity.

For the purposes of the formulas in the first paragraph,

(1) *A* is

(a) in the case where the employer resource was consumed by the person during the particular fiscal year for the purpose of making the pension supply, the product obtained when the fair market value of the employer resource at the time the person began consuming it in the particular fiscal year is multiplied by the extent to which that consumption (expressed as a percentage of the total consumption of the employer resource by the person during the particular fiscal year) occurred when the person was both a registrant and a participating employer of the pension plan, or

(b) in any other case, the product obtained when the fair market value of the use of the employer resource during the particular fiscal year as determined on the last day of the particular fiscal year is multiplied by the extent to which the employer resource was used during the particular fiscal year (expressed as a percentage of the total use of the employer resource by the person during the particular fiscal year) for the purpose of making the pension supply when the person was both a registrant and a participating employer of the pension plan;

(2) B is the provincial factor in respect of the pension plan for the particular fiscal year;

(3) C is the master pension factor in respect of the pension plan for the fiscal year of the master pension entity that includes the last day of the particular fiscal year;

(4) D is the amount of tax determined for the pension plan in accordance with subparagraph 3 of the first paragraph; and

(5) E is the total of all amounts each of which is a part of the amount determined in accordance with subparagraph 4

(a) that is not included in determining the person's net tax for the reporting period that includes the last day of the particular fiscal year, or

(b) that the person has recovered or is entitled to recover by way of rebate, refund or remission, or otherwise, under this or any other Act.”

(2) Subsection 1 applies in respect of a fiscal year of a person that begins after 21 July 2016.

211. (1) Section 289.7 of the Act is amended

(1) by replacing the portion before subparagraph 1 of the first paragraph by the following:

“**289.7.** If a person is both a registrant and a participating employer of a pension plan at any time in a fiscal year of the person and is not a qualifying employer of the pension plan at that time, if the person consumes or uses at that time an employer resource of the person in the course of pension activities in respect of the pension plan, if the employer resource is not an excluded resource of the person in respect of the pension plan and if none of sections 289.6, 289.6.1 and 289.7.1 apply in respect of that consumption or use, the following rules apply.”;

(2) by replacing subparagraph 4 of the first paragraph by the following subparagraph:

“(4) for the purpose of determining, in accordance with subdivision 6.6 of Division I of Chapter VII, an eligible amount of the specified pension entity of the pension plan in respect of the person for the fiscal year, the specified pension entity is deemed to have paid tax, on the last day of the fiscal year, except where the pension entity is a selected listed financial institution on that day, equal to the amount determined by the formula

C – D.”;

(3) by replacing the portion of the second paragraph before subparagraph 1 by the following:

“For the purposes of the formulas in the first paragraph,”;

(4) by adding the following subparagraphs at the end of the second paragraph:

“(3) C is the amount of tax determined in accordance with subparagraph 3 of the first paragraph; and

“(4) D is the total of all amounts each of which is a part of the amount determined in accordance with subparagraph 3

(a) that is not included in determining the person’s net tax for the reporting period that includes the last day of the fiscal year, or

(b) that the person has recovered or is entitled to recover by way of rebate, refund or remission, or otherwise, under this or any other Act.”

(2) Paragraph 1 of subsection 1 applies in respect of a fiscal year of a person that begins after 21 July 2016. In addition, where section 289.7 of the Act applies in respect of a fiscal year of a person that begins after 22 September 2009 but before 22 July 2016, it is to be read as if the portion before subparagraph 1 of the first paragraph were replaced by the following:

“**289.7.** If a person is both a registrant and a participating employer of a pension plan at any time in a fiscal year of the person and is not a qualifying employer of the pension plan at that time, if the person consumes or uses at that time an employer resource of the person in the course of pension activities in respect of the pension plan (other than the establishment, management or administration of a master pension entity of the pension plan and the management or administration of assets in respect of the pension plan that are held by a master pension entity of the pension plan), if the employer resource is not an excluded resource of the person in respect of the pension plan and if section 289.6 does not apply in respect of that consumption or use, the following rules apply:”.

(3) Paragraphs 2 to 4 of subsection 1 have effect from 23 September 2009, except for the purpose of determining the pension rebate amount (within the meaning of section 402.13 of the Act) of a specified pension entity for a claim period of the specified pension entity if

(1) an application for a rebate under section 402.14 of the Act for the claim period is filed before 23 July 2016; or

(2) an election made under section 402.19.1 of the Act is filed before 23 July 2016.

(4) However, where section 289.7 of the Act applies in respect of a fiscal year of a person that ends before 1 January 2013, subparagraph 4 of the first paragraph of that section 289.7 is to be read as follows:

“(4) for the purpose of determining, in accordance with subdivision 6.6 of Division I of Chapter VII, an eligible amount of the specified pension entity of the pension plan in respect of the person for the fiscal year, the specified pension entity is deemed to have paid tax, on the last day of the fiscal year, equal to the amount determined by the formula

C – D.”

(5) If, in determining the amount of any fees, interest and penalties for which a person is liable under this Act, the Minister of Revenue included in determining the net tax of the person that is a participating employer of a pension plan, for a reporting period, an amount as an amount of tax in respect of an employer resource, within the meaning of section 289.2 of the Act, if that amount was deemed to have been collected on a particular day in the reporting period by the person under subparagraph 2 of the first paragraph of section 289.7 of the Act and if, as a result of the application of that section 289.7, as amended by subsection 2, the amount is not deemed to have been collected by the person under subparagraph 2 of the first paragraph of that section, the person is entitled to request in writing, on or before 24 September 2021, that the Minister of Revenue make an assessment or reassessment for the purpose of taking into account that the amount is not deemed to have been collected by the person under that subparagraph 2. On receipt of the request,

(1) the Minister shall, with all due dispatch, consider the request;

(2) the Minister shall, with all due dispatch, make an assessment or reassessment of the person’s net tax for the reporting period, and of any interest, penalty or other obligation of the person, solely for the purpose of taking into account that the amount is not deemed to have been collected by the person under subparagraph 2 of the first paragraph of section 289.7 of the Act;

(3) if a pension entity of the pension plan makes an election under any of sections 402.18, 402.19 and 402.19.1 of the Act with a qualifying employer of the pension plan for the claim period (within the meaning of section 289.2 of the Act) of the pension entity that includes the particular day, if the qualifying employer deducts, in determining its net tax for a reporting period, an amount as all or part of a particular amount in respect of the employer resource, if the particular amount was deemed to have been paid by the pension entity under subparagraph 4 of the first paragraph of section 289.7 of the Act and if, as a result of the application of that section 289.7, as amended by subsection 2, the particular amount is not deemed to have been paid by the pension entity under that subparagraph 4, the Minister shall, with all due dispatch, make an assessment or reassessment of the net tax for the reporting period, and of any interest, penalty or other obligation of the qualifying employer, solely for the purpose of taking into account that the particular amount is not deemed to have been paid by the pension entity under that subparagraph 4; and

(4) if, in determining the amount of a rebate under section 402.14 of the Act for a claim period (within the meaning of section 402.13 of the Act) of a pension entity, the Minister included a particular amount in determining the pension rebate amount (within the meaning of section 402.13 of the Act) for the claim period as an amount in respect of the employer resource, if the particular amount was deemed to have been paid by the pension entity under subparagraph 4 of the first paragraph of section 289.7 of the Act and if, as a result of the application of that section 289.7, as amended by subsection 2, the particular amount is not deemed to have been paid by the pension entity under that subparagraph 4, the Minister shall, with all due dispatch, make an assessment or reassessment of the rebate, and of any interest, penalty or other obligation of the pension entity, solely for the purpose of taking into account that the particular amount was not deemed to have been paid by the pension entity under that subparagraph 4.

212. (1) The Act is amended by inserting the following section after section 289.7:

“289.7.1. If a person that is a registrant consumes or uses at any time in a fiscal year (in this section referred to as the “particular fiscal year”) of the person an employer resource of the person in the course of pension activities in respect of one or more pension plans that are in the master pension group in respect of the person and a master pension entity at that time, if the person is not at that time a qualifying employer of any pension plan in the master pension group, if it is not the case that the employer resource is an excluded resource of the person in respect of any pension plan in the master pension group, if the pension activities relate exclusively to the establishment, management or administration of the master pension entity of the pension plan or the management or administration of assets held by the master pension entity of the pension plan and if neither of sections 289.6 and 289.6.1 applies to that consumption or use, the following rules apply:

(1) the person is deemed to have made a taxable supply of the employer resource (in this section referred to as the “employer resource supply”) on the last day of the particular fiscal year;

(2) tax in respect of the employer resource supply referred to in subparagraph 1 is deemed to have become payable on the last day of the particular fiscal year and the person is deemed to have collected that tax on that day;

(3) the tax referred to in subparagraph 2 is deemed to be equal to the total of all amounts each of which is determined for each pension plan in the master pension group by the formula

$A \times B \times C$; and

(4) for each pension plan in the master pension group, the specified pension entity of the pension plan is deemed—for the purpose of determining, under subdivision 6.6 of Division I of Chapter VII, an eligible amount of the specified pension entity in respect of the person for the particular fiscal year—to have paid tax on the last day of the particular fiscal year, except where the specified pension entity is a selected listed financial institution on that day, equal to the amount determined by the formula

D – E.

For the purposes of the formulas in the first paragraph,

(1) A is

(a) in the case where the employer resource was consumed by the person during the particular fiscal year in the course of its pension activities referred to in the first paragraph, the product obtained when the fair market value of the employer resource at the time the person began consuming it in the particular fiscal year is multiplied by the extent to which that consumption (expressed as a percentage of the total consumption of the employer resource by the person during the particular fiscal year) occurred when the person was both a registrant and a participating employer of any pension plan in the master pension group, or

(b) in any other case, the product obtained when the fair market value of the use of the employer resource during the particular fiscal year as determined on the last day of the particular fiscal year is multiplied by the extent to which the employer resource was used during the particular fiscal year (expressed as a percentage of the total use of the employer resource by the person during the particular fiscal year) in the course of those pension activities when the person was both a registrant and a participating employer of any pension plan in the master pension group;

(2) B is the provincial factor in respect of the pension plan for the particular fiscal year;

(3) C is the master pension factor in respect of the pension plan for the fiscal year of the master pension entity that includes the last day of the particular fiscal year;

(4) D is the amount of tax determined for the pension plan in accordance with subparagraph 3 of the first paragraph; and

(5) E is the total of all amounts each of which is a part of the amount determined in accordance with subparagraph 4

(a) that is not included in determining the person's net tax for the reporting period that includes the last day of the particular fiscal year, or

(b) that the person has recovered or is entitled to recover by way of rebate, refund or remission, or otherwise, under this or any other Act.”

(2) Subsection 1 applies in respect of a fiscal year of a person that begins after 21 July 2016.

213. (1) Section 289.8 of the Act is amended by replacing “289.7” by “289.7.1”.

(2) Subsection 1 applies in respect of a fiscal year of a person that begins after 21 July 2016.

214. (1) The Act is amended by inserting the following section after section 289.8:

“289.8.1. A master pension entity of a pension plan shall, in the manner determined by the Minister, provide the master pension factor in respect of the pension plan for a fiscal year of the master pension entity, and any other information that the Minister may specify, to each participating employer of the pension plan on or before the day that is 30 days after the first day of the fiscal year.”

(2) Subsection 1 applies in respect of a fiscal year of a person that begins after 21 July 2016.

215. (1) Section 289.9 of the Act is amended by striking out the third paragraph.

(2) Subsection 1 applies in respect of a supply made after 21 July 2016, other than

(1) a supply made by a person of all or part of property or a service, if the person acquired the property or service before the first fiscal year of the person that begins after 21 July 2016; and

(2) a supply made by a person of property or a service, if the person, before the first fiscal year of the person that begins after 21 July 2016, consumes or uses an employer resource of the person for the purpose of making the supply.

216. (1) The Act is amended by inserting the following sections after section 289.9:

“289.9.1. A person that is a participating employer of a pension plan and a master pension entity of the pension plan may jointly make an election in respect of taxable supplies made by the person to the master pension entity if the total of all percentages, each of which is a master pension factor in respect of a pension plan of which the person is a participating employer for the fiscal year of the master pension entity that includes the day on which the election becomes effective, is equal to or greater than 90%.

Every taxable supply made by a participating employer to a master pension entity at a time when a joint election made under the first paragraph by the participating employer and the master pension entity is in effect is deemed to have been made for no consideration.

The second paragraph does not apply to

(1) a supply deemed under subdivision 2 to have been made;

(2) a supply of a property or a service that is not acquired by a master pension entity of a pension plan for consumption, use or supply by the master pension entity in the course of pension activities in respect of the pension plan;

(3) a supply made by a participating employer of a pension plan to a master pension entity of the pension plan of all or part of a property or a service if, at the time the participating employer acquires the property or service, the master pension entity is a master pension entity of one or more pension plans of which the participating employer is a selected qualifying employer;

(4) a supply made by a participating employer of a pension plan to a master pension entity of the pension plan of a property or a service if, at the time the participating employer consumes or uses an employer resource of the participating employer for the purpose of making the supply, the master pension entity is a master pension entity of one or more pension plans of which the participating employer is a selected qualifying employer; or

(5) a supply made in prescribed circumstances or made by a prescribed person.

“289.9.2. An election under the first paragraph of section 289.9 or 289.9.1 must

(1) be made in the prescribed form containing prescribed information;

(2) specify the day on which the election is to become effective, which must be the first day of a fiscal year of the participating employer; and

(3) be filed by the participating employer with the Minister in prescribed manner on or before the day on which the election is to become effective or any later day that the Minister may determine.”

(2) Subsection 1 applies in respect of a supply made after 21 July 2016, other than

(1) a supply made by a person of all or part of property or a service, if the person acquired the property or service before the first fiscal year of the person that begins after 21 July 2016; and

(2) a supply made by a person of property or a service, if the person, before the first fiscal year of the person that begins after 21 July 2016, consumes or uses an employer resource of the person for the purpose of making the supply.

217. (1) Section 289.10 of the Act is amended

(1) by replacing the portion before subparagraph 3 of the first paragraph by the following:

“289.10. An election under the first paragraph of section 289.9 or 289.9.1 made by a person that is a participating employer of a pension plan and by another person that is a pension entity of the pension plan or a master pension entity of the pension plan ceases to have effect on the earliest of

(1) the day on which the person ceases to be a participating employer of the pension plan;

(2) the day on which the other person ceases to be a pension entity of the pension plan or a master pension entity of the pension plan, as the case may be;”;

(2) by replacing subparagraph 4 of the first paragraph by the following subparagraph:

“(4) the day specified in a notice of revocation of the election sent to the person in accordance with section 289.12.”;

(3) by adding the following subparagraph at the end of the first paragraph:

“(5) in the case of an election made under section 289.9.1, the first day of a fiscal year of the other person for which the total of all percentages, each of which is a master pension factor in respect of a pension plan of which the person is a participating employer for the fiscal year, is less than 90%.”;

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

“The persons that made an election under the first paragraph of section 289.9 or 289.9.1 may jointly revoke the election.”;

(5) by replacing the portion of the third paragraph before subparagraph 1 by the following:

“The revocation of the election made under the second paragraph must”;

(6) by replacing subparagraphs 2 and 3 of the third paragraph by the following subparagraphs:

“(2) specify the day on which the revocation is to become effective, which must be the first day of a fiscal year of the person that is the participating employer; and

“(3) be filed by that person with the Minister in prescribed manner on or before the day on which the revocation is to become effective or any later day that the Minister may determine.”

(2) Subsection 1 applies in respect of a supply made after 21 July 2016, other than

(1) a supply made by a person of all or part of property or a service, if the person acquired the property or service before the first fiscal year of the person that begins after 21 July 2016; and

(2) a supply made by a person of property or a service, if the person, before the first fiscal year of the person that begins after 21 July 2016, consumes or uses an employer resource of the person for the purpose of making the supply.

218. (1) Sections 289.11 and 289.12 of the Act are replaced by the following sections:

“289.11. The Minister may send a notice in writing (in this section and section 289.12 referred to as a “notice of intent”) to a participating employer of a pension plan and to a pension entity of the pension plan or a master pension entity of the pension plan that made a joint election under the first paragraph of section 289.9 or 289.9.1, which election is in effect at any time in a particular fiscal year of the participating employer, informing them of the Minister’s intention to revoke the election as of the first day of the particular fiscal year, if the participating employer fails to account for, as and when required under this Title, any tax deemed to have been collected by the participating employer on the last day of the particular fiscal year in accordance with any of sections 289.5 to 289.6.1 in respect of the pension plan.

A participating employer of a pension plan that receives a notice of intent must establish to the Minister’s satisfaction that the participating employer did not fail to account for, as and when required under this Title, any tax deemed to have been collected by the participating employer on the last day of the particular fiscal year in accordance with any of sections 289.5 to 289.6.1 in respect of the pension plan.

“289.12. If, after 60 days after the day on which a notice of intent was sent by the Minister to a participating employer of a pension plan, the Minister is not satisfied that the participating employer did not fail to account for, as and when required under this Title, any tax deemed to have been collected by the participating employer on the last day of a particular fiscal year in accordance with any of sections 289.5 to 289.6.1 in respect of the pension plan, the Minister may send a notice in writing to the participating employer and to the pension entity of the pension plan or master pension entity of the pension plan with which the participating employer made the election that the election is revoked as of the day specified in the notice, and that day is not to be earlier than the day specified in the notice of intent and must be the first day of any fiscal year of the participating employer.”

(2) Subsection 1 applies in respect of a supply made after 21 July 2016, other than

(1) a supply made by a person of all or part of property or a service, if the person acquired the property or service before the first fiscal year of the person that begins after 21 July 2016; and

(2) a supply made by a person of property or a service, if the person, before the first fiscal year of the person that begins after 21 July 2016, consumes or uses an employer resource of the person for the purpose of making the supply.

219. (1) The Act is amended by inserting the following subdivision after section 289.12:

“§4. — *Tax deemed to be paid by a designated pension entity*

“**289.13.** For the purposes of this subdivision, an excluded amount of a master pension entity is an amount of tax that

(1) is deemed to have been paid by the master pension entity under this Title (other than sections 223 to 231.1);

(2) became payable, or was paid without having become payable, by the master pension entity at a time when it was entitled to claim a rebate under sections 383 to 388 and 394 to 397.2; or

(3) is payable under the first paragraph of section 16, or is deemed under sections 223 to 231.1 to have been paid, by the master pension entity in respect of a taxable supply to the master pension entity of a residential complex, an addition to a residential complex or land if, in respect of that supply, the master pension entity is entitled to claim a rebate under subdivision IV.2 of subdivision 3 of Division I of Chapter VII or would be so entitled after paying the tax payable in respect of that supply.

“**289.14.** For the purposes of this subdivision, the following rules apply:

(1) if a person is a master pension entity of a pension plan having, at any time, only one pension entity, that pension entity is, at that time, the designated pension entity of the pension plan in respect of the person; and

(2) if a person is a master pension entity of a pension plan having, at any time, two or more pension entities and if an election made jointly under section 289.16 by the person and one of those pension entities is in effect at that time, that pension entity is, at that time, the designated pension entity of the pension plan in respect of the person.

“289.15. For the purposes of subdivision 6.6 of Division I of Chapter VII, if a particular amount of tax becomes payable, or is paid without having become payable, by a master pension entity of one or more pension plans at any time in a fiscal year of the master pension entity and if the particular amount of tax is not an excluded amount of the master pension entity, an amount of tax equal to the amount determined by the following formula is deemed, for each of those pension plans, to have been paid at that time by the designated pension entity of the pension plan at that time in respect of the master pension entity:

$A \times B.$

For the purposes of the formula in the first paragraph,

(1) A is

(a) if the designated pension entity is a selected listed financial institution and the particular amount of tax is payable under the first paragraph of section 16 or any of sections 17, 18 and 18.0.1, zero, and

(b) in any other case, the amount determined by the formula

$C - D;$ and

(2) B is the master pension factor in respect of the pension plan for the fiscal year of the master pension entity that includes that time.

For the purposes of the formula in the second paragraph,

(1) C is the particular amount of tax; and

(2) D is the total of all amounts each of which is included in the particular amount of tax and is

(a) an input tax refund that the master pension entity is entitled to claim in respect of the particular amount of tax,

(b) an amount for which it can reasonably be regarded that the master pension entity has obtained or is entitled to obtain a rebate, refund, remission or compensation under any other section of this Act or under any other Act, or

(c) an amount that can reasonably be regarded as being included in an amount adjusted, refunded or credited to or in favour of the master pension entity for which a credit note referred to in section 449 has been received by the master pension entity or a debit note referred to in that section has been issued by the master pension entity.

“289.16. A master pension entity of a pension plan having two or more pension entities may jointly elect with one of those pension entities, in the prescribed form containing prescribed information, to have that pension entity be, while the election is in effect, the designated pension entity of the pension plan in respect of the master pension entity for the purposes of this subdivision.

“289.17. An election made under section 289.16 by a particular person that is a master pension entity of a pension plan and by another person that is a pension entity of the pension plan becomes effective on the day set out in the document evidencing the election and ceases to have effect on the earliest of

(1) the day on which the particular person ceases to be a master pension entity of the pension plan;

(2) the day on which the other person ceases to be a pension entity of the pension plan;

(3) the day on which an election made under section 289.16 by the particular person and by a third person that is a pension entity of the pension plan becomes effective; and

(4) the day specified in a notice of revocation of the election made in accordance with section 289.18.

“289.18. A master pension entity and a pension entity that have jointly made an election under section 289.16 may jointly revoke the election, in the prescribed form containing prescribed information, effective on the day specified in the revocation.”

(2) Subsection 1 applies in respect of an amount of tax that becomes payable, or that is paid without having become payable, by a person after 21 July 2016.

220. Section 297.0.2.2 of the Act is amended by adding the following paragraph at the end:

“If a supply is made between a person and a corporation that have jointly made an election under section 297.0.2.1 and the election is in effect on 22 March 2016 and on the day, after that date but before 22 March 2017, on which the agreement for the supply is entered into, the first paragraph is to be read, in respect of the supply, as if the following subparagraph were inserted after subparagraph 2:

“(2.1) a supply made between a person and a corporation if

(a) the supply is

i. a supply of a service and it is not the case that all or substantially all of the service is performed before 22 March 2017, or

ii. a supply of property by way of lease, licence or similar arrangement and it is not the case that all or substantially all of the property is delivered or made available to the recipient of the supply before 22 March 2017, and

(b) the person and the corporation are not members of the same closely related group either at any time after the day on which the agreement for the supply is entered into but before 22 March 2017 or on that latter date; or”.

221. (1) Section 297.7 of the Act is amended, in subparagraph 2 of the first paragraph in the French text,

(1) by replacing “négligeable” in subparagraph *b* by “symbolique”;

(2) by replacing “à titre gratuit” and “négligeable” in subparagraph *c* by “sans contrepartie” and “symbolique”, respectively.

(2) Subsection 1 has effect from 14 December 2017.

222. (1) Section 297.7.4 of the Act is amended, in subparagraph 2 of the first paragraph in the French text,

(1) by replacing “négligeable” in subparagraph *b* by “symbolique”;

(2) by replacing “à titre gratuit” and “négligeable” in subparagraph *c* by “sans contrepartie” and “symbolique”, respectively.

(2) Subsection 1 has effect from 14 December 2017.

223. (1) Section 328 of the Act is replaced by the following section:

“**328.** The expression “qualifying subsidiary” of a particular corporation means another corporation in respect of which the particular corporation holds qualifying voting control and owns not less than 90% of the value and number of the issued and outstanding shares, having full voting rights under all circumstances, of the capital stock of the other corporation.”

(2) Subsection 1 applies from 22 March 2017. It also applies from 23 March 2016

(1) in respect of an election made under section 297.0.2.1 or 334 of the Act that was not filed before 23 March 2016 and that becomes effective after 22 March 2016 but before 22 March 2017; or

(2) for the purpose of applying subparagraphs 2 and 3 of the first paragraph of section 1R3 of the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2) in respect of a supply of a service if the agreement for the supply is entered into after 22 March 2016 but before 22 March 2017 and it is not the case that all or substantially all of the service is performed before 22 March 2017.

224. (1) Section 331.2 of the Act is amended by replacing paragraphs 1 and 2 by the following paragraphs:

“(1) in the case where the other person is a qualifying partnership,

(a) all or substantially all of the interest in the other person is held by

i. the particular partnership,

ii. a corporation, or a qualifying partnership, that is a member of a qualifying group of which the particular partnership is a member, or

iii. any combination of corporations or partnerships referred to in subparagraphs i and ii, or

(b) the particular partnership

i. both holds qualifying voting control in respect of a corporation that is a member of a qualifying group of which the other person is a member and owns at least 90% of the value and number of the issued and outstanding shares, having full voting rights under all circumstances, of the capital stock of the corporation, or

ii. holds all or substantially all of the interest in a qualifying partnership that is a member of a qualifying group of which the other person is a member; and

“(2) in the case where the other person is a corporation,

(a) qualifying voting control in respect of the other person is held by, and not less than 90% of the value and number of the issued and outstanding shares, having full voting rights under all circumstances, of the capital stock of the other person are owned by,

i. the particular partnership, or

ii. a corporation, or a qualifying partnership, that is a member of a qualifying group of which the particular partnership is a member,

(b) qualifying voting control in respect of a corporation is held by, and not less than 90% of the value and number of the issued and outstanding shares, having full voting rights under all circumstances, of the capital stock of the corporation are owned by,

i. the other person, if the corporation is a member of a qualifying group of which the particular partnership is a member, or

ii. the particular partnership, if the corporation is a member of a qualifying group of which the other person is a member,

(c) all or substantially all of the interest in the particular partnership is held by

i. the other person,

ii. a corporation, or a qualifying partnership, that is a member of a qualifying group of which the other person is a member, or

iii. any combination of corporations or partnerships referred to in subparagraphs i and ii, or

(d) all or substantially all of the interest in a qualifying partnership is held by

i. the other person, if the qualifying partnership is a member of a qualifying group of which the particular partnership is a member, or

ii. the particular partnership, if the qualifying partnership is a member of a qualifying group of which the other person is a member.”

(2) Subsection 1 applies from 22 March 2017. It also applies from 23 March 2016 in respect of an election made under section 334 of the Act that was not filed before 23 March 2016 and that becomes effective after 22 March 2016 but before 22 March 2017.

225. Section 331.3 of the Act is replaced by the following section:

“**331.3.** If, under section 331.2, two persons are closely related to the same corporation or partnership, or would be so related if each member of that partnership were resident in Québec, the two persons are closely related to each other for the purposes of this division.”

226. (1) Section 332 of the Act is replaced by the following section:

“**332.** A particular corporation and another corporation are closely related to each other at any time if, at that time,

(1) qualifying voting control in respect of the other corporation is held by, and not less than 90% of the value and number of the issued and outstanding shares, having full voting rights under all circumstances, of the capital stock of the other corporation are owned by,

(a) the particular corporation,

(b) a qualifying subsidiary of the particular corporation,

(c) a corporation of which the particular corporation is a qualifying subsidiary, or

(d) a qualifying subsidiary of a corporation of which the particular corporation is a qualifying subsidiary; or

(2) the other corporation is a prescribed corporation in relation to the particular corporation.”

(2) Subsection 1 applies from 22 March 2017. It also applies from 23 March 2016

(1) in respect of an election made under section 297.0.2.1 or 334 of the Act that was not filed before 23 March 2016 and that becomes effective after 22 March 2016 but before 22 March 2017; or

(2) for the purpose of applying subparagraphs 2 and 3 of the first paragraph of section 1R3 of the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2) in respect of a supply of a service if the agreement for the supply is entered into after 22 March 2016 but before 22 March 2017 and it is not the case that all or substantially all of the service is performed before 22 March 2017.

227. (1) The Act is amended by inserting the following section after section 332:

“332.1. A person or a group of persons holds qualifying voting control in respect of a corporation at any time if, at that time,

(1) the person, or the members of the group collectively, as the case may be, own shares of the capital stock of the corporation to which are attached not less than 90% of the shareholder votes that may be cast in respect of each matter, other than a matter

(a) for which a statute of a country, or of a state, province, or other political subdivision of a country, that applies to the corporation provides, in respect of the vote of the shareholders of the corporation on the matter, that

i. any shareholder of the corporation has voting rights that are different from the voting rights that the shareholder would otherwise have under the letters patent, instrument of continuance or other constituting act by which the corporation was incorporated or continued, including any amendment to, or restatement of, such an instrument or act, or

ii. holders of a class or series of shares of the capital stock of the corporation are entitled to vote separately, or

(b) that is a prescribed matter or a matter that meets prescribed conditions or arises in prescribed circumstances; or

(2) the person or group, as the case may be, is a prescribed person or group in relation to the corporation.”

(2) Subsection 1 has effect from 23 March 2016.

228. (1) The Act is amended by inserting the following section after section 333.1:

“**333.2.** For the purposes of section 332.1, a particular person is deemed not to own a share at a particular time if

(1) another person has a right under a contract or otherwise, either immediately or in the future and either absolutely or contingently, to control the voting rights attached to the share, other than a right that is not exercisable at the particular time because its exercise is contingent on the death, bankruptcy or permanent disability of an individual; and

(2) the other person is not closely related to the particular person at the particular time.”

(2) Subsection 1 has effect from 23 March 2016.

229. (1) Section 346.1 of the Act is amended by replacing “« mandataire désigné »” in paragraph 1 in the French text by “« mandataire de la Couronne désigné »”.

(2) Subsection 1 has effect from 14 December 2017.

230. (1) The Act is amended by inserting the following section after section 388:

“**388.0.1.** In the case where a rebate under section 386 or 386.1.1 in respect of property or a service for a particular claim period of a person is not claimed in an application for that period, the rebate may be claimed by the person in an application for a subsequent claim period of the person if the following conditions are met:

(1) the rebate has not been claimed in any application for any claim period of the person;

(2) the application for the subsequent claim period is filed by the person within two years after

(a) if the person is a registrant, the day on or before which the person is required to file a return under Chapter VIII for the particular claim period, and

(b) if the person is not a registrant, the day that is three months after the last day of the particular claim period;

(3) the person does not, at any time throughout the period (in this section referred to as the “specified period”) beginning on the first day of the particular claim period and ending on the last day of the subsequent claim period, become or cease to be

- (a) a charity,
- (b) a public institution,
- (c) a qualifying non-profit organization,
- (d) a person designated to be a municipality, or
- (e) one of the bodies described in the definition of “selected public service body” in section 383; and

(4) throughout the specified period, the percentage provided for in section 386 or 386.1.1 that would be applicable in determining the amount of a rebate under this subdivision in respect of property or a service, if tax in respect of the property or service had become payable and had been paid by the person on each day in the specified period, remains constant.”

(2) Subsection 1 applies in respect of a subsequent claim period that ends after 8 September 2017.

231. (1) Section 402.13 of the Act is amended

(1) by replacing subparagraph 2 of the third paragraph by the following subparagraph:

“(2) B is the amount determined by the formula
G + H.”;

(2) by replacing the portion of the fourth paragraph before subparagraph 1 by the following:

“For the purposes of the formulas in the third paragraph,”;

(3) by adding the following subparagraphs at the end of the fourth paragraph:

“(5) G is the total of all amounts each of which is an eligible amount of the pension entity for the claim period that is described in paragraph 1 of the definition of “eligible amount” in the first paragraph; and

“(6) H is

(a) if an application for a rebate under section 402.14 for the claim period is filed in accordance with section 402.16, the total amount indicated on the application under section 402.16.1,

(b) if an election made under section 402.19.1 for the claim period is filed in accordance with the second paragraph of section 402.21, the total amount indicated on the election under subparagraph 3 of the second paragraph of section 402.21, or

(c) in any other case, zero.”

(2) Subsection 1 applies in respect of a claim period of a pension entity that begins after 31 December 2013. In addition, where section 402.13 of the Act applies in respect of a claim period of a pension entity that begins after 22 September 2009 and before 1 January 2013, it is to be read

(1) as if subparagraph 2 of the second paragraph were replaced by the following subparagraph:

“(2) B is the amount determined by the formula

$C + D$.”; and

(2) as if the following paragraph were inserted after the second paragraph:

“For the purposes of the formula in the second paragraph,

(1) C is the total of all amounts each of which is an eligible amount of the pension entity for the claim period that is described in paragraph 1 of the definition of “eligible amount” in the first paragraph; and

(2) D is

(a) if an application for a rebate under section 402.14 for the claim period is filed in accordance with section 402.16, the total amount indicated on the application under section 402.16.1, or

(b) in any other case, zero.”

(3) In addition, despite paragraphs 2 and 3 of subsection 4 of section 142 of the Act to amend the Act respecting the Québec sales tax and other legislative provisions (2012, chapter 28) and subsection 4 of section 211 of the Act to give effect mainly to fiscal measures announced in the Budget Speech delivered on 26 March 2015 (2015, chapter 36), where section 402.13 of the Act respecting the Québec sales tax applies in relation to a claim period that begins after 31 December 2012 and before 1 January 2014, it is to be read

(1) as if subparagraphs 1 and 2 of the third paragraph were replaced by the following subparagraphs:

“(1) A is

(a) where the pension entity is governed by a pension plan to which more than 50% of the employer contributions are made by one or more public service bodies that are not entitled to any rebate under section 386,

i. if the pension plan is a registered pension plan, 77%,

ii. if the pension plan is a pooled registered pension plan and either employer contributions or employee contributions were made to the pension plan in the particular calendar year that is the last calendar year ending on or before the last day of the claim period, an amount (expressed as a percentage) determined by the formula

$$77\% \times (C/D),$$

iii. if the pension plan is a pooled registered pension plan, neither employer contributions nor employee contributions were made to the pension plan in the particular calendar year that is the last calendar year ending on or before the last day of the claim period and it is reasonable to expect that employer contributions will be made to the pension plan in a subsequent calendar year, an amount (expressed as a percentage) determined for the first calendar year following the particular calendar year (in this section referred to as the “first calendar year of contribution”) in which employer contributions are reasonably expected to be made to the pension plan by the formula

$$77\% \times (E/F), \text{ or}$$

iv. if the pension plan is a pooled registered pension plan and subparagraphs ii and iii do not apply, 0%,

(b) where the pension entity is governed by a pension plan to which more than 50% of the employer contributions are made by one or more public service bodies that are entitled to a rebate under section 386,

i. if the pension plan is a registered pension plan, 88%,

ii. if the pension plan is a pooled registered pension plan and either employer contributions or employee contributions were made to the pension plan in the particular calendar year that is the last calendar year ending on or before the last day of the claim period, an amount (expressed as a percentage) determined by the formula

$$88\% \times (C/D),$$

iii. if the pension plan is a pooled registered pension plan, neither employer contributions nor employee contributions were made to the pension plan in the particular calendar year that is the last calendar year ending on or before the last day of the claim period and it is reasonable to expect that employer contributions will be made to the pension plan in a subsequent calendar year,

an amount (expressed as a percentage) determined for the first calendar year of contribution in which employer contributions are reasonably expected to be made to the pension plan by the formula

$88\% \times (E/F)$, or

iv. in any other case, 0%, or

(c) in any other case,

i. if the pension plan is a registered pension plan, 100%,

ii. if the pension plan is a pooled registered pension plan and either employer contributions or employee contributions were made to the pension plan in the particular calendar year that is the last calendar year ending on or before the last day of the claim period, an amount (expressed as a percentage) determined by the formula

$100\% \times (C/D)$,

iii. if the pension plan is a pooled registered pension plan, neither employer contributions nor employee contributions were made to the pension plan in the particular calendar year that is the last calendar year ending on or before the last day of the claim period and it is reasonable to expect that employer contributions will be made to the pension plan in a subsequent calendar year, an amount (expressed as a percentage) determined for the first calendar year of contribution in which employer contributions are reasonably expected to be made to the pension plan by the formula

$100\% \times (E/F)$, or

iv. in any other case, 0%;

“(2) B is the total of all amounts each of which is, in relation to a participating employer of a pension plan, the lesser of

(a) the total of all amounts each of which is an eligible amount of the pension entity that is described in paragraph 1 of the definition of “eligible amount” in the first paragraph, for a claim period that ends in 2012, that became payable, or was paid without having become payable, by the pension entity, in relation to a supply made by the participating employer of the pension plan, during a fiscal year of the participating employer that ends after 31 December 2012, and

(b) any of the following amounts:

i. if an application for a rebate under section 402.14 for the claim period is filed in accordance with section 402.16, the total amount indicated on the application under section 402.16.1,

ii. if an election made under section 402.19.1 for the claim period is filed in accordance with the second paragraph of section 402.21, the total amount indicated on the election under subparagraph 3 of the second paragraph of section 402.21, or

iii. in any other case, zero;”;

(2) as if the following subparagraphs were added at the end of the third paragraph:

“(3) C is

(a) if the pension plan is a registered pension plan, 33%,

(b) if the pension plan is a pooled registered pension plan and either employer contributions or employee contributions were made to the pension plan in the particular calendar year that is the last calendar year ending on or before the last day of the claim period, an amount (expressed as a percentage) determined by the formula

$$33\% \times (C/D),$$

(c) if the pension plan is a pooled registered pension plan, neither employer contributions nor employee contributions were made to the pension plan in the particular calendar year that is the last calendar year ending on or before the last day of the claim period and it is reasonable to expect that employer contributions will be made to the pension plan in a subsequent calendar year, an amount (expressed as a percentage) determined for the first calendar year of contribution in which employer contributions are reasonably expected to be made to the pension plan by the formula

$$33\% \times (E/F), \text{ or}$$

(d) if the pension plan is a pooled registered pension plan and subparagraphs *b* and *c* do not apply, 0%; and

“(4) D is the amount determined by the formula

$$G + (H - I).”;$$

(3) as if the portion of the fourth paragraph before subparagraph 1 were replaced by the following:

“For the purposes of the formulas in the third paragraph;” and

(4) as if the following subparagraphs were added at the end of the fourth paragraph:

“(5) G is the total of all amounts each of which is an eligible amount of the pension entity for the claim period that is described in paragraph 1 of the definition of “eligible amount” in the first paragraph;

“(6) H is

(a) if an application for a rebate under section 402.14 for the claim period is filed in accordance with section 402.16, the total amount indicated on the application under section 402.16.1,

(b) if an election made under section 402.19.1 for the claim period is filed in accordance with the second paragraph of section 402.21, the total amount indicated on the election under subparagraph 3 of the second paragraph of section 402.21, or

(c) in any other case, zero; and

“(7) I is the value of B.”

232. (1) The Act is amended by inserting the following section after section 402.16:

“**402.16.1.** An application for a rebate under section 402.14 for a claim period of a pension entity must indicate the total of all amounts each of which is an eligible amount of the pension entity for the claim period

(1) that is described in paragraph 2 of the definition of “eligible amount” in the first paragraph of section 402.13; and

(2) that the pension entity elects to include in the determination of the pension rebate amount of the pension entity for the claim period.”

(2) Subsection 1 applies in respect of a claim period of a pension entity that begins after 22 September 2009.

233. (1) Section 402.21 of the Act is amended

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

“(2) be filed by the pension entity with and as prescribed by the Minister

(a) at the same time that its application for the rebate under section 402.14 for the claim period is filed, and

(b) within two years after the day that is

i. if the pension entity is a registrant, the day on or before which the pension entity is required to file a return under Chapter VIII for the claim period, and

ii. in any other case, the last day of the claim period;”;

(2) by adding the following subparagraph at the end of the second paragraph:

“(3) indicate the total of all amounts each of which is an eligible amount of the pension entity for the claim period

(a) that is described in paragraph 2 of the definition of “eligible amount” in the first paragraph of section 402.13, and

(b) that the pension entity elects to include in the determination of the pension rebate amount of the pension entity for the claim period.”

(2) Paragraph 1 of subsection 1 applies in respect of an election made under section 402.18 or 402.19 of the Act, other than an election that is filed with the Minister before 23 July 2016.

(3) Paragraph 2 of subsection 1 applies in respect of a claim period of a pension entity that begins after 31 December 2012.

234. (1) Section 433.2 of the Act is amended by inserting the following subparagraph before subparagraph *b.2* of subparagraph 2 of the second paragraph:

“(b.1.1) 60% of the total of all amounts that may be deducted by the charity under subparagraph 1 of the first paragraph of section 450.0.4 or 450.0.7 in determining the net tax for the particular reporting period and that are claimed in the return under this chapter filed for that reporting period;”.

(2) Subsection 1 applies in respect of a reporting period of a person that ends after 22 September 2009.

(3) If, upon the determination by the Minister of Revenue of the amount of any fees, interest and penalties for which a charity is liable under the Act in respect of its net tax for a reporting period, a particular amount was not included in the total for B in the formula in the first paragraph of section 433.2 of the Act and if, as a result of the application of subparagraph *b.1.1* of subparagraph 2 of the second paragraph of section 433.2 of the Act, as enacted by subsection 1, the particular amount is to be included in determining the net tax for the reporting period, the charity is entitled to request in writing, on or before 24 September 2021, that the Minister of Revenue make an assessment or reassessment for the purpose of taking into account that the particular amount is to be included under that subparagraph *b.1.1* in determining the net tax for the reporting period. On receipt of the request, the Minister shall with all due dispatch

(1) consider the request; and

(2) make an assessment or reassessment of the net tax for the reporting period, and of any interest, penalty or other obligation of the charity, solely for the purpose of taking into account that the particular amount is to be included under subparagraph *b.1.1* of subparagraph 2 of the second paragraph of section 433.2 of the Act in determining the net tax for the reporting period.

235. (1) Section 433.16 of the Act is amended by replacing subparagraph *b* of subparagraph 6 of the second paragraph by the following subparagraph:

“(*b*) where the financial institution has made an election under subsection 4 of section 225.2 of the Excise Tax Act, or under section 433.17, in respect of a supply of property or a service made by another person to the financial institution during the particular reporting period, the aggregate of all amounts each of which is an amount equal to the tax payable by the other person under the first paragraph of section 16, the first paragraph of section 17, or section 18 or 18.0.1 that is included in the cost to the other person of supplying the property or service to the financial institution; and”.

(2) Subsection 1 applies in respect of an election that becomes effective after 14 December 2017.

236. (1) Section 433.17 of the Act is replaced by the following section:

“**433.17.** Where a selected listed financial institution is not a selected listed financial institution for the purposes of Part IX of the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15) and the financial institution and a person, who is neither a prescribed person or a person of a prescribed class nor a selected listed financial institution for the purposes of that Part IX, have made the joint election required under section 297.0.2.1, the financial institution may make an election, in the form and containing the information determined by the Minister, to have the value of A in the formula in the first paragraph of section 433.16 or 433.16.2 determined as if an election under subsection 4 of section 225.2 of the Excise Tax Act were in effect and applied to every supply referred to in section 297.0.2.1 that is made by the person to the financial institution at a time when the election made under this section is in effect.”

(2) Subsection 1 applies in respect of an election that becomes effective after 14 December 2017.

237. (1) Section 433.18 of the Act is repealed.

(2) Subsection 1 applies in respect of an election that becomes effective after 14 December 2017.

238. (1) Section 433.19 of the Act is amended

(1) by replacing the portion before paragraph 1 by the following:

“**433.19.** An election made under section 433.17 by a financial institution in respect of supplies made by a person to the financial institution is effective for the period beginning on the day specified in the document evidencing the election and ending on the earliest of”;

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

“(2) the day specified in a notice of revocation of the election made under section 433.19.0.1;”.

(2) Paragraph 1 of subsection 1 applies in respect of an election that becomes effective after 14 December 2017.

(3) Paragraph 2 of subsection 1 applies in respect of a revocation that becomes effective after 14 December 2017.

239. (1) The Act is amended by inserting the following sections after section 433.19:

“**433.19.0.1.** A selected listed financial institution that has made an election under section 433.17 may revoke the election by a notice of revocation, in the form and containing the information determined by the Minister, and the revocation becomes effective on the day specified in the notice, which day is at least 365 days after the day on which the election becomes effective.

“**433.19.0.2.** Where a particular selected listed financial institution makes an election under section 433.17 in respect of supplies made by another selected listed financial institution to the particular financial institution, the particular financial institution shall, in the manner determined by the Minister,

(1) notify the other financial institution of the election and of the day it becomes effective on or before that day or any later day that the Minister may determine; and

(2) if the election ceases to be effective, notify the other financial institution of the day that the election ceases to be effective on or before that day or any later day that the Minister may determine.”

(2) Subsection 1, where it enacts section 433.19.0.1 of the Act, applies in respect of a revocation that becomes effective after 14 December 2017.

(3) Subsection 1, where it enacts section 433.19.0.2 of the Act, applies in respect of an election that becomes effective after 14 December 2017.

240. (1) Section 450.0.1 of the Act is amended by replacing “289.5” in the definition of “specified resource” by “289.2”.

(2) Subsection 1 has effect from 22 July 2016.

241. (1) Section 450.0.2 of the Act is replaced by the following section:

“450.0.2. A person may, on a particular day, issue to a pension entity of a pension plan a note (in sections 450.0.3 and 450.0.4 referred to as a “tax adjustment note”) in respect of all or part of a specified resource, specifying an amount determined in accordance with section 450.0.3, if

(1) the person is deemed under subparagraph 2 of the first paragraph of section 289.5 or 289.5.1 to have collected tax, on or before the particular day, in respect of a taxable supply of the specified resource or part deemed to have been made by the person under subparagraph 1 of that paragraph;

(2) a supply of the specified resource or part is deemed to have been received by the pension entity under subparagraph *a* of subparagraph 4 of the first paragraph of section 289.5 or 289.5.1 and tax in respect of that supply is deemed to have been paid by the pension entity under

(*a*) except in the case described in subparagraph *b*, subparagraph *b* of subparagraph 4 of the first paragraph of section 289.5 or 289.5.1, or

(*b*) if the pension entity is a selected listed financial institution on the last day of the fiscal year in which the person acquired the resource, clause A of subparagraph ii of paragraph *d* of subsection 5 or 5.1 of section 172.1 of the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15); and

(3) an amount of tax becomes payable, or is paid without having become payable, on or before the particular day to the person (otherwise than by the operation of sections 289.2 to 289.8.1) in respect of a taxable supply of the specified resource or part

(*a*) by the pension entity, if the taxable supply referred to in paragraph 1 is deemed to have been made under subparagraph 1 of the first paragraph of section 289.5, or

(*b*) by a master pension entity of the pension plan, if the taxable supply referred to in paragraph 1 is deemed to have been made under subparagraph 1 of the first paragraph of section 289.5.1.”

(2) Subsection 1 has effect from 22 July 2016.

242. (1) Section 450.0.3 of the Act is amended

(1) by replacing subparagraph 1 of the second paragraph by the following subparagraph:

“(1) A is

(a) if the taxable supply referred to in paragraph 1 of section 450.0.2 is deemed to have been made under subparagraph 1 of the first paragraph of section 289.5, the lesser of

i. the amount determined under subparagraph 3 of the first paragraph of section 289.5 in respect of the specified resource or part, and

ii. the total of all amounts each of which is an amount of tax under the first paragraph of section 16 that became payable, or was paid without having become payable, to the person (otherwise than by the operation of sections 289.2 to 289.8.1) by the pension entity in respect of a taxable supply of the specified resource or part on or before the particular day, or

(b) if the taxable supply referred to in paragraph 1 of section 450.0.2 is deemed to have been made under subparagraph 1 of the first paragraph of section 289.5.1, the lesser of

i. the amount determined for the pension plan under subparagraph 3 of the first paragraph of section 289.5.1 in respect of the specified resource or part, and

ii. the amount determined by the formula

$C \times D$; and”;

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

“For the purposes of the formula in the second paragraph,

(1) C is the total of all amounts each of which is an amount of tax under the first paragraph of section 16 that became payable, or was paid without having become payable, to the person (otherwise than by the operation of sections 289.2 to 289.8.1) by the master pension entity referred to in subparagraph *b* of paragraph 3 of section 450.0.2 in respect of a taxable supply of the specified resource or part on or before the particular day; and

(2) D is the master pension factor in respect of the pension plan for the fiscal year of the master pension entity that includes the particular day.”

(2) Subsection 1 has effect from 22 July 2016.

243. (1) Section 450.0.4 of the Act is amended

(1) by replacing the portion before subparagraph 1 of the first paragraph by the following:

“**450.0.4.** If a person issues a tax adjustment note to a pension entity under section 450.0.2 in respect of all or part of a specified resource, a supply of the specified resource or part is deemed to have been received by the pension entity under subparagraph *a* of subparagraph 4 of the first paragraph of section 289.5 or 289.5.1 and an amount of tax (in this section referred to as “deemed tax”) in respect of that supply, where the pension entity is not a selected listed financial institution on a particular day, is deemed to have been paid on the particular day by the pension entity under subparagraph *b* of subparagraph 4 of the first paragraph of section 289.5 or 289.5.1, or, where the pension entity is such a financial institution, is deemed to have been paid on the particular day by the pension entity under clause A of subparagraph ii of paragraph *d* of subsection 5 or 5.1 of section 172.1 of the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15) or would be deemed to have been paid on the particular day by the pension entity under that clause A if the pension entity were a selected listed financial institution for the purposes of that Act, the following rules apply:”;

(2) by replacing subparagraph 3 of the first paragraph by the following subparagraph:

“(3) except where the pension entity is a selected listed financial institution on the particular day, if any part of the amount of the deemed tax is included in the determination of the pension rebate amount of the pension entity for a particular claim period at the end of which the pension entity was a qualifying pension entity, the pension entity shall pay to the Minister, on or before the day that is the later of the day on which the application for the rebate is filed and the day that is the last day of its claim period that immediately follows its claim period that includes the day on which the tax adjustment note is issued, the amount determined by the formula

$$D \times E \times (B/C) \times (F/G); \text{ and}”;$$

(3) by replacing the portion of subparagraph 4 of the first paragraph before the formula by the following:

“(4) except where the pension entity is a selected listed financial institution on the particular day, if any part of the amount of the deemed tax is included in the determination of the pension rebate amount of the pension entity for a particular claim period and if the pension entity makes an election for that claim period under any of sections 402.18, 402.19 and 402.19.1 jointly with all participating employers of the pension plan that are, for the calendar year that includes the last day of that claim period, qualifying employers of the pension plan, each of those participating employers shall add, in determining

its net tax for its reporting period that includes the day that is the later of the day on which the tax adjustment note is issued and the day on which the election is filed with the Minister, the amount determined by the formula”;

(4) by replacing subparagraph 4 of the second paragraph by the following subparagraph:

“(4) D is the part of the amount of the deemed tax, referred to in subparagraph 3 or 4 of the first paragraph, as the case may be;”;

(5) by replacing subparagraphs 6 and 7 of the second paragraph by the following subparagraphs:

“(6) F is the amount of the rebate determined for the pension entity under section 402.14 for the particular claim period;

“(7) G is the pension rebate amount of the pension entity for the particular claim period; and”.

(2) Paragraphs 1 and 4 of subsection 1 have effect from 22 July 2016.

(3) Paragraphs 2 and 5 of subsection 1 apply in respect of a claim period that ends after 22 July 2016. In addition, where section 450.0.4 of the Act applies

(1) in respect of a claim period that begins after 22 September 2009 and ends before 1 January 2013, the portion of subparagraph 3 of the first paragraph of that section before the formula is to be read as follows:

“(3) if any given part of the amount of the deemed tax is included in the determination of the pension rebate amount of the pension entity for a particular claim period, the pension entity shall pay to the Minister, on or before the last day of its claim period that immediately follows its claim period that includes the day on which the tax adjustment note is issued, the amount determined by the formula”; or

(2) in respect of a claim period that ends after 31 December 2012 and before 23 July 2016, the portion of subparagraph 3 of the first paragraph of that section before the formula is to be read as follows:

“(3) except where the pension entity is a selected listed financial institution on the particular day, if any given part of the amount of the deemed tax is included in the determination of the pension rebate amount of the pension entity for a particular claim period at the end of which the pension entity was a qualifying pension entity, the pension entity shall pay to the Minister, on or before the last day of its claim period that immediately follows its claim period that includes the day on which the tax adjustment note is issued, the amount determined by the formula”.

(4) Paragraph 3 of subsection 1 applies in respect of a reporting period of a person for which the return under Chapter VIII of Title I of the Act is filed after 22 July 2016 or is to be filed under that Chapter on or before a day that is after 22 July 2016. In addition, where section 450.0.4 of the Act applies

(1) in respect of a reporting period of a person for which the return is filed after 22 September 2009 and in respect of a reporting period of a person that ends before 1 January 2013, the portion of subparagraph 4 of the first paragraph of that section before the formula is to be read as follows:

“(4) if any given part of the amount of the deemed tax is included in the determination of the pension rebate amount of the pension entity for a particular claim period and if the pension entity makes an election for that claim period under section 402.18 or 402.19 jointly with all participating employers of the pension plan that are, for the calendar year that includes the last day of that claim period, qualifying employers of the pension plan, each of those participating employers shall add, in determining its net tax for its reporting period that includes the day on which the tax adjustment note is issued, the amount determined by the formula”; or

(2) in respect of a reporting period of a person that ends after 31 December 2012 and a reporting period of a person for which the return is required to be filed on or before a date that is before 23 July 2016, the portion of subparagraph 4 of the first paragraph of that section before the formula is to be read as follows:

“(4) except where the pension entity is a selected listed financial institution on the particular day, if any given part of the amount of the deemed tax is included in the determination of the pension rebate amount of the pension entity for a particular claim period and if the pension entity makes an election for that claim period under any of sections 402.18, 402.19 and 402.19.1 jointly with all participating employers of the pension plan that are, for the calendar year that includes the last day of that claim period, qualifying employers of the pension plan, each of those participating employers shall add, in determining its net tax for its reporting period that includes the day on which the tax adjustment note is issued, the amount determined by the formula”.

(5) If, upon the determination by the Minister of Revenue of the amount of any fees, interest and penalties for which a pension entity of a pension plan is liable under the Act, a particular amount has been determined as an amount payable under subparagraph 3 of the first paragraph of section 450.0.4 of the Act by the pension entity in respect of a tax adjustment note issued to the pension entity, if an eligible amount (within the meaning of section 402.13 of the Act) of the pension entity for a particular claim period (within the meaning of section 383 of the Act) of the pension entity was included in the determination of the particular amount, if the eligible amount is not included in the determination of the pension rebate amount (within the meaning of section 402.13 of the Act) of the pension entity for the particular claim period and if 23 July 2016 is after the last day of the claim period of the pension entity that immediately follows the claim period of the pension entity that includes the

day on which the tax adjustment note is issued, the pension entity is entitled to request in writing, on or before 24 September 2021, that the Minister of Revenue make an assessment or reassessment for the purpose of taking into account that the eligible amount is not an amount payable under subparagraph 3 of the first paragraph of section 450.0.4 of the Act, as amended by paragraph 2 of subsection 1. On receipt of the request, the Minister shall with all due dispatch

(1) consider the request; and

(2) make an assessment or reassessment in respect of the particular amount, and of any interest, penalty or other obligation of the pension entity, solely for the purpose of taking into account that the eligible amount is not an amount payable under subparagraph 3 of the first paragraph of section 450.0.4 of the Act.

(6) If, upon the determination by the Minister of Revenue of the amount of any fees, interest and penalties for which a participating employer of a pension plan is liable under the Act, a particular amount has been determined as an amount payable under subparagraph 4 of the first paragraph of section 450.0.4 of the Act by a participating employer in respect of a tax adjustment note issued to the pension entity of the pension plan, if an eligible amount (within the meaning of section 402.13 of the Act) of the pension entity for a particular claim period (within the meaning of section 383 of the Act) of the pension entity was included in the determination of the particular amount, if the eligible amount is not included in the determination of the pension rebate amount (within the meaning of section 402.13 of the Act) of the pension entity for the particular claim period and if 23 July 2016 is after the day on which the return is filed under Chapter VIII of Title I of the Act for the reporting period of the participating employer that includes the day on which the tax adjustment note is issued, the participating employer is entitled to request in writing, on or before 24 September 2021, that the Minister of Revenue make an assessment or reassessment for the purpose of taking into account that the eligible amount is not an amount payable under subparagraph 4 of the first paragraph of section 450.0.4 of the Act, as amended by paragraph 3 of subsection 1. On receipt of the request, the Minister shall with all due dispatch

(1) consider the request; and

(2) make an assessment or reassessment in respect of the particular amount, and of any interest, penalty or other obligation of the participating employer, solely for the purpose of taking into account that the eligible amount is not an amount payable under subparagraph 4 of the first paragraph of section 450.0.4 of the Act.

244. (1) Section 450.0.5 of the Act is replaced by the following section:

“450.0.5. A person may, on a particular day, issue to a pension entity of a pension plan a note (in sections 450.0.6 and 450.0.7 referred to as a “tax adjustment note”) in respect of employer resources consumed or used for the purpose of making a supply (in this section and in sections 450.0.6 and 450.0.7 referred to as the “actual pension supply”) of a property or a service to the pension entity or to a master pension entity of the pension plan, specifying an amount determined in accordance with section 450.0.6, if

(1) the person is deemed under subparagraph 2 of the first paragraph of section 289.6 or 289.6.1 to have collected tax, on or before the particular day, in respect of one or more taxable supplies, deemed to have been made by the person under subparagraph 1 of that paragraph, of the employer resources;

(2) a supply of each of those employer resources is deemed to have been received by the pension entity under subparagraph *a* of subparagraph 4 of the first paragraph of section 289.6 or 289.6.1 and tax in respect of each of those supplies is deemed to have been paid by the pension entity

(a) except in the case described in subparagraph *b*, under subparagraph *b* of subparagraph 4 of the first paragraph of section 289.6 or 289.6.1, or

(b) if the pension entity is a selected listed financial institution on the last day of the fiscal year in which the employer resources are consumed or used for the purpose of making an actual pension supply, under clause A of subparagraph ii of paragraph *d* of subsection 6 or 6.1 of section 172.1 of the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15); and

(3) an amount of tax becomes payable, or is paid without having become payable, on or before the particular day, to the person (otherwise than by the operation of sections 289.2 to 289.8.1) in respect of the actual pension supply

(a) by the pension entity, if the taxable supplies referred to in paragraph 1 are deemed to have been made under subparagraph 1 of the first paragraph of section 289.6, or

(b) by the master pension entity, if the taxable supplies referred to in paragraph 1 are deemed to have been made under subparagraph 1 of the first paragraph of section 289.6.1.”

(2) Subsection 1 has effect from 22 July 2016.

245. (1) Section 450.0.6 of the Act is amended

(1) by replacing subparagraph 1 of the second paragraph by the following subparagraph:

“(1) A is

(a) if the taxable supplies referred to in paragraph 1 of section 450.0.5 are deemed to have been made under subparagraph 1 of the first paragraph of section 289.6, the lesser of

i. the total of all amounts each of which is an amount of tax determined under subparagraph 3 of the first paragraph of section 289.6 in respect of one of those employer resources and that is deemed under subparagraph 2 of that paragraph to have become payable and to have been collected on or before the particular day, and

ii. the total of all amounts each of which is an amount of tax under the first paragraph of section 16 that became payable, or was paid without having become payable, to the person (otherwise than by the operation of sections 289.2 to 289.8.1) by the pension entity in respect of the actual pension supply on or before the particular day, or

(b) if the taxable supplies referred to in paragraph 1 of section 450.0.5 are deemed to have been made under subparagraph 1 of the first paragraph of section 289.6.1, the lesser of

i. the total of all amounts each of which is an amount of tax determined under subparagraph 3 of the first paragraph of section 289.6.1 in respect of the pension plan in respect of one of those employer resources and that is deemed under subparagraph 2 of that paragraph to have become payable and to have been collected on or before the particular day, and

ii. the amount determined by the formula

$C \times D$; and”;

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

“For the purposes of the formula in the second paragraph,

(1) C is the total of all amounts each of which is an amount of tax under the first paragraph of section 16 that became payable, or was paid without having become payable, to the person (otherwise than by the operation of sections 289.2 to 289.8.1) by the master pension entity referred to in section 450.0.5 in respect of the actual pension supply on or before the particular day; and

(2) D is the master pension factor in respect of the pension plan for the fiscal year of the master pension entity that includes the particular day.”

(2) Subsection 1 has effect from 22 July 2016.

246. (1) Section 450.0.7 of the Act is amended

(1) by replacing the portion before subparagraph 1 of the first paragraph by the following:

“450.0.7. If a person issues a tax adjustment note to a pension entity under section 450.0.5 in respect of employer resources consumed or used for the purpose of making an actual pension supply, a supply of each of those employer resources (in this section referred to as a “particular supply”) is deemed to have been received by the pension entity under subparagraph *a* of subparagraph 4 of the first paragraph of section 289.6 or 289.6.1 and an amount of tax (in this section referred to as “deemed tax”) in respect of each of the particular supplies, where the pension entity is not a selected listed financial institution on the last day of the fiscal year of the person during which those employer resources were so consumed or used, is deemed to have been paid by the pension entity under subparagraph *b* of subparagraph 4 of the first paragraph of section 289.6 or 289.6.1, or, where the pension entity is such a financial institution, is deemed to have been paid by the pension entity under clause A of subparagraph ii of paragraph *d* of subsection 6 or 6.1 of section 172.1 of the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15) or would be deemed to have been paid by the pension entity under that clause A if the pension entity were a selected listed financial institution on that last day for the purposes of that Act, the following rules apply:”;

(2) by replacing subparagraph 3 of the first paragraph by the following subparagraph:

“(3) except where the pension entity is a selected listed financial institution on the first day on which an amount of deemed tax is deemed to have been paid, for each particular claim period of the pension entity at the end of which the pension entity was a qualifying pension entity and for which any part of an amount of deemed tax in respect of a particular supply is included in the determination of the pension rebate amount of the pension entity, the pension entity shall pay to the Minister, on or before the day that is the later of the day on which the application for the rebate is filed and the day that is the last day of its claim period that immediately follows its claim period that includes the day on which the tax adjustment note is issued, the amount determined by the formula

$$D \times E \times (B/C) \times (F/G); \text{ and”};$$

(3) by replacing the portion of subparagraph 4 of the first paragraph before the formula by the following:

“(4) except where the pension entity is a selected listed financial institution on the first day on which an amount of deemed tax is deemed to have been paid, for each particular claim period of the pension entity for which any part of an amount of deemed tax in respect of a particular supply is included in the determination of the pension rebate amount of the pension entity and for which

an election under any of sections 402.18, 402.19 and 402.19.1 is made jointly by the pension entity and all participating employers of the pension plan that are, for the calendar year that includes the last day of that claim period, qualifying employers of the pension plan, each of those participating employers shall add, in determining its net tax for its reporting period that includes the day that is the later of the day on which the tax adjustment note is issued and the day on which the election is filed with the Minister, the amount determined by the formula”;

(4) by replacing subparagraphs 6 and 7 of the second paragraph by the following subparagraphs:

“(6) F is the amount of the rebate determined for the pension entity under section 402.14 for the particular claim period;

“(7) G is the pension rebate amount of the pension entity for the particular claim period; and”.

(2) Paragraph 1 of subsection 1 has effect from 22 July 2016.

(3) Paragraphs 2 and 4 of subsection 1 apply in respect of a claim period that ends after 22 July 2016. In addition, where section 450.0.7 of the Act applies

(1) in respect of a claim period that begins after 22 September 2009 and ends before 1 January 2013, the portion of subparagraph 3 of the first paragraph of that section before the formula is to be read as follows:

“(3) for each particular claim period of the pension entity for which any part of an amount of deemed tax in respect of a particular supply is included in the determination of the pension rebate amount of the pension entity, the pension entity shall pay to the Minister, on or before the last day of its claim period that immediately follows its claim period that includes the day on which the tax adjustment note is issued, the amount determined by the formula”;

(2) in respect of a claim period that ends after 31 December 2012 and before 23 July 2016, the portion of subparagraph 3 of the first paragraph of that section before the formula is to be read as follows:

“(3) except where the pension entity is a selected listed financial institution on the first day on which an amount of deemed tax is deemed to have been paid, for each particular claim period of the pension entity at the end of which the pension entity was a qualifying pension entity and for which any part of an amount of deemed tax in respect of a particular supply is included in the determination of the pension rebate amount of the pension entity, the pension entity shall pay to the Minister, on or before the last day of its claim period that immediately follows its claim period that includes the day on which the tax adjustment note is issued, the amount determined by the formula”.

(4) Paragraph 3 of subsection 1 applies in respect of a reporting period of a person for which the return under Chapter VIII of Title I of the Act is filed after 22 July 2016 or is to be filed under that Chapter on or before a day that is after 22 July 2016. In addition, where section 450.0.7 of the Act applies

(1) in respect of a reporting period of a person for which the return is filed after 22 September 2009 and in respect of a reporting period of a person that ends before 1 January 2013, the portion of subparagraph 4 of the first paragraph of that section before the formula is to be read as follows:

“(4) for each particular claim period of the pension entity for which any part of an amount of deemed tax in respect of a particular supply is included in the determination of the pension rebate amount of the pension entity and for which an election under section 402.18 or 402.19 is made jointly by the pension entity and all participating employers of the pension plan that are, for the calendar year that includes the last day of that claim period, qualifying employers of the pension plan, each of those participating employers shall add, in determining its net tax for its reporting period that includes the day on which the tax adjustment note is issued, the amount determined by the formula”; or

(2) in respect of a reporting period of a person that ends after 31 December 2012 and a reporting period of a person for which the return is required to be filed on or before a date that is before 23 July 2016, the portion of subparagraph 4 of the first paragraph of that section before the formula is to be read as follows:

“(4) except where the pension entity is a selected listed financial institution on the first day on which an amount of deemed tax is deemed to have been paid, for each particular claim period of the pension entity for which any part of an amount of deemed tax in respect of a particular supply is included in the determination of the pension rebate amount of the pension entity and for which an election under any of sections 402.18, 402.19 and 402.19.1 is made jointly by the pension entity and all participating employers of the pension plan that are, for the calendar year that includes the last day of that claim period, qualifying employers of the pension plan, each of those participating employers shall add, in determining its net tax for its reporting period that includes the day on which the tax adjustment note is issued, the amount determined by the formula”.

(5) If, upon the determination by the Minister of Revenue of the amount of any fees, interest and penalties for which a pension entity of a pension plan is liable under the Act, a particular amount has been determined as an amount payable under subparagraph 3 of the first paragraph of section 450.0.7 of the Act by the pension entity in respect of a tax adjustment note issued to the pension entity, if an eligible amount (within the meaning of section 402.13 of the Act) of the pension entity for a particular claim period (within the meaning of section 383 of the Act) of the pension entity was included in the determination of the particular amount, if the eligible amount is not included in the determination of the pension rebate amount (within the meaning of section 402.13 of the Act) of the pension entity for the particular claim period and if

23 July 2016 is after the last day of the claim period of the pension entity that immediately follows the claim period of the pension entity that includes the day on which the tax adjustment note is issued, the pension entity is entitled to request in writing, on or before 24 September 2021, that the Minister of Revenue make an assessment or reassessment for the purpose of taking into account that the eligible amount is not an amount payable under subparagraph 3 of the first paragraph of section 450.0.7 of the Act, as amended by paragraph 2 of subsection 1. On receipt of the request, the Minister shall with all due dispatch

(1) consider the request; and

(2) make an assessment or reassessment in respect of the particular amount, and of any interest, penalty or other obligation of the pension entity, solely for the purpose of taking into account that the eligible amount is not an amount payable under subparagraph 3 of the first paragraph of section 450.0.7 of the Act.

(6) If, upon the determination by the Minister of Revenue of the amount of any fees, interest and penalties for which a participating employer of a pension plan is liable under the Act, a particular amount has been determined as an amount payable under subparagraph 4 of the first paragraph of section 450.0.7 of the Act by a participating employer in respect of a tax adjustment note issued to the pension entity of the pension plan, if an eligible amount (within the meaning of section 402.13 of the Act) of the pension entity for a particular claim period (within the meaning of section 383 of the Act) of the pension entity was included in the determination of the particular amount, if the eligible amount is not included in the determination of the pension rebate amount (within the meaning of section 402.13 of the Act) of the pension entity for the particular claim period and if 23 July 2016 is after the day on which the return is filed under Chapter VIII of Title I of the Act for the reporting period of the participating employer that includes the day on which the tax adjustment note is issued, the participating employer is entitled to request in writing, on or before 24 September 2021, that the Minister of Revenue make an assessment or reassessment for the purpose of taking into account that the eligible amount is not an amount payable under subparagraph 4 of the first paragraph of section 450.0.7 of the Act, as amended by paragraph 3 of subsection 1. On receipt of the request, the Minister shall with all due dispatch

(1) consider the request; and

(2) make an assessment or reassessment in respect of the particular amount, and of any interest, penalty or other obligation of the participating employer, solely for the purpose of taking into account that the eligible amount is not an amount payable under subparagraph 3 of the first paragraph of section 450.0.7 of the Act.

247. (1) Section 677 of the Act, amended by section 567 of chapter 14 of the statutes of 2019, is again amended, in the first paragraph,

(1) by inserting the following subparagraph after subparagraph 31.0.3:

“(31.0.4) determine, for the purposes of section 289.9.1, which circumstances are prescribed circumstances and which persons are prescribed persons;”;

(2) by inserting the following subparagraph after subparagraph 32:

“(32.1) determine, for the purposes of subparagraph *b* of paragraph 1 of section 332.1, the prescribed matters, conditions and circumstances and, for the purposes of paragraph 2 of that section, the prescribed persons and groups;”.

(2) Paragraph 1 of subsection 1 applies in respect of a supply made after 21 July 2016.

(3) Paragraph 2 of subsection 1 has effect from 23 March 2016.

**ACT TO IMPROVE THE PERFORMANCE OF THE SOCIÉTÉ DE
L’ASSURANCE AUTOMOBILE DU QUÉBEC, TO BETTER REGULATE
THE DIGITAL ECONOMY AS REGARDS E-COMMERCE,
REMUNERATED PASSENGER TRANSPORTATION AND TOURIST
ACCOMMODATION AND TO AMEND VARIOUS LEGISLATIVE
PROVISIONS**

248. (1) Section 135 of the Act to improve the performance of the Société de l’assurance automobile du Québec, to better regulate the digital economy as regards e-commerce, remunerated passenger transportation and tourist accommodation and to amend various legislative provisions (2018, chapter 18) is amended, in paragraph 3,

(1) by replacing “foreign specified supplier” in subparagraph ii of subparagraph *a* by “specified supplier”;

(2) by replacing subparagraph *b* by the following subparagraph:

“(*b*) 1 September 2019, in respect of a Canadian specified supplier;”.

(2) Subsection 1 has effect from 1 January 2019. However, it does not apply in respect of a supply of incorporeal movable property or a service made before 1 March 2019 by a specified supplier, other than a foreign specified supplier, through a specified digital platform, the operator of which is registered under Division I of Chapter VIII or Division II of Chapter VIII.1 of Title I of the Act respecting the Québec sales tax (chapter T-0.1), for which the operator did not charge, collect or remit an amount as or on account of tax under Title I of the Act before that date.

249. (1) The Act is amended by adding the following section after section 135:

“136. Where section 477.2 of the Act respecting the Québec sales tax (chapter T-0.1), enacted by section 78 of this Act, applies after 31 December 2018 and before 1 September 2019 for the purpose of establishing the specified threshold of a person described in subparagraph ii of subparagraph *a* of paragraph 3 of section 135, the definition of “specified threshold” in the first paragraph of that section 477.2 is to be read as if “specified supplier” in paragraph 3 were replaced by “foreign specified supplier”.”

(2) Subsection 1 has effect from 1 January 2019.

REGULATION RESPECTING THE TAXATION ACT

250. (1) The Regulation respecting the Taxation Act (chapter I-3, r. 1) is amended by inserting the following section after section 130R194.1:

“130R194.2. A separate class is hereby prescribed for all of a taxpayer’s property referred to in section 156.7.6R1 and included in the same class in Schedule B.”

(2) Subsection 1 has effect from 4 December 2018.

251. (1) The Regulation is amended by inserting the following chapters after section 156.7.3R1:

“CHAPTER VI.3

“PROPERTY GIVING ENTITLEMENT TO AN ADDITIONAL DEDUCTION OF 35% OR 60% IN RESPECT OF CERTAIN INVESTMENTS

“156.7.4R1. Depreciable property of a taxpayer referred to in section 156.7.4 of the Act means property that

(a) before being acquired by the taxpayer, has not been used for any purpose nor acquired for use or lease for any purpose whatsoever;

(b) is included in Class 50 or 53 in Schedule B; and

(c) must begin to be used within a reasonable time after being acquired and be, for a period of at least 730 consecutive days after the day on which that use begins, or a shorter period in the case of the involuntary loss or destruction of the property by fire, theft or water, or material breakdown of the property, used mainly in Québec and in the course of the carrying on of a business by

i. the taxpayer, at any time in that period during which the taxpayer owns the property and does not lease it to another person,

ii. a person, other than the taxpayer, having acquired the property in any of the circumstances described in section 130R149, at any time in that period during which the person owns the property and does not lease it to another person, or

iii. a lessee of the property, at any time in that period during which the taxpayer or, where applicable, a person referred to in subparagraph ii leases the property to the lessee.

“CHAPTER VI.4

“PROPERTY GIVING ENTITLEMENT TO AN ADDITIONAL DEDUCTION OF 30% IN RESPECT OF CERTAIN INVESTMENTS

“**156.7.6RI.** Depreciable property of a taxpayer referred to in section 156.7.6 of the Act means

(a) property that

i. before being acquired by the taxpayer, has not been used for any purpose nor acquired for use or lease for any purpose whatsoever,

ii. has not been acquired by the taxpayer from a person or partnership with which the taxpayer was not dealing at arm’s length at the time of the acquisition,

iii. is property that

(1) is included in Class 43.1 or 43.2 in Schedule B,

(2) is included in Class 50 in Schedule B, unless it was acquired before 1 July 2019 pursuant to an obligation in writing entered into before 4 December 2018 or its construction, by or on behalf of the taxpayer, began before 4 December 2018, or

(3) is included in Class 53 in Schedule B or, if it is acquired after 31 December 2025, is included in Class 43 in that Schedule and would have been included in that Class 53 had it been acquired in 2025, unless it is acquired before 1 July 2019 pursuant to an obligation in writing entered into before 4 December 2018 or its construction, by or on behalf of the taxpayer, began before 4 December 2018, and

iv. must begin to be used within a reasonable time after being acquired and be, for a period of at least 730 consecutive days after the day on which that use begins, or a shorter period in the case of the involuntary loss or destruction of the property by fire, theft or water, or material breakdown of the property, used mainly in Québec and in the course of the carrying on of a business by

(1) the taxpayer, at any time in that period during which the taxpayer owns the property and does not lease it to another person,

(2) a person, other than the taxpayer, having acquired the property in any of the circumstances described in section 130R149, at any time in that period during which the person owns the property and does not lease it to another person, or

(3) a lessee of the property, at any time in that period during which the taxpayer or, where applicable, a person referred to in subparagraph ii leases the property to the lessee; or

(b) incorporeal property that

i. is included in any of Classes 14, 14.1 and 44 in Schedule B,

ii. is acquired by the taxpayer in the course of a technology transfer or developed by or on behalf of the taxpayer to enable the taxpayer to implement an innovation or invention concerning the taxpayer's business,

iii. begins to be used within a reasonable time following its acquisition or the completion of its development,

iv. is used only in Québec during the period covering the process of implementing the innovation or invention, in subparagraph v referred to as the "implementation period", and primarily in the course of the carrying on of a business by the taxpayer or, where applicable, by any other person who acquired the property in any of the circumstances described in section 130R149,

v. is not, during the implementation period, a property used for the purpose of gaining or producing gross revenue that is rent or a royalty, and

vi. is not acquired by the taxpayer from a person or partnership with which the taxpayer is not dealing at arm's length.

For the purposes of subparagraph *b* of the first paragraph,

(a) an incorporeal property means a patent or a right to use patented information, a licence, a permit, know-how, a commercial secret or other similar property constituting knowledge, but does not include a trademark, an industrial design, a copyright or other similar property constituting the expression of knowledge;

(b) a technology transfer means the transmission to a taxpayer of knowledge in the form of know-how, techniques, processes or formulas, with a view to enabling the taxpayer to implement an innovation or invention concerning the taxpayer's business; and

(c) a property is deemed to be used only in Québec where it is used as part of the process of implementing an innovation or invention and where the efforts to implement that innovation or invention are made only in Québec."

(2) Subsection 1, where it enacts Chapter VI.3 of Title XVI of the Regulation, has effect from 29 March 2017.

(3) Subsection 1, where it enacts Chapter VI.4 of Title XVI of the Regulation, has effect from 4 December 2018.

252. (1) Sections 1000.2R1 to 1010.0.0.1R1 of the Regulation are replaced by the following sections:

“1000.2R1. A property to which subparagraph *b* of the second paragraph of section 1000.2 of the Act refers is

(a) a property of a taxpayer included in a separate class of the taxpayer under section 130R194.1; or

(b) a property of a taxpayer included in a separate class of the taxpayer under section 130R194.2.

The conditions to which subparagraph *b* of the third paragraph of section 1000.2 of the Act refers are as follows:

(a) in the case of a property described in subparagraph *a* of the first paragraph, the conditions described in paragraphs *b* and *c* of section 130R194.1; or

(b) in the case of a property described in subparagraph *b* of the first paragraph, the conditions described in subparagraph iv of paragraph *a* of section 156.7.6R1 or in subparagraphs iv and v of paragraph *b* of that section, as the case may be.

“1000.3R1. A property to which subparagraph *b* of the second paragraph of section 1000.3 of the Act refers is

(a) a property of a partnership included in a separate class of the partnership under section 130R194.1; or

(b) a property of a partnership included in a separate class of the partnership under section 130R194.2.

The conditions to which subparagraph *b* of the third paragraph of section 1000.3 of the Act refers are as follows:

(a) in the case of a property described in subparagraph *a* of the first paragraph, the conditions described in paragraphs *b* and *c* of section 130R194.1; or

(b) in the case of a property described in subparagraph *b* of the first paragraph, the conditions described in subparagraph iv of paragraph *a* of section 156.7.6R1 or in subparagraphs iv and v of paragraph *b* of that section, as the case may be.

“1010.0.0.1R1. A property to which subparagraph *b* of the second paragraph of section 1010.0.0.1 of the Act refers is

(a) a property of a taxpayer or a partnership included in a separate class of the taxpayer or partnership under section 130R194.1; or

(b) a property of a taxpayer or a partnership included in a separate class of the taxpayer or partnership under section 130R194.2.

The conditions to which subparagraph *b* of the third paragraph of section 1010.0.0.1 of the Act refers are as follows:

(a) in the case of a property described in subparagraph *a* of the first paragraph, the conditions described in paragraphs *b* and *c* of section 130R194.1; or

(b) in the case of a property described in subparagraph *b* of the first paragraph, the conditions described in subparagraph iv of paragraph *a* of section 156.7.6R1 or in subparagraphs iv and v of paragraph *b* of that section, as the case may be.”

(2) Subsection 1 has effect from 4 December 2018.

253. (1) Section 1029.8.61.19.1R1 of the Regulation is replaced by the following section:

“1029.8.61.19.1R1. The rules to which each of subparagraphs *a* and *b* of the first paragraph of section 1029.8.61.19.1 of the Act refers for the purpose of determining if a child is in any of the situations described in subparagraphs i and ii of that subparagraph *a* or *b* are the rules prescribed in sections 1029.8.61.19.1R2 to 1029.8.61.19.1R5.”

(2) Subsection 1 has effect from 1 April 2019.

254. (1) Section 1029.8.61.19.1R3 of the Regulation is amended

(1) by replacing the portion before paragraph *a* by the following:

“1029.8.61.19.1R3. For the purpose of computing the amount for the first level and for the purposes of subparagraph i of subparagraph *a* of the first paragraph of section 1029.8.61.19.1 of the Act, a child who has an impairment or a mental function disability entailing serious and multiple disabilities is considered to have disabilities preventing him or her from independently performing the life habits of a child of his or her age only if the outcome of the interaction between the child’s disabilities and the environmental factors as facilitators of, and barriers to, the performance of the child’s life habits in the child’s various living environments causes;”

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

“For the purpose of computing the amount for the second level and for the purposes of subparagraph *i* of subparagraph *b* of the first paragraph of section 1029.8.61.19.1 of the Act, a child who has an impairment or a mental function disability entailing serious and multiple disabilities is considered to have disabilities preventing him or her from independently performing the life habits of a child of his or her age only if the outcome of the interaction between the child’s disabilities and the environmental factors as facilitators of, and barriers to, the performance of the child’s life habits in the child’s various living environments causes,

(a) if the child is less than four years of age, an absolute limitation in performing one life habit among the life habits that are nutrition, mobility and communication and a serious or absolute limitation in performing at least one other life habit among those life habits; and

(b) if the child is four years of age or over,

i. an absolute limitation in performing two life habits and a serious or absolute limitation in performing at least one other life habit, or

ii. an absolute limitation in performing a life habit in respect of mobility and a serious or absolute limitation in performing at least one other life habit.”

(2) Subsection 1 has effect from 1 April 2019.

255. (1) The Regulation is amended by inserting the following Title after section 1123R1:

“TITLE XLIV.1

**“SPECIAL TAX RELATING TO THE ADDITIONAL DEDUCTION OF
35% OR 60% IN RESPECT OF CERTAIN INVESTMENTS**

“1129.4.33R1. The conditions to which section 1129.4.33 of the Act refers are those mentioned in paragraph *c* of section 156.7.4R1.

“1129.4.34R1. The conditions to which section 1129.4.34 of the Act refers are those mentioned in paragraph *c* of section 156.7.4R1.”

(2) Subsection 1 has effect from 29 March 2017.

REGULATION RESPECTING THE QUÉBEC SALES TAX

256. (1) Section 332R2 of the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2) is amended

(1) by replacing the portion before subparagraph *a* of subparagraph 2 of the first paragraph by the following:

“332R2. For the purposes of section 332 of the Act, any other corporation is a prescribed corporation in relation to a particular corporation if

(1) it is the case that

(*a*) the specified shares of the other corporation, each of which meets the following conditions, represent not less than 90% of the total value and number of all such shares:

i. it is owned by the particular corporation,

ii. it is owned by a corporation that is closely related to the particular corporation by reason of paragraph 1 of section 332 of the Act,

iii. it is owned by any of the persons described in subparagraph 1 of the second paragraph, or

iv. it cannot be traded on a stock exchange and is held in trust for the benefit of the other corporation or of an employee referred to in subparagraph *a* of subparagraph 1 of the second paragraph and the beneficial ownership of which by the employee arose in respect of the employment of the employee;

(*b*) the specified shares of the other corporation, each of which is owned by a corporation referred to in subparagraph i or ii of subparagraph *a*, represent not less than 50% of the total value and number of all such shares; and

(*c*) the particular corporation would hold qualifying voting control in respect of the other corporation if the particular corporation were to own

i. the specified shares of the other corporation that are referred to in subparagraphs i to iv of subparagraph *a*, and

ii. the issued and outstanding shares of the capital stock of the other corporation that are not specified shares and that would be referred to in subparagraphs i to iv of subparagraph *a* if they were specified shares; or

(2) qualifying voting control in respect of the other corporation is held by, and not less than 90% of the total value and number of all specified shares of the other corporation are owned by,”;

(2) by replacing “subparagraph 1 of the first paragraph” in subparagraph *b* of subparagraph 2 of the first paragraph by “paragraph 1”;

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

“For the purposes of subparagraph iii of subparagraph *a* of subparagraph 1 of the first paragraph,

(1) the persons referred to in that subparagraph iii are

(*a*) an employee of the other corporation, of a corporation that is closely related to the other corporation by reason of paragraph 1 of section 332 of the Act or of a corporation referred to in subparagraph i or ii of subparagraph *a* of subparagraph 1 of the first paragraph; or

(*b*) a corporation in respect of which the employees referred to in subparagraph *a* hold qualifying voting control and own not less than 90% of the total value and number of all specified shares; and

(2) the specified shares of the corporation referred to in subparagraph *b* of subparagraph 1, or of the other corporation, as the case may be, that are owned by employees referred to in subparagraph 1 are shares that must not be traded on a stock exchange and the ownership of which by the employees must arise in respect of their employment.”

(2) Subsection 1 applies from 22 March 2017. It also applies from 23 March 2016

(1) in respect of an election made under section 297.0.2.1 or 334 of the Act respecting the Québec sales tax (chapter T-0.1) that was not filed before 23 March 2016 and that becomes effective after 22 March 2016 but before 22 March 2017; or

(2) for the purpose of applying subparagraphs 2 and 3 of the first paragraph of section 1R3 of the Regulation in respect of a supply of a service if the agreement for the supply is entered into after 22 March 2016 but before 22 March 2017 and it is not the case that all or substantially all of the service is performed before 22 March 2017.

TRANSITIONAL AND FINAL PROVISIONS

257. In applying sections 155 to 159, 253 and 254 in respect of an application referred to in the second paragraph of section 1029.8.61.19.1 of the Taxation Act (chapter I-3) and filed for the purpose of taking into consideration an amount in respect of the supplement for handicapped children requiring exceptional care for a particular month that begins after 31 March 2019, the following rules apply:

(1) if the particular month is the month of April or May 2019, the application may, despite the expiry of the time limit provided for in the second paragraph of section 1029.8.61.19.1 of the Act, be filed with Retraite Québec on or before 11 May 2020; and

(2) each application filed for that purpose in respect of which Retraite Québec has rendered, before 11 June 2019, an unfavourable decision because of the child's handicap situation is deemed to have been filed on 11 June 2019, except where

- (a) the child has died before 1 April 2019;
- (b) the child has attained the age of 18 years before 1 April 2019; or
- (c) the child is lodged or sheltered pursuant to the law.

258. This Act comes into force on 24 September 2020.

2020, chapter 17

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

Bill 35

Introduced by Mr. Jonatan Julien, Minister of Energy and Natural Resources

Introduced 19 September 2019

Passed in principle 22 September 2020

Passed 7 October 2020

Assented to 8 October 2020

Coming into force: 1 February 2021, except

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

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

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

Legislation amended:

Civil Code of Québec

Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1)

Act respecting the acquisition of farm land by non-residents (chapter A-4.1)

Land Surveyors Act (chapter A-23)

Building Act (chapter B-1.1)

Unclaimed Property Act (chapter B-5.1)

Act respecting registry offices (chapter B-9)

Cadastré Act (chapter C-1)

Charter of Ville de Longueuil (chapter C-11.3)

Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4)

Charter of Ville de Québec, national capital of Québec (chapter C-11.5)

Cities and Towns Act (chapter C-19)

Code of Civil Procedure (chapter C-25.01)

Municipal Code of Québec (chapter C-27.1)

(cont'd on next page)

Legislation amended: (cont'd)

Act respecting the Commission municipale (chapter C-35)
Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01)
Act respecting the Communauté métropolitaine de Québec (chapter C-37.02)
Natural Heritage Conservation Act (chapter C-61.01)
Act respecting the conservation and development of wildlife (chapter C-61.1)
Cooperatives Act (chapter C-67.2)
Religious Corporations Act (chapter C-71)
Public Curator Act (chapter C-81)
Territorial Division Act (chapter D-11)
Act respecting duties on transfers of immovables (chapter D-15.1)
Land Transfer Duties Act (chapter D-17)
Act respecting threatened or vulnerable species (chapter E-12.01)
Expropriation Act (chapter E-24)
Act respecting municipal taxation (chapter F-2.1)
Public Infrastructure Act (chapter I-8.3)
Education Act (chapter I-13.3)
Disorderly Houses Act (chapter M-2)
Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2)
Act respecting the Ministère des Transports (chapter M-28)
Pesticides Act (chapter P-9.3)
Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1)
Act to promote the reform of the cadastre in Québec (chapter R-3.1)
Act respecting the Régie des installations olympiques (chapter R-7)
Watercourses Act (chapter R-13)
Act respecting property tax refund (chapter R-20.1)
Act respecting the Société d'habitation du Québec (chapter S-8)
Act respecting the Société des établissements de plein air du Québec (chapter S-13.01)
Act respecting public transit authorities (chapter S-30.01)
Act respecting agricultural lands in the domain of the State (chapter T-7.1)
Act respecting the lands in the domain of the State (chapter T-8.1)
Act respecting land titles in certain electoral districts (chapter T-11)
Act to amend the Civil Code and other legislative provisions relating to land registration (2000, chapter 42)

Regulations amended:

Regulation respecting land registration (chapter CCQ, r. 6)
Regulation respecting standards of practice for location certificates (chapter A-23, r. 10)
Regulation respecting standards of practice for staking and layout (chapter A-23, r. 11)
Tariff of fees of court bailiffs (chapter H-4.1, r. 13.1)
Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2)
Regulation respecting the signing of certain deeds, documents and writings of the Ministère des Ressources naturelles et de la Faune (chapter M-25.2, r. 1)
Regulation respecting the water property in the domain of the State (chapter R-13, r. 1)
Regulation respecting the alienation of agricultural lands in the domain of the State to certain occupants (chapter T-7.1, r. 1)
Regulation respecting the alienation and leasing of agricultural lands in the domain of the State (chapter T-7.1, r. 2)
Regulation respecting public blueberry fields (chapter T-7.1, r. 3)

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Explanatory notes

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

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

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

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



Chapter 17

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

[Assented to 8 October 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

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

2. Article 2730 of the Code is amended

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

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

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

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

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

5. Article 2978 of the Code is amended

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

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

6. Article 2982 of the Code is amended

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

(2) in the third paragraph,

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

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

(c) by striking out the last sentence.

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

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

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

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

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

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

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

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

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

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

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

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

(2) by striking out the last sentence.

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

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

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

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

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

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

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

16. Article 3019 of the Code is amended

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

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

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

(1) in subparagraph 1,

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

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

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

18. Article 3021.1 of the Code is amended

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

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

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

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

20. Article 3027 of the Code is amended by striking out the third paragraph.**21.** Article 3045 of the Code is amended

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

(2) in the second paragraph,

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

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

22. Articles 3055 and 3056 of the Code are repealed.**23.** Article 3062 of the Code is amended by replacing the second paragraph by the following paragraph:

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

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

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

25. Article 3073 of the Code is amended

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

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

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

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

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

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

27. The Code is amended

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

(a) the second paragraph of article 1006;

(b) the first paragraph of article 1060;

(c) the second paragraph of article 1725;

(d) the second paragraph of article 2885;

(e) the first paragraph of article 2997;

(f) article 3029;

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

(a) the first paragraph of article 2934.1;

(b) the first paragraph of article 3061;

(c) the first paragraph of article 3071;

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

(a) the second paragraph of article 3018;

(b) the first paragraph of article 3075.1.

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

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

LAND SURVEYORS ACT

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

BUILDING ACT

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

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

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

ACT RESPECTING REGISTRY OFFICES

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

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

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

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

33. Section 2 of the Act is amended

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

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

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

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

34. Section 7 of the Act is amended

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

(2) in the third paragraph,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) the first paragraph of section 12;

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

(3) the second paragraph of section 13.

CADASTRE ACT

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

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

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

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

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

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

(1) the first paragraph of section 4.5;

(2) the introductory clause of section 4.6;

(3) section 6, wherever it appears;

(4) section 21.6.

CHARTER OF VILLE DE LONGUEUIL

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

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

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

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

CHARTER OF VILLE DE MONTRÉAL, METROPOLIS OF QUÉBEC

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

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

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

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

CHARTER OF VILLE DE QUÉBEC, NATIONAL CAPITAL OF QUÉBEC

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

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

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

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

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

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

CITIES AND TOWNS ACT

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

- (1) by striking out both occurrences of “by registered mail”;
- (2) by replacing all occurrences of “registrar” by “Land Registrar”.

61. Section 523 of the Act is amended

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

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

CODE OF CIVIL PROCEDURE

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

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

64. Article 410 of the Code is amended

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

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

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

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

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

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

MUNICIPAL CODE OF QUÉBEC

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

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

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

68. Article 1032 of the Code is amended

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

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

ACT RESPECTING THE COMMISSION MUNICIPALE

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

70. Section 64 of the Act is amended

(1) by striking out “, by registered mail,” in the second paragraph;

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

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

ACT RESPECTING THE CONSERVATION AND DEVELOPMENT OF WILDLIFE

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

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

(1) the fourth paragraph of section 104;

(2) the third paragraph of section 111;

(3) the third paragraph of section 122;

(4) the second paragraph of section 171.3.

TERRITORIAL DIVISION ACT

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

ACT RESPECTING DUTIES ON TRANSFERS OF IMMOVABLES

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

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

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

LAND TRANSFER DUTIES ACT

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

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

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

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

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

ACT RESPECTING THREATENED OR VULNERABLE SPECIES

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

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

ACT RESPECTING MUNICIPAL TAXATION

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

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

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

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

EDUCATION ACT

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

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

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

ACT RESPECTING THE MINISTÈRE DES RESSOURCES
NATURELLES ET DE LA FAUNE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

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

ACT RESPECTING THE PRESERVATION OF AGRICULTURAL LAND
AND AGRICULTURAL ACTIVITIES

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

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

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

ACT TO PROMOTE THE REFORM OF THE CADASTRE IN QUÉBEC

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

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

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

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

93. Section 10.1 of the Act is amended

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

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

94. Section 16 of the Act is amended

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

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

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

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

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

(1) the second paragraph of section 18;

(2) section 20.

WATERCOURSES ACT

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

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

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

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

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

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

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

REGULATION RESPECTING LAND REGISTRATION

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

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

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

103. Section 37 of the Regulation is amended

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

(2) in the second paragraph,

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

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

104. Section 37.1 of the Regulation is amended

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

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

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

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

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

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

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

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

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

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

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

“75. The Land Registry Office

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

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

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

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

REGULATION RESPECTING STANDARDS OF PRACTICE FOR STAKING AND LAYOUT

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

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

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

OTHER AMENDING PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TRANSITIONAL AND FINAL PROVISIONS

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

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

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

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

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

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

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

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

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

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

“75. Registry offices and the Land Registry Office

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

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

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

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

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

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

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

2020, chapter 18

AN ACT RESPECTING THE LEASING OF PART OF THE WATER POWER OF THE SHIPSHAW RIVER

Bill 50

Introduced by Mr. Jonatan Julien, Minister of Energy and Natural Resources

Introduced 6 February 2020

Passed in principle 17 September 2020

Passed 7 October 2020

Assented to 8 October 2020

Coming into force: 8 October 2020

Legislation amended: None

Explanatory notes

The purpose of this Act is to authorize the Minister of Natural Resources and Wildlife, in accordance with section 3 of the Watercourses Act, to lease part of the water power in the domain of the State of the Shipshaw River to Resolute FP Canada Inc.

The Act establishes, among other things, the term of the lease, provides that it is renewable and sets out certain related conditions, including the obligation for the lessee to make developmental manufacturing investments in the Saguenay–Lac-Saint-Jean administrative region and to pay a royalty on the electricity generated through the exploitation of the leased water power.



Chapter 18

AN ACT RESPECTING THE LEASING OF PART OF THE WATER POWER OF THE SHIPSHAW RIVER

[Assented to 8 October 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Within the scope of the provisions of this Act and subject to the conditions considered by the Minister of Natural Resources and Wildlife to be in keeping with Québec's interests, the Minister is authorized

(1) to lease to Resolute FP Canada Inc. the water power in the domain of the State of the section of the Shipshaw River lying between the extension in that river of the northeast limit of range IV East of the original survey of the township of Falardeau and the southwest limit of block B of the original survey of the Shipshaw River basin; and

(2) to allow Resolute FP Canada Inc. to use that water power by diverting the flow of the Shipshaw River, especially through Jim Gray Lake, up to the south limit of block F of the original survey of the township of Falardeau.

2. The lessee is authorized to operate, maintain, alter and rebuild the dams and other works erected before 8 October 2020 to exploit the water power referred to in section 1.

The plans and specifications for altering and rebuilding such dams and works require prior approval by the Government.

3. The lease is for a term of 10 years, beginning on 1 January 2022, and may be renewed for a further 10-year term within the scope of the provisions of this Act and subject to the conditions considered by the Minister of Natural Resources and Wildlife to be in keeping with Québec's interests.

4. On signing the lease, the lessee must pay \$3,111,900 to the Minister of Natural Resources and Wildlife.

5. The lessee must, on 31 December 2031, have made, in the Saguenay–Lac-Saint-Jean administrative region, as described in Schedule I to the Décret concernant la révision des limites des régions administratives du Québec (chapter D-11, r. 1, French only) on 8 October 2020, developmental manufacturing investments which support, in particular, innovation or access to new markets in order to ensure the creation or preservation of quality jobs related to the industry and which, converted into their 2018 values using an annual rate of 8%, total at least \$100,000,000, excluding any form of government assistance

and excluding investments for the repair or maintenance of electric power production or transmission infrastructures. Investments made on or after 1 April 2018 are eligible investments for the purposes of this provision.

Should such investments fall short of the required amount, the lessee must pay to the Minister of Natural Resources and Wildlife, not later than 1 October 2032, an amount which, converted into its 2032 value using an annual rate of 8%, corresponds to 25% of the difference between \$100,000,000 in 2018 values, and the investments made between 1 April 2018 and 31 December 2031, converted into their 2018 values using an annual rate of 8%.

Any eligible investment made in excess of that \$100,000,000 is considered an investment made during the term of the renewal, if applicable.

6. If the lease is renewed, the lessee must, on 31 December 2041, have made investments in the same region which are of the same nature as those provided for in the first paragraph of section 5 and which, converted into their 2032 values using the applicable annual rate, total at least \$100,000,000.

Should such investments fall short of the required amount, the lessee must pay to the Minister of Natural Resources and Wildlife, before 1 October 2042, an amount which, converted into its 2042 value using the applicable annual rate, corresponds to 25% of the difference between \$100,000,000 in 2032 values, and the investments made between 1 January 2032 and 31 December 2041, converted into their 2032 values using the applicable annual rate, as well as, if applicable, the investments deferred in accordance with the third paragraph of section 5, converted into their 2032 values using the applicable annual rate.

The applicable annual rate is determined by the Minister on the basis of the average cost of government borrowings combined with the percentage increase, in relation to the preceding year, in the Consumer Price Index for Canada, published by Statistics Canada under the Statistics Act (Revised Statutes of Canada, 1985, chapter S-19) and communicated to the lessee two months before the lease renewal.

7. For the determination of investments eligible under sections 5 and 6, the lessee must provide the Minister of Natural Resources and Wildlife with detailed and audited financial data, prepared in keeping with generally accepted accounting principles,

(1) not later than 1 April 2022, concerning the developmental manufacturing investments made between 1 April 2018 and 31 December 2021; and

(2) annually, as of 1 January 2023, concerning the developmental manufacturing investments made in the preceding year.

The Minister must, within three months after the detailed and audited financial data is filed, make public the nature and amount of the developmental manufacturing investments made in the preceding term.

8. The lessee must consume, in the plants it operates in Saguenay and Alma, the electricity it generates using the water power referred to in section 1. A strike or lock-out, or flow variations, do not exempt the lessee from that obligation.

The lessee must produce a technical and financial study for modernizing the plants in Saguenay and Alma in order to begin a transition to products of the future and must produce a modernization plan not later than 2023 for the plants located in Saguenay and Alma.

The lease must determine the rules applicable in the event of a failure to comply with the obligation provided for in the first and second paragraphs and may specify the cases that do not constitute such a failure.

9. In addition to the charge payable under section 68 of the Watercourses Act (chapter R-13), the lessee must pay to the Minister of Natural Resources and Wildlife an annual royalty whose rate is determined in 2019 at \$0.781 per MWh of electricity generated and is adjusted annually according to the percentage increase, in relation to the preceding year, in the Consumer Price Index for Canada, published by Statistics Canada under the Statistics Act.

10. In addition to any grounds stipulated in the lease, the following circumstances are grounds for resiliation of the lease by the Minister of Natural Resources and Wildlife without formality or compensation:

(1) the lessee ceases to operate one of the plants it operated on 8 October 2020 in Saguenay, Alma and Saint-Félicien; or

(2) the total consumption of the plants referred to in paragraph 1 for three consecutive years is below 50% of the electricity generating potential of the water power referred to in section 1.

11. The lessee may not assign, transfer or otherwise alienate the rights granted to it under this Act unless it has obtained authorization from and, if applicable, complied with the conditions determined by the Government.

12. The lessee is liable for any damage attributable to the exploitation of the water power referred to in section 1, except damage to property in the domain of the State resulting from the use of the flooding rights granted incidentally to the leasing of that water power.

13. On the expiry of the lease or of its term of renewal, as applicable, or in the event of resiliation of the lease, ownership of the dams, works and improvements used to exploit the water power referred to in section 1 is, unless previously waived by the Government, transferred to the State without indemnity or compensation.

14. This Act comes into force on 8 October 2020.

2020, chapter 19

AN ACT MAINLY TO ENSURE EFFECTIVE GOVERNANCE OF THE FIGHT AGAINST CLIMATE CHANGE AND TO PROMOTE ELECTRIFICATION

Bill 44

Introduced by Mr. Benoit Charette, Minister of the Environment and
the Fight Against Climate Change

Introduced 31 October 2019

Passed in principle 19 February 2020

Passed 20 October 2020

Assented to 22 October 2020

Coming into force: 1 November 2020

Legislation amended:

Financial Administration Act (chapter A-6.001)

Act to increase the number of zero-emission motor vehicles in Québec in order to reduce
greenhouse gas and other pollutant emissions (chapter A-33.02)

Act respecting the governance of state-owned enterprises (chapter G-1.02)

Hydro-Québec Act (chapter H-5)

Act respecting Investissement Québec (chapter I-16.0.1)

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

Act respecting the Ministère des Transports (chapter M-28)

Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs
(chapter M-30.001)

Petroleum Products Act (chapter P-30.01)

Environment Quality Act (chapter Q-2)

Act to reduce the debt and establish the Generations Fund (chapter R-2.2.0.1)

Act respecting the Régie de l'énergie (chapter R-6.01)

Auditor General Act (chapter V-5.01)

Legislation repealed:

Act respecting Transition énergétique Québec (chapter T-11.02)

Regulations amended:

Regulation respecting road vehicle registration (chapter C-24.2, r. 29)

Petroleum Products Regulation (chapter P-30.01, r. 2)

Regulation respecting greenhouse gas emissions from motor vehicles (chapter Q-2, r. 17)

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Regulations amended: (cont'd)

Regulation respecting the recovery and reclamation of products by enterprises (chapter Q-2, r. 40.1)
Regulation respecting the charges payable for the use of water (chapter Q-2, r. 42.1)
Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1)
Regulation respecting the Québec sales tax (chapter T-0.1, r. 2)

Explanatory notes

This Act establishes that the Minister of the Environment and the Fight Against Climate Change is, by virtue of office, the Government's adviser regarding the fight against climate change and that he or she is to ensure government-wide integrated governance of the latter. More specifically, the Minister must ensure compliance with the greenhouse gas reduction targets set by the Government, as well as coherence and coordination of government and ministerial measures and measures proposed by certain public bodies that concern the fight against climate change, and must be involved in the preparation of such measures.

The Act entrusts the Minister with responsibility for preparing a climate change framework policy and proposing it to the Government, and creates a standing advisory committee to advise the Minister on policy directions, policies, programs and strategies regarding the fight against climate change. The Minister may give other ministers and certain public bodies any opinion he or she considers appropriate to promote the fight against climate change, in particular when a proposed measure does not, in the Minister's opinion, comply with the principles and objectives set out in the framework policy.

The Act amends the rules governing the Green Fund, which it renames the "Electrification and Climate Change Fund", in particular

(1) by abolishing the Conseil de gestion du Fonds vert and transferring some of its responsibilities to the Minister of the Environment and the Fight Against Climate Change;

(2) by dedicating the Fund exclusively to the financing of measures to fight against climate change; and

(3) by replacing the existing rule whereby two-thirds of the revenues from the cap-and-trade system for greenhouse gas emission allowances is reserved for measures applicable to transportation by a rule allowing the Government to determine the minimum share of such revenues that may be reserved for that purpose.

The Auditor General Act is amended by adding, to the responsibilities of the Sustainable Development Commissioner, the duty to report annually on the Commissioner's findings and recommendations with respect to that fund, to the extent considered appropriate by the Commissioner.

The Act amends the rules applicable to the setting of greenhouse gas reduction targets by providing in particular that the advice of the advisory committee must be sought during the target setting process, that the overall reduction target for Québec in relation to 1990 emissions may not be inferior to 37.5 %, and that the overall target must be reviewed at least every five years.

Certain provisions governing the greenhouse gas cap-and-trade system are amended to allow the revenues from the sale of certain emission units to be reserved for certain emitters, and the regulatory authorizations for projects eligible for the issuance of offset credits are clarified. The Act to increase the number of zero-emission vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions is also amended with a view to facilitating its application, in particular with regard to reconditioned motor vehicles.

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Explanatory notes (*cont'd*)

The Minister of Energy and Natural Resources is given responsibility for ensuring integrated governance regarding energy transition, innovation and efficiency. As a result, Transition énergétique Québec is abolished and the Minister of Energy and Natural Resources is entrusted with the responsibility of preparing an energy transition, innovation and efficiency master plan. To that end, the Minister may establish an advisory committee to advise the Minister.

The Act provides for the content of the master plan, the government authorization process and the terms and conditions for the coming into force and implementation of the plan.

The current contribution payable by energy distributors to Transition énergétique Québec becomes payable to the Minister of Energy and Natural Resources and is to be calculated by the Régie de l'énergie using the method prescribed by government regulation.

The Energy Transition Fund is renamed the "Energy Transition, Innovation and Efficiency Fund" and the fees collected for a petroleum exploration, production or storage licence or for an authorization to produce brine are to be paid into that fund or into the fossil energy management component of the Natural Resources Fund in the proportion determined by the Minister.

The Petroleum Products Act is amended in order, among other things, to give the Government the power to determine by regulation standards regarding the quality and impacts of petroleum products and their components as well as a mechanism to promote compliance of such products with the standards and specifications.

The Régie de l'énergie retains the power to approve energy distributors' programs and measures provided for in the energy transition, innovation and efficiency master plan but may no longer give its opinion on the master plan's capacity to achieve the targets regarding energy transition, innovation and efficiency.

Lastly, the Act contains the consequential amendments and transitional measures necessary for the above restructuring, in particular with respect to the transfer of the rights and obligations of the abolished bodies, the continuation of their affairs, and the transfer of their assets and personnel.



Chapter 19

AN ACT MAINLY TO ENSURE EFFECTIVE GOVERNANCE OF THE FIGHT AGAINST CLIMATE CHANGE AND TO PROMOTE ELECTRIFICATION

[Assented to 22 October 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

GOVERNANCE OF THE FIGHT AGAINST CLIMATE CHANGE

DIVISION I

ACT RESPECTING THE MINISTÈRE DU DÉVELOPPEMENT DURABLE, DE L'ENVIRONNEMENT ET DES PARCS

1. The Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001) is amended by inserting the following section after section 10:

“10.1. The Minister is by virtue of office the Government's adviser on issues concerning the fight against climate change and shall ensure government-wide integrated governance of the fight against climate change, in particular with a view to State exemplarity in the matter.

The fight against climate change includes all measures to reduce, limit or prevent greenhouse gas emissions, in particular by electrification, to remove greenhouse gases from the atmosphere, to mitigate the environmental, economic and social consequences of such measures and to promote adaptation to the impacts of global warming and climate change, as well as Québec's participation in regional or international partnerships in these areas and the development of such partnerships.

The Minister shall ensure compliance with the greenhouse gas reduction targets set by the Government under section 46.4 of the Environment Quality Act (chapter Q-2). The Minister shall ensure the coherence and coordination of policies, action plans, programs, consultation processes and other measures of the Government, government departments and public bodies that concern the fight against climate change and shall be involved in their preparation. Each minister or public body concerned continues to be responsible for choosing and implementing the means to achieve the results.

The Minister must be consulted when measures that could have a significant impact in the fight against climate change are developed. The Minister shall give the other ministers and the public bodies any opinion he considers appropriate to promote the fight against climate change and reduce climate risks, and shall recommend to them any adjustments necessary for those purposes, in particular when a proposed measure, in his opinion,

(1) does not comply with the principles and objectives set out in the climate change framework policy provided for in section 46.3 of the Environment Quality Act;

(2) does not comply with the greenhouse gas reduction or limitation targets set under section 46.4 of that Act; or

(3) does not allow sufficient adaptation to climate change.

For the purposes of this Act, “public body” means a budget-funded body or a body other than a budget-funded body listed in Schedule 1 or 2 to the Financial Administration Act (chapter A-6.001).

The Minister shall exercise the responsibilities conferred on him by this section regarding the development of and participation in international partnerships with due regard for the powers and duties of the Minister of International Relations.”

2. Section 11 of the Act is amended by replacing “shall be responsible for the implementation and coordination of these policies” in the second paragraph by “is responsible for ensuring the implementation of the policies and coordinating their application”.

3. Section 12 of the Act is amended by striking out “public” in paragraph 4.

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

“12.1. In the exercise of his functions under section 10.1, the Minister must give directives to the departments and public bodies concerning the methods they must apply in order, in particular, to calculate the quantity of greenhouse gas emitted, reduced, prevented or limited or the quantity removed from the atmosphere, to quantify other elements or factors that contribute to global warming and assess their effects as well as the effects of greenhouse gases on global warming, or to assess the risks related to the impacts of global warming and of climate change and integrate them into adaptation to those impacts, if such methods are not otherwise prescribed by law.

The Minister must also give them directives concerning the methods to be applied for the reporting associated with the implementation of the climate change framework policy.

Such directives are binding on the departments and public bodies concerned and must be made public.

“12.2. Without excluding the more specific powers granted for that purpose by other Acts under the Minister’s responsibility, the Minister may, by agreement approved by the Government, delegate the management of a program the Minister has prepared under this Act or another Act under the Minister’s responsibility to a municipality, another legal person, an Aboriginal community or any other body.

The management delegation agreement must include

- (1) the powers delegated and the delegatee’s obligations;
- (2) the objectives and targets to be achieved, including effectiveness and efficiency objectives and targets, and the information to be provided;
- (3) the rules relating to the contracts the delegatee may award;
- (4) the reports required on the achievement of the objectives and targets set;
- (5) the manner in which the Minister is to oversee the delegatee’s management and intervene if the objectives and targets are not achieved or seem likely not to be achieved;
- (6) the penalties applicable for failing to meet the obligations stipulated in the agreement; and
- (7) if the delegatee is a regional county municipality, the delegated powers that may be subdelegated to a local municipality whose territory is included in that of the regional county municipality, as well as the terms governing the subdelegation.

The exercise of powers by a delegatee or a subdelegatee under such an agreement is not binding on the State.

The Minister shall make the agreement public.”

5. The Act is amended by inserting the following division after section 15:

“DIVISION II.0.1

“ADVISORY COMMITTEE ON CLIMATE CHANGE

“15.0.1. An advisory committee on climate change, composed of not fewer than 9 nor more than 13 members, is established. The members must be independent, that is, they must have no relationships or interests that could interfere with the pursuit of the committee’s mission.

The committee acts with full independence in accordance with this division.

“15.0.2. The Government appoints the committee chair after consulting the chief scientist appointed under section 26 of the Act respecting the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1).

The Minister then appoints the other committee members he chooses from among the persons appearing on a list jointly established by the committee chair and the chief scientist.

The members must collectively have significant and multidisciplinary expertise and experience regarding the fight against climate change and the majority must be from the scientific community.

The Deputy Minister, or the latter’s delegate, attends the meetings of the committee as an observer.

“15.0.3. The mission of the committee is to advise the Minister, at the latter’s request or on its own initiative, on the policy directions, programs, policies and strategies regarding the fight against climate change, taking into consideration advances in science and technology as well as scientific consensus in this area.

The Minister may request a department or body to provide him, within the time he specifies, with any information or document necessary for the pursuit of the committee’s mission. The Minister then sends the information or document obtained to the committee.

“15.0.4. The committee makes its advice to the Minister public 30 days after sending it to the Minister.

“15.0.5. The committee members are appointed for a term of up to three years.

At the expiry of their term, they remain in office until reappointed or replaced.

“15.0.6. A vacancy on the committee is filled in accordance with the rules of appointment to the committee.

Loss of the status required or an unexplained absence from the number of consecutive meetings stipulated in the committee’s by-laws, in the cases and circumstances set out in the by-laws, constitutes a vacancy.

“15.0.7. The committee members receive no remuneration except in the cases, on the conditions and to the extent the Government may determine.

They are, however, entitled to be reimbursed for any expenses incurred in the performance of their duties, on the conditions and to the extent determined by the Government.

“15.0.8. The committee may make any by-law concerning the exercise of its functions and its internal management.

“15.0.9. The quorum at committee meetings is a majority of the voting members.

The committee’s advice and by-laws are adopted by a majority of the members present.

“15.0.10. The secretary and the other personnel members of the committee are appointed in accordance with the Public Service Act (chapter F-3.1.1).

“15.0.11. The resources the Minister considers necessary for the accomplishment of the committee’s mission, to ensure administrative support and the organization of its work, are made available to it.”

6. The Act is amended by replacing “GREEN” in the heading of Division II.1 before section 15.1 by “ELECTRIFICATION AND CLIMATE CHANGE”.

7. Sections 15.1 and 15.2 of the Act are replaced by the following sections:

“15.1. The Electrification and Climate Change Fund is established.

The Fund is dedicated to the financing, in compliance with the principles, policy directions and objectives established in the climate change framework policy, of any measure to fight climate change, in particular by means of electrification, and of the Minister’s activities in this area. Controlling greenhouse gas emissions produced throughout Québec is one of its priorities.

The Fund is to be used, in particular, to finance activities, projects and programs aimed at stimulating technological and social innovation, research and development, knowledge acquisition, performance improvement, and public mobilization, awareness and education regarding the fight against climate change.

The sums credited to the Fund may also be used to administer and pay any financial assistance provided for by a program prepared by the Government or by the Minister, or by any other minister or public body who or that is a party to an agreement entered into under section 15.4.3 or has been entrusted with a mandate under that section.

“15.2. The Minister is responsible for the management of the Fund, which he ensures with a view to sustainable development, efficiency and transparency.

To that end, the Minister gives priority to management centred on achieving the best results to ensure compliance with government principles, policy directions and objectives, in particular those set out in the climate change framework policy.

More specifically, the Minister

(1) sees to it that the sums credited to the Fund are allocated to the purposes for which they are intended in accordance with section 15.1;

(2) sees to it that the commitments made by the ministers and public bodies under the agreements referred to in section 15.4.3 and the mandates entrusted to them under that section are met;

(3) prepares on a yearly basis, in collaboration with the Minister of Finance, a plan for the measures financed by the Fund, including in particular any transfers made under section 15.4.1, and an expenditures plan in that regard, in compliance with the government objectives established for that purpose;

(4) makes any adjustments required to improve the Fund's performance with respect to the uses to which it is specifically allocated; and

(5) determines and makes public the performance indicators used to measure achievement of the results of the measures financed by the Fund.”

8. Section 15.4 of the Act is amended

(1) by replacing “for a matter covered by the Fund” in paragraph 3.2 by “for the fight against climate change”;

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

“(5.0.1) the monetary administrative penalties imposed under the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere (chapter Q-2, r. 15), the Regulation respecting greenhouse gas emissions from motor vehicles or the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances;

“(5.0.2) the fines paid by offenders for an offence against the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere, the Regulation respecting greenhouse gas emissions from motor vehicles or the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances;”;

(3) by striking out paragraphs 6 and 7;

(4) by inserting “or by a government regulation” at the end of paragraph 8.1;

(5) by replacing “for a matter covered by the Fund” in paragraph 11 by “for the fight against climate change”.

9. Sections 15.4.1 to 15.4.1.2 of the Act are replaced by the following sections:

“15.4.1. The Government may, on the recommendation of the Minister of Finance and the minister responsible for the administration of this Act, determine a minimum share of the proceeds of the sale of the emission allowances referred to in the second paragraph of section 46.6 of the Environment Quality Act (chapter Q-2) to be reserved for the financing of measures applicable to transportation and more specifically to shared transportation and sustainable mobility.

The Government may also, on the recommendation of those ministers, determine the sums credited to the Fund that are to be allocated to public transit measures and to financial assistance programs that promote the development and use of public transit or the development and use of modes of passenger transportation other than passenger vehicles occupied by the driver only. The sums thus allocated are transferred by the Minister to the Land Transportation Network Fund established under paragraph 1 of section 12.30 of the Act respecting the Ministère des Transports (chapter M-28).

The sums referred to in the second paragraph of section 46.8.1 of the Environment Quality Act are excluded from the application of this section.

“15.4.1.1. Despite the second paragraph of section 54 of the Financial Administration Act (chapter A-6.001), the Minister of Finance may not advance the sums referred to in the second paragraph of section 46.8.1 of the Environment Quality Act (chapter Q-2) to the general fund.”

10. Section 15.4.2 of the Act is amended

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

“A minister or a public body who or that is a party to an agreement entered into with the minister responsible for the administration of this Act under section 15.4.3 or has been entrusted with a mandate by the latter under the same section may, if applicable, debit the sums provided for in the agreement or the mandate from the Fund.”;

(2) by replacing “Energy Transition Québec” in the second paragraph by “public body”.

11. Section 15.4.3 of the Act is replaced by the following section:

“15.4.3. When the activities of a department or public body allow the implementation of measures that may be financed by the Fund in accordance with section 15.1, the minister responsible for the administration of this Act may enter into an agreement with the minister responsible for that department or with that public body to allow it to debit the sums required for those measures from the Fund.

The minister responsible for the administration of this Act may also entrust a minister or a public body with a mandate to implement, as specified in the mandate, measures to fight climate change in an area under the latter minister's or the public body's responsibility. The minister may also, within the framework of such a mandate, allow the other minister or the public body to debit the sums required for such measures from the Fund.

Every agreement and mandate must be made public and specify the amount that may be debited from the Fund for the fiscal years during which it will be applicable. An agreement must also specify the measures that may be financed using those sums as well as how the sums are to be distributed among the measures, or leave it up to the Minister or the public body who or that is a party to the agreement to distribute the financing among those measures in the manner that is the most efficient and is consistent with the climate change framework policy. The administrative costs that may be debited from the Fund under such an agreement or mandate must be approved by the minister responsible for the administration of this Act.

The minister or public body concerned is responsible for implementing the measures for which he or it debits sums from the Fund as well as for achieving the objectives set regarding the fight against climate change.”

12. Division II.2 of the Act is replaced by the following sections:

“**15.4.4.** The Fund's financial data and a list of the measures financed by it must appear under a separate heading in the department's annual management report.

The financial data under the heading must include

- (1) the expenditures and investments debited from the Fund;
- (2) the sums debited from the Fund by each minister or public body who or that is a party to an agreement referred to in section 15.4.3 or has been entrusted with a mandate under that section; and
- (3) the nature and evolution of revenues.

“**15.4.5.** The Fund's financial statements are audited each year by the Auditor General.”

13. Section 15.4.38 of the Act is amended

(1) by adding the following subparagraphs at the end of the second paragraph:

“(7) residual materials management, to ensure safe and sustainable management of residual materials by preventing or reducing their production, promoting their recovery and reclamation, and reducing the quantities to be eliminated; and

“(8) water governance that complies with the governance scheme established by the Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (chapter C-6.2).”;

(2) in the third paragraph,

(a) by inserting “and social” after “technical”;

(b) by replacing “, and public” by “and public mobilization.”.

14. Section 15.4.40 of the Act is amended, in the first paragraph,

(1) by inserting the following subparagraphs after subparagraph 11:

“(11.1) the revenue derived from charges prescribed by the Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43);

“(11.2) the revenue derived from charges prescribed by the Regulation respecting the charges payable for the use of water (chapter Q-2, r. 42.1).”;

(2) by replacing “Green” in subparagraph 12 by “Electrification and Climate Change”;

(3) by inserting “, except those imposed for a failure to comply with a provision of the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere (chapter Q-2, r. 15), the Regulation respecting greenhouse gas emissions from motor vehicles (chapter Q-2, r. 17) or the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1)” at the end of subparagraph 14;

(4) by inserting “, except those imposed for a failure to comply with a provision of the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere, the Regulation respecting greenhouse gas emissions from motor vehicles or the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances” at the end of subparagraph 15.

15. The Act is amended by inserting the following sections after section 15.4.41.1:

“15.4.41.2. The sums referred to in subparagraph 11.1 of the first paragraph of section 15.4.40 are allocated to the financing of any measure related to residual materials management.

“15.4.41.3. The sums referred to in subparagraph 11.2 of the first paragraph of section 15.4.40 are allocated to the financing of any measure related to water governance.”

DIVISION II**ENVIRONMENT QUALITY ACT**

16. The preliminary provision of the Environment Quality Act (chapter Q-2) is amended by replacing the first paragraph by the following paragraphs:

“The purpose of this Act is to protect the environment and the living species inhabiting it, to the extent provided for by law. The Act makes it possible to take into consideration issues related to the protection of human health and safety as well as the realities of the territories and the communities living in them.

In order to respond to climate urgency and with a view to ensuring a fair transition for all that takes into account, among other things, the environmental, economic and social consequences, this Act promotes the reduction of greenhouse gases as well as adaptation to climate change and makes it possible to take into consideration the evolution of knowledge and technologies as well as the issues related to climate change.”

17. The heading of the subdivision before section 46.1 of the Act is amended by replacing “*action plan*” by “*framework policy*”.

18. Section 46.3 of the Act is replaced by the following section:

“**46.3.** The Minister shall prepare a climate change framework policy and submit it to the Government.

During preparation of the policy, the Minister shall consult the population. The Minister shall also ensure, where circumstances so require, that specific consultation procedures are defined for Aboriginal communities in a spirit of cooperation with those communities.

The Minister is responsible for ensuring the implementation of the framework policy and coordinating its application.”

19. Section 46.4 of the Act is amended

(1) by inserting “, which may not be inferior to 37.5%,” after “for Québec” in the first paragraph;

(2) by adding the following sentence at the end of the second paragraph: “Before such targets are set, the Minister must seek the advice of the advisory committee on climate change regarding the targets to be set.”;

(3) in the third paragraph,

(a) by inserting “as well as scientific consensus regarding climate change” at the end of subparagraph 2;

(b) by replacing “any Canadian intergovernmental agreement or international agreement made for that purpose” in subparagraph 4 by “any international commitment made or Canadian intergovernmental agreement entered into in accordance with the applicable legislative provisions for that purpose”;

(4) in the fourth paragraph,

(a) by replacing “Target-setting under this section” by “The setting of the target referred to in the first paragraph”;

(b) by adding the following sentence at the end: “No such consultations may be held until the advisory committee on climate change has made public its advice regarding the target to be set.”;

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

“The target referred to in the first paragraph must be reviewed at least every five years according to the same rules as those used to set it.”

20. Section 46.8 of the Act is amended

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

“(2) offset credits to any person or municipality having carried out, in whole or in part, in accordance with the regulation made under section 46.8.2, a project eligible for such credits that has resulted in a reduction of greenhouse gas emissions or in the removal of such gases from the atmosphere, which removal may result from their sequestration,”;

(2) by striking out the second paragraph;

(3) by adding the following sentence at the end of the third paragraph: “The Government may, by regulation, prescribe any other information the Minister must publish concerning emission units allocated without charge and those sold at auction under section 46.8.1.”

21. The Act is amended by inserting the following sections after section 46.8:

“46.8.1. The Government may, by regulation and on the conditions it determines, prescribe that part of the emission units allocated to an emitter without charge under subparagraph 1 of the first paragraph of section 46.8 is intended for sale at auction.

The sums collected at an auction shall be paid to the emitter by the Minister, after an agreement for that purpose has been entered into between them.

The emitter may use those sums only to carry out projects aimed at reducing greenhouse gas emissions or at research and development in this area, on the terms and conditions prescribed in the regulation concerning the payment and use of the sums as well as the carrying out of the projects.

The sums paid to the emitter must be used during the period determined by regulation of the Government. At the end of that period, the emitter is required to surrender to the Minister the sums not used or those used for purposes other than those provided for in the third paragraph. The same applies where, before the end of the period, the emitter ceases to carry on or operate the emitter's business, facility or establishment.

Despite the fifth paragraph of section 115.48, the Government may prescribe, by regulation, from among the sums to be surrendered to the Minister under the fourth paragraph, those that bear interest, the interest rate applicable, and the date as of which interest is payable.

“46.8.2. The Minister may, by regulation,

- (1) determine the projects that are eligible for offset credits;
- (2) determine the conditions and methods applicable to those projects; and
- (3) determine the information or documents relating to a project referred to in paragraph 1 or to a project whose eligibility for such credits must be determined
 - (a) that must be kept or provided to the Minister by the person or municipality responsible for carrying out the project; and
 - (b) that may be published by the Minister on his department's website or by any other means he considers appropriate.”

22. Section 95.3 of the Act is amended by replacing “under section 31.0.6” in subparagraph 2 of the first paragraph by “under section 31.0.6 or 31.68.1”.

DIVISION III

AMENDING PROVISIONS

ACT TO INCREASE THE NUMBER OF ZERO-EMISSION VEHICLES IN QUÉBEC IN ORDER TO REDUCE GREENHOUSE GAS AND OTHER POLLUTANT EMISSIONS

23. Section 8 of the Act to increase the number of zero-emission vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (chapter A-33.02) is amended by inserting the following paragraph after the first paragraph:

“The credits accumulated by a motor vehicle manufacturer through the sale or lease of a motor vehicle referred to in paragraph 2 of section 6 are considered, for the purposes of this section, to have been accumulated for the model year, among those referred to in the first paragraph, that corresponds to the calendar year during which it was sold or leased for the first time in Québec.”

24. The Act is amended by inserting the following section after section 62:

“62.1. The Minister may delegate, in writing, to any member of the personnel of the Ministère du Développement durable, de l’Environnement et des Parcs designated by the Minister the exercise of the powers provided for in sections 12 and 14.”

FINANCIAL ADMINISTRATION ACT

25. Schedule 2 to the Financial Administration Act (chapter A-6.001) is amended by striking out “Conseil de gestion du Fonds vert”.

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

26. Section 12.30 of the Act respecting the Ministère des Transports (chapter M-28) is amended by striking out “subparagraph 1 of” in subparagraph g of paragraph 1.

AUDITOR GENERAL ACT

27. Section 43.1 of the Auditor General Act (chapter V-5.01) is amended by adding the following subparagraph at the end of the first paragraph:

“(4) the Commissioner’s findings and recommendations respecting the Electrification and Climate Change Fund established under section 15.1 of the Act respecting the Ministère du Développement durable, de l’Environnement et des Parcs (chapter M-30.001).”

REGULATION RESPECTING THE QUÉBEC SALES TAX

28. Schedule III to the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2) is amended by striking out “Conseil de gestion du Fonds vert”.

GENERAL AMENDING PROVISIONS

29. The following provisions are amended in the following manner:

(1) “Green Fund under section 15.4” in subparagraph 3 of the first paragraph of section 3 of the Act to reduce the debt and establish the Generations Fund (chapter R-2.2.0.1) is replaced by “Fund for the Protection of the Environment and the Waters in the Domain of the State under section 15.4.40”;

(2) “Green Fund” in the heading of Chapter IV, the second paragraph of section 13 and the second, third and seventh paragraphs of section 14 of the Regulation respecting the recovery and reclamation of products by enterprises (chapter Q-2, r. 40.1) is replaced by “Fund for the Protection of the Environment and the Waters in the Domain of the State”;

(3) “Fonds vert” in section 11 of the Regulation respecting the charges payable for the use of water (chapter Q-2, r. 42.1) is replaced by “Fund for the Protection of the Environment and the Waters in the Domain of the State”.

30. The expression “Green Fund” is replaced by “Electrification and Climate Change Fund” in the following provisions:

(1) section 59 of the Act to increase the number of zero-emission vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (chapter A-33.02);

(2) subparagraph *e* of subparagraph 5 of the first paragraph of section 115.43 and section 115.44 of the Environment Quality Act (chapter Q-2);

(3) the fourth and sixth paragraphs of section 114 of the Act respecting the Régie de l’énergie (chapter R-6.01);

(4) the fourth paragraph of section 19 of the Regulation respecting greenhouse gas emissions from motor vehicles (chapter Q-2, r. 17);

(5) the last paragraph of sections 53 and 62 of the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1).

DIVISION IV

TRANSITIONAL PROVISIONS

31. The Plan d’action 2013-2020 sur les changements climatiques, approved by Order in Council 518-2012 (2012, G.O. 2, 3114, French only) and amended by Orders in Council 434-2013 (2013, G.O. 2, 1984, French only), 756-2013 (2013, G.O. 2, 3229, French only), 90-2014 (2014, G.O. 2, 746, French only), 91-2014 (2014, G.O. 2, 752, French only), 128-2014 (2014, G.O. 2, 1018, French only), 93-2015 (2015, G.O. 2, 512, French only), 1019-2015 (2015, G.O. 2, 4883, French only), 952-2016 (2016, G.O. 2, 6170, French only), 135-2018 (2018, G.O. 2, 1660, French only), 419-2018 (2018, G.O. 2, 2761, French only), 331-2019 (2019, G.O. 2, 1194, French only), 732-2019 (2019, G.O. 2, 3097, French only), 469-2020 (2020, G.O. 2, 2394, French only) and 687-2020 (2020, G.O. 2, 3063, French only), is continued until 31 December 2020.

32. The Conseil de gestion du Fonds vert is dissolved without further formality than those provided for in this Act.

33. The Minister of the Environment and the Fight Against Climate Change replaces the Conseil de gestion du Fonds vert; the Minister acquires its rights and assumes its obligations.

34. The agreements entered into between a minister or Energy Transition Québec and the Conseil de gestion du Fonds vert 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) are deemed to be agreements entered into between a minister and the Minister of the Environment and the Fight Against Climate Change for the purposes of section 15.4.2 of that Act, as amended by section 10.

35. The assets and liabilities of the Conseil de gestion du Fonds vert are transferred to the Minister of the Environment and the Fight Against Climate Change and are included in the Electrification and Climate Change Fund established under section 15.1 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs.

36. The term of the members of the board of directors of the Conseil de gestion du Fonds vert ends on 1 November 2020.

The term of the president and chief executive officer ends without any compensation other than the severance allowance 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, French only).

37. The employees of the Conseil de gestion du Fonds vert become, without further formality, employees of the Ministère de l'Environnement et de la Lutte contre les changements climatiques.

38. The records, archives and other documents of the Conseil de gestion du Fonds vert become those of the Minister of the Environment and the Fight Against Climate Change.

39. The Attorney General of Québec becomes, without continuance of suit, a party to any proceeding instituted by or against the Conseil de gestion du Fonds vert.

40. In any document other than an Act or a government regulation, unless the context indicates otherwise and with the necessary modifications,

(1) a reference to the Conseil de gestion du Fonds vert or its president and chief executive officer is a reference to the Minister of the Environment and the Fight Against Climate Change;

(2) a reference to the Green Fund or the Fund for the Protection of the Environment and the Waters in the Domain of the State is a reference to the Electrification and Climate Change Fund or the Fund for the Protection of the Environment and the Waters in the Domain of the State, according to the subject matter concerned by the document in which the reference is found.

41. The assets and liabilities of the Fund for the Protection of the Environment and the Waters in the Domain of the State relating to the sums referred to in paragraphs 5.0.1 and 5.0.2 of section 15.4 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs, enacted by section 8, are transferred to the Electrification and Climate Change Fund.

42. The assets and liabilities of the Electrification and Climate Change Fund relating to the matters referred to in paragraphs 7 and 8 of section 15.4.38 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs, enacted by section 13, are transferred to the Fund for the Protection of the Environment and the Waters in the Domain of the State.

43. Until the date of coming into force of the first order under the first paragraph of section 15.4.1 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs, as replaced by section 9, that section 15.4.1 is to be read as follows:

“15.4.1. Two-thirds of the sums that correspond to the proceeds of the sale by the Minister of emission allowances within the meaning of the second paragraph of section 46.6 of the Environment Quality Act (chapter Q-2) is reserved for the financing of measures applicable to transportation.

From the sums so reserved, the Minister shall transfer to the Land Transportation Network Fund established under paragraph 1 of section 12.30 of the Act respecting the Ministère des Transports (chapter M-28) a sum, equal to the average of the sums transferred to that fund by the Minister in the preceding five fiscal years, allocated to public transit measures and to financial assistance programs that promote the development and use of modes of passenger transportation other than passenger vehicles occupied by the driver only.

The sums referred to in the second paragraph of section 46.8.1 of the Environment Quality Act are excluded from the application of this section.”

44. A fee of \$295 is payable by any person or municipality who or that, in accordance with subdivision 6 of Division IV of Chapter IV of Title I of the Environment Quality Act, files a declaration of compliance with the Minister.

This section ceases to have effect on the date of coming into force of a regulation amending the Ministerial Order respecting the fees payable under the Environment Quality Act (chapter Q-2, r. 28) and prescribing the fees payable for such a declaration of compliance.

45. The Government must, not later than 31 December 2025, carry out the first review of the overall greenhouse gas reduction target for Québec under section 46.4 of the Environment Quality Act (chapter Q-2), as amended by section 19.

CHAPTER II

GOVERNANCE OF THE ENERGY TRANSITION

DIVISION I

ACT RESPECTING THE MINISTÈRE DES RESSOURCES NATURELLES ET DE LA FAUNE

46. Section 12 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) is amended by inserting the following paragraphs after paragraph 14.1:

“(14.2) supporting, stimulating and promoting energy transition, innovation and efficiency and ensuring their integrated governance;

“(14.3) preparing and implementing programs and measures regarding energy transition, innovation and efficiency;

“(14.4) contributing to the financing of programs and measures regarding energy transition, innovation and efficiency;

“(14.5) ensuring the coordination of all programs and measures regarding energy transition, innovation and efficiency;

“(14.6) supporting research and development in the energy sector;

“(14.7) administering certification programs;

“(14.8) preparing reports and benchmarking studies on energy-related matters and advising the Government on standards and other elements that may influence energy consumption, and proposing appropriate changes;”.

47. The Act is amended by inserting the following after section 17.1:

“DIVISION II.0.1

“ENERGY TRANSITION, INNOVATION AND EFFICIENCY MASTER PLAN

“17.1.1. In this division,

“energy distributor” means

(1) an identified energy distributor;

(2) a fuel distributor; or

(3) 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);

“identified energy distributor” means

(1) Hydro-Québec when carrying on electric power distribution activities; or

(2) a natural gas distributor as defined in section 2 of the Act respecting the Régie de l'énergie (chapter R-6.01);

“fuel distributor” means

(1) a person who refines, manufactures, mixes, prepares or distils fuel in Québec;

(2) 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;

(3) a person who, in Québec, exchanges fuel with a person described in paragraph 1; or

(4) a legal person or partnership that brings fuel into Québec for a purpose other than resale.

For the purposes of the definition of “fuel distributor” in the first paragraph, “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.

For the purposes of the second paragraph,

“diesel fuel” means a liquid mixture of hydrocarbons obtained from the refining of petroleum and intended to supply diesel engines;

“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.

17.1.2. Every five years, the Minister shall set the policy directions and general objectives as well as the targets to be achieved regarding energy transition, innovation and efficiency in compliance with the principles and objectives set out in the climate change framework policy provided for in section 46.3 of the Environment Quality Act (chapter Q-2).

The policy directions, general objectives and targets shall be submitted to the Government for approval.

17.1.3. The departments, bodies and identified energy distributors must submit to the Minister, within the time specified by the Minister, the programs and measures they propose to make available to their clients for a five-year period to make it possible to achieve the targets.

The programs and measures submitted must contain a description of the actions to be carried out, and the budgetary estimates, method of financing and time frame for carrying them out.

The Minister may, in order to ensure consistency among the programs and measures or if he considers that they will not make it possible to meet the policy directions, general objectives and targets, request that a department, body or identified energy distributor make the necessary changes to the programs or measures for which it is responsible, except those approved under section 85.41 of the Act respecting the Régie de l'énergie (chapter R-6.01).

17.1.4. In keeping with the principle of sustainable development, the Minister shall prepare and submit to the Government a five-year energy transition, innovation and efficiency master plan.

For that purpose, the Minister shall establish, on the conditions the Minister determines, an advisory committee to advise him in preparing the master plan.

The master plan must include, in particular,

(1) the policy directions, general objectives and targets regarding energy transition, innovation and efficiency;

(2) a summary of the programs and measures that will be put in place by the departments, bodies and identified energy distributors to achieve the targets established in accordance with section 17.1.2, including the objectives pursued by the programs and measures, the target clientele, and their impact on greenhouse gas emissions;

(3) the departments', bodies' and identified energy distributors' budgetary estimates and time frames for carrying out the programs and measures;

(4) the energy distributors' financial investment toward preparing, carrying out, coordinating and updating the master plan, by form of energy;

(5) the designation of the person responsible for implementing each program and measure;

(6) a report on the energy situation in Québec and on progress made regarding energy transition, innovation and efficiency with respect to the targets established in the previous master plan; and

(7) a list of priority research subjects regarding energy transition, innovation and efficiency.

The departments' and bodies' budgetary estimates determined in accordance with subparagraph 3 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).

“17.1.5. The Government shall authorize the implementation of the master plan if it is consistent with the policy directions, general objectives and targets regarding energy transition, innovation and efficiency.

Except for the programs and measures subject to the approval of the Régie de l'énergie under section 85.41 of the Act respecting the Régie de l'énergie (chapter R-6.01), the master plan comes into force, following the authorization of the Government, on 1 April following the end of the period covered by the previous master plan or on the date set by the Government.

The Minister shall make the master plan public before it comes into force.

“17.1.6. The Minister shall amend the master plan during the five-year period if the Minister considers, in particular, that the energy context, a review of the programs and measures contained in the plan, or the decision of the Régie de l'énergie under the first paragraph of section 85.41 of the Act respecting the Régie de l'énergie (chapter R-6.01) so requires.

Except for the programs and measures subject to the approval of the Régie de l'énergie under section 85.41 of the Act respecting the Régie de l'énergie, if an amendment could compromise the policy directions, general objectives or targets set regarding energy transition, innovation and efficiency, the Minister shall submit the amended master plan to the Government for authorization.

As applicable, the amended master plan comes into force following the authorization of the Government or on the date set by the Minister.

The Minister shall make the amended master plan public before it comes into force.

“17.1.7. Departments, bodies and identified energy distributors must carry out the programs and measures for which they are responsible under the master plan.

If an identified 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 the Minister as soon as possible. The Minister 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.

“17.1.8. The Minister shall determine and make public the performance indicators used to measure achievement of results under the master plan.

“17.1.9. The departments, bodies and identified energy distributors must, each year, on the date set by the Minister, send the latter a status report on the actions undertaken under the master plan, as well as the results obtained, including those based on the performance indicators provided for in section 17.1.8.

“17.1.10. Not later than 30 September of each year, the Minister shall make public a report on the actions undertaken under the master plan as well as the results obtained, including those based on the performance indicators provided for in section 17.1.8.

“17.1.11. Every energy distributor must pay to the Minister its annual contribution determined by the Régie de l’énergie in accordance with the due dates, rate and calculation method prescribed by regulation of the Government. The regulation may also prescribe the terms of payment, the rate of interest on sums due and the penalties payable for failure to pay.

The rate, calculation method and terms of payment referred to in the first paragraph may, among other things, vary from one distributor or class of distributors to another. The regulation may also exempt a distributor or class of distributors.

The amount of the penalty that may be determined by the Government under the first paragraph may not exceed 15% of the sums due.

“17.1.12. For the purposes of this division, the Minister may request that a department, body or energy distributor provide to the Minister, within the time the Minister specifies, any information or document the Minister considers necessary.”

48. Section 17.12.12 of the Act is amended by striking out “, as well as geoscience knowledge acquisition and dissemination, and research and development in petroleum, natural gas, underground reservoirs and brine” in subparagraph 5 of the first paragraph.

49. Section 17.12.19 of the Act is amended by replacing “fees collected for an exploration, production or storage licence or an authorization to produce brine” in subparagraph 1 of the first paragraph by “a part, determined by the Minister, of the fees collected for an exploration, production or storage licence or an authorization to produce brine”.

50. The heading of subdivision 4 before section 17.12.21 of the Act is amended by replacing “*Transition*” by “*Transition, Innovation and Efficiency*”.

51. Section 17.12.21 of the Act is replaced by the following section:

“17.12.21. The Energy Transition, Innovation and Efficiency Fund is established.

The Fund is dedicated to the financing of activities related to energy transition, innovation and efficiency.

The Government may, on the conditions it determines and on the recommendation of the Minister, order that a part, which it fixes, of any sum that would otherwise be credited to the general fund be credited to the Fund.

An order under the third paragraph may take effect as of the start date of the fiscal year in which it is made.”

52. Section 17.12.22 of the Act is amended

(1) by inserting the following paragraph before paragraph 1:

“(0.1) the annual contribution collected from energy distributors under section 17.1.11;”;

(2) by inserting “that are not credited to the fossil energy management component of the Natural Resources Fund” at the end of paragraph 1.

53. Section 17.12.23 of the Act is repealed.

54. Section 17.22 of the Act is amended by inserting “, 14.3” after “paragraph 3” in the second paragraph.

DIVISION II

OTHER AMENDMENTS

FINANCIAL ADMINISTRATION ACT

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

**ACT RESPECTING THE GOVERNANCE OF STATE-OWNED
ENTERPRISES**

56. Schedule I to the Act respecting the governance of state-owned enterprises (chapter G-1.02) is amended by striking out “Transition énergétique Québec”.

HYDRO-QUÉBEC ACT

57. Section 16 of the Hydro-Québec Act (chapter H-5) is amended by inserting “and the contribution provided for in section 17.1.11 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2)” after “(chapter R-13)” in the first paragraph.

58. Section 22.1 of the Act is amended by replacing “Act respecting Transition énergétique Québec (chapter T-11.02)” in the second paragraph by “Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2)”.

ACT RESPECTING INVESTISSEMENT QUÉBEC

59. Section 21 of the Act respecting Investissement Québec (chapter I-16.0.1) is amended

- (1) by striking out subparagraph 2 of the second paragraph;
- (2) by striking out the third paragraph.

PETROLEUM PRODUCTS ACT

60. Section 1 of the Petroleum Products Act (chapter P-30.01) is amended by inserting “and reduce the negative impacts on persons, property and the environment of manufacturing, distributing and using such products” at the end of paragraph 2.

61. The heading of Chapter II of the Act is amended by replacing “QUALITY STANDARDS” by “STANDARDS REGARDING QUALITY AND IMPACTS”.

62. Section 4 of the Act is amended by replacing “composed” and “danger to” by “manufactured and distributed” and “negative impacts on”, respectively.

63. Section 5 of the Act is amended

- (1) in the first paragraph,
 - (a) by inserting “and its components” after “any petroleum product”;
 - (b) by replacing “quality standards and” by “standards regarding their quality and impacts as well as”;

(c) by adding the following sentences at the end: “The Government may also prescribe, subject to the conditions and procedure it determines, the setting up of a mechanism for the purchase and sale of credits to promote compliance with the standards and specifications determined by regulation. The Minister may determine the measurement methods and tools for the application of the standards and specifications.”;

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

“A person who manufactures, distributes or sells a petroleum product must comply with the standards or specifications prescribed by regulation.”;

(3) by replacing “for the integration” in the third paragraph by “regarding environmental impacts and the integration”.

64. Sections 72 and 94 of the Act are amended by replacing all occurrences of “declaration” and “declarations” by “statement” and “statements”, respectively.

65. Section 96 of the Act is amended, in the first paragraph,

(1) by replacing subparagraph 4 by the following subparagraph:

“(4) determine, among the provisions of a regulation, those whose violation constitutes an offence;”;

(2) by adding the following subparagraph after subparagraph 5:

“(6) prescribe the transmission to the Minister or any other person or body, at the intervals and on the conditions the Minister determines, any information, statement or other document by a person governed by this Act or the regulations and prescribe the keeping of a register by such a person in the form and on the conditions the Minister determines.”

66. Section 97 of the Act is amended

(1) by inserting “, specifications” after “standards”;

(2) by replacing “types of petroleum products” and “how, where and by whom they are used” by “petroleum product or its components” and “how, in which territories and by which class of persons they are used”, respectively.

67. Section 98 of the Act is repealed.

68. Section 99 of the Act is replaced by the following section:

“**99.** Anyone who contravenes any of the provisions of section 15 commits an offence and is liable to a fine in the amount of \$5,000 to \$125,000 in the case of a natural person and \$10,000 to \$250,000 in all other cases or in an amount corresponding to the cost to rebuild the petroleum product manufacturing plant, if the latter amount is higher.”

69. Section 103 of the Act is replaced by the following section:

“**103.** Anyone who

(1) contravenes a provision of the second paragraph of section 5 or of one of sections 71, 72, 73, 74, 75, 76 or 94,

(2) in carrying out this Act and the regulations, enters false or misleading data in a register or makes a false or misleading statement to the Minister, or who participates in or consents to such entries or statements, or

(3) contravenes a regulatory provision whose violation constitutes an offence commits an offence and is liable to a fine of \$5,000 to \$125,000 in the case of a natural person and \$10,000 to \$250,000 in all other cases.”

70. Section 106 of the Act is replaced by the following section:

“**106.** Despite section 103, the Government may set the minimum and maximum fines to which a person who contravenes a regulatory provision whose violation constitutes an offence is liable.

The maximum penalties under the first paragraph may not exceed those prescribed in section 103.”

71. Section 110 of the Act is amended by striking out “98,”.

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

“**114.** The Minister may, by order, generally or specially and on the conditions he determines, delegate to any person or body the exercise of the powers and functions conferred on him by this Act and the regulations. 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 order.”

ACT RESPECTING THE RÉGIE DE L'ÉNERGIE

73. Section 25 of the Act respecting the Régie de l'énergie (chapter R-6.01) is amended by striking out “or when examining the energy transition, innovation and efficiency master plan in accordance with section 85.41” in the second paragraph.

74. Section 85.40 of the Act is replaced by the following section:

“85.40. The terms and expressions defined in section 17.1.1 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) apply to this chapter.”

75. Section 85.41 of the Act is replaced by the following section:

“85.41. The programs and measures of the identified energy distributors contained in the energy transition, innovation and efficiency master plan provided for in section 17.1.4 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) as well as the financial investment necessary, by form of energy, for carrying out the programs and measures shall be submitted to the Régie, except the programs and measures and the financial investment of the electric power distributor. The Régie may approve them with or without amendment. The same holds for any amendment to the programs and measures.

Any amendment to a program or measure of an identified energy distributor and to the financial investment must be approved by the Régie before the expiry of the master plan.

When it approves a program or measure of an energy distributor and the latter’s financial investment, the Régie may make the amendments it considers necessary. The same applies when it approves a modification to these.

An approved or amended program, measure or financial investment comes into force on the date they are approved or on the date set by the Régie.

For the purposes of this section, the Régie shall consider, in particular, the policy directions, general objectives and targets regarding energy transition, innovation and efficiency and such economic, social and environmental concerns as have been identified by order of the Government.

The Régie shall determine and calculate the annual contribution payable by an energy distributor to the Minister in accordance with the regulation made under the first paragraph of section 17.1.11 of the Act respecting the Ministère des Ressources naturelles et de la Faune.”

76. Sections 85.42 and 85.43 of the Act are repealed.

77. Section 85.44 of the Act is amended by replacing “subparagraph *a* of subparagraph 3 of the first paragraph of section 7 of the Act respecting Transition énergétique Québec (chapter T-11.02)” in paragraph 3 by “paragraph 1 of the definition of “fuel distributor” in the first paragraph of section 17.1.1 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2)”.

78. Section 114 of the Act is amended

- (1) by striking out subparagraph 11 of the first paragraph;
- (2) by striking out the third paragraph.

79. Schedule II to the Act is amended by replacing paragraph 15 by the following paragraph:

“**15.** List of and update on interventions and costs related to energy transition, innovation and efficiency;”.

REGULATION RESPECTING ROAD VEHICLE REGISTRATION

80. Section 96.1 of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29) is amended

- (1) by replacing “a road vehicle” in the first paragraph by “an electric-powered road vehicle equipped with a battery rechargeable by connecting to the electric network and”;
- (2) by striking out “and qualified under the Drive Electric component of the Roulez vert program administered by Transition énergétique Québec under section 5 of the Act respecting Transition énergétique Québec (chapter T-11.02)” in the first paragraph;
- (3) by striking out the second paragraph.

81. Section 142.1 of the Regulation is amended

- (1) by replacing “a road vehicle” in the second paragraph by “an electric-powered road vehicle equipped with a battery rechargeable by connecting to the electric network”;
- (2) by striking out “and qualified under the Drive Electric component of the Roulez vert program administered by Transition énergétique Québec under section 5 of the Act respecting Transition énergétique Québec (chapter T-11.02)” in the second paragraph;
- (3) by striking out the third paragraph.

PETROLEUM PRODUCTS REGULATION

82. Section 24 of the Petroleum Products Regulation (chapter P-30.01, r. 2) is amended by striking out “and is liable to a fine provided for in paragraph 2 of section 106 of the Petroleum Products Act (chapter P-30.01)”.

83. Section 25 of the Regulation is amended by striking out “and is liable to a fine provided for in paragraph 1 of section 106 of the Petroleum Products Act”.

REGULATION RESPECTING THE QUÉBEC SALES TAX

84. Schedule III to the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2) is amended by striking out “Transition énergétique Québec”.

DIVISION III

TRANSITIONAL PROVISIONS

85. The Act respecting Transition énergétique Québec (chapter T-11.02) is repealed.

86. Transition énergétique Québec is dissolved without further formality than those provided for in this Act.

87. The Minister of Energy and Natural Resources replaces Transition énergétique Québec; the Minister acquires its rights and assumes its obligations.

88. Transition énergétique Québec programs and measures in force on 1 November 2020 continue to apply until they are replaced or abolished by the Minister of Energy and Natural Resources, with the approval of the Conseil du trésor if they concern a financial contribution.

89. The Attorney General of Québec becomes, without continuance of suit, a party to any proceeding instituted by or against Transition énergétique Québec.

90. The policy directions, general objectives and targets to be achieved regarding energy transition, innovation and efficiency established by Order in Council 537-2017 (2017, G.O. 2, 2884, French only) are maintained until 31 March 2026, with the necessary modifications. The Minister of Energy and Natural Resources establishes the policy directions, general objectives and targets in accordance with section 17.1.2 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) that are applicable from 1 April 2026.

91. For the purposes of section 17.1.4 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2), the 2018–2023 energy transition, innovation and efficiency master plan prepared by Transition énergétique Québec is maintained until 31 March 2026, with the necessary modifications. The Minister of Energy and Natural Resources must prepare a new energy transition, innovation and efficiency master plan for a five-year period beginning 1 April 2026.

The energy distributors' financial investment toward carrying out the 2018–2023 master plan is increased in proportion to the additional years during which the master plan is maintained. The contribution of the energy distributors for the additional fiscal years is calculated in accordance with the Regulation respecting the annual contribution payable to Energy Transition Québec (chapter R-6.01, r. 5.1), with the necessary modifications.

92. The assets and liabilities of Transition énergétique Québec are transferred to the Minister of Energy and Natural Resources and are included in the Energy Transition, Innovation and Efficiency Fund established under section 17.12.21 of the Act respecting the Ministère des Ressources naturelles et de la Faune.

93. The Regulation respecting the annual contribution payable to Energy Transition Québec (chapter R-6.01, r. 5.1) continues to apply with the following modifications:

(1) a reference to the Act respecting Transition énergétique Québec (chapter T-11.02) is a reference to the Act respecting the Ministère des Ressources naturelles et de la Faune;

(2) a reference to the annual contribution payable to Transition énergétique Québec is a reference to the annual contribution payable to the Minister of Energy and Natural Resources under section 17.1.11 of the Act respecting the Ministère des Ressources naturelles et de la Faune;

(3) a reference to the fiscal year of Transition énergétique Québec is a reference to the fiscal year of the Energy Transition, Innovation and Efficiency Fund.

94. The term of the members of the board of directors of Transition énergétique Québec ends on 1 November 2020.

The term of the president and chief executive officer ends without compensation.

95. The employees of Transition énergétique Québec become, without further formality, employees of the Ministère de l'Énergie et des Ressources naturelles, except those belonging to the class of positions of advocate and notary, who become employees of the Ministère de la Justice.

96. The records, archives and other documents of Transition énergétique Québec become those of the Ministère de l'Énergie et des Ressources naturelles.

97. In any document other than an Act or a government regulation, unless the context indicates otherwise and with the necessary modifications,

(1) a reference to Transition énergétique Québec is 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;

(2) a reference to the Energy Transition Fund is a reference to the Energy Transition, Innovation and Efficiency Fund.

CHAPTER III

FINAL PROVISION

98. This Act comes into force on the first day of the month that follows its assent. However, if the Act is assented to on the first day of a month, it comes into force on the day it is assented to.

2020, chapter 20

AN ACT CONCERNING MAINLY THE APPOINTMENT AND THE TERMS OF OFFICE OF CORONERS AND OF THE CHIEF CORONER

Bill 45

Introduced by Madam Geneviève Guilbault, Minister of Public Security

Introduced 30 October 2019

Passed in principle 23 September 2020

Passed 22 October 2020

Assented to 22 October 2020

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

Legislation amended:

Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2)

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

Public Health Act (chapter S-2.2)

Explanatory notes

This Act mainly amends the Act respecting the determination of the causes and circumstances of death.

The Act replaces the title of that Act so that it becomes the Coroners Act.

The Act sets the rules for appointing the Chief Coroner, the Deputy Chief Coroners and coroners. It also provides that permanent coroners are no longer to be appointed during good behaviour but rather for a five-year term. The title of permanent coroner is replaced by that of full-time coroner to reflect this change. As for part-time coroners, the Act determines that they are appointed for a fixed term of up to five years. In addition, it establishes that the terms of full-time coroners and part-time coroners are renewable and specifies the applicable term renewal rules. The Chief Coroner and the Deputy Chief Coroners, however, are appointed for seven-year terms which are not renewable.

The Act provides that the Government shall determine, by regulation, the basic training criteria in respect of the office of coroner and the continuing education requirements relating to that office.

The Act establishes the circumstances in which the Chief Coroner, a Deputy Chief Coroner or a coroner may be provisionally relieved of his or her duties, with salary, by the Minister of Public Security.

(cont'd on next page)

Explanatory notes *(cont'd)*

Moreover, the Act grants the Chief Coroner new powers. He or she may, in particular, issue notices to the authorities concerned and to the population, in certain circumstances, to better inform them of the risk of death and of the measures that could be implemented to reduce it. The Chief Coroner is also authorized, in certain cases, to designate a coroner other than the one initially responsible for an investigation to conduct or complete the investigation.

The Act also proposes to modify the duties of office of a coroner by adding new powers and new obligations. Among other things, it allows a coroner conducting an inquest to order in camera proceedings in certain circumstances. In addition, it requires the coroner to postpone finalizing his or her report of investigation, in particular when the Director of Criminal and Penal Prosecutions has authorized a prosecution following a person's death. It also requires a coroner who suspects the presence of a threat to the health of the population to notify the appropriate public health director.

The Act establishes the rules applicable to the disposal and preservation of an organ, of tissue or of an organ or tissue sample when a physician conducts an autopsy at a coroner's request. It also specifies that a professional authorized by law or a licensed embalmer may take from a dead body the specimens required for an expertise ordered by the coroner.

The Act imposes an obligation to notify a coroner or a peace officer when a child dies while in the custody of a person recognized as a home childcare provider. The same applies when a woman dies while pregnant or within 42 days after delivery.

The Act imposes an obligation on persons, associations, departments or agencies to whom or which recommendations have been transmitted by the Chief Coroner to confirm to the latter that they have considered the recommendations and to inform him or her of the measures they intend to take to correct the situation concerned.

The Act prescribes rules concerning the consultation or transmission of certain documents, in particular those used by a coroner during an investigation or inquest, and specifies that documents admitted as evidence at an inquest are public.

Lastly, the Act contains technical, consequential and transitional provisions.



Chapter 20

AN ACT CONCERNING MAINLY THE APPOINTMENT AND THE TERMS OF OFFICE OF CORONERS AND OF THE CHIEF CORONER

[Assented to 22 October 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE DETERMINATION OF THE CAUSES AND CIRCUMSTANCES OF DEATH

1. The title of the Act respecting the determination of the causes and circumstances of death (chapter R-0.2) is replaced by the following title:

“Coroners Act”.

2. Section 5 of the Act is replaced by the following sections:

“5. The Government shall, on the recommendation of the Minister of Public Security, appoint full-time coroners and part-time coroners from among persons declared qualified for appointment to those offices according to the recruiting and selection procedure established by government regulation.

“5.1. Full-time coroners are appointed for a term of five years.

However, the Government may determine a shorter term of a fixed duration in a coroner’s instrument of appointment if the candidate so requests for serious reasons or if special circumstances stated in the instrument of appointment require it.

“5.2. The term of office of a full-time coroner is renewed for five years, according to the renewal procedure established by government regulation, unless

(1) the coroner is notified otherwise, at least three months before the expiry of his term, by the agent authorized for that purpose by the Government; or

(2) the coroner requests otherwise and so notifies the Minister of Public Security at least three months before the expiry of the coroner’s term.

However, the Government may determine a shorter term of a fixed duration in the coroner’s instrument of renewal if the coroner so requests for serious reasons or if special circumstances stated in the instrument of appointment require it.

“5.3. Part-time coroners are appointed for a fixed term of up to five years which is renewed according to the renewal procedure established by government regulation.”

3. Section 6 of the Act is repealed.

4. Section 7 of the Act is amended by inserting “a death that has occurred in a particular event or into” after “into”.

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

“8. The Government shall, on the recommendation of the Minister Public Security, appoint the Chief Coroner from among persons declared qualified for appointment to that office according to the recruiting and selection procedure established by government regulation.

The Government may also, on the recommendation of the Minister and after consultation with the Chief Coroner, appoint up to two Deputy Chief Coroners from among persons declared qualified for appointment to that office according to the recruiting and selection procedure established by government regulation. The Minister shall designate one Deputy Chief Coroner to replace the Chief Coroner when the latter is absent or unable to act or when the office of Chief Coroner is vacant.”

6. Section 9 of the Act is amended

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

“The Chief Coroner and the Deputy Chief Coroners are appointed for a term of seven years, which may not be renewed.”;

(2) by striking out “or reappointed” in the second paragraph.

7. Section 13 of the Act is replaced by the following sections:

“13. The Chief Coroner and the Deputy Chief Coroners shall perform their duties on a full-time basis.

“13.1. The Minister of Public Security may, in a presumed case of serious fault, provisionally relieve the Chief Coroner, a Deputy Chief Coroner or a coroner of the duties of office, with salary, when the urgency of the situation requires prompt intervention.”

8. Section 14 of the Act is amended by striking out “permanent” and “with or”.

9. Section 15 of the Act is amended by striking out “with or”.

10. Section 21 of the Act is amended by replacing “A coroner who ceases to hold the office of Chief Coroner or Deputy Chief Coroner after holding that office for five years or more and who remains a permanent coroner” and “salary of a permanent coroner is equal to his salary” by “On ceasing to hold office, the Chief Coroner or a Deputy Chief Coroner is appointed as a full-time coroner and” and “salary of a full-time coroner has caught up with it”, respectively.

11. Section 23 of the Act is amended by adding the following paragraph at the end:

“The Chief Coroner may also, in particular after having certified a series of deaths that have occurred in similar circumstances, observed a new morbidity phenomenon, or identified within the population a situation involving avoidable mortality risks, issue a notice to better inform the authorities concerned and the population of the risk of death and of the measures that could be implemented to reduce it.”

12. The Act is amended by inserting the following section after section 23:

“**23.1.** The Chief Coroner may, for the period he determines, allow a coroner to complete an investigation or inquest already assigned to the coroner although the latter has resigned or his term has expired.”

13. Section 32 of the Act is amended by replacing “adopt, by regulation,” in paragraph 1 by “prescribe”.

14. Section 33 of the Act is amended by replacing “the agency unless the agency” in the second paragraph by “the Minister of Health and Social Services unless that Minister”.

15. The Act is amended by inserting the following section after section 34:

“**34.1.** Every person who certifies the death of a woman that occurred while she was pregnant or within 42 days after delivery shall immediately notify a coroner or peace officer.”

16. Section 37 of the Act is amended by replacing “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)” in paragraph 2 by “Individual and Family Assistance Act (chapter A-13.1.1)”.

17. Section 38 of the Act is amended

(1) by replacing “Penitentiary Act (Revised Statutes of Canada, 1985, chapter P-5)” in paragraph 2 by “Corrections and Conditional Release Act (Statutes of Canada, 1992, chapter 20)”;

(2) by replacing “a security unit” in paragraph 3 by “an intensive supervision unit”.

18. Section 39 of the Act is replaced by the following section:

“39. Where a child dies while in the custody of a childcare provider, whether a childcare centre, a day care centre within the meaning of the Educational Childcare Act (chapter S-4.1.1) or a person recognized as a home childcare provider under that Act, the childcare provider or the person in authority in the place where the child is in custody shall immediately notify a coroner or a peace officer. The same applies for the person referred to in section 6.1 of that Act.”

19. Section 45 of the Act is amended

(1) by inserting “, unless a summary examination of the facts makes it possible to establish the elements mentioned in section 2 and the death does not appear to have occurred as a result of negligence or in obscure or violent circumstances. The coroner shall transmit the findings of the summary examination in writing to the Chief Coroner” at the end of the first paragraph;

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

“The Chief Coroner shall communicate the findings of the summary examination referred to in the first paragraph in writing to any person who so requests.”

20. Section 46 of the Act is amended by replacing the second paragraph by the following paragraph:

“However, the Chief Coroner may designate another coroner to conduct or complete the investigation

(1) at the request of the coroner responsible for the investigation;

(2) if the coroner responsible for the investigation is unable to conduct or complete the investigation;

(3) if the complexity of the causes or the circumstances of death so require; or

(4) if, in his opinion, a report of investigation has not been completed within a reasonable time.”

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

“46.1. Where the investigation continues for more than 30 days from the date on which the coroner is notified of the death or becomes responsible for the investigation, the coroner shall inform, verbally or in writing and on request, a member of the deceased person’s family or a person having a special interest in the deceased person of the progress of the case he is handling. The coroner shall subsequently notify that person of such progress, every 60 days and in writing, until the report has been transmitted to the Chief Coroner.”

22. Section 74 of the Act is amended by inserting “, any other professional authorized by law or a licensed embalmer” after “physician”.

23. The Act is amended by inserting the following section after section 76:

“76.1. A physician who performs an autopsy at the request of a coroner and who preserves an organ or tissue for the purposes of an expertise shall notify the coroner so that the latter may inform the person who claims the body.

The organ or tissue is disposed of with biomedical waste if

(1) no one has claimed the body;

(2) the person who claimed the body has expressed the intention not to recover the organ or tissue; or

(3) the person who claimed the body has not recovered the organ or tissue within 30 days after being informed by a notice sent to his last known address that it is no longer required.

If a deceased person’s identity cannot be established, an organ or tissue sample is preserved at the coroner’s request for the purposes of the person’s future identification.”

24. Section 90 of the Act is amended by replacing “section 100 or 102” by “section 90.2, 100 or 102”.

25. The Act is amended by inserting the following division after section 90:

“DIVISION IV.1

“CONSULTATION AND TRANSMISSION OF DOCUMENTS DURING AN INVESTIGATION

“90.1. After consultation with the Chief Coroner, a coroner may, before his report is drawn up, allow the documents listed in section 93 to be consulted by or, after payment of the charge fixed by regulation, send certified copies of them to

(1) a person, association, department or agency establishing to the coroner's satisfaction that the documents will be used to learn or establish his or its rights;

(2) a department or public agency establishing to the coroner's satisfaction that it will use the documents in the pursuit of the public interest;

(3) a professional order establishing to the coroner's satisfaction that it will use the documents in the pursuit of the public interest; or

(4) a physician establishing to the coroner's satisfaction that the documents are necessary for the purpose of preventing or screening for disease in a member of the deceased person's family.

However, the report of a peace officer may not be consulted or transmitted without the express permission of the Minister of Public Security or a person authorized by the Minister for that purpose.

“90.2. Access to a document or receipt of a document in accordance with section 90.1 does not constitute an authorization to publish or release information it contains that has not been made public, unless it is necessary for the purposes provided for in any of paragraphs 1 to 4 of that section.”

26. The Act is amended by inserting the following section after section 91:

“91.1. Despite section 91, when the Director of Criminal and Penal Prosecutions has authorized a prosecution following a person's death, the coroner shall postpone the finalization of his report until the Director notifies him of the end of the criminal proceedings.

Similarly, the coroner shall postpone the finalization of his report if a record is submitted to the Director of Criminal and Penal Prosecutions for examination as to whether proceedings should be instituted or if the causes and circumstances of a death allow the coroner to believe that a record could be so submitted. The Director shall inform the coroner of the findings of his examination.

However, the coroner may, in the cases provided for in the second paragraph, draw up his report if he is of the opinion that he may not further postpone its finalization. The coroner shall then consult the police force concerned or the Director of Criminal and Penal Prosecutions to ensure that the report does not contain any information which may impede the investigation.”

27. The Act is amended by inserting the following section after section 94:

“94.1. A coroner may correct his report if it contains an error in writing or calculation or any other clerical error.

The coroner may also revise his report where new facts that warrant a revision are subsequently brought to his attention or to the attention of the Chief Coroner. The report is then transmitted to the latter.

If the coroner who drew up a report is no longer in office or is absent or unable to act, another coroner authorized by the Chief Coroner may correct or revise the report.”

28. Section 98 of the Act is amended by adding the following paragraph at the end:

“The persons, associations, departments or agencies to whom or which such recommendations have been transmitted must, within the time specified by the Chief Coroner, confirm to the latter that they have considered the recommendations and inform him of the measures they intend to take to correct the situation concerned.”

29. Section 101 of the Act is amended, in the first paragraph,

(1) by replacing “permanent coroner may allow consultation of the unexpurgated report or accompanying documents” in the introductory clause by “full-time coroner may allow the unexpurgated report or accompanying documents to be consulted by”;

(2) by inserting “to” at the end of the introductory clause;

(3) by replacing “to a” and “to his satisfaction” in subparagraphs 1 and 2 by “a” and “to the Chief’s or coroner’s satisfaction”, respectively;

(4) by adding the following subparagraphs at the end:

“(3) a professional order establishing to the Chief’s or coroner’s satisfaction that it will use the documents in the pursuit of the public interest;

“(4) a physician establishing to the Chief’s or coroner’s satisfaction that the documents are necessary for the purpose of preventing or screening for disease in a member of the deceased person’s family.”

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

“102. Access to a document or receipt of a document in accordance with section 101 does not constitute an authorization to publish or release information it contains that has not been made public, unless it is necessary for the purposes provided for in any of paragraphs 1 to 4 of that section.”

31. Section 110 of the Act is amended

(1) by replacing “the Government, at the request of the Chief Coroner,” by “the Chief Coroner”;

(2) by striking out the following sentence: “The Government shall also fix the remuneration and conditions of employment of the assessor.”;

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

“The Government shall fix the remuneration and conditions of employment applicable to assessors.”

32. Section 111 of the Act is amended by inserting “and sections 90.1 and 90.2” after “sections 47 to 85”.

33. Section 140 of the Act is amended by adding the following sentence at the end: “A coroner may make an exception to the principle of open inquests if, in the coroner’s opinion, the public interest or the protection of a person’s privacy, reputation or right to a just and fair trial requires that a witness be heard in camera.”

34. The Act is amended by inserting the following section after section 140:

“140.1. A document admitted as evidence at an inquest is public and may be consulted by any person, unless it is subject to a ban on publication or release under this Act.”

35. Section 148 of the Act is amended by replacing “section 100 or section 102” by “section 90.2, 100 or 102”.

36. Section 162 of the Act is amended by striking out “; however, the report of the peace officer is public if it has been admitted as evidence at the inquest and when, upon request, the coroner or Chief Coroner transmits a certified copy of the unexpurgated report and the documents accompanying it to the advocate representing the Attorney General at the inquest” in the first paragraph.

37. Section 163 of the Act is replaced by the following sections:

“163. The Government shall establish, by regulation, the procedure for recruiting and selecting persons qualified for appointment as coroner, Chief Coroner or Deputy Chief Coroner.

The regulation may, in particular,

(1) determine the publicity to be made for recruitment purposes and its content;

(2) determine the eligibility requirements and the application procedure to be followed by candidates;

(3) authorize the establishment of selection committees to assess the qualifications of candidates and formulate an opinion concerning them, and determine the composition of the committees and the mode of appointment of committee members;

(4) determine the selection criteria to be taken into account by a committee;

(5) determine the information a committee may require from a candidate and the consultations it may hold; and

(6) determine the period for which a certificate of qualification is valid.

“163.1. The Government shall establish, by regulation, the procedure for renewing a coroner’s term.

The regulation may, in particular,

(1) authorize the establishment of examination committees and determine their composition and the mode of appointment of committee members;

(2) determine the criteria to be taken into account by a committee; and

(3) determine the information a committee may require from a coroner and the consultations it may hold.

An examination committee may not make a recommendation against renewing a coroner’s term without first informing the office holder of its intention to do so and of the reasons for its recommendation, and without giving the office holder an opportunity to make representations.

“163.2. The members of a selection committee or of an examination committee receive no remuneration except in the cases and on the conditions that may be determined by the Government.

They are, however, entitled to the reimbursement of any expenses incurred in the performance of their duties, on the conditions determined by the Government.

“163.3. No judicial proceedings may be brought against the members of a selection committee or of an examination committee for any act done in good faith in the performance of their duties.

“163.4. The Government shall determine, by regulation, basic training criteria and continuing education requirements.”

38. Section 164 of the Act is amended by inserting “, 163.1 or 163.4” after “contemplated in section 163” in the first paragraph.

39. Section 166 of the Act is repealed.

40. Section 168 of the Act is amended by replacing “any documents accompanying the reports” in subparagraph 7 of the first paragraph by “a document listed in section 93 or 161”.

41. Section 180 of the Act is amended by inserting “documents that are consulted or transmitted during an investigation or inquest as well as” after “concerning”.

ACT TO MODIFY THE ORGANIZATION AND GOVERNANCE OF THE HEALTH AND SOCIAL SERVICES NETWORK, IN PARTICULAR BY ABOLISHING THE REGIONAL AGENCIES

42. Section 116 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2) is repealed.

PUBLIC HEALTH ACT

43. Section 93 of the Public Health Act (chapter S-2.2) is amended by inserting “or any coroner” after “health professional with the authority to make a medical diagnosis or to assess a person’s state of health” in the first paragraph.

TRANSITIONAL AND FINAL PROVISIONS

44. Unless the context indicates otherwise and with the necessary modifications,

(1) in the Act respecting the determination of the causes and circumstances of death (chapter R-0.2) and the regulations,

(a) “permanent coroner” is replaced by “full-time coroner”;

(b) “Laboratoire de médecine légale du Québec” and “Laboratoire de police scientifique du Québec” are replaced by “Laboratoire de sciences judiciaires et de médecine légale”;

(2) in any other Act and in any regulation, “Act respecting the determination of the causes and circumstances of death” is replaced by “Coroners Act”.

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

(1) a reference to the Act respecting the determination of the causes and circumstances of death is a reference to the Coroners Act;

(2) a reference to a permanent coroner is a reference to a full-time coroner;

(3) a reference to the Laboratoire de médecine légale du Québec or to the Laboratoire de police scientifique du Québec is a reference to the Laboratoire de sciences judiciaires et de médecine légale.

46. A permanent coroner in office on the date of coming into force of section 2 becomes, from that date, a full-time coroner appointed for a 10-year term. The salary and other conditions of employment provided for in his or her instrument of appointment are maintained until the end of the term.

A part-time coroner in office on the date of coming into force of section 2 remains a part-time coroner until the end of the term provided for in his or her instrument of appointment or, in the case of a coroner whose instrument of appointment does not specify when his or her term is to end, for a 5-year term from that date.

Section 5.2 of the Act respecting the determination of the causes and circumstances of death, enacted by section 2, applies, at the end of his or her term, to a coroner referred to in the first paragraph.

Section 5.3 of that Act, enacted by section 2, applies, at the end of his or her term, to a coroner referred to in the second paragraph.

47. A full-time coroner referred to in section 46 whose term is not renewed is entitled, on the conditions provided for in section 5 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, French only), to a transition allowance corresponding to one time his or her monthly salary for each year of uninterrupted service from his or her appointment as a permanent coroner without, however, exceeding 12 times that monthly salary.

48. The Chief Coroner and any Deputy Chief Coroner in office on the date of coming into force of section 5 continue their terms for the time and according to the conditions of employment set out in their instruments of appointment, except those relating to dismissal, suspension, reinstatement and renewal, as if they had been appointed in accordance with section 8 of the Act respecting the determination of the causes and circumstances of death, replaced by section 5.

The Chief Coroner and any Deputy Chief Coroner referred to in the first paragraph are deemed to have been declared qualified for appointment to the offices of Chief Coroner and Deputy Chief Coroner, respectively, according to the recruiting and selection procedure established by government regulation, in accordance with section 8 of the Act respecting the determination of the causes and circumstances of death, replaced by section 5. Although the terms of a Chief Coroner and of a Deputy Chief Coroner may not be renewed under section 9 of the Act respecting the determination of the causes and circumstances of death, amended by section 6, the terms of the Chief Coroner and of a Deputy Chief Coroner referred to in the first paragraph may be renewed once only.

The Chief Coroner or a Deputy Chief Coroner referred to in the first paragraph whose term is not renewed under the second paragraph holds, from the date on which he or she ceases to serve his or her term, the office of full-time coroner for a term which may not, however, exceed 10 years from the date of coming into force of section 5. In such a case, he or she continues to receive the salary he or she received as Chief Coroner or Deputy Chief Coroner. Section 47 applies to such a full-time coroner whose term is not renewed.

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

2020, chapter 21 CREDIT ASSESSMENT AGENTS ACT

Bill 53

Introduced by Mr. Eric Girard, Minister of Finance

Introduced 5 December 2019

Passed in principle 17 September 2020

Passed 22 October 2020

Assented to 28 October 2020

Coming into force: 1 February 2021, except sections 8, 13 and 15 insofar as they concern security freezes and sections 9, 18, 108 and 111, which come into force on the date set by the Government

Legislation amended:

Act respecting the regulation of the financial sector (chapter E-6.1)

Act respecting the protection of personal information in the private sector (chapter P-39.1)

Explanatory notes

This Act regulates the commercial practices and management practices of credit assessment agents. It entrusts the supervision and control of credit assessment agents to the Autorité des marchés financiers (the Authority), which will be responsible for designating the agents to whom the Act applies where the agent's business with financial institutions is significant enough to justify the designation.

The Act proposes three protection measures that a credit assessment agent must take when asked as regards the records the agent holds on each person concerned, namely a security freeze, a security alert and an explanatory statement. The Act therefore confers the right on any person concerned by a record held by a credit assessment agent to take each of those protection measures regarding his or her record. It also confers the right on every person concerned to the communication of their credit rating.

The Act sets out the terms and conditions for the exercise of those rights as well as the recourses and complaints that may be respectively exercised before the Commission d'accès à l'information or submitted to the Authority.

The Act prescribes the commercial practices that credit assessment agents must adhere to and imposes the obligation for them to adhere to appropriate management practices.

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Explanatory notes *(cont'd)*

The Act also sets out the administrative measures and the other powers of the Authority, such as the power to issue instructions, guidelines and orders and to request an injunction and participate in proceedings relating to the administration of the Act.

Lastly, the Act prescribes monetary administrative penalties and sets out penal provisions.



Chapter 21

CREDIT ASSESSMENT AGENTS ACT

[Assented to 28 October 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

INTRODUCTORY PROVISIONS

1. This Act applies to the supervision and control of credit assessment agents' commercial practices and management practices.

It also confers rights on the persons concerned by the records the agents hold and governs the exercise of those rights, in particular so that the persons may avail themselves of the protection measures the Act establishes.

2. For the purposes of this Act, a credit assessment agent means a personal information agent, within the meaning of the second paragraph of section 70 of the Act respecting the protection of personal information in the private sector (chapter P-39.1), where designated by the Autorité des marchés financiers (the Authority).

CHAPTER II

DESIGNATION AND DESIGNATION REVOCATION

3. The Authority designates a personal information agent where it considers that the agent's business with authorized financial institutions or banks, within the meaning of the Bank Act (Statutes of Canada, 1991, chapter 46), is significant enough to justify the designation.

It revokes the designation, on its own initiative or on an application made by the credit assessment agent concerned, where it considers that the significance of the business no longer justifies it.

Before designating a personal information agent or rejecting an application for the revocation of the designation of a credit assessment agent, the Authority must notify the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the agent and grant the latter at least 10 days to submit observations.

4. The following are authorized financial institutions:

- (1) insurers authorized under the Insurers Act (chapter A-32.1);
- (2) deposit institutions authorized under the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2);
- (3) financial services cooperatives within the meaning of the Act respecting financial services cooperatives (chapter C-67.3);
- (4) trust companies authorized under the Trust Companies and Savings Companies Act (chapter S-29.02); and
- (5) legal persons registered as dealers or advisers under the Derivatives Act (chapter I-14.01) or the Securities Act (chapter V-1.1) or registered as investment fund managers under the latter Act.

5. Where the Authority designates a personal information agent or revokes a credit assessment agent's designation, it notifies a document to the agent attesting that decision. The Authority sends a reproduction of the document to the Minister and the Commission d'accès à l'information.

The document must include the date and time of the Authority's decision and, if different, the date and time of the designation or designation revocation, as the case may be.

6. The Authority publishes the decision in its bulletin.

7. A decision referred to in section 3 may, within 30 days of its notification, be contested before the Financial Markets Administrative Tribunal.

The Tribunal may only confirm or quash a contested decision.

CHAPTER III

PROTECTION MEASURES, RIGHTS OF PERSONS CONCERNED, RECOURSES AND COMPLAINTS

DIVISION I

PROTECTION MEASURES

8. The protection measures to which a record held by a credit assessment agent is liable to be subject are a security freeze, a security alert and an explanatory statement.

Such measures may be revoked; the security freeze may also be suspended.

9. A security freeze prohibits the credit assessment agent holding the record concerned from communicating personal information and the information produced on the basis of that information, where the communication is for the purpose of entering into a credit contract, increasing credit extended under such a contract or entering into a long-term contract of lease of goods or a contract involving sequential performance for a service provided at a distance.

The agent must notify the third party, to whom the agent is prohibited from communicating the personal information due to the security freeze, of the existence of the freeze.

For the purposes of this section:

(1) credit that is the subject of a contract has the meaning assigned by subparagraph *f* of the first paragraph of section 1 of the Consumer Protection Act (chapter P-40.1);

(2) long-term contract of lease of goods has the meaning assigned by section 150.2 of that Act; and

(3) contract involving sequential performance for a service provided at a distance is a contract to which Division VII of Chapter III of Title I of that Act applies.

However, these definitions apply even if the person concerned is not a consumer.

10. A security alert requires the credit assessment agent holding the record concerned to notify the third party, to whom the agent communicates personal information the record contains or information produced on the basis of that information, of the third party's obligation under section 19.1 of the Act respecting the protection of personal information in the private sector and of a telephone number at which the person concerned or, if applicable, the representative of the person concerned or the person having parental authority over the person concerned may be contacted to prove his or her identity.

Where an agent communicates such information in a credit report or other document, the notice provided for in the first paragraph must clearly appear on the report or document.

The first and second paragraphs do not apply if the law provides that the information may be communicated to a third party without the consent of the person concerned.

11. The explanatory statement requires the credit assessment agent holding the record concerned to communicate the statement to any third party to whom the agent communicates personal information the record contains or information produced on the basis of that information.

The explanatory statement reports the existence of a disagreement between the person concerned by the record and the agent over the application of a legislative provision on access to personal information or the correction of such information.

12. A record ceases to be the subject of a protection measure on revocation of the measure.

If the measure is an explanatory statement, the record also ceases to be the subject of such a measure on the first of the following occurrences:

- (1) the time at which the parties agree to end the disagreement;
- (2) the time at which the Commission d'accès à l'information refuses or ceases to examine the disagreement under section 52 of the Act respecting the protection of personal information in the private sector; or
- (3) the time at which a decision that has become final puts an end to the disagreement.

DIVISION II

RIGHTS OF PERSONS CONCERNED

§1.—*General provisions*

13. In addition to the rights conferred by articles 35 to 40 of the Civil Code and the Act respecting the protection of personal information in the private sector, a person concerned by a record a credit assessment agent holds is entitled to obtain from the agent communication, in particular via Internet, of his or her credit rating, together with the explanations necessary to understand it.

The person concerned is also entitled to have the agent take, with regard to that record, each of the protection measures provided for in Division I. The person is also entitled to obtain the revocation and, in the case of a security freeze, the suspension of such measures.

The rights conferred by this Act are to be exercised in accordance with subdivision 2.

14. For the purposes of this Act, “credit rating” means the rating that is similar to ratings usually communicated to money lenders who request them.

15. A person must be able to exercise a right conferred by this Act, other than the right to have a security freeze placed on a record, free of charge.

16. A credit assessment agent may not take into account the exercise of a right conferred by this Act in the production of a credit rating nor of any other personal information concerning the person who exercises such a right.

§2.—*Request to exercise a right*

17. Exercising a right conferred by this Act requires a person to send a request to exercise the right to the credit assessment agent which proves that he or she is the person concerned, the representative of the person concerned or the person having parental authority over the person concerned.

Unless it is necessary to submit an explanatory statement with it, a request to exercise a right may be made verbally.

18. Payment of the reasonable fees the credit assessment agent may demand must be submitted, if applicable, with the request for the exercise of the right to have a security freeze placed on a record.

19. A request for the exercise of the right to have a security alert added to a record must include the telephone number referred to in section 10.

20. An explanatory statement must be submitted with the request for the exercise of the right to have such a statement added to the record, unless the person concerned consents to the statement proposed by the credit assessment agent from whom that protection measure is requested.

Explanatory statements must

(1) contain a description of the disagreement referred to in section 11;

(2) present the point of view of the person concerned as regards the disagreement, without it being defamatory; and

(3) not exceed the number of words prescribed by government regulation and comply with any other conditions so prescribed.

21. A credit assessment agent must grant a request to exercise a right if it is compliant with the requirements of this subdivision.

22. The credit assessment agent holding a record that is the subject of a request for the exercise of a right must send a reply in writing to the person making the request, which either grants the request or gives reasons for its refusal to do so, and informs the person of his or her recourses and the time limit for bringing them.

The agent must send the reply promptly and not later than on the expiry of the time limit prescribed by government regulation.

23. A credit assessment agent who grants a request for the exercise of a right must, promptly and not later than on the expiry of the time limit prescribed by government regulation, communicate to the person making the request the credit rating of the person concerned, together with the explanations necessary to understand it or, as the case may be, take, suspend or revoke the protection measure that is the subject of the request.

DIVISION III

RECOURSES AND COMPLAINTS

24. Any interested person may submit an application to the Commission d'accès à l'information for the examination of a disagreement on the merits of a reason for refusing to grant a request for the exercise of a right conferred by this Act.

Division V of the Act respecting the protection of personal information in the private sector applies to the examination by the Commission of such a disagreement.

25. A person who made a request for the exercise of a right to whom the credit assessment agent failed to reply before the expiry of the applicable time limit may file a complaint with the Authority.

The person may also file a complaint with the Authority where an agent, after having granted the request, does not follow up on it in accordance with section 23.

26. On receipt of a complaint concerning a matter under the jurisdiction of the Authority, the Commission d'accès à l'information must send the record to the Authority, which is thereby seized of the matter by operation of law.

Likewise, on receipt of a complaint concerning a matter under the jurisdiction of the Commission, the Authority must send the record to the Commission, which is thereby seized of the matter by operation of law.

If the complaint concerns a matter under the jurisdiction of both the Authority and the Commission, the matter is not removed from the jurisdiction of the one sending the record.

27. Despite section 81 of the Act respecting the protection of personal information in the private sector, a complaint concerning accessing personal information free of charge as provided for in section 33 of that Act is not under the jurisdiction of the Commission d'accès à l'information insofar as it concerns the application of section 46 of this Act.

CHAPTER IV**SUPERVISION AND CONTROL OF CREDIT ASSESSMENT AGENTS'
COMMERCIAL PRACTICES AND MANAGEMENT PRACTICES****DIVISION I****GENERAL PROVISION**

28. The Authority supervises and controls the commercial practices and management practices of credit assessment agents.

DIVISION II**APPLICATION OF CERTAIN PROVISIONS TO GROUPS AND THIRD
PARTIES ACTING ON BEHALF OF A CREDIT ASSESSMENT AGENT**

29. The obligations of a credit assessment agent under the provisions of this Act remain unchanged by the mere fact that the agent entrusts a third party to carry on any part of an activity governed by those provisions.

30. A credit assessment agent must ensure that any group in respect of which the agent is the holder of control complies with the prohibitions imposed on the agent by this Act.

A prohibition imposed on such an agent applies to the groups in respect of which it is the holder of control not only when each of them is acting alone, but also when the acts or omissions of all or some of them would have contravened that prohibition had they been done or made by only one of them.

31. A credit assessment agent is liable for failures to comply with this Act by a group in respect of which the agent is the holder of control or by whoever is the holder of control of the group and performs an obligation of the agent on the agent's behalf, as if those failures to comply were the agent's own.

32. The Authority's inspection functions and powers, provided for by the Act respecting the regulation of the financial sector (chapter E-6.1), that may be exercised in relation to a credit assessment agent extend to any affiliated group if the person authorized to conduct an inspection of the agent considers it necessary to inspect the group in order to complete the verification of the agent's compliance with this Act, even though the group does not carry on activities governed by an Act referred to in section 7 of that Act.

33. The Authority may prohibit a credit assessment agent's obligations under this Act from being performed by a third party on the agent's behalf if, in the Authority's opinion, such performance would render the application of this Act difficult or ineffective. Before rendering its decision, the Authority must notify the prior notice prescribed by section 5 of the Act respecting administrative justice to the agent in writing and grant the latter at least 15 days to submit observations.

34. Sections 8 to 19 of the Insurers Act apply to this Act, with the necessary modifications.

DIVISION III

COMMERCIAL PRACTICES

§1.—General provisions

35. A credit assessment agent must adhere to sound commercial practices.

Such practices include providing fair treatment to the persons concerned whose record the agent holds, in particular by

(1) providing appropriate information, in particular as regards the exercise of the rights conferred on them by this Act;

(2) making available to them appropriate means of communication to facilitate the timely exercise of those rights;

(3) adopting a policy for processing complaints filed by the persons concerned and resolving disputes with them; and

(4) keeping a complaints register.

36. A credit assessment agent must be able to show to the Authority that it adheres to sound commercial practices.

§2.—Complaint processing and dispute resolution policy and examination of complaints records by the Authority

37. The complaint processing and dispute resolution policy adopted under subparagraph 3 of the second paragraph of section 35 must, in particular,

(1) set out the characteristics that make a communication to the credit assessment agent a complaint that must be entered in the complaints register kept under subparagraph 4 of the second paragraph of section 35; and

(2) provide for a record to be opened for each complaint and prescribe rules for keeping such records.

The agent must make a summary of the policy, including the elements specified in subparagraphs 1 and 2 of the first paragraph, publicly available on its website and disseminate it by any appropriate means to reach the persons concerned.

38. The Authority may, by regulation, determine the policy that credit assessment agents must adhere to under subparagraph 3 of the second paragraph of section 35 or components of such a policy.

39. Within 10 days after a complaint is entered in the complaints register, the credit assessment agent must send the complainant a notice stating the complaint registration date and the complainant's right, under section 40, to have the complaint record examined.

40. A complainant whose complaint has been entered in the complaints register may, if dissatisfied with the processing of the complaint by the credit assessment agent or the outcome, make a request to the agent to have the complaint record examined by the Authority.

The agent is required to comply with the complainant's request and to send the record to the Authority.

41. The Authority examines the complaint records that are sent to it.

The Authority may, with the parties' consent, act as conciliator or mediator or designate a person to act as such.

In addition, the Authority may invite a third party to participate in the conciliation or mediation, if it considers that such participation could contribute to resolving the situation that gave rise to a complaint.

42. Conciliation or mediation may not, alone or in combination, continue for more than 60 days after the date of the first conciliation or mediation session, as the case may be, unless the parties consent to it.

Conciliation and mediation are free of charge.

43. Unless the parties agree otherwise, nothing that is said or written in the course of a conciliation or mediation session may be admitted into evidence before a court of justice or before a person or body of the administrative branch exercising adjudicative functions.

A conciliator or mediator may not be compelled to disclose anything revealed or learned in the exercise of conciliation or mediation functions or to produce a document prepared or obtained in the course of such functions before a court of justice or before a person or body of the administrative branch exercising adjudicative functions.

Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no one has a right of access to a document contained in the conciliation or mediation record.

44. Despite sections 9 and 83 of the Act respecting Access to documents held by public bodies and the Protection of personal information, the Authority may not communicate a complaint record without the authorization of the credit assessment agent that sent it.

45. On the date set by the Authority, a credit assessment agent must send the Authority a report on the complaint processing and dispute resolution policy adopted under subparagraph 3 of the second paragraph of section 35 stating, among other things, the number of complaints that the agent has entered in the complaints register and their nature.

The report must cover the period determined by the Authority.

§3.—*Access to personal information contained in a record*

46. A credit assessment agent must allow any person concerned by a record the agent holds to access, free of charge, the personal information it contains via Internet.

DIVISION IV

MANAGEMENT PRACTICES

47. A credit assessment agent must adhere to appropriate management practices ensuring that the rights conferred by this Act are respected.

48. A credit assessment agent must be able to show to the Authority that it adheres to appropriate management practices.

DIVISION V

ANNUAL STATEMENTS AND OTHER COMMUNICATIONS WITH THE AUTHORITY

49. A credit assessment agent must prepare an annual statement of the position of its affairs in Québec as at the date determined by the Authority.

The statement's certification, form and content and the date on which it must be sent to the Authority are determined by the Authority.

50. A credit assessment agent must send the Authority, according to the form and content and at the time or intervals the Authority determines, the documents it considers useful to determine whether the agent is complying with this Act.

51. The Authority may require a credit assessment agent to provide the documents or information the Authority considers useful for the purposes of this Act or that the agent otherwise provide access to those documents and information.

The agent is required to reply by not later than the date determined by the Authority.

CHAPTER V

ENFORCEMENT MEASURES AND OTHER POWERS OF THE AUTHORITY

DIVISION I

INSTRUCTIONS, GUIDELINES AND ORDERS

52. The Authority may establish instructions intended for a credit assessment agent.

Instructions must be in writing and must be specific to the addressee, but need not be published.

The Authority must, before sending an instruction, notify the addressee and give the addressee an opportunity to submit observations.

53. The Authority may establish guidelines intended for all credit assessment agents.

Guidelines must be general and impersonal; the Authority publishes them in its bulletin after sending a copy of them to the Minister.

54. An instruction informs its addressee of the obligations that, in the Authority's opinion, are incumbent on the addressee under Chapters III and IV.

For its part, a guideline informs its addressees of measures that, in the Authority's opinion, may be established to satisfy the obligations specific to credit assessment agents that are incumbent on them under those chapters.

55. The Authority may order a credit assessment agent to cease a course of action or to implement specified measures if the Authority is of the opinion that the agent is failing to perform its obligations under this Act in full, properly and without delay.

The Authority may, for the same reasons, issue an order against a third party that, on behalf of a credit assessment agent, carries on its activities or performs its obligations.

At least 15 days before issuing an order, the Authority must notify the prior notice prescribed by section 5 of the Act respecting administrative justice to the contravener in writing, stating the reasons which appear to justify the order, the date on which the order is to take effect and the contravener's right to submit observations. If the contravener is a third party that, on behalf of a credit assessment agent, carries on its activities or performs its obligations, the Authority must also notify the prior notice to the agent.

The Authority may not issue any order with respect to a disagreement submitted to the Commission d'accès à l'information or that is the object of an enforceable decision rendered by the latter.

56. The Authority's order must state the reasons for which it is issued. The order must be served on each person to whom it applies.

The order takes effect on the date it is served or on any later date specified in it.

57. The Authority may, without prior notice, issue a provisional order valid for up to 15 days if, in its opinion, any period of time granted to the person concerned to submit observations may be detrimental.

The order must include reasons and takes effect on the date it is served on the person concerned. The latter may, within six days after receiving the order, submit observations to the Authority.

58. The Authority may revoke or amend an order it has issued under this Act.

DIVISION II

INJUNCTION AND PARTICIPATION IN PROCEEDINGS

59. The Authority may apply to a judge of the Superior Court for an injunction in respect of any matter relating to the carrying out of this Act.

The application for an injunction constitutes a proceeding in itself.

The procedure prescribed in the Code of Civil Procedure (chapter C-25.01) applies, except that the Authority cannot be required to give security.

60. The Authority may, on its own initiative and without notice, intervene in any proceeding relating to a provision of this Act.

DIVISION III**REGISTER, ADMINISTRATION OF THE ACT AND AUTHORITY'S REPORT**

61. The Authority must establish and keep up to date a register of credit assessment agents that contains the following information for each of them:

(1) its name, the name it uses in Québec if different, the address of its head office and, if its head office is not in Québec, the address of its principal establishment in Québec; and

(2) any other information considered by the Authority to be useful to the public.

The information contained in the register is public information; it may be set up against third parties as of the date it is entered and is proof of its contents for the benefit of third parties in good faith.

62. A credit assessment agent must declare to the Authority any change required to be made to the information concerning that agent contained in the register, unless the Authority was otherwise informed by a document sent in accordance with this Act.

The declaration must be filed within 30 days of the date of the event giving rise to the change.

63. The costs that must be incurred by the Authority for the administration of this Act are to be borne by the credit assessment agents; they are determined annually by the Government based on the forecasts provided to it by the Authority.

The Government prescribes, by regulation, the rules determining the manner in which the Authority distributes the costs among the credit assessment agents.

The difference noted between the forecast of the costs that must be incurred for the administration of this Act for a year and those actually incurred for the same year must be carried over to similar costs determined by the Government for the year after the difference is noted.

The certificate of the Authority must definitively establish the amount payable by each agent under this section.

64. The Authority must, before 30 June each year, report to the Minister, on the basis of the information obtained from the credit assessment agents and following the investigations, inspections and evaluations made by the Authority, on the commercial practices and management practices of all the agents for the year ending on the preceding 31 December.

65. The Minister tables the Authority's report in the National Assembly within 30 days of its receipt or, if the Assembly is not sitting, within 15 days of resumption.

DIVISION IV

REGULATIONS

66. In addition to the other regulations it may make under this Act, the Authority may, by regulation, determine the standards that apply to credit assessment agents as regards their commercial practices and management practices.

67. A regulation made under this Act by the Authority is approved by the Minister with or without amendment.

The Minister may make such a regulation if the Authority fails to do so within the time specified by the Minister.

A draft of a regulation must be published in the Authority's bulletin with the notice required under section 10 of the Regulations Act (chapter R-18.1).

The draft of the regulation may not be submitted for approval, and the regulation may not be made before 30 days have elapsed since the publication of the draft.

A regulation under this section comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in it. It must also be published in the Authority's bulletin. If the regulation published in the Authority's bulletin differs from the one published in the *Gazette officielle du Québec*, the latter prevails.

Sections 4 to 8, 11 and 17 to 19 of the Regulations Act do not apply to a regulation made by the Authority under this Act.

68. In addition to the other regulations it may make under this Act, the Government may, by regulation, set a price limit on each service provided by a credit assessment agent to a person concerned by a record the agent holds.

Such a regulation may specify that a service referred to in the first paragraph must be provided free of charge.

CHAPTER VI**MONETARY ADMINISTRATIVE PENALTIES AND PENAL PROVISIONS****DIVISION I****MONETARY ADMINISTRATIVE PENALTIES**§1.—*Failures to comply*

69. A monetary administrative penalty of \$1,000 may be imposed on a credit assessment agent that,

(1) in contravention of section 45, fails to send the Authority a report on its complaint processing and dispute resolution policy; or

(2) in contravention of section 49, fails to send the Authority an annual statement of the position of its affairs.

The penalties prescribed in the first paragraph also apply if the document concerned is incomplete or is not sent before the specified time limit.

70. A monetary administrative penalty of \$2,500 may be imposed on a credit assessment agent that, in contravention of section 35, fails to adopt a complaint processing policy or does not keep the complaints register prescribed by that section.

71. A monetary administrative penalty of \$5,000 may be imposed on a credit assessment agent that,

(1) in contravention of section 15, demands the payment of fees for the exercise of a right conferred by this Act;

(2) in contravention of section 16, takes into account the exercise of a right conferred by this Act in the production of a credit rating or of any other personal information concerning the person who exercises such a right;

(3) in contravention of section 22, fails to send a reply in writing to a request for the exercise of a right;

(4) in contravention of section 23, has granted a request for the exercise of a right but fails to follow up on it or, in the case of a request for the communication of the credit rating, communicates it without the explanations necessary to understand it;

(5) in contravention of section 39, fails to send the complainant the notice stating the complaint's entry in the complaints register; or

(6) in contravention of section 46, does not allow a person concerned by a record the agent holds to access, free of charge, the personal information it contains via Internet.

The penalties prescribed in the first paragraph also apply where the document concerned is incomplete or is not sent before the specified time limit.

72. 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 anyone that fails to comply with an order or other decision of the Authority.

73. A regulation made under this Act may 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 seriousness of the failure to comply, without exceeding the maximum amounts provided for in section 72.

74. 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.

§2.—*Notice of non-compliance and imposition*

75. In the event of a failure to comply referred to in subdivision 1, a notice of non-compliance may be notified to the party responsible for the failure to comply urging the party to immediately take measures to remedy it.

Such a notice must mention that the failure may, in particular, give rise to a monetary administrative penalty.

For the purposes of this division, “the party responsible for a failure to comply” means a person on which a monetary administrative penalty may be imposed or is imposed, as the case may be, for a failure to comply under subdivision 1.

76. The imposition of a monetary administrative penalty is prescribed by two years from the date of the failure to comply.

77. The monetary administrative penalty for a failure to comply with a provision of this Act may not be imposed on the party responsible for a failure to comply if a statement of offence has already been served on the party for a failure to comply with the same provision on the same day, based on the same facts.

78. A monetary administrative penalty is imposed on the party responsible for a failure to comply by the notification of a notice of claim.

The notice must state

- (1) the amount of the claim;
- (2) the reasons for it;
- (3) the time from which it bears interest;
- (4) the right, under section 79, to obtain a review of the decision to impose the penalty and the time limit for exercising that right; and
- (5) the right to contest the review decision before the Financial Markets Administrative Tribunal and the time limit for bringing such a proceeding.

The notice must also include information on the procedure for recovery of the amount claimed. The party responsible for the failure to comply must also be informed 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.

§3. — *Review*

79. The party responsible for a failure to comply may apply in writing to the Authority for a review of the decision to impose a monetary administrative penalty within 30 days after notification of the notice of claim.

The persons responsible for the review are designated by the Authority; they must not come under the same administrative authority as the persons responsible for imposing such penalties.

80. The application for review must be dealt with promptly. After giving the applicant an opportunity to submit observations and produce any documents to complete the record, the person responsible for the review renders a decision on the basis of the record, unless the person deems it necessary to proceed in some other manner.

81. The review decision must be written in clear and concise terms, with reasons given, must be notified to the applicant and must state the applicant's right to contest the decision before the Financial Markets Administrative Tribunal 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, if applicable, within the time granted to the applicant to submit observations or documents, the interest provided for in the fourth paragraph of section 78 on the amount owing ceases to accrue until the decision is rendered.

82. A review decision that confirms the imposition of a monetary administrative penalty may be contested before the Financial Markets Administrative Tribunal by the party responsible for a failure to comply to which the decision pertains, within 60 days after notification of the review decision.

The Tribunal may only confirm or quash a contested decision.

When rendering its decision, the Tribunal may make a ruling with respect to interest accrued on the penalty while the matter was pending before it.

§4. — *Recovery*

83. If the party responsible for a failure to comply has defaulted on payment of a monetary administrative penalty, its directors and officers are solidarily liable with the party for the payment of the penalty, unless they establish that they exercised due care and diligence to prevent the failure.

84. The payment of a monetary administrative penalty is secured by a legal hypothec on the debtor's movable and immovable property.

For the purposes of this division, "debtor" means the party responsible for a failure to comply that is required to pay a monetary administrative penalty and, if applicable, each of its directors and officers who are solidarily liable with that party for the payment of the penalty.

85. The debtor and the Authority may enter into a payment agreement with regard to a monetary administrative penalty owing. Such an agreement, or the payment of the amount owing, does not constitute, for the purposes of any other administrative penalty under this Act, an acknowledgement of the facts giving rise to it.

86. If the monetary administrative penalty owing is not paid in its entirety or the payment agreement is not adhered to, the Authority may issue a recovery certificate on the expiry of the time for applying for a review of the decision to impose the penalty, on the expiry of the time for contesting the review decision before the Financial Markets Administrative Tribunal or on the expiry of 30 days after the final decision of the Tribunal confirming all or part of the decision to impose the penalty 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 Authority 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.

87. 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.

Such withholding interrupts the prescription provided for in the Civil Code with regard to the recovery of an amount owing.

88. 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.

89. The debtor is required to pay a recovery charge in the cases, under the conditions and in the amount determined by regulation of the Minister.

§5.—*Register*

90. The Authority keeps a register relating to monetary administrative penalties.

The register must contain at least the following information:

- (1) the date the penalty was imposed;
- (2) the date and nature of the failure, and the legislative provisions under which the penalty was imposed;
- (3) if the penalty was imposed on a legal person, its name and the address of its head office or that of one of its establishments;
- (4) if the penalty was imposed on a partnership, an association without legal personality or a natural person, the partnership's, association's or person's name and address;
- (5) the amount of the penalty imposed;
- (6) the date of receipt of an application for review and the date and conclusions of the decision;
- (7) the date a proceeding is brought before the Financial Markets Administrative Tribunal and the date and conclusions of the decision rendered by the Tribunal, as soon as the Authority is made aware of the information;

(8) the date a proceeding is brought against the decision rendered by the Financial Markets Administrative Tribunal, the nature of the proceeding and the date and conclusions of the decision rendered by the court concerned, as soon as the Authority is made aware of the information; and

(9) any other information the Authority considers of public interest.

The information contained in the register is public information as of the time the decision imposing the penalty becomes final.

DIVISION II

PENAL PROVISIONS

91. Anyone who fails to comply with a request made under section 40 commits an offence and is liable to a fine of \$2,500 to \$25,000 in the case of a natural person and \$7,500 to \$75,000 in any other case.

92. Anyone who

(1) provides a document or information that they know is false or inaccurate, or access to such a document or information, to the Authority, a member of the Authority's staff or a person appointed by the Authority, or

(2) hinders or attempts to hinder, in any manner, the exercise of a function by a member of the Authority's staff or by a person appointed by the Authority for the purposes of this Act,

commits 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.

93. Anyone who contravenes an order commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$100,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, and, in any other case, to a fine of \$30,000 to \$2,000,000.

94. The Government or the Minister may determine the regulatory provisions the Government or the Minister makes 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 Minister.

The maximum amounts set under the first paragraph may vary according to the seriousness of the offence, without exceeding those prescribed by section 93.

95. The fines prescribed by sections 91 to 93 or by 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 after having previously been 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 term 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 93, 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.

96. If an offence under this Act is committed by a director or officer of a legal person or of another group, regardless of its juridical form, the minimum and maximum fines that would apply in the case of a natural person are doubled.

97. If an offence under this Act continues for more than one day, it constitutes a separate offence for each day it continues.

98. Anyone who, by an act or an omission, helps or, by encouragement, advice, consent, authorization or order, induces another person to commit an offence under this Act commits an offence and is liable to the same penalty as that prescribed for the offence they helped or induced the person to commit.

99. In any penal proceedings relating to an offence under this Act, 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.

100. If a legal person or an agent, mandatary or employee of a legal person, of a partnership or of an association without legal personality commits an offence under this Act, the directors of the legal person, partnership or association 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 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 party, to manage the affairs of the partnership.

101. 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 foreseeable character of the offence or the failure to follow recommendations or warnings aimed at preventing it;
- (3) the offender's attempts to cover up the offence or failure to try to mitigate its consequences;
- (4) the increase in revenues or decrease in expenses that the offender intended to obtain by committing the offence or by omitting to take measures to prevent it; and
- (5) the offender's failure to take reasonable measures to prevent the commission of the offence or mitigate its consequences despite the offender's ability to do so.

A judge who, despite the presence of an aggravating factor, decides to impose the minimum fine must give reasons for the decision.

102. 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.

103. When determining a fine higher than the minimum fine prescribed by this Act, or when determining the time within which an amount must be paid, the judge may take into account the offender's inability to pay, provided the offender provides proof of assets and liabilities.

104. Penal proceedings for offences under this Act are prescribed by three years from the date the investigation record relating to the offence was opened. However, no proceedings may be instituted if more than five years have elapsed since the date of the offence.

The certificate of the secretary of the Authority indicating the date on which the investigation record was opened constitutes conclusive proof of that date, in the absence of any evidence to the contrary.

105. Penal proceedings for an offence under this Act may be instituted by the Authority.

106. The fine imposed by the court is remitted to the Authority if it has taken charge of the prosecution.

CHAPTER VII**AMENDING PROVISIONS****ACT RESPECTING THE REGULATION OF THE FINANCIAL SECTOR**

107. Schedule 1 to the Act respecting the regulation of the financial sector (chapter E-6.1) is amended by inserting “CREDIT ASSESSMENT AGENTS ACT (2020, chapter 21)” in alphabetical order.

ACT RESPECTING THE PROTECTION OF PERSONAL INFORMATION IN THE PRIVATE SECTOR

108. The Act respecting the protection of personal information in the private sector (chapter P-39.1) is amended by inserting the following section after section 8:

“**8.1.** No person may, after being notified by a credit assessment agent in accordance with section 9 of the Credit Assessment Agents Act (2020, chapter 21) of the existence of a security freeze prohibiting the agent from communicating personal information, request communication of that information from another credit assessment agent.”

109. Section 19 of the Act is amended

(1) by replacing “the lending of money” in the first paragraph by “entering into a credit contract, a long-term contract of lease of goods or a contract involving sequential performance for a service provided at a distance”;

(2) by adding the following sentence at the end of the second paragraph: “The person must also inform the natural person who so requests that

(1) the refusal to enter into a contract referred to in the first paragraph or the entering into such a contract with less advantageous conditions for the natural person, or

(2) the refusal to increase the credit extended under a credit contract or the increasing of the credit with less advantageous conditions for the natural person

is based on the consultation of such a report or recommendation.”;

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

“For the purposes of this section:

(1) credit that is the subject of a contract has the meaning assigned by subparagraph *f* of the first paragraph of section 1 of the Consumer Protection Act (chapter P-40.1);

(2) long-term contract of lease of goods has the meaning assigned by section 150.2 of that Act; and

(3) contract involving sequential performance for a service provided at a distance is a contract to which Division VII of Chapter III of Title I of that Act applies.”

110. The Act is amended by inserting the following section after section 19:

“**19.1.** Every person who consults a recommendation or credit report referred to in section 19 or other document sent by a credit assessment agent on which the notice referred to in the first paragraph of section 10 of the Credit Assessment Agents Act (2020, chapter 21) appears or is otherwise notified by that agent must take reasonable measures to ensure that the person from whom consent was obtained to obtain the recommendation, report, document or personal information concerning him is actually the person who is the subject of the recommendation, report, document or personal information, the representative of that person or the person having parental authority over that person before entering into a contract with that person.”

111. The Act is amended by inserting the following section after section 91:

“**91.1.** Every person who contravenes the prohibition under section 8.1 of this Act is liable to a fine of \$1,000 to \$10,000 and, for a subsequent offence, to a fine of \$10,000 to \$20,000.”

CHAPTER VIII

FINAL PROVISIONS

112. The costs incurred by the Government for the administration of this Act, as determined each year by the Government, are borne by the Authority.

113. The Minister must, at least once every five years, report to the National Assembly on the carrying out of this Act and make recommendations on the advisability of maintaining or amending its provisions.

The recommendations must, in particular, concern the advisability of amending the provisions regarding the fees a credit assessment agent may demand for the exercise of the right to have a security freeze placed on a record.

114. The Authority is responsible for the administration of this Act.

115. The Minister of Finance is responsible for the carrying out of this Act.

116. This Act comes into force on 1 February 2021, except sections 8, 13 and 15 insofar as they concern security freezes and sections 9, 18, 108 and 111, which come into force on the date set by the Government.

2020, chapter 22

AN ACT TO RECOGNIZE AND SUPPORT CAREGIVERS AND TO AMEND VARIOUS LEGISLATIVE PROVISIONS

Bill 56

Introduced by Madam Marguerite Blais, Minister Responsible for Seniors and Informal Caregivers

Introduced 11 June 2020

Passed in principle 6 October 2020

Passed 28 October 2020

Assented to 28 October 2020

Coming into force: 28 October 2020

Legislation amended:

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

Explanatory notes

The purpose of this Act is to guide the Government in planning and carrying out actions aimed at fostering awareness and recognition of the contribution of caregivers and to support them in their role.

To that end, the Act provides that the Government is to adopt a national policy for caregivers. It sets out the guiding principles of the policy and establishes the key areas its policy directions are to focus on. Under the Act, a government action plan setting out the measures and actions proposed to implement the national policy is to be adopted every five years.

The Act specifies the responsibilities of the various government actors with respect to caregiving. To that end, it designates the Minister as the Government's adviser on all issues relating to caregivers, and obliges ministers and government bodies to take into account the national policy's guiding principles and policy directions when developing, implementing and evaluating their programs, services or other measures. The Act provides for the creation, by the Minister, of the Comité de suivi de l'action gouvernementale pour le soutien aux personnes proches aidantes, to support the Minister in the exercise of his or her responsibilities.

(cont'd on next page)

Explanatory notes (*cont'd*)

The Act establishes the Comité de partenaires concernés par le soutien aux personnes proches aidantes, one of whose functions is to make any recommendation to the Minister that it considers necessary regarding the national policy, the government action plan or any other matter concerning caregivers. The Act also establishes the Observatoire québécois de la proche aidance, whose purpose is to provide reliable and objective information regarding caregiving.

The Act proclaims the first week of November as National Caregivers Week.

Furthermore, the Act respecting health services and social services is amended to give the Minister of Health and Social Services a power to inspect private seniors' residences and other resources offering lodging to vulnerable clientele determined by regulation. The Act also creates, in that Act, a reserved name for seniors homes and alternative homes.

Lastly, the Act includes transitional provisions.



Chapter 22

AN ACT TO RECOGNIZE AND SUPPORT CAREGIVERS AND TO AMEND VARIOUS LEGISLATIVE PROVISIONS

[Assented to 28 October 2020]

AS it is fundamental to recognize the considerable contribution of caregivers to Québec society and the crucial nature of their engagement;

AS the responsibilities inherent in the role of caregivers may entail significant repercussions for their quality of life during and after their period of caregiving;

AS it is essential for caregivers to recognize themselves and be recognized in the diversity of the realities they experience, of their life paths and of the contexts in which they assume their role;

AS it is appropriate to affirm the desire of the Gouvernement du Québec and of Québec society as a whole to act in a coordinated manner and pursue a common course of action designed to foster awareness and recognition of the contribution of caregivers and to support them in their role;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

OBJECT AND DEFINITION

1. The purpose of this Act is to guide the Government in planning and implementing actions to foster awareness and recognition of the contribution of caregivers and to support them in their role.

To that end, the Act provides in particular that the Government must adopt a national policy for caregivers, as well as an action plan to implement it.

The Act also provides for the establishment of the Comité de partenaires concernés par le soutien aux personnes proches aidantes and the Observatoire québécois de la proche aide.

2. For the purposes of this Act, “caregiver” means any person who provides support to one or more members of his or her immediate circle who has or have a temporary or permanent physical, psychological, psychosocial or other incapacity, regardless of their age or living environment, and with whom the person shares an emotional bond as a family member or otherwise.

The support is continuous or occasional, and short- or long-term, and is provided on a non-professional basis and in a free, enlightened and revocable manner in order, among other things, to promote the care receiver's recovery and the preservation and improvement of his or her quality of life at home or in other living environments. It may take various forms, such as transportation, assistance with personal care and housekeeping, emotional support, or coordination of care and services. The support may also entail financial repercussions for caregivers or limit their capacity to take care of their own physical and mental health or fulfil their other social and family responsibilities.

CHAPTER II

NATIONAL POLICY FOR CAREGIVERS

3. After consultation with caregivers, researchers, bodies or groups representing caregivers, as well as with the government departments and bodies concerned, the Government adopts a national policy for caregivers.

4. The national policy's guiding principles are as follows:

(1) recognize that all caregivers are persons in their own right who must be treated with dignity and care, and whose well-treatment must be promoted;

(2) recognize the considerable contribution of caregivers to Québec society and the importance of supporting them;

(3) promote preservation of the health and well-being of caregivers, including as concerns financial precarization, and help them maintain a balanced life;

(4) consider the diversity of caregiver realities and of caregivers' relationships with care receivers in the response to their specific needs, at every stage in their caregiving journey, from their self-recognition to their grieving process in relation to both the care receiver and to their role in his or her life;

(5) recognize the experience and knowledge of caregivers and of the care receiver, and consider such experience and knowledge in a partnership-based approach;

(6) respect the wishes and capacities of caregivers as to the nature and scope of their engagement; and

(7) facilitate and consolidate partnerships between government departments and bodies and non-government bodies at the national, regional and local levels, and involve caregivers so as to promote responses adapted to their specific needs.

5. The policy directions set out in the national policy focus on the following key areas:

(1) recognition and self-recognition of caregivers, as well as mobilization of the Québec society stakeholders concerned by caregiving;

(2) information sharing, the promotion of resources made available to caregivers and the development of knowledge and skills;

(3) the development of health and social services intended for caregivers, in a partnership-based approach; and

(4) the development of accommodating environments that support and promote the preservation and improvement of caregivers' living conditions, including to prevent their financial precarization.

6. The policy directions related to recognition and self-recognition of caregivers and to mobilization of the stakeholders concerned must, in particular, be aimed at raising awareness within Québec society of the role and undeniable contribution of caregivers, of the diversity of their realities and of the importance of supporting them through coordinated actions relating to various spheres of their life.

7. The policy directions related to information sharing, the promotion of resources and the development of knowledge and skills must, in particular, be aimed at meeting the information and training needs of caregivers and of the various stakeholders concerned, and at supporting research and the transfer of knowledge regarding caregivers.

8. The policy directions related to the development of health and social services must aim to support the health and well-being of caregivers as users, taking into account their knowledge, wishes and engagement capacity and promoting a partnership-based approach.

9. The policy directions related to the development of accommodating environments that support and promote the preservation and improvement of caregivers' living conditions must, in particular, be aimed at promoting balance between the caregiver role and the other spheres of caregivers' lives.

CHAPTER III

GOVERNMENT ACTION PLAN

10. Every five years, the Government adopts and makes public a government action plan setting out measures and actions to implement the national policy for caregivers.

The action plan describes the objectives to be attained, the means to be used to attain them and the available resources. It also determines the conditions, terms and schedule for implementing the actions set out in the plan, which involves identifying the stakeholders concerned and their responsibilities.

11. The Comité de suivi de l'action gouvernementale pour le soutien aux personnes proches aidantes, the Comité de partenaires concernés par le soutien aux personnes proches aidantes, the Observatoire québécois de la proche aidance and caregivers are consulted in the development and follow-up stages of the action plan.

Those committees and the observatory must meet at least twice a year to discuss the follow-up to the action plan.

12. As an incentive for collective mobilization, the action plan must provide for the making of agreements between the ministers concerned and the national, regional and local partners, and for mechanisms for coordinating and periodically following up on the actions carried out within the scope of those agreements.

13. The Minister is responsible for the implementation of the action plan and coordinates its application.

The Minister submits an annual report to the Government on the activities carried out within the scope of the action plan for the preceding fiscal year. The Minister may, for that purpose, request from the other ministers concerned specific reports concerning the activities carried out in their fields of jurisdiction.

The Minister makes the report public within 60 days after it is submitted to the Government.

CHAPTER IV

RESPONSIBILITIES OF VARIOUS GOVERNMENT ACTORS

14. The Minister is, by virtue of office, the Government's adviser on all issues relating to caregivers, in particular in the development of the national policy for caregivers and the related government action plan. In that capacity, the Minister gives other ministers any opinion the Minister considers advisable to ensure implementation of the policy and the action plan, and takes part in the development of measures, policy directions and actions that could have a significant impact on caregivers. The Minister also monitors implementation of the national policy and the action plan.

It is incumbent on government departments and bodies to communicate to the Minister any information necessary for the carrying out of those responsibilities.

15. The Minister establishes a committee to monitor government action for caregiver support, called the “Comité de suivi de l’action gouvernementale pour le soutien aux personnes proches aidantes” (monitoring committee), to support the Minister in the exercise of his or her responsibilities.

The Minister designates the committee members from among the representatives of the departments, government bodies or persons appointed by the Government to hold office that are concerned by caregiver support.

16. Ministers and government bodies must, in keeping with their respective missions and the Government’s budgetary and fiscal policies, take into account the guiding principles of the national policy for caregivers and its policy directions when developing, implementing and evaluating any program or any other service or measure concerning caregivers.

17. If a minister considers that proposals of a legislative or regulatory nature could have direct and significant impacts on caregivers, the minister must report on the impacts he or she anticipates when presenting the proposals to the Government.

CHAPTER V

COMITÉ DE PARTENAIRES CONCERNÉS PAR LE SOUTIEN AUX PERSONNES PROCHES AIDANTES

DIVISION I

ESTABLISHMENT AND ORGANIZATION

18. A committee of partners concerned by caregiver support, called the “Comité de partenaires concernés par le soutien aux personnes proches aidantes” (partners committee), is established.

19. The partners committee is composed of at least 11 and not more than 17 members appointed by the Minister, as follows:

(1) at least three persons from non-government bodies concerned by caregiver support, appointed after a public call for applications;

(2) at least four caregivers providing support to care receivers who have different profiles, appointed after a public call for applications;

(3) at least two researchers appointed after consultation with the integrated university health network coordination panel established under section 436.8 of the Act respecting health services and social services (chapter S-4.2); and

(4) one member from the Observatoire québécois de la proche aide, appointed after consultation with the latter.

The partners committee must be composed of an equal number of women and men. An equal number is presumed if the difference is not more than two.

The partners committee must include at least one member from a rural area and at least one member from an Aboriginal community or organization.

The Minister designates a member of the monitoring committee as an observer within the partners committee. The observer participates in committee meetings, but is not entitled to vote.

20. The members are appointed for a term of not more than five years, which may not be renewed consecutively more than once.

On the expiry of their terms, the members remain in office until reappointed or replaced.

21. Any vacancy among the members of the partners committee is filled in accordance with the rules of appointment to the committee.

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

23. The Minister designates the chair and the vice-chair from among the members of the partners committee.

DIVISION II

FUNCTIONS AND POWERS

24. The partners committee's functions are

(1) to make any recommendation or give any opinion to the Minister that it considers necessary regarding the national policy for caregivers, the government action plan or any other matter relating to caregivers;

(2) to support the Minister and the monitoring committee in implementing the national policy for caregivers and the government action plan; and

(3) to give the Minister its opinion on any matter referred to it by the Minister regarding caregiving.

25. The partners committee must make its recommendations and opinions public within 30 days after sending them to the Minister.

26. In the exercise of its functions, the partners committee may recommend to the Minister to consult with, solicit opinions from, or receive or hear requests and suggestions from persons, bodies or associations regarding caregiving. The partners committee may also seek the contribution of the Observatoire québécois de la proche aide.

DIVISION III

REPORT

27. The partners committee must, within six months after the end of the fiscal year, send the Minister a report on its activities for that year.

The Minister must table the report in the National Assembly within 30 days of receiving it or, if the Assembly is not sitting, within 30 days of resumption.

CHAPTER VI

OBSERVATOIRE QUÉBÉCOIS DE LA PROCHE AIDANCE

DIVISION I

ESTABLISHMENT AND ORGANIZATION

28. An observatory on caregiving, called the “Observatoire québécois de la proche aide” (observatory), is established.

29. The observatory is managed by a managing committee composed of the following 13 members, appointed by the Minister:

(1) two members representing the departments concerned by caregiver support, including one member representing the Ministère de la Santé et des Services sociaux, appointed after consultation with the ministers concerned;

(2) the observatory’s scientific director;

(3) one member representing the institution or body responsible for the observatory’s organization and administrative support;

(4) four researchers appointed after consultation with the integrated university health network coordination panel;

(5) three members from non-government bodies concerned by caregiver support, appointed after a public call for applications; and

(6) two caregivers providing support to care receivers who have different profiles, appointed after a public call for applications.

The Minister designates the chair and the vice-chair from among the members of the managing committee.

The managing committee must be composed of an equal number of women and men. An equal number is presumed if the difference is not more than two.

The managing committee must include at least one member from a rural area and at least one member from an Aboriginal community or organization.

30. The observatory's managing committee determines the observatory's scientific directions, general objectives and policies, as well as the annual activities it intends to carry out, and sends that information to the Minister.

It also evaluates the relevance, priority status and scientific quality of the observatory's programs and activities.

31. The members of the observatory's managing committee are appointed for a term of not more than five years, which may not be renewed consecutively more than once.

On the expiry of their terms, the members remain in office until reappointed or replaced.

32. Any vacancy among the members of the managing committee is filled in accordance with the rules of appointment to the committee.

33. The members of the observatory's managing committee receive no remuneration, except in the cases, on the conditions and to the extent that may be determined by the Government. They are, however, entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

34. The Minister entrusts, by agreement, the observatory's organization and administrative support to an institution within the meaning of the Act respecting health services and social services or to any other body.

DIVISION II

FUNCTIONS AND POWERS

35. The purpose of the observatory is to provide reliable and objective information regarding caregiving through observation, monitoring, analysis and knowledge sharing.

More specifically, the observatory's functions are

(1) to collect, integrate, compile, analyze and disseminate information, in particular of a statistical nature, on caregiving;

(2) to monitor the evolution of caregivers' needs as well as effective and innovative practices, measures and actions, at the national and international levels, to support caregivers;

(3) to facilitate the transfer of knowledge for the benefit of the various actors involved in caregiving; and

(4) to facilitate collaborations regarding caregiving, in particular with university institutions, research centres, other observatories or the government bodies participating in research activities or activities to promote clinical excellence and efficient use of resources in health and social services.

In the exercise of its functions, the observatory may consult experts or other actors from the caregiving sector and entrust them with any mandate it deems necessary.

36. The observatory enlightens the Minister by finding and reporting on current knowledge and trends, or those to be developed, concerning evaluation approaches and indicators to measure the quality of life, health and well-being of caregivers, and to measure the impact of the policy directions, measures and actions set out in the national policy for caregivers and the government action plan. To that end, the observatory enhances the value of existing information and data and promotes knowledge transfer and sharing.

37. Within the scope of its work, the observatory must cooperate with the monitoring committee and the partners committee.

DIVISION III

REPORT

38. The observatory's managing committee must, within six months after the end of the fiscal year, send the Minister a report on its activities for that year.

CHAPTER VII

NATIONAL CAREGIVERS WEEK

39. The first week of November is proclaimed National Caregivers Week.

CHAPTER VIII

REPORT

40. The Minister must, not later than 28 October 2025, report to the Government on the implementation of this Act.

After that, the Minister must report to the Government on the carrying out of this Act every five years. The report is prepared in coordination with the other ministers concerned. It must take into account the opinions received from the partners committee as well as the evaluation approaches and indicators proposed by the observatory that have been selected by the Minister. The report

must also state the results obtained in implementing the national policy for caregivers and include a status report on the progress of Québec society toward achieving the goals pursued by the policy.

Any report referred to in this section is tabled by the Minister in the National Assembly within 30 days after it is presented to the Government or, if the Assembly is not sitting, within 30 days of resumption.

CHAPTER IX

AMENDING PROVISIONS

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

41. Section 438 of the Act respecting health services and social services (chapter S-4.2) is amended

(1) by inserting ““seniors home”, “alternative home”,” after ““health and social services centre”,” in the first paragraph;

(2) in the second paragraph,

(a) by replacing “Nothing in the first paragraph shall” by “The first paragraph does not”;

(b) by adding the following sentence at the end: “Nor does it prevent the use of the words listed in it in the name of a person or partnership whose activities are not likely to be confused with the activities inherent in the mission of a centre operated by an institution, provided that the Minister’s authorization has been obtained.”

42. The Act is amended by inserting the following section after section 489:

“489.0.1. The Minister has the inspection power provided for in section 346.0.8 in respect of a private seniors’ residence and any other resource or category of resource offering lodging determined by government regulation under the first paragraph of section 346.0.21. The provisions of section 346.0.9 apply to a person authorized by the Minister to carry out such an inspection.”

CHAPTER X

TRANSITIONAL AND FINAL PROVISIONS

43. The Government must adopt a national policy for caregivers not later than 28 April 2021.

The Government must adopt and make public the first government action plan not later than six months after the adoption of the national policy.

44. The first government action plan must, in particular, contain measures and actions concerning

(1) the conduct, by the health and social services institutions, of an assessment of caregivers' needs and the preparation of a support plan for the planning and delivery of services provided to caregivers, in keeping with the objectives of the policy directions of the national policy for caregivers referred to in section 8;

(2) the assessment of the pertinence and feasibility of recognizing certain rights of caregivers and the related obligations;

(3) a review of the components of the mission of L'Appui national, a non-profit legal person constituted under Part III of the Companies Act (chapter C-38), and the continuation of its financing, in keeping with the national policy for caregivers; and

(4) the assessment of the pertinence and feasibility of establishing and maintaining a public register of caregivers intended, in particular, to promote the recognition of their role.

45. The Minister must, before 28 April 2021, appoint the members of the observatory's managing committee.

46. Section 438 of the Act respecting health services and social services (chapter S-4.2), as amended by section 41, does not prevent persons or partnerships that, on 11 June 2020, carry on their activities under a name that includes the words "seniors home" or "alternative home" and appears in the registration declaration filed under the Act respecting the legal publicity of enterprises (chapter P-44.1) from continuing to use those words in their name.

47. The Minister Responsible for Seniors is responsible for the administration of this Act.

48. This Act comes into force on 28 October 2020.

2020, chapter 23

AN ACT MAINLY TO IMPROVE THE FLEXIBILITY OF THE PARENTAL INSURANCE PLAN IN ORDER TO PROMOTE FAMILY-WORK BALANCE

Bill 51

Introduced by Mr. Jean Boulet, Minister of Labour, Employment and Social Solidarity

Introduced 28 November 2019

Passed in principle 29 September 2020

Passed 27 October 2020

Assented to 29 October 2020

Coming into force: 29 October 2020

Legislation amended:

Act respecting parental insurance (chapter A-29.011)

Act respecting administrative justice (chapter J-3)

Act respecting labour standards (chapter N-1.1)

Regulation amended:

Regulation under the Act respecting parental insurance (chapter A-29.011, r. 2)

Explanatory notes

This Act proposes to amend the Act respecting parental insurance mainly to offer greater flexibility in using parental insurance plan benefits.

More specifically, the period during which maternity, paternity, parental or adoption benefits may be paid is extended. The work-income-related exemptions to which a recipient is entitled while receiving benefits are also increased.

Additional weeks of parental or adoption benefits are granted to the only parent of a child and to the parents in cases where they share a certain number of weeks of benefits.

Moreover, the number of weeks of benefits for the birth or adoption of more than one child is increased.

The Act grants weeks of exclusive adoption benefits to each adoptive parent as well as weeks of welcome and support benefits relating to an adoption.

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Explanatory notes *(cont'd)*

In the event of a child's death, the parents are granted an additional period before benefits end.

Pilot projects may be implemented to study or test new measures relating to the conditions or eligibility requirements of the parental insurance plan.

Other amendments are made to the Act respecting parental insurance, in particular so that exceptions to the method for calculating benefits may be prescribed by regulation as regards establishing an employee's average weekly earnings.

Lastly, consequential amendments are made to other Acts, including the Act respecting labour standards, and amendments are made to the Regulation under the Act respecting parental insurance. Transitional and final provisions are also included.



Chapter 23

AN ACT MAINLY TO IMPROVE THE FLEXIBILITY OF THE PARENTAL INSURANCE PLAN IN ORDER TO PROMOTE FAMILY-WORK BALANCE

[Assented to 29 October 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING PARENTAL INSURANCE

1. Section 2 of the Act respecting parental insurance (chapter A-29.011) is amended

(1) by inserting “in connection with a pregnancy or the delivery of a child” after “benefits” in paragraph 1;

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

“(2) paternity benefits and exclusive or shareable parental benefits in connection with the birth of a child; and”;

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

“(3) exclusive and shareable adoption benefits.”;

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

“(4) welcome and support benefits relating to an adoption.”

2. Section 3 of the Act is amended by striking out “gagné” in subparagraph 3 of the first paragraph in the French text.

3. Section 7 of the Act is amended by replacing the second and third paragraphs by the following paragraphs:

“Payment of maternity benefits shall begin not earlier than the 16th week preceding the expected week of delivery and end not later than 20 weeks after the week of delivery. However, payment may end after the expiry of the 20 weeks, but may not exceed the 52nd week after the week of delivery, if the child is hospitalized and if, on request, the maternity benefit period is extended for the duration of the child’s hospitalization.

Payment of maternity benefits may also end after the expiry of the 20-week period, but may not exceed the 52nd week after the week of delivery if, in the cases and for the time determined by regulation of the Conseil de gestion, the maternity benefit period is extended.”

4. Section 8 of the Act is amended

(1) by replacing “18” in the first paragraph by “20”;

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

“However, payment may end after the expiry of the 20-week period, but may not exceed the 52nd week after the week in which the termination of pregnancy occurs if, in the cases and for the time determined by regulation of the Conseil de gestion, the maternity benefit period is extended.”

5. Section 10 of the Act is replaced by the following sections:

“**10.** The number of weeks of shareable parental benefits to which the parents may be entitled is 32 or, in the case of an election pursuant to section 18, 25. Payment may begin the week of the birth of the child at the earliest, but may not exceed the benefit period.

“**10.1.** For the birth of more than one child as a result of a single pregnancy, five weeks of exclusive parental benefits shall be granted to each parent or, in the case of an election pursuant to section 18, three weeks.

“**10.2.** Where only one parent is mentioned in the act of birth, except in cases of death referred to in section 17, five weeks of exclusive parental benefits shall be granted to that parent or, in the case of an election pursuant to section 18, three weeks.

“**10.3.** Where each of the parents has received eight weeks of shareable parental benefits or, in the case of an election pursuant to section 18, six weeks, the number of weeks of shareable parental benefits is increased by four weeks or, in the case of an election, three weeks.”

6. Section 11 of the Act is replaced by the following sections:

“**11.** The number of weeks of adoption benefits to which adoptive parents may be entitled is

(1) 5 weeks of exclusive benefits for each adoptive parent or, in the case of an election pursuant to section 18, 3 weeks; and

(2) 32 weeks of shareable benefits or, in the case of an election pursuant to section 18, 25 weeks.

Payment may begin, at the earliest, the week of the child's arrival into the care of one of the parents for the purpose of the adoption. It may not exceed the benefit period.

In the case of an adoption outside Québec, the benefit period may begin five weeks before the week of the child's arrival into the care of one of the parents for the purpose of the adoption.

If the adoption outside Québec does not materialize, the adoption benefits paid during the weeks preceding the child's expected arrival are not recoverable, up to the number of weeks provided for in the third paragraph.

“11.1. For the adoption of more than one child at the same time, the number of weeks of exclusive benefits for each adoptive parent shall be increased by five weeks or, in the case of an election pursuant to section 18, three weeks.

“11.2. Where an adoptive parent welcomes a child for the purpose of an adoption, and that parent will be the only one mentioned in the birth certificate or the equivalent, except in cases of death referred to in section 17, five weeks of exclusive adoption benefits shall be granted to that parent or, in the case of an election pursuant to section 18, three weeks.

“11.3. Where each of the parents has received eight weeks of shareable adoption benefits or, in the case of an election pursuant to section 18, six weeks, the number of weeks of shareable adoption benefits is increased by four weeks or, in the case of an election, three weeks.”

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

“§4.1.—Welcome and support benefits relating to an adoption

“12.1. The number of weeks of welcome and support benefits relating to an adoption to which adoptive parents may be entitled is 13 weeks of shareable benefits or, in the case of an election pursuant to section 18, 12 weeks.

Payment may begin, at the earliest, the week of the child's arrival into the care of one of the parents for the purpose of the adoption. It may not exceed the benefit period.

In the case of an adoption outside Québec, the benefit period may begin five weeks before the week of the child's arrival into the care of one of the parents for the purpose of the adoption.”

8. Section 13 of the Act is amended

(1) by replacing “a claim for benefits” in the first paragraph by “an application”;

(2) by replacing “who files for benefits” in the second paragraph by “who files an application for benefits”.

9. Section 14 of the Act is amended

(1) by replacing “normally lives with the child” in the first paragraph by “ensures a regular presence to take care of the child”;

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

“If the parent no longer ensures a regular presence with the child, the child is deemed to be present with the parent until the end of the week in which the separation occurs or, if the child is deceased, until the end of the second week following the week of the child’s death.

However, when two or more weeks of maternity benefits are payable after the week of the child’s death, the presumption of presence provided for in the second paragraph does not apply to the mother. If only one week of maternity benefits remains payable after the week of the child’s death, the child shall be deemed to be present with the mother during the second week following the week of the child’s death.

In the case of the birth of more than one child as a result of a single pregnancy or in the case of the adoption of more than one child at the same time, entitlement to exclusive benefits under sections 10.1 and 11.1 ends as of the end of the week in which the parent ensures a regular presence with only one of those children. However, in the event of a child’s death, the child shall be deemed to be present with the parents until the end of the second week following the week of the child’s death.”

10. Section 15 of the Act is amended

(1) by replacing both occurrences of “delivery” in the first paragraph by “birth”;

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

“In the case of a birth or an adoption occurring while at least one of the parents is eligible for shareable parental or adoption benefits for a previous event, the number of weeks of shareable parental or adoption benefits for that second event is equal to the lesser of the following:

(1) the total number of weeks of shareable parental or adoption benefits granted for that second event; and”.

11. Section 16 of the Act is amended

(1) in the first paragraph,

(a) by replacing “The total number of weeks of parental or adoption benefits may be allocated to one parent, divided between the parents” by “The weeks of shareable parental or adoption benefits and the weeks of welcome and support benefits relating to an adoption may be taken by either parent or shared between the parents;”;

(b) by replacing “or allocated concurrently to the parents” by “they may also be taken concurrently by the parents”;

(2) by replacing “divided” in the second paragraph by “shared”.

12. Section 17 of the Act is amended

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

“In the event of the death of a parent, whether the latter is eligible or not under this plan, the weeks of maternity or paternity benefits and the weeks of exclusive parental or adoption benefits that have not been paid as at the date of his or her death shall be added to the number of weeks of shareable parental or adoption benefits of the surviving parent.”;

(2) by inserting “shareable” before “parental” in the second paragraph;

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

“The same applies to the calculation of the shareable adoption benefits and of the welcome and support benefits relating to an adoption payable from the death of one of the adoptive parents.”

13. Section 17.1 of the Act is amended by replacing the second paragraph by the following paragraph:

“The Conseil de gestion may, by regulation, determine the conditions governing how the parental insurance plan is to be applied when one of the parents is not resident in Québec at the time an application for benefits under that plan or a plan mentioned in the first paragraph is filed. It may, to that end, take into account the applicant’s place of residence at the beginning of the benefit period or at any other time according to the terms and conditions it determines.”

14. Section 18 of the Act is replaced by the following section:

“18. The amount of the weekly benefits shall be equal to the following percentage of the average weekly earnings, calculated in accordance with this division:

(1) 70% for the weeks of maternity and paternity benefits, the first seven weeks of shareable parental benefits provided for in section 10, the weeks of exclusive parental benefits for each parent provided for in section 10.1 and the weeks of shareable parental benefits added under the first paragraph of section 17;

(2) 70% for the weeks of exclusive adoption benefits for each parent, the first seven weeks of shareable adoption benefits provided for in section 11, the weeks of exclusive adoption benefits for each parent provided for in section 11.1 and the weeks of shareable adoption benefits added under the first paragraph of section 17;

(3) 70% for the weeks of exclusive parental or adoption benefits provided for in sections 10.2 and 11.2;

(4) 70% for the weeks of welcome and support benefits relating to an adoption provided for in section 12.1;

(5) 55% for the additional weeks of shareable parental or adoption benefits provided for in sections 10.3 and 11.3; and

(6) 55% for the other weeks of shareable parental or adoption benefits provided for in sections 10 and 11.

Despite the first paragraph, a person may, subject to the terms and conditions prescribed by regulation of the Conseil de gestion, elect to receive weekly benefits equal to 75% of the person’s average weekly earnings for a lesser number of weeks of benefits.

The election made by the parent whose application for benefits is received first in respect of a birth or adoption shall apply to the other parent’s application. Except in exceptional circumstances, an election is irrevocable.”

15. Section 19 of the Act is amended

(1) by replacing “family income of the recipient” in the first sentence by “income”;

(2) by replacing “a recipient’s family income and a” in the last sentence by “the income taken into account and its”.

16. Section 21 of the Act is amended by inserting “, subject to exceptions for the benefit of recipients prescribed by regulation of the Conseil de gestion” at the end of the first sentence of the second paragraph.

17. Section 23 of the Act is amended by replacing “fifty-second” in the second paragraph by “78th”.

18. Section 24 of the Act is amended

(1) in paragraph 2,

(a) by replacing “third” and “that it was impossible to act” by “sixth” and “that a valid reason prevented him or her from acting”, respectively;

(b) by replacing “a claim” and “claimant” by “an application” and “applicant”, respectively;

(2) by replacing “sections 7 to 11” in paragraph 3 by “sections 7 to 12.1”;

(3) by replacing “claimant” in paragraph 4 by “applicant”.

19. Section 26 of the Act is amended by adding the following paragraph at the end:

“The Conseil de gestion may, by regulation, determine the terms and conditions according to which the benefits paid may be assigned to another period as well as the moment from which they are presumed paid.”

20. Section 37 of the Act is amended by replacing “a claim” by “an application”.

21. Section 88 of the Act is amended, in the first paragraph,

(1) by inserting “, in particular,” after “to take account” in subparagraph 3;

(2) by replacing “a claim is made” in subparagraph 4 by “an application is filed”.

22. The Act is amended by inserting the following sections after section 88 and before the heading of Chapter V.1:

“88.0.1. At the Minister’s request, the Conseil de gestion must, by regulation, implement a pilot project to study or test new measures.

To that end, it may amend certain of the plan’s conditions or eligibility requirements for classes of workers, namely employees, self-employed workers or intermediate or family-type resources, in order to do such things as

(1) establish different qualifying or benefit periods;

(2) calculate average weekly earnings differently; or

(3) establish different election schemes.

The regulation of the Conseil de gestion may prescribe the terms and conditions according to which and the extent to which this Act and the regulations apply to a pilot project. The regulation may also prescribe any other measure necessary for the pilot project's implementation.

“88.0.2. A pilot project shall be established for a three-year period.

The Conseil de gestion may, at any time, extend, modify or terminate it by regulation.

“88.0.3. In the year following the third year of the pilot project's implementation, the Conseil de gestion shall evaluate the pilot project and send its report and any recommendations to the Minister.

A regulation of the Conseil de gestion may prescribe any other time limit or any other evaluation frequency or procedure.”

23. Section 118 of the Act is amended by replacing both occurrences of “15” by “30”.

24. The Act is amended by inserting the following section after section 121:

“121.1. Penal proceedings for an offence under section 121 shall be prescribed one year after the date on which the prosecutor became aware of the commission of the offence. However, proceedings may not be brought if more than five years have elapsed since the commission of the offence.”

OTHER AMENDING PROVISIONS

ACT RESPECTING ADMINISTRATIVE JUSTICE

25. Section 117 of the Act respecting administrative justice (chapter J-3) is amended, in the first paragraph,

(1) by inserting “Chapter IV of the Act respecting parental insurance (chapter A-29.011), subject to the exceptions contemplated in section 49 of the said Act, or respecting” after “a question is raised respecting”;

(2) by replacing “the Tribunal must, subject to the exceptions contemplated in section 76 of the said Act,” by “subject to the exceptions contemplated in section 76 of the said Act, the Tribunal must”.

ACT RESPECTING LABOUR STANDARDS

26. Section 81.2 of the Act respecting labour standards (chapter N-1.1) is amended by replacing “52” in the second paragraph by “78”.

27. Section 81.5 of the Act is amended by replacing “18” by “20”.

28. Section 81.5.2 of the Act is amended by replacing “beginning from the week of the event” at the end of the second paragraph by “that ends not later than 20 weeks after the week of the event”.

29. Section 81.10 of the Act is amended by replacing “52” by “65”.

30. Section 81.11 of the Act is amended by replacing both occurrences of “70” in the first paragraph by “78”.

31. Section 81.14.1 of the Act is amended

(1) by replacing “may be” by “shall be”;

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

“At the request of the employee and provided the employer consents thereto, paternity or parental leave shall be divided into weeks.”

REGULATION UNDER THE ACT RESPECTING PARENTAL INSURANCE

32. Section 41 of the Regulation under the Act respecting parental insurance (chapter A-29.011, r. 2) is replaced by the following section:

“**41.** In respect of a week of benefits, the sum of the weekly benefits payable and of the earnings to which the recipient is entitled, once allocated as set out in section 43.1, must not exceed the recipient’s average weekly earnings. If that sum exceeds the recipient’s average weekly earnings, the excess amount is deducted from the weekly benefits payable.”

TRANSITIONAL AND FINAL PROVISIONS

33. Paragraph 4 of section 1, section 7 and, to the extent that they concern welcome and support benefits relating to an adoption, subparagraph *a* of paragraph 1 of section 11, sections 12 and 14 and paragraph 2 of section 18 apply only with regard to the adoption of a child whose arrival into the care of one of the parents for the purpose of the adoption occurs on or after 1 December 2020.

Paragraphs 2 and 3 of section 1, sections 3 and 4, section 5, to the extent that it enacts sections 10, 10.1 and 10.3 of the Act respecting parental insurance (chapter A-29.011), section 6, to the extent that it enacts sections 11, 11.1 and 11.3 of that Act, paragraph 2 of section 10, subparagraph *a* of paragraph 1 of section 11, except to the extent that it concerns welcome and support benefits relating to an adoption, section 12, except to the extent that it concerns such benefits, section 14, except to the extent that it enacts subparagraphs 1 and 2, with regard to the weeks of shareable parental or adoption benefits added under the first paragraph of section 17 of that Act, and subparagraphs 3 and 4 of the first paragraph of section 18 of that Act, section 17, paragraph 2 of section 18,

except to the extent that it concerns welcome and support benefits relating to an adoption, and sections 26 to 30 apply only with regard to a birth occurring on or after 1 January 2021 or to the adoption of a child whose arrival into the care of one of the parents for the purpose of the adoption occurs on or after that date.

Section 5, to the extent that it enacts section 10.2 of that Act, section 6, to the extent that it enacts section 11.2 of that Act, and section 14, to the extent that it enacts subparagraph 3 of the first paragraph of section 18 of that Act, apply only with regard to a birth occurring on or after 1 January 2022 or to the adoption of a child whose arrival into the care of one of the parents for the purpose of the adoption occurs on or after that date.

34. Section 25 does not apply to proceedings instituted before the Administrative Tribunal of Québec for which a first hearing was held before 29 October 2020.

35. The Minister must, not later than 1 January 2026, report to the Government on the implementation of this Act.

The report must be 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.

36. This Act comes into force on 29 October 2020.

2020, chapter 24

AN ACT TO STRENGTHEN THE COMPLAINT EXAMINATION PROCESS OF THE HEALTH AND SOCIAL SERVICES NETWORK, IN PARTICULAR FOR USERS RECEIVING SERVICES FROM PRIVATE INSTITUTIONS

Bill 52

Introduced by Madam Marguerite Blais, Minister Responsible for Seniors and Informal Caregivers

Introduced 3 December 2019

Passed in principle 17 September 2020

Passed 5 November 2020

Assented to 10 November 2020

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

Legislation amended:

Act to combat maltreatment of seniors and other persons of full age in vulnerable situations (chapter L-6.3)

Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2)

Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2)

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

Explanatory notes

The purpose of this Act is to strengthen the complaint examination process of the health and social services network, in particular for users receiving services from private institutions.

The Act provides that only public institutions are required to establish a complaint examination procedure. It stipulates that the complaint examination procedure of integrated health and social services centres applies both to complaints from users of integrated centres and to those from users of private institutions.

Under the Act, the local service quality and complaints commissioners and the medical examiners of integrated centres are responsible for examining the complaints from users of private institutions. The Act specifies that the local commissioners of integrated centres are also responsible for the handling of reports of maltreatment made within the scope of the policy to combat maltreatment of persons in vulnerable situations adopted by private institutions.

(cont'd on next page)

Explanatory notes (*cont'd*)

The Act provides that the Minister of Health and Social Services is to provide public institutions with the information asset that they must use to establish a register of their activities related to the application of the complaint examination process and the handling of reports of maltreatment. It also provides that the Minister is to designate a person within the Ministère de la Santé et des Services sociaux to act as advisory commissioner.

The Act requires that any person appointed as a local service quality and complaints commissioner or as an assistant local service quality and complaints commissioner qualify as an independent person.

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



Chapter 24

AN ACT TO STRENGTHEN THE COMPLAINT EXAMINATION PROCESS OF THE HEALTH AND SOCIAL SERVICES NETWORK, IN PARTICULAR FOR USERS RECEIVING SERVICES FROM PRIVATE INSTITUTIONS

[Assented to 10 November 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT TO MODIFY THE ORGANIZATION AND GOVERNANCE OF THE
HEALTH AND SOCIAL SERVICES NETWORK, IN PARTICULAR BY
ABOLISHING THE REGIONAL AGENCIES

1. The Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2) is amended by inserting the following sections before section 51:

“50.1. For the purposes of section 29 of the Act respecting health services and social services (chapter S-4.2), only a public institution is required to establish a procedure to examine the complaints referred to in Divisions I and II of Chapter III of Title II of Part I of the Act. In the case of an integrated health and social services centre, the procedure applies to complaints from users of the integrated centre and to those from users of private institutions governed by the Act, with respect to the private institution facilities located in the integrated centre’s territory.

The local service quality and complaints commissioner appointed by the board of directors of an integrated centre or, as the case may be, any medical examiner designated by the board is responsible for examining the complaints from users of private institutions to which the procedure applies. The local commissioner of an integrated centre is also responsible for the handling of reports of maltreatment made within the scope of the anti-maltreatment policy adopted by private institutions under the Act to combat maltreatment of seniors and other persons of full age in vulnerable situations (chapter L-6.3), with respect to the private institution facilities located in the integrated centre’s territory.

A private institution must inform every user that he or she is entitled to file a complaint under the complaint examination procedure of the integrated centre concerned. In all of its facilities, the private institution must also post in public view a document explaining who is entitled to file a complaint under the procedure, including the heirs and legal representatives of a deceased user, and describing the terms governing the exercise of such right. The contact information of the competent local commissioner must be mentioned in the document.

“50.2. Divisions I and II of Chapter III of Title II of Part I of the Act apply to the exercise of the functions of the local service quality and complaints commissioner and of any medical examiner, with respect to private institutions.

For the purposes of the third paragraph of section 30.1, subparagraphs 1, 2 and 5 to 8 of the second paragraph of section 33, sections 34, 36, 37, 39, 46, 48 and 50, subparagraph 3 of the second paragraph of section 52 and sections 56 to 59 of the Act, a reference to an institution, its board of directors or its council of physicians, dentists and pharmacists is also a reference to a private institution, its board of directors or its council of physicians, dentists and pharmacists.

In addition, for the purposes of subparagraph 9 of the second paragraph of section 33 and sections 50 and 57 of the Act, the information required to be included in the local commissioner’s summary of activities, the medical examiner’s report and the review committee’s report must be presented in such a manner that the information concerning the integrated health and social services centre may be distinguished from that concerning the private institution facilities located in the integrated centre’s territory.

“50.3. For the purposes of section 30.1 of the Act, a reference to an assistant executive director is also a reference to an assistant president and executive director.”

2. Section 51 of the Act is amended by replacing “the Act respecting health services and social services (chapter S-4.2)” in the first paragraph by “the Act”.

3. Section 53 of the Act is replaced by the following section:

“53. The board of directors of a public institution is required to send the reports referred to in sections 76.10 and 76.13 of the Act to the Minister.

The information required to be included in the report referred to in section 76.10 of the Act must be presented in such a manner that the information concerning the integrated health and social services centre may be distinguished from that concerning the private institution facilities located in the integrated centre’s territory. When sending the report to the Minister, the integrated centre also sends it to any private institution concerned.

The Minister tables in the National Assembly the report submitted by any public institution under section 76.10 of the Act within 30 days of receiving it or, if the Assembly is not sitting, within 30 days of the opening of the next session or resumption.”

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

“53.1. Sections 181.0.3 and 182 of the Act apply taking into account sections 50.1 and 50.2 of this Act.

“53.2. The local service quality and complaints commissioner referred to in the second paragraph of section 182.0.1 of the Act is the local commissioner of the integrated health and social services centre of the territory in which the private institution’s head office is located.

In addition, despite the second paragraph of that section, the president and executive director of such an integrated centre chooses a member of its personnel to be part of the private institution’s watchdog committee.”

5. The Act is amended by inserting the following section after section 151:

“151.1. The Minister provides public institutions with the information asset that they must use to establish a register of their activities related to the application of the complaint examination process and the handling of reports of maltreatment.

The local service quality and complaints commissioner, the medical examiner and the review committee established under section 51 of the Act respecting health services and social services (chapter S-4.2) must enter in the asset the information prescribed by regulation of the Minister.

The Minister assumes the operations management of the asset and puts in place the measures necessary to ensure the confidentiality and security of the information contained in it.

The Minister may, in particular to assess and evaluate the effectiveness and quality of the institutions’ application of the complaint examination process and handling of reports of maltreatment, retrieve from the asset information other than information that concerns a person and allows that person to be identified.”

ACT TO COMBAT MALTREATMENT OF SENIORS AND OTHER PERSONS OF FULL AGE IN VULNERABLE SITUATIONS

6. Section 3 of the Act to combat maltreatment of seniors and other persons of full age in vulnerable situations (chapter L-6.3) is amended by adding the following paragraph at the end:

“If the institution is a private institution, a complaint or a report concerning a case of maltreatment must be filed with the competent local service quality and complaints commissioner of the integrated health and social services centre, in accordance with section 50.1 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2). In such a case, the measures referred to in subparagraph 6 and the follow-up requirements referred to in subparagraph 8 of the fourth paragraph of this section are those stated in the integrated centre’s policy.”

7. Section 14 of the Act is amended

(1) by replacing “in the activities summary the commissioner submits to the institution” by “in the summary of the commissioner’s activities”;

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

“In the case of a local commissioner of an integrated health and social services centre, the information included in the summary of the commissioner’s activities must be presented in such a manner that the information concerning the integrated centre may be distinguished from that concerning the private institution facilities located in the integrated centre’s territory.”

8. Section 21 of the Act is amended by replacing “local service quality and complaints commissioner of the institution where the person receives services, if applicable,” in the second paragraph by “competent local service quality and complaints commissioner if the person receives services from an institution”.

ACT RESPECTING THE MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX

9. The Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2) is amended by inserting the following section after section 5.4:

“**5.5.** The Minister shall designate, within the department, a person acting as advisory commissioner who is responsible for seeing to the adequate and optimal application of the provisions relating to the complaint examination process that are provided for in the Act respecting health services and social services (chapter S-4.2) and the handling of reports of maltreatment made within the scope of the anti-maltreatment policy adopted under the Act to combat maltreatment of seniors and other persons of full age in vulnerable situations (chapter L-6.3).

For that purpose, the designated person shall foster concerted action between local service quality and complaints commissioners and medical examiners governed by the Act respecting health services and social services as well as the sharing of good practices applicable in the exercise of their functions. The designated person shall also see to it that local commissioners and medical examiners receive training relevant to the exercise of their functions.

In addition, the designated person shall provide support to any local commissioner or medical examiner who requires it, with due regard to their respective functions and the confidentiality of the records. The designated person may thus give them an opinion on the means to be favoured and the solutions to be considered in dealing with a problem related to the exercise of their functions.

The designated person may recommend to the Minister any measure that may improve the application of the provisions referred to in the first paragraph and enhance the exercise of the local commissioners' and medical examiners' functions."

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

10. The Act respecting health services and social services (chapter S-4.2) is amended by inserting the following section after section 30:

“30.1. Only a person who qualifies as an independent person in the opinion of the board of directors may be appointed as a local service quality and complaints commissioner or as an assistant local service quality and complaints commissioner.

A person qualifies as independent if the person has no direct or indirect relation or interest, in particular of a financial, commercial, professional or philanthropic nature, likely to interfere with the exercise of the person's functions as regards the interests of users.

A person is deemed not to be independent if that person

(1) has an immediate family member who is the executive director or an assistant executive director of an institution and would, as a local commissioner or as an assistant local commissioner, be responsible for examining the complaints from users of the institution; or

(2) provides goods or services for valuable consideration to an institution and would, as a local commissioner or as an assistant local commissioner, be responsible for examining the complaints from users of the institution.

Local commissioners and assistant local commissioners must remain independent throughout their mandate.

For the purposes of this section, “immediate family member” means a person's spouse or child, the spouse's child, the person's mother or father, the spouse of the person's mother or father, or the spouse of the person's child or of the person's spouse's child.”

11. Section 33 of the Act is amended by inserting “as well as to the Minister if the local commissioner considers it necessary,” after “concerned,” in subparagraph 7 of the second paragraph.

12. Section 66 of the Act is amended by inserting “as well as to the Minister if the regional commissioner considers it necessary,” after “concerned,” in subparagraph 7 of the second paragraph.

13. Section 182.0.1 of the Act is amended by replacing “of at least four members” in the second paragraph by “of at least five members”.

TRANSITIONAL AND FINAL PROVISIONS

14. Complaints or reports of maltreatment received by the local service quality and complaints commissioner of a private institution, the examination or handling of which is not completed by the date of coming into force of section 1, continue to be examined or handled by the competent local commissioner of the integrated health and social services centre, in accordance with section 50.1 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2), enacted by section 1.

In addition, complaints referred to a medical examiner of a private institution, the examination of which is not completed by that date, continue to be examined by a competent medical examiner of the integrated centre.

For the purposes of this section, the 45-day period provided for in subparagraph 6 of the second paragraph of section 33 and the fourth paragraph of section 47 of the Act respecting health services and social services (chapter S-4.2) begins to run again from the date on which the integrated centre's competent local commissioner or competent medical examiner receives a record referred to him or her in accordance with section 15.

15. The records and other documents held by the local service quality and complaints commissioner and any medical examiner of a private institution on the date of coming into force of section 1 are referred, respectively, to the competent local commissioner and a competent medical examiner of the integrated health and social services centre.

16. In a manner consistent with the applicable rules concerning the confidentiality of complaint records, the integrated health and social services centre's competent local service quality and complaints commissioner or competent medical examiner must, as soon as possible, inform the person who filed a complaint of the date on which the complaint record was received. The competent local commissioner or the competent medical examiner must also inform the person of the new time limit for examining the complaint that applies under the third paragraph of section 14.

17. The agreements referred to in the third paragraph of section 31 of the Act respecting health services and social services and entered into by a private institution cease to have effect on the date of coming into force of section 1.

18. No later than six months after the date of coming into force of section 1, the board of directors of a private institution or, in the case of an unincorporated private institution, the holder of such an institution's operating permit must send the integrated health and social services centre of any territory in which one of the institution's facilities is located a final report on the application of the complaint examination procedure, on user satisfaction and on the enforcement of user rights. The report sent to an integrated centre must concern only the

facilities located in its territory. The report must cover the period between the last day of the period covered by the board's last report to the same effect and the date of coming into force of section 1.

19. The Minister must, not later than the date that is four years after the date of coming into force of section 1, report to the Government on the implementation of this Act.

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.

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

2020, chapter 25
APPROPRIATION ACT NO. 4, 2020–2021

Bill 76

Introduced by Madam Sonia LeBel, Minister Responsible for Government Administration and Chair of the Conseil du trésor

Introduced 4 December 2020

Passed in principle 4 December 2020

Passed 4 December 2020

Assented to 4 December 2020

Coming into force: 4 December 2020

Legislation amended: None

Explanatory notes

This Act authorizes the Government to pay out of the general fund of the Consolidated Revenue Fund a sum of \$5,151,300,000.00, representing the 2020–2021 Supplementary Estimates No. 1 to be voted for each of the portfolio programs listed in Schedule 1.

Moreover, the Act carries over the rules applicable to appropriations already voted in the 2020–2021 fiscal year, which establish the measure under which the Conseil du trésor may authorize the transfer of appropriations between programs or portfolios.

Lastly, the Act approves the forecast additional expenditures of the special funds listed in Schedule 2.



Chapter 25

APPROPRIATION ACT NO. 4, 2020–2021

[Assented to 4 December 2020]

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 \$5,151,300,000.00 for the payment of the supplementary estimates of Québec tabled in the National Assembly for the 2020–2021 fiscal year, for which provision has not otherwise been made, being the amount of the appropriations to be voted for each of the programs listed in Schedule 1.

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 this end, for the purposes of and, where applicable, according to the conditions described in the supplementary estimates tabled in the National Assembly.

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 forecast additional expenditures for the special funds listed in Schedule 2 are approved for the 2020–2021 fiscal year.

4. This Act comes into force on 4 December 2020.

SCHEDULE 1

AFFAIRES MUNICIPALES ET HABITATION

PROGRAM 3

Compensation in Lieu of Taxes and Support to Municipalities	800,000,000.00
	<hr/> 800,000,000.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

PROGRAM 5

Contingency Fund

2,346,300,000.00

2,346,300,000.00

CULTURE ET COMMUNICATIONS

PROGRAM 2

Support and Development of Culture, Communications and Heritage	90,000,000.00
	<hr/> 90,000,000.00

ÉCONOMIE ET INNOVATION

PROGRAM 4

Economic Development Fund	
Interventions	625,000,000.00
	<hr/>
	625,000,000.00

ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

PROGRAM 1

Administration	4,150,000.00
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PROGRAM 4

Preschool, Primary and Secondary Education	75,000,000.00
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PROGRAM 6

Development of Recreation and Sports	5,850,000.00
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	85,000,000.00

JUSTICE

PROGRAM 1

Administration of Justice	5,000,000.00
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	5,000,000.00

TRANSPORTS

PROGRAM 1

Infrastructures and Transportation
Systems

1,200,000,000.00

1,200,000,000.00

5,151,300,000.00

SCHEDULE 2

SPECIAL FUNDS

ÉCONOMIE ET INNOVATION

ECONOMIC DEVELOPMENT FUND

Forecast Additional Expenditures	625,000,000.00
	<hr/> 625,000,000.00

JUSTICE

CRIME VICTIMS ASSISTANCE FUND

Forecast Additional Expenditures	5,000,000.00
	<hr/> 5,000,000.00

TRANSPORTS

LAND TRANSPORTATION NETWORK FUND

Forecast Additional Expenditures	<u>1,200,000,000.00</u>	
	1,200,000,000.00	<u>1,830,000,000.00</u>

2020, chapter 26 AN ACT RESPECTING OFF-HIGHWAY VEHICLES

Bill 71

Introduced by Mr. François Bonnardel, Minister of Transport

Introduced 22 October 2020

Passed in principle 26 November 2020

Passed 9 December 2020

Assented to 10 December 2020

Coming into force: 30 December 2020, except

(1) the requirement to hold a driver's licence under the first paragraph of section 16 and sections 22, 23 and 33, which comes into force on 10 September 2021;

(2) section 20, section 24 and paragraph 34 of Schedule IV to the Act respecting administrative justice (chapter J-3), enacted by section 136 of this Act, which come into force on the date or dates to be set by the Government.

Legislation amended:

Highway Safety Code (chapter C-24.2)

Act respecting administrative justice (chapter J-3)

Act respecting the Ministère des Transports (chapter M-28)

Legislation replaced:

Act respecting off-highway vehicles (chapter V-1.2)

Regulation amended:

Regulation respecting off-highway vehicles (chapter V-1.2, r. 5)

Explanatory notes

This Act proposes a reform of the regulation of off-highway vehicles. Its main object is to ensure public safety and harmonious coexistence of recreational use of such vehicles and the activities of other users of the territory. For those purposes, it replaces the current Act respecting off-highway vehicles.

As regards the operation of off-highway vehicles, the Act extends, in particular, the requirement to hold a driver's licence to persons who use such vehicles on public land and on trails. It provides that, subject to special conditions applying to persons under 18 years of age, on certain private land, persons may operate off-highway vehicles without holding driver's licences. The Act also proposes regulating the

(cont'd on next page)

Explanatory notes (*cont'd*)

leasing of off-highway vehicles, in particular by introducing minimum training requirements. It also provides that a person must have successfully completed training recognized by the Minister of Tourism in order to guide off-highway vehicle excursions as a part of an enterprise.

As regards the use of off-highway vehicles, the Act retains many of the provisions of the current Act respecting off-highway vehicles, updates some of them and adds new rules. Among other things, it makes the provisions of the Highway Safety Code concerning impaired driving ability applicable to the use of off-highway vehicles and it strengthens the measures concerning exhaust systems and those concerning protection against excessive noise. In addition to providing for the exercise of due care and attention, the Act adjusts the maximum speeds authorized and the manner in which the distance standards for trail layout near dwelling houses and other places are to be applied. Regarding interregional snowmobile and quad trail networks, the Act provides that such trails are presumed to have been laid out in accordance with these distance standards. The Act provides that when off-highway vehicle traffic is in accordance with the applicable standards, the neighbours of legally laid out trails must suffer the annoyances resulting from such traffic.

The Act also updates the amounts credited to the Land Transportation Network Fund and the programs that the Fund may finance in connection with off-highway vehicles. Moreover, it updates inspection powers and penal provisions, and establishes a system of monetary administrative penalties.

Lastly, the Act contains amending, transitional and final provisions.



Chapter 26

AN ACT RESPECTING OFF-HIGHWAY VEHICLES

[Assented to 10 December 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

GENERAL PROVISIONS

DIVISION I

OBJECTS

1. The purpose of this Act is to ensure the safety of the public by regulating the use of off-highway vehicles and traffic on trails.

A further purpose of this Act is to promote the harmonious coexistence of recreational use of off-highway vehicles with the activities of other users of the territory and to reduce to a minimum any disturbances that may affect natural settings to ensure that all may benefit from the preservation of the functions and beauty of natural settings, from respect for the species that live there as well as from the peace and quiet of such settings.

DIVISION II

DEFINITIONS

2. In this Act, unless the context indicates otherwise:

(1) “owner” means a person who acquires or possesses a vehicle under a title of ownership, a title involving a condition or term giving the person the right to become the owner of the vehicle or a title giving the person the right to use it as its owner charged to deliver over, as well as a person who leases a vehicle for a period of not less than one year;

(2) “road” includes the roadway, shoulders and other parts of the right of way of the following thoroughfares:

(a) “public highways”, namely, the roads and highways under the management of a government or municipal authority, including roads referred to in the Act respecting roads (chapter V-9) and public highways within the meaning of the Highway Safety Code (chapter C-24.2), as well as any cycle lanes situated on them;

(b) “roads in the domain of the State”, namely, roads situated on public land that is under the authority or management of a minister or a public body within the meaning of the Act respecting the lands in the domain of the State (chapter T-8.1); and

(c) “private roads”, namely, private roads and highways open to public motor vehicle traffic; land occupied by a shopping centre and other private land where public motor vehicle traffic is allowed is considered a private road;

(3) “trail” includes any trail situated on public land, including the trail known as the “Route Blanche” under the management of the Minister of Transport, and, on private land, any trail upon which the land’s owner or manager authorizes off-highway vehicles to be operated;

(4) “private land” means any land or immovable, including the property of a municipality, that is not public land;

(5) “public land” means any land included in the domain of the State within the meaning of the Act respecting the lands in the domain of the State;

(6) “maintenance vehicle” includes groomers and graders, whether self-propelled or towed, as well as any other vehicle or combination of vehicles designed or used for trail layout or maintenance; and

(7) “off-highway vehicle” means a snowmobile, a quad bike, a recreational off-highway vehicle, a trail bike, such as a motocross motorcycle, and any other motorized vehicle adapted or designed mainly for operation on uneven surfaces or on land that is unpaved or difficult to access, in particular on surfaces consisting of snow, ice, earth, sand or gravel, as well as in wooded areas and other natural settings.

DIVISION III

SCOPE

3. Except in cases where distinctions have been expressly provided for, the provisions of this Act apply regardless of the purposes for which a vehicle is operated, the area of operation and the public or private nature of the land where the vehicle is operated.

4. The provisions of this Act do not apply to off-highway vehicles or maintenance vehicles in the following cases:

(1) when such vehicles are displayed for sale, used for demonstration purposes at an exhibition or trade show or demonstrated or tested on private land elsewhere than on a trail by a manufacturer or dealer;

(2) when such vehicles are used to carry persons or transport goods inside a building;

(3) when such vehicles are used for a race, rally, contest or recreational use inside a building; the same applies when such an activity is held outdoors if

(a) the activity is held on a closed track on private land with the authorization of the owner of the land;

(b) the activity is not held on a road and does not cross any roads; or

(c) the activity is planned and held under the responsibility of a sports organization or an off-highway vehicle association or federation;

(4) when such vehicles are operated on a construction site or at a train station, harbour or airport, or are used for work on an industrial or agricultural site that is not accessible to the general public;

(5) when golf carts and other vehicles are used exclusively at a golf course;

(6) when groomers and other vehicles are operated exclusively within skiable terrain and do not cross or travel on a road or trail;

(7) when one-person garden tractors and lawnmowers are used on a site to perform the tasks for which they are intended;

(8) when power-assisted bicycles, including motorized mountain bikes, that do not qualify as mopeds or motorcycles within the meaning of the Highway Safety Code are operated; and

(9) when off-highway vehicles intended by the manufacturer to be operated by persons under 16 years of age are operated exclusively on private land, elsewhere than on a trail, with the authorization of the land's owner.

The Government may specify by regulation the meaning of a word or an expression and may determine in which cases and under which conditions a vehicle is subject to or exempt from the application of one or more of the provisions of this Act.

5. This Act is binding on the State.

DIVISION IV

ABORIGINAL COMMUNITIES

6. To permit the application of measures to ensure that Aboriginal people's reality and practice of traditional and ceremonial activities are more fully taken into account and to, at the same time, promote their safety and that of the public, the Government is authorized to, on a matter within the scope of this Act, enter into an agreement with an Aboriginal nation represented by all the band councils, or councils in the case of northern villages, of the communities that make up that nation, with the Makivik Corporation, with the Cree Nation

Government, with an Aboriginal community represented by its band council or the council of the northern village, with a group of communities so represented or, in the absence of such councils, with any other Aboriginal group.

The provisions of such an agreement prevail over the provisions of this Act and the regulations. However, persons to whom such an agreement applies are exempt from the application of provisions of this Act and the regulations that are inconsistent with the agreement only to the extent that those persons comply with the agreement.

7. An agreement under section 6 is tabled by the Minister in the National Assembly within 30 days of its signature or, if the Assembly is not sitting, within 30 days of resumption.

8. The agreement under section 6 is made available on the website of the Ministère des Transports within 30 days of its coming into force and, should it cease to have effect, remains posted for five years after the date of cessation of effect.

The Minister may enter into an administrative agreement with an Aboriginal community to facilitate the application of an agreement under section 6.

9. The provisions of this Act that govern the equipment, dimensions and other standards applicable to sleighs and trailers do not apply to a traditional Aboriginal sleigh towed by an off-highway vehicle.

CHAPTER II

PUTTING VEHICLES INTO OPERATION AND AUTHORIZATION TO OPERATE

DIVISION I

REGISTRATION, CONTRIBUTIONS AND AMOUNTS CREDITED TO THE LAND TRANSPORTATION NETWORK FUND

10. No person may operate an off-highway vehicle or a maintenance vehicle that is not registered in accordance with the requirements prescribed by the Highway Safety Code.

11. Every owner of an off-highway vehicle or a maintenance vehicle must pay the contribution, the amount of which is fixed by government regulation, which is intended to be used to assist in financing the measures provided for in section 15.

The amounts may vary according to, among other things, the type, year of manufacture, mass or any other mechanical or physical specification of the vehicle, the number of vehicles possessed by the same owner and the type of use of the vehicles; distinctions may also be made in the amounts of the contribution required in order to encourage or discourage, for security or environmental reasons, the use of certain vehicles.

12. The owner of a vehicle pays the amount of the required contribution at the same time as the amount due for obtaining the registration of the vehicle and the amounts due under section 31.1 of the Highway Safety Code.

13. The Société de l'assurance automobile du Québec collects the payable contributions and pays them into the Consolidated Revenue Fund within the time and according to the terms and conditions fixed by the Minister of Finance.

The sums so collected are credited to the Land Transportation Network Fund established by section 12.30 of the Act respecting the Ministère des Transports (chapter M-28).

14. From the date prescribed by the Government and in such proportion as the Government determines, the part of the duties collected for registration of the off-highway vehicles and maintenance vehicles referred to in this Act is also credited to the Land Transportation Network Fund.

15. The contributions and other amounts credited to the Land Transportation Network Fund under this Act are intended to allow

(1) setting up or continuation of financial assistance programs aimed at assisting off-highway vehicle clubs, developing and maintaining infrastructures for off-highway vehicles, and protecting wildlife and wildlife habitats;

(2) setting up or continuation of financial assistance programs for abandoning the use of off-highway vehicles that have poor environmental performance and encouraging the replacement of such vehicles and the acquisition of vehicles that have better environmental performance;

(3) setting up or continuation of training programs and other measures promoting safety and the application of the provisions of this Act; and

(4) setting up or continuation of financial assistance programs for measures established by municipalities or by associations and federations to encourage consultation, mediation and arbitration in order to prevent neighbourhood disputes and disputes related to shared use, and to facilitate the resolution of such disputes, including for measures to compensate for damage caused to owners of farm land on which trails have been laid out or which is situated in the neighbourhood of trails.

DIVISION II**AGE, DRIVER'S LICENCE AND OTHER CONDITIONS RELATED TO THE OPERATION OF A VEHICLE****§1. — General provisions**

16. The only persons authorized to operate off-highway vehicles or maintenance vehicles on a trail, a road, public land or private land belonging to a municipality are persons 16 years of age or over who hold a valid driver's licence, appropriate to the class of vehicle used, and who meet the requirements prescribed in this division.

To operate an off-highway vehicle in the areas referred to in the first paragraph, a person 16 or 17 years of age must also hold a training certificate attesting that the person has passed the examination or successfully completed the training prescribed by regulation of the Minister.

The Government may, by regulation, provide for exceptions to the requirement to hold a licence.

17. The Minister may determine, by regulation, the elements of theoretical and practical training required to obtain the training certificate referred to in the second paragraph of section 16.

The regulation may prescribe the body or bodies whose training or examinations are recognized and determine the level to be completed or mark to be attained in order to obtain a certificate attesting successful completion of training or passage of an examination.

The regulation may also provide for equivalencies, exceptions and the maximum amount of fees that may be charged by the Minister or by another person for issuing a certificate, administering an examination or giving training.

The training certificate requirement does not apply to the holder of a licence or authorization issued outside of Québec and accepted or recognized as being equivalent under sections 85 and following of the Highway Safety Code.

18. The driver's licence required under the first paragraph of section 16 means, unless a government regulation provides otherwise, any licence that authorizes the holder to operate a road vehicle issued under the Highway Safety Code or a licence or authorization issued outside of Québec and accepted or recognized as being equivalent under sections 85 and following of that Code.

For the purposes of the first paragraph of section 16, a licence that is not suspended by reason of an Act, a judgment, a court order or a decision made under this Act or the Highway Safety Code is recognized as valid.

A licence that is subject to a condition or a restriction considered incompatible with the operation of an off-highway vehicle or a maintenance vehicle in accordance with the provisions prescribed by regulation of the Minister does not meet the licence requirement for the operation of such a vehicle.

19. The Government may, by regulation, determine

(1) the classes or categories of driver's licences issued or recognized under the Highway Safety Code granting authorization to operate any off-highway vehicle or maintenance vehicle, or to operate the classes of vehicle specified by the regulation;

(2) the classes or specifications of off-highway vehicles that may be operated by a person who holds only a licence to operate a moped;

(3) the classes or specifications of vehicles that may be operated by a person under 18 years of age as well as the minimum age for operating them and for carrying passengers in or on them, including on private land; and

(4) the establishment, on all or part of the territory, of a licence system to replace or complement the system prescribed by the Highway Safety Code, of the categories of licences in accordance with vehicle specifications and use, of the authority authorized to issue them, of the duties exigible as well as of the conditions giving rise to the issue, renewal, suspension or cancellation of such licences.

In order to adapt the requirement to hold a driver's licence to the reality of certain communities or their remoteness from the road network, the regulation may authorize the authority that issues the licence to make issuance of the licence subject to certain conditions or substitute other means for the obligation to hold a licence or training certificate in order to enable an Aboriginal or remote community to verify the minimum qualifications and aptitudes required of operators residing in such a locality. The different standards so fixed may, subject to a verification of those qualifications and aptitudes, provide for an age lower than that fixed in section 16.

The Government may also, by regulation, determine, after consulting with the Société de l'assurance automobile du Québec,

(1) the offences, in addition to those described in section 33, that, under this Act, the Highway Safety Code or any other Act give rise to the suspension, non-renewal or cancellation of a licence authorizing the operation of an off-highway vehicle or a maintenance vehicle on the Minister's decision or by operation of law, following a conviction;

(2) the conditions of application of a system of demerit points relating to offences against the provisions of this Act and, as the case may be, those of the Highway Safety Code in connection with the operation of an off-highway vehicle or a maintenance vehicle; the system may lead to, among other things, suspension or cancellation of a licence;

(3) the conditions and the procedure governing the suspension or cancellation of a licence following offences, the suspension or cancellation period as well as the terms and conditions for recovering a suspended or cancelled licence; and

(4) the requirement to pass one or more examinations and to complete any theoretical or practical training in order to be authorized to drive or to recover such authorization after a sanction, and any other rule, condition or restriction in connection with the authorization to operate an off-highway vehicle or a maintenance vehicle.

20. A person who has received an unfavourable decision regarding their licence under the provisions of a regulation made under this division may, within 30 days of notification of the decision, contest it before the Administrative Tribunal of Québec.

21. In areas other than those referred to in section 16, a minor under 18 years of age is authorized to operate an off-highway vehicle only if the following conditions and supervision requirements are complied with:

(1) one of the parents of the minor or the person having legal custody of the minor authorizes the minor to do so; and

(2) the minor is accompanied by a person of full age authorized to operate an off-highway vehicle who must travel sufficiently close to the minor to be able to come to the minor's assistance rapidly in case of an accident or difficulties; such accompaniment is not, however, required if the minor travels only on the property of the minor's parents, of a person having legal custody of the minor or of a member of the minor's family.

This section does not apply to a minor who is the holder of the licence and training certificate required by this Act.

With respect to the operation of an off-highway vehicle by a minor on Category I lands on the territories described in the agreements referred to in section 1 of the Act approving the Agreement concerning James Bay and Northern Québec and section 1 of the Act approving the Northeastern Québec Agreement and on lands in Indian reserves,

(1) operation on the property of the minor's parents, the property of the person having legal custody of the minor and the property of a member of the minor's family means operation in their area of residence; and

(2) operation elsewhere than on the property of such persons means, as the case may be, operation elsewhere on Category I lands of the minor's community or elsewhere on lands included in the reserve.

§2.—*Lease of off-highway vehicles*

22. A person who leases an off-highway vehicle to a natural person must take reasonable measures to ensure that the operator

(1) is 18 years of age or over;

(2) holds the driver's licence required under the first paragraph of section 16; and

(3) has received the minimum training enabling the operator to understand the operation of the vehicle and the minimum safety rules to be followed when operating the vehicle.

The same obligations apply to a recreational-tourism enterprise or other enterprise which, as part of a business, temporarily provides a natural person with an off-highway vehicle.

The Government may, by regulation, prescribe exceptions and additional requirements related to training and to the lease or provision of off-highway vehicles, including for the purpose of determining any maximum engine power standards for off-highway vehicles available for lease for a period of less than 30 days.

23. The lessor must keep, and, upon request, make accessible to the Minister or to a person authorized to request it, a register in which the names, contact information and ages of the persons to whom the lessor has leased an off-highway vehicle are recorded. The same obligations apply to an enterprise referred to in the second paragraph of section 22.

The register must also include any other information that the Minister may require by regulation. The required information and documents need not be kept for more than three years unless otherwise provided for by regulation of the Minister.

§3.—*Required training for guides*

24. No person may carry on, or offer to carry on, the activities of a guide for off-highway vehicle excursions as part of a recreational-tourism enterprise or other enterprise unless the person has successfully completed training recognized by the Minister of Tourism, by regulation.

The provisions of the regulation may, in particular, specify the institutions and bodies whose certificates and diplomas are recognized. The provisions may set out equivalences and specialties and, as applicable, specify other applicable qualification and training conditions as well as the activities and persons exempted from the application of this section.

A person who acts as a guide must be able to show, on request, to a person authorized to ask the person to show it, a document certifying that the person has the training required by regulation.

This section does not apply to excursions organized within an off-highway vehicle club or an association of such clubs for the sole benefit of its members.

DIVISION III

CIVIL LIABILITY INSURANCE

25. The owner of an off-highway vehicle must, in order to be able to put the vehicle into operation, hold a civil liability insurance contract that covers bodily injury and property damage caused by the vehicle.

The same holds for the owner of a maintenance vehicle for operation on trails.

The Government may, by regulation, determine the minimum amount of insurance required, the maximum deductible amount and the obligations of the owner of an off-highway vehicle with respect to the scope of the coverage the owner must take out in such a contract.

CHAPTER III

TRAFFIC RULES

DIVISION I

DUE CARE AND OTHER STANDARDS OF CONDUCT OF VEHICLE OPERATORS AND OTHER USERS OF THE TERRITORY

§1. — General provisions

26. In the provisions of this chapter, “vehicle”, when used without a qualifier, means both off-highway vehicles and maintenance vehicles.

27. Vehicle operators must have with them the following documents and show them on request, in paper form or otherwise, to any person authorized to request them:

(1) the vehicle registration certificate required under the Highway Safety Code;

(2) the driver’s licence required under section 16 and, if the operator is 16 or 17 years of age, the training certificate required under that section;

(3) the civil liability insurance certificate;

(4) a document providing proof of age; and

(5) where applicable on a trail, proof of payment of the access fee for the trail.

In the case of a loan or lease for a period of less than one year made by a person as part of their business, the operator must also carry a document evidencing the term of the loan or a copy of the contract of lease.

§2. — *Speed and due care and attention*

28. Vehicle operators must remain in control of their vehicles at all times so as to meet the duty to exercise due care and attention.

Vehicle operators must comply with the provisions of this chapter and not impede or endanger other users of trails or other areas they frequent. Special care and attention is required with respect to persons on trails and in other areas who are not operating vehicles and to persons who may be more vulnerable because of their condition or their age.

The same courtesy and care is required of persons who use the same areas as those frequented by persons operating vehicles and of persons who use areas in the neighbourhood of legally laid out trails.

Such persons must refrain from surprising an operator or forcing an operator to perform a manoeuvre that could endanger the safety of the operator or the operator's passengers or damage the surrounding environment.

Neighbours of legally laid out trails must suffer annoyances resulting from the traffic of vehicles that is in accordance with the applicable legislative and regulatory standards.

29. No person may damage or obstruct a trail or interfere with traffic on a trail.

30. It is prohibited to operate a vehicle at a speed or in such a way that could endanger the life or safety of persons or cause damage to property.

31. Vehicle operators must refrain from operating vehicles on any trail or road of a width or with a purpose or characteristics that make it clearly unsuited to such vehicles, such as trails reserved for hiking and trails laid out specifically for mountain biking or ski touring.

In areas where an operator's vehicle could impede other persons, the operator must travel slowly and stop, if required, in particular to allow pedestrians or persons riding non-motorized vehicles to cross the trail or road. When approaching an intersection or a crossing, the operator must give the priority to persons entering or already in the intersection or crossing.

The Government may, by regulation, determine any other measure governing the operation of off-highway vehicles and maintenance vehicles.

32. A person must not operate a vehicle if their physical or mental state affects their ability to operate the vehicle safely, in particular if they are impaired by alcohol or drugs.

33. The provisions of the Highway Safety Code governing impaired driving apply, with the necessary modifications, to the operation of vehicles on trails and in any other area of operation not covered by the Code.

The provisions include, in particular, sections 73 and 76 to 83.1 and, in Title V of the Code, sections 180 to 182, 190 to 191.1 and 202.0.1 to 202.8, that is, provisions relating

(1) to the maximum blood alcohol concentration level and the maximum blood drug concentration level applicable to the different categories of drivers;

(2) to a peace officer's powers, including the power to immediately suspend a licence;

(3) to administrative and penal sanctions relating to impaired driving;

(4) to verifications and assessments that may be required after a sanction by the Société de l'assurance automobile du Québec to ascertain a person's right to recover a driver's licence because of the person's addiction problems or relationship with alcohol or drugs; and

(5) to the proceedings for review with the Société de l'assurance automobile du Québec and the contestation proceedings before the Administrative Tribunal of Québec provided by the Code to contest sanctions imposed; in the context of such proceedings, the Société de l'assurance automobile du Québec assumes the same functions as those it exercises in proceedings under the Code in areas governed by the Code, unless otherwise provided for in an agreement entered into between it and the Minister.

Despite the first paragraph, the Government determines, by regulation, the date from which the provisions of sections 209.1 to 209.26 of the Highway Safety Code apply, with the modifications that it specifies.

34. No vehicle operator or passenger of a vehicle or of a sleigh or trailer towed by a vehicle may consume alcoholic beverages in or on the vehicle, sleigh or trailer, nor may a person consume cannabis or any other drug in or on such a vehicle, sleigh or trailer, subject to the exceptions provided for by government regulation.

35. Vehicle owners must keep their vehicles and equipment in good working order.

Vehicle operators must abstain from operating a vehicle that they know or ought to know is not in good working order.

36. On trails and in other areas where vehicle operation is permitted, no person may operate a vehicle at a speed in excess of the maximum rate of speed fixed by this Act and the regulations, indicated by signs or signals or prescribed by any other applicable legislative and regulatory provisions.

This does not apply to the operation of peace officers' vehicles, ambulances, firefighting vehicles or vehicles operated by other persons in the performance of safety-related duties when proceeding to a location where their immediate action is required.

37. Vehicle operators must reduce the speed of their vehicles to adapt it to the circumstances, including vehicle specifications, load, ground conditions, traffic density and the presence of turns and slopes making anticipation of problems more difficult. Operators must also reduce the speed of their vehicles in areas and at intersections with poor visibility.

Before making a significant change in speed or direction, vehicle operators must first ensure that the action can be done safely and warn other users, as far as possible.

38. Vehicle operators must obey the orders and signals of peace officers and trail security officers giving safety instructions. In case of contradiction between the posted signs or signals and an officer's orders or signals, the latter prevail.

39. Subject to other standards provided under an Act or a regulation made by the Government, the maximum rate of speed for a snowmobile is 70 km/h and the maximum rate of speed for any other vehicle is 50 km/h.

The maximum rate of speed for various classes of vehicles may be lower than that fixed in the first paragraph, where indicated by signs or signals that conform to regulatory standards, on public land or on private land owned by a municipality and used for public utility.

Despite the preceding paragraphs, where vehicle operation is permitted less than 100 metres away from a dwelling, a facility operated by a healthcare institution or an area reserved for cultural, educational, recreational or sports activities, the maximum rate of speed is 50 km/h and, when vehicle operation is permitted less than 30 metres away from such places, the maximum rate of speed is 30 km/h.

40. Vehicle operators must keep a sufficient distance between their vehicles and all other users of the area, in particular when approaching or passing them; operators must also, when following persons, other off-highway vehicles or any other type of vehicle, keep a safe, reasonable distance between their vehicles and such persons or vehicles, taking the circumstances into account.

On trails and in other areas with two-way traffic, operators must adapt their handling of their vehicles to take oncoming users and vehicles into account. Operators must operate their vehicles as close to the right-hand side as is practicable and slow down or, if necessary, stop the vehicle to allow oncoming vehicles and users to pass safely.

41. Vehicle operators travelling on a road must comply with any provision of the Highway Safety Code and any other Act that applies to vehicle operation authorized on roads, with the exception of the provisions relating to vehicle specifications and equipment.

Without restricting the generality of the preceding paragraph, rules relating to compliance with signs or signals and speed restrictions apply in particular.

If such provisions are inconsistent with those of this Act, the more restrictive provisions to ensure public safety prevail. In particular, the lowest speed limits prevail.

42. Holding races, rallies or competitions of vehicles on public land, in whole or in part, is prohibited except with the written authorization of the Minister or the public body having authority over, or responsible for the administration of, the land.

The authorization specifies any precautions to be taken and conditions to be met by the organizers and the participants, taking into account the safety of persons and traffic in general.

43. Vehicle operators must ensure their handling of their vehicles is not interfered with by the vehicle's load or in any other way.

Passengers must not interfere with or disturb the operator's handling of the vehicle.

44. Operators must avoid overloading vehicles or, as the case may be, sleighs or trailers towed by vehicles, taking into account the vehicle's braking capacity and the increased braking time that excess weight could cause.

Operators must ensure that loads are arranged and secured in a manner that prevents them from falling and that does not interfere with the stability and handling of the vehicle or endanger the safety of any passenger.

In addition, operators must ensure that any load that extends beyond the vehicle is indicated, both by day and by night, in a clearly visible manner.

§3. — *Protection of natural settings and quality of the environment*

45. Vehicle operators and passengers must not disturb other users or neighbours of the areas where their vehicles are operated, in particular by causing noise, dust, smoke, excessive light or odours that such operators and passengers could prevent.

46. The Government may, by regulation, specify the obligations of a vehicle operator and those of the passengers of a vehicle, sleigh or trailer, and it may prohibit certain forms of behaviour and certain uses or practices in the areas of use it specifies.

47. Subject to a legitimate reason and to the extent possible, vehicle operators and passengers must avoid any act that would disturb the peace and quiet of natural or rural settings, disturb wild animal behaviour or negatively affect water flow or interactions between plants and animals and their habitats.

In particular, it is prohibited for operators and passengers to

- (1) frighten, chase, mutilate or kill an animal with a vehicle or in any other way; and
- (2) dispose of or abandon any object or waste.

This division does not restrict the scope of standards prescribed in the context of other measures related to the protection of fragile environments or the conservation of habitats of vulnerable and threatened species.

48. The Minister or public body having authority over public land may prohibit the off-trail operation of off-highway vehicles in a zone the Minister or public body delimits. The prohibition may be general or for a period determined by the Minister or public body.

No person may operate a vehicle in a zone so delimited during the periods when the prohibition applies.

For the purposes of this section, operating a vehicle off trail means operating it outside the right of way of an authorized trail or in an undeveloped natural area.

The Minister or body concerned notifies vehicle operators of the prohibition by using proper signs or signals to indicate the zone where and, if applicable, the periods during which, access is prohibited or by publishing an access prohibited notice in the *Gazette officielle du Québec* and a map of the zone or a description of the defined perimeter on the website of the Minister or body.

Despite the preceding paragraphs, the prohibition against operating vehicles off trail does not apply to vehicles operated for professional purposes, for research purposes, or for the purposes of exploitation or maintenance of natural areas, security or the enforcement of an Act, the onus being on the person operating the vehicle to establish the purpose.

§4.— *Passengers, seat belts and protective equipment*

49. Vehicle operators may carry passengers only in places designed for passengers.

The number of passengers in a vehicle must not exceed the number indicated by the manufacturer or, if seat belts are installed, the number of passengers allowed by the number of installed seat belts.

50. No person may operate a vehicle that must be equipped with a seat belt for the operator if the seat belt is missing, inoperative or has been modified.

The same prohibition applies to carrying a passenger if the place to sit must be equipped with a seat belt but it is missing, inoperative or has been modified.

Every person in a moving vehicle must wear, properly, the seat belt with which their seat is equipped.

No person may modify a vehicle or have it modified in such a manner as to cause the removal of, hinder the efficiency of or render inoperative a seat belt with which the vehicle is equipped.

51. No person may hang on to or be pulled or pushed by a moving vehicle, or ride in or on any part of the vehicle that is not a place designed for a passenger.

It is prohibited for a passenger to stand in or on a sleigh or trailer towed by a moving off-highway vehicle.

It is prohibited for an operator to tolerate the performance of the actions mentioned in the first and second paragraphs when operating the vehicle.

No person may be carried in a sleigh or trailer towed by an off-highway vehicle unless the sleigh or trailer complies with the standards regulating their manufacturing and securing, as the case may be.

The Government may prescribe, by regulation, any other conditions and restrictions applicable to passenger transportation. The regulation may, in particular, provide for restrictions concerning modifications to a vehicle to allow for more passengers.

52. All operators and passengers must wear adequate clothing, footwear and protective equipment, in accordance with the type of vehicle, so as not to endanger their safety or the safety of others.

The Government may, by regulation, determine the standards applicable to clothing and other equipment that must be worn.

Unless otherwise provided in a regulation,

(1) all vehicle operators must wear footwear that makes it easy to control their vehicle's pedals and prevents the risk of injuries; and

(2) all operators and passengers of off-highway vehicles, sleighs and trailers must wear helmets with visors that meet the regulatory standards prescribed by the Government or safety glasses if the helmet has no visor.

Despite the preceding paragraphs, in addition to the cases that may be determined by government regulation, a helmet is not required if the vehicle is equipped with a closed compartment; nor is it required in the case of trapping activities involving frequent stops if the speed of the vehicle during such activities does not exceed 30 km/h.

In addition, passengers are not required to wear a visor or safety glasses when they are in a sleigh or trailer with a closed compartment.

Operators and passengers must, on the request of a peace officer, an inspector or a trail security officer, allow the officer or inspector to examine their helmet, glasses and any other equipment prescribed by regulation.

§5. — *Weight and dimensions of vehicles operated on trails*

53. The Government may, by regulation, determine the standards applicable to the weight and dimensions of vehicles, sleighs and trailers authorized to be operated or used on trails, as well as the standards applicable to their loads.

In determining such standards, the ground characteristics, fragility of ecosystems, increased risk of accidents when vehicles meet or when the surface of a trail is damaged and soundness of the infrastructure may, in particular, be taken into account.

The regulation may provide for the conditions in which the person responsible for the maintenance of a trail may, expressly or through appropriate signs or signals, authorize different standards for portions of the trails specified by that person.

The weight and dimensions of off-highway and maintenance vehicles that are operated on or that cross roads are governed by the Highway Safety Code and other applicable legislative and regulatory provisions.

54. Unless otherwise provided in a government regulation, on a trail, no person may operate a vehicle that is not an off-highway or maintenance vehicle or operate an off-highway or maintenance vehicle that does not comply with the following:

(1) the maximum width of a snowmobile must not exceed 1.28 metres, that of any other off-highway vehicle must not exceed 1.68 metres, that of a maintenance vehicle must not exceed 3.75 metres and that of a sleigh or trailer must not exceed 1.5 metres; and

(2) the weight of an off-highway vehicle must not exceed 500 kg in the case of a single-seat vehicle and 950 kg in the case of a multi-seat vehicle, and the weight of a maintenance vehicle must not exceed 25,000 kg.

This prohibition does not apply to the operation of peace officers' vehicles, ambulances, firefighting vehicles or vehicles operated by other persons in the performance of safety-related duties when proceeding to a location where their immediate action is required.

The Government may, by regulation, prescribe rules for calculating or taking measurements for the purposes of this section.

The person responsible for the maintenance of a trail may claim from a person who fails to comply with the standards under this subdivision the reimbursement of any expenditure made to repair or restore a trail or infrastructure damaged by a prohibited or non-compliant vehicle.

§6.— *Standards applicable in areas off trail on private land belonging to a person other than a municipality*

55. In areas off trail on private land belonging to a person other than a municipality, the only provisions of this chapter that apply are those in sections 30, 45 and 49, the first three paragraphs of section 50 and, when a minor is referred to, section 52.

DIVISION II

EQUIPMENT AND ESSENTIAL SPECIFICATIONS OF VEHICLES

§1.— *General provisions*

56. In addition to the requirements provided for in this division, the Government may, by regulation, determine the specifications to which off-highway and maintenance vehicles must correspond, the equipment that such vehicles must have as well as the modifications that may or may not be made to such equipment to ensure that, under normal conditions of operation and when operated as intended, such vehicles provide satisfactory levels of performance while minimizing the danger to persons and the environment.

The standards provided for by regulation may, in particular, specify, with respect to noise and the emissions of contaminants produced by a vehicle, the methods and devices required to measure noise and emissions of contaminants and to verify the compliance of an exhaust system.

With respect to maintenance vehicles, the regulation may, in particular, provide that one or more of its provisions prevails over any inconsistent provision of the Highway Safety Code and the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3), including the regulations, and provide for, if applicable, a departure from the applicable standards.

Where such a regulation fixes standards related to the emission of contaminants, it is made by the Government after consultation of the minister responsible for the Environment Quality Act (chapter Q-2).

57. Subject to the exceptions provided for by regulation, no person may manufacture, sell or lease an off-highway vehicle, a sleigh or a trailer or other related equipment that does not meet the standards or specifications provided for in this Act or a regulation made under this Act.

§2. — *Headlights and rotating lights*

58. The operator of a vehicle must keep the white headlight or headlights with which the vehicle must be equipped and the required red tail-light or tail-lights on.

The operator must also keep the red tail-light or tail-lights, with which the vehicle must be equipped, at the rear of a sleigh or trailer on when it is towed by a vehicle.

59. Any headlight, tail-light, rear-view mirror or registration plate of a vehicle and any light or reflector of a sleigh or trailer towed by such a vehicle must be properly installed and maintained free of any object or matter that could obstruct it or make it ineffective.

A peace officer or a trail security officer may require a vehicle operator to remove any object or to clean a soiled or snow-covered part.

60. No person may operate a vehicle equipped with a rotating light or flashing lights except peace officers, trail security officers, trail maintenance personnel or persons performing safety-related duties. Rotating and flashing lights must be used in compliance with the following colour and other requirements:

(1) a maintenance vehicle operated on a trail must be equipped with an amber rotating light or amber flashing lights that must remain on;

(2) the colour blue is reserved for rotating and flashing lights used on the vehicles of peace officers who are members of a police force or of the Sûreté du Québec;

(3) the colour red is reserved for ambulances and vehicles used by persons performing safety-related duties, the vehicles of trail security officers and the vehicles of other persons having the status of peace officer; and

(4) trail security officers and peace officers must not operate the rotating light or flashing lights of their vehicles except in the performance of their duties and if required by the circumstances.

§3. — *Brake system*

61. No person may operate a vehicle that is not equipped with a brake system sufficiently powerful to stop the vehicle quickly in case of emergency and hold the vehicle stationary. Any mechanism used to control the speed of a vehicle and stop the vehicle quickly, such as a hydrostatic transmission, is considered to be a brake system.

A peace officer who has reasonable grounds to believe that the brake system of a vehicle is defective or out of order may require that the vehicle be taken to an appropriate place and retained at the expense of the owner until the problem is corrected.

§4.—*Horn*

62. The operator of a vehicle equipped with a horn must use it with restraint and only for safety purposes.

§5.—*Excessive noise and exhaust system*

63. It is prohibited to operate a vehicle that produces excessive noise or that produces an unusual noise likely to disturb the other users engaging in activities in the area.

64. Every vehicle which is likely to cause noise or polluting emissions must be equipped with an exhaust system in good working order that complies with the standards prescribed by government regulation.

No person may perform or cause the performance of any operation on such a vehicle aimed at or having the effect of cancelling or reducing the effectiveness of the vehicle's exhaust system or of increasing noise or the risk of burns when compared with a manufacturer-installed system or a system required by government regulation. No person may sell or distribute equipment aimed at or having the effect of bypassing an exhaust system or affecting its proper functioning.

A peace officer who has reasonable grounds to believe that the exhaust system of a vehicle is defective, does not comply with the standards or has been modified in contravention of the second paragraph may require that the vehicle be taken to an appropriate place and retained at the expense of the owner until the problem is corrected.

A vehicle propelled solely by an electric motor is deemed to not produce noise or polluting emissions for the purposes of the first paragraph.

§6.—*Speedometer*

65. Every off-highway vehicle must be equipped with a speedometer in good working order.

§7.—*Other standards*

66. All the components of the vehicle body and all the vehicle accessories and equipment, including rear-view mirrors, must be securely attached.

67. Any repair or modification of a vehicle must ensure that the vehicle meets at least the same safety requirements as those met by the manufacturer.

Any modification that could reduce the vehicle's stability or braking capacity is prohibited.

DIVISION III

AUTHORIZED TIMES, TRAILS AND OTHER AREAS OF USE

68. An off-highway vehicle may be operated on public land, subject to the conditions and restrictions imposed

(1) by the Act respecting the conservation and development of wildlife (chapter C-61.1), the Act respecting threatened or vulnerable species (chapter E-12.01), the Sustainable Forest Development Act (chapter A-18.1), the Mining Act (chapter M-13.1), the Parks Act (chapter P-9), the Environment Quality Act, the Watercourses Act (chapter R-13), the Natural Heritage Conservation Act (chapter C-61.01), the Act respecting agricultural lands in the domain of the State (chapter T-7.1) and the Act respecting the lands in the domain of the State; and

(2) by government or ministerial regulation, or by a by-law of a regional county municipality, elsewhere than on a trail or in areas subject to the conditions and restrictions referred to in subparagraph 1.

In addition, in the areas in which a lease, a right of occupation or a similar right has been granted under an Act mentioned above, the operation is subject to the authorization of the holder of the right unless otherwise provided in the Acts mentioned above.

Without restricting the other measures provided for in this Act, the Government may, by regulation, in the places that it determines on public land and subject to the conditions and restrictions on traffic provided for in other Acts, determine the speed limit, prohibit or restrict the operation of certain types of off-highway vehicles and maintenance vehicles and determine the periods of time and other special conditions applying to the operation of such vehicles.

Where a government or ministerial regulation is inconsistent with a by-law of a municipality, the former shall prevail.

69. The minister having authority over public land on which a road is situated may authorize an off-highway vehicle club to lay out and operate a trail, for the period and on the conditions determined by the Minister, on all or part of that road.

Such authorization gives the club the right to collect access fees for the trail in accordance with this Act.

70. An off-highway vehicle may be operated on private roads. However, the owner of the road or the maintenance authority may, by means of signs or signals that conform to regulatory standards, prohibit off-highway vehicles or restrict their operation to certain types of vehicles or to certain periods of time.

An off-highway vehicle may be operated elsewhere on private land, subject to the express authorization of the owner and lessee.

71. Any type of off-highway vehicle or maintenance vehicle may be operated on the trails of an off-highway vehicle club. However, the club may, by means of signs or signals that conform to regulatory standards and that are erected at its expense, prohibit such vehicles from operating on such trails or restrict the use of such trails to certain types of vehicles, certain classes of operators, certain purposes for which vehicles are operated or certain periods of time, except on parts of trails situated on private roads.

In addition to cases prescribed by government regulation, such prohibitions and restrictions do not apply to vehicles operated by peace officers, to ambulances, to firefighting vehicles or to vehicles operated by other persons in the performance of safety-related duties when proceeding to a location where their immediate action is required.

72. No person may use a trail otherwise than in or on an authorized off-highway vehicle or a maintenance vehicle, or in or on a sleigh or trailer towed by such a vehicle, except

(1) to cross the trail as safely and as directly as possible without interfering with traffic; or

(2) in the case of the passenger of a vehicle, to travel on foot on the extreme right-hand side of a steep ascending part of a trail having a slope inclination percentage equal to or greater than that provided for by regulation.

However, that prohibition does not apply on a trail section situated on the negotiable portion of a road.

For the purposes of the first paragraph, the operation of an off-highway vehicle on a trail is not authorized if a user fails to comply with any of the conditions or restrictions on operation provided for in this Act or another Act, including payment of the access fee for the trail unless the operator is exempted by government regulation.

The prohibition provided for in this section does not apply to vehicles operated by peace officers or to ambulances, firefighting vehicles or vehicles operated by other persons in the performance of safety-related duties when proceeding to a location where their immediate action is required.

73. No off-highway vehicle may be operated on a public highway.

However, an off-highway vehicle may

(1) be operated on the roadway for a maximum distance of one kilometre provided it is operated by a worker for whom the vehicle is necessary for work the worker is performing;

(2) cross a road at the place where a crossing for off-highway vehicles is indicated by a road sign or signal;

(3) be operated off the roadway and ditch area, with or against the flow of vehicular traffic, on the conditions fixed by government regulation;

(4) be operated on the roadway, where authorized by a road sign or signal, for a maximum distance of one kilometre to reach a trail of an off-highway vehicle club, a service station or another area open to the public as a rest area, if the layout of the right of way does not allow operation off the roadway and ditch area and the most direct access to those locations is obstructed;

(5) be operated on a road with the authorization of the maintenance authority and on the conditions it determines if the road is closed to vehicular traffic owing to exceptional events or atmospheric conditions;

(6) be, where authorized by a municipal by-law enacted under subparagraph 14 of the first paragraph of section 626 of the Highway Safety Code and subject to the power of disallowance provided for in that section, operated on the roadway of a public highway maintained by the municipality for a distance longer than that provided for in subparagraphs 1 and 4 of this paragraph if the municipality considers it necessary for any of the purposes authorized by subparagraphs 1 and 4, after having considered the safety issues; the operation that may be authorized by such a by-law is limited to that allowing the most direct access to a club's trail or to any of the areas referred to in subparagraphs 1 and 4; and

(7) be operated on all or part of a road that the Minister is responsible for maintaining and determined by a regulation of the Minister, on the conditions and for the types of vehicles determined in the regulation.

For the purposes of this section, the roadway includes the shoulder.

The operation of an off-highway vehicle referred to in subparagraphs 1, 4 and 6 of the second paragraph is not authorized on an autoroute or limited access highway within the meaning of the Highway Safety Code.

The operation of an off-highway vehicle referred to in subparagraph 2 of the second paragraph is not authorized on an autoroute or limited access highway within the meaning of the Highway Safety Code, except at an intersection designed as a crossing for off-highway vehicles where appropriate signs and signals are installed.

The Minister may, by regulation, determine the procedure to calculate a distance for the purposes of this section, in particular to take into account a road's configuration or its intersection with other roads.

A regulation made under subparagraph 7 of the second paragraph is not subject to the publication requirement or the date of coming into force set out in sections 8 and 17 of the Regulations Act (chapter R-18.1). It may come into force on the date of its publication in the *Gazette officielle du Québec*.

The prohibition set out in the first paragraph does not apply to a vehicle registered otherwise than as a off-highway vehicle under the Highway Safety Code.

74. Unless another distance is fixed by municipal by-law under section 95, no vehicle may be operated on a trail within 100 metres, or, on a trail laid out before 1 January 2012, within 30 metres of a dwelling, a facility operated by a healthcare institution or an area reserved for cultural, educational, recreational or sports activities.

Such restrictions do not apply to the laying out of a trail

(1) if the trail was initially laid out at a shorter distance with the express authorization of the owner of the dwelling or reserved area or, on public land, with the authorization of the owner or lessee of the dwelling or reserved area;

(2) if the trail is laid out in the right of way of a public highway or road on public land, in accordance with the applicable provisions;

(3) if the trail is laid out on a private road;

(4) if the trail is laid out on an abandoned railroad right of way and is indicated on a land use and development plan or a metropolitan land use and development plan; or

(5) in any other cases and on any other conditions determined by government regulation.

In assessing compliance with the fixed minimum distance, the presence is not taken into account of dwellings, facilities and reserved areas for which a building permit or land-use authorization was issued after the authorization to lay out a trail.

The course of a laid-out trail may be modified without taking into account the 100-metre restriction referred to in the first paragraph if the course of the trail is only slightly modified, in particular, to adapt it after the loss of a right of way or to widen the trail for safety purposes.

A modification to a trail is not considered a new laying out if it does not have the effect of allowing traffic on the trail at a shorter distance than the distance before the modification or if the trail remains at a distance of at least 100 metres.

For the purposes of this section, in the absence of any other proof, use of a trail for one year is proof that the trail has been laid out.

The distances referred to in this section are fixed for the benefit of the owners of the constructions and areas referred to in the first paragraph, who alone are considered to have sufficient interest to raise an issue in case of failure to comply with the distances.

The trails that are indicated on the maps of the interregional snowmobile and quad networks published by the Minister in the *Gazette officielle du Québec* are presumed to have been laid out in accordance with this section.

Prior to the publication of the final version of such maps, the Minister must publish a notice in the *Gazette officielle du Québec*, accompanied by the proposed maps, mentioning that the final version of the maps may be fixed within 30 days of publication of the proposed maps and that any interested person may transmit their comments to the Minister during that period.

75. On roads and trails where off-highway vehicles are allowed, such vehicles may be operated only from 6:00 a.m. to 12:00 midnight.

The operation of an off-highway vehicle is not restricted to the hours set out in the first paragraph in unorganized territories, on multi-purpose roads situated on public land, in the Nord-du-Québec administrative region, in the territory of the Municipalité régionale de comté du Golfe-du-Saint-Laurent or in any other territory that is not included in the territory of a regional county municipality and that is determined by ministerial regulation.

Despite the preceding paragraphs, a regional county municipality may, subject to the by-laws a local municipality may pass under section 95, pass a by-law to fix the hours when off-highway vehicles may be operated.

76. No authorization under this Act to operate an off-highway vehicle may have the effect of exempting the operator of the vehicle from the obligation to comply with the conditions and restrictions imposed by the competent authorities and off-highway vehicle clubs, including the payment of duties.

The conditions and restrictions on such operation established by provisions of this Act or of a municipal by-law do not apply to vehicles operated by peace officers, or to ambulances, firefighting vehicles or vehicles operated by workers carrying out their work or by other persons in the performance of safety-related duties when proceeding to a location where their action is required.

77. Any off-highway vehicle club and any association of such clubs whose by-law imposes the payment of access fees or other conditions or restrictions for the use of a trail must ensure that the information is accessible by posting it in full view near the place where off-highway vehicle operators may access the trail and by any other means they consider appropriate, including their website. A copy of the by-law must be given to every operator at the time of payment of the operator's access fee.

The Government may exempt certain categories of off-highway vehicle operators from the requirement to pay an access fee imposed by a club or an association of such clubs to use a trail.

78. No civil action may be brought for any damage arising from the operation of a vehicle to which this Act applies on land in the domain of the State off a trail and resulting from a defective layout, sign or signal or from the faulty maintenance of an area of use referred to in this Act.

79. The layout and the operation of a trail by an off-highway vehicle club are subject

(1) on private land, to the express authorization of the owner; and

(2) on public land, according to law, to the express authorization of the Minister or the body having authority over the land.

The layout of the intersection of a trail with a public highway is subject to the express authorization of the maintenance authority.

Every authorization is valid for the period determined by the authority granting it.

An authorization obtained under this section does not release the person in charge of laying out a trail from the obligation to, with respect to neighbouring properties, comply with section 74 and the distance requirements provided for in that section.

80. No legal action may be brought against the owner or lessee of private land that authorizes an off-highway vehicle club to lay out and operate a trail on the land for reparation of any damage related to the operation of an off-highway vehicle on the trail unless the damage results from an intentional or gross fault on the part of the owner or lessee.

DIVISION IV

SIGNS AND SIGNALS ON TRAILS AND OTHER AREAS OF USE

81. Whatever the medium, a sign or signal on a trail or in any other area of use to which this Act applies has the meaning ascribed to it in a ministerial regulation.

Such a regulation sets out the obligations of off-highway vehicle clubs regarding signs and signals on their trails, including signs and signals indicating hours of operation that differ from those referred to in section 75.

82. Standards for the manufacture and installation of signs and signals to be erected on a trail are established by the Minister and published in a document prepared by the Ministère des Transports. Such standards are not subject to the Regulations Act.

An off-highway vehicle club responsible for laying out and operating a trail must comply with the manufacturing and installation standards. It must also make sure the signs and signals remain in place and, if necessary, repair or replace any destroyed or damaged sign or signal throughout the period of use of the trail that it operates.

The Minister may order the removal, at the club's expense, of any signs or signals that do not comply with the manufacturing and installation standards.

83. An off-highway vehicle club may, by means of the appropriate signs and signals,

- (1) identify where vehicles must stop or yield;
- (2) identify crossings for pedestrians and users of non-motorized transportation;
- (3) prohibit, restrict or otherwise regulate pedestrian and other non-motorized traffic, as well as the operation of certain classes of motor vehicles;
- (4) prohibit, restrict or otherwise regulate the stopping or parking of off-highway vehicles;
- (5) during exceptional events, sports events or competitions, restrict or prohibit access to a trail by all or some off-highway vehicles for the time specified by the club; and
- (6) for safety reasons, restrict or prohibit access to a trail by all or some off-highway vehicles.

84. Subject to the powers conferred on a public authority by another Act, only an off-highway vehicle club responsible for a trail may erect signs and signals on it.

It may remove any sign or signal erected in contravention of the first paragraph.

Despite the first paragraph, where off-highway vehicles operated on a trail are authorized to cross a public highway, if there are insufficient signs or signals requiring a stop when approaching the intersection concerned, the Minister or the authority responsible for the highway's management may erect or require the club to erect the necessary signs and signals on the trail or in the right of way of the highway.

85. No person may erect a signal, sign, indication or other device on a trail without the authorization of the off-highway vehicle club responsible for maintaining the trail.

The club may remove any object erected in contravention of the first paragraph, at the contravener's expense.

86. The signs and signals erected on a private trail open to public traffic or on any other land where public traffic is authorized must be in conformity with the manufacturing and installation standards established by the Minister.

87. Every person must comply with the signs and signals erected under this Act.

In any proceedings for a contravention of this section, the sign or signal and its installation are presumed, in the absence of any evidence to the contrary, to be in conformity with this Act and the regulations.

88. No person may conceal, remove, move or damage a sign or signal erected in conformity with this Act and the regulations.

In any proceedings for a contravention of this section, the sign or signal and its installation are presumed, in the absence of any evidence to the contrary, to be in conformity with this Act and the regulations.

DIVISION V

TRAIL MAINTENANCE AND OTHER POWERS OF OFF-HIGHWAY VEHICLE CLUBS

89. Every off-highway vehicle club must lay out, erect signs and signals for and maintain the trails it operates.

For those purposes and to ensure the safety of the trails, the club may, for example, use trail security officers.

The Government may fix, by regulation, the conditions to be met by persons applying to become trail security officers and the rules of conduct to be observed by such officers.

90. Every off-highway vehicle club laying out or operating a trail must take out civil liability insurance each year in an amount fixed by government regulation. In addition, the Government may, by regulation, set out restrictions with respect to the clauses and deductibles allowed in such contracts.

CHAPTER IV

REGULATORY PROVISIONS

91. In addition to the regulatory powers conferred on them by this Act, the Government and the Minister may respectively, by regulation, determine the provisions of regulations they make whose violation constitutes an offence and determine the applicable fines, which may not be more than \$500 in the case of a natural person and not more than \$15,000 in any other case.

They may also determine the provisions of regulations they make for which non-compliance may give rise to monetary administrative penalties and fix the amounts of the applicable penalties, which may not be more than \$250 in the case of a natural person and not more than \$350 in any other case.

92. The regulatory standards made under this Act may be established on the basis of any distinction considered useful, including on the basis of the area or public or private nature of the land on which an off-highway vehicle or a maintenance vehicle is operated; the standards may also provide for exceptions and vary according to the types and purposes of the vehicles.

93. The Minister may authorize the carrying out of pilot projects aimed at testing the use of a vehicle or of equipment related to its functioning or safety, or at improving or developing traffic rules or standards for equipment or safety. During a pilot project, the Minister may make any rule concerning the operation of a vehicle and authorize, in that context, any person or body to operate a vehicle according to standards and rules the Minister makes that differ from those provided for by this Act and the regulations.

Such pilot projects are established for a maximum of three years, a period which the Minister may, if the Minister judges it necessary, extend for a maximum of two years. The Minister may modify or terminate a pilot project at any time. The Minister may also determine, among the provisions of an order made under this section, those whose violation constitutes an offence, and fix the minimum and maximum fines to which the offender is subject. The amount of a fine may not be less than \$50 or more than \$1,000.

Any decision of the Minister made under this section must be in the form of an order. Such an order is not subject to the publication requirement set out in section 8 of the Regulations Act.

94. A regional county municipality may, by by-law, prescribe for all or part of its territory the hours, which may vary from one part of the territory to another, during which off-highway vehicular traffic is permitted.

With the exception of the provisions of a by-law made under subparagraph 2 of the first paragraph of section 95, the provisions of a by-law made under the first paragraph prevail over the provisions of a by-law made by a local municipality that may affect the hours during which off-highway vehicular traffic is permitted, in particular concerning the environment, disturbances or safety, or to ensure peace, order and good government.

A copy of a by-law made under the first paragraph must be sent to the Minister within 15 days of the by-law being passed. The Minister may disallow all or part of the by-law at any time. In such a case, the by-law or the part of the by-law that has been disallowed ceases to have effect on the date a notice of disallowance is published in the *Gazette officielle du Québec* or on any later date specified in the notice. The Minister notifies the municipality of the decision as soon as possible.

A local municipality whose territory is not included in that of a regional county municipality is considered to be a regional county municipality for the purposes of this Act.

95. A local municipality may, by by-law,

(1) fix the distance within which off-highway vehicles may not be operated pursuant to section 74; and

(2) in the places it determines on land of the municipality appropriated for public utility, determine the speed, prohibit off-highway vehicles or restrict their operation to certain types of vehicles or to certain periods of time and, in the latter cases, determine special operating conditions.

Before passing a by-law under subparagraph 1 of the first paragraph, a public meeting on the proposed by-law must be held to hear concerned citizens, receive their written observations and answer their questions. The municipality accepts written observations up to the 15th day following the meeting.

The meeting is held by a committee chaired by the mayor of the municipality and consisting of at least two other council members designated by the mayor. Not later than the 15th day before the meeting, the clerk or the secretary-treasurer of the municipality must publish, in accordance with the Act governing the municipality, a public notice of the date, time, place and purpose of the meeting.

A copy of any by-law made under subparagraph 1 of the first paragraph must be sent to the Minister within 15 days of being passed. The Minister may disallow all or part of the by-law at any time. In such a case, the by-law or the part of the by-law that has been disallowed ceases to have effect on the date a notice of disallowance is published in the *Gazette officielle du Québec* or on any later date specified in the notice. The Minister notifies the municipality of the decision as soon as possible.

96. The power to prohibit or restrict the operation of off-highway vehicles or to prescribe, by means of a sign or signal, a rate of speed lower than the rate fixed in this Act, conferred on owners of roads, on maintenance authorities and on clubs operating trails must be exercised in compliance with the conditions determined by government regulation.

In the case of non-compliance with the conditions or non-conformity of the sign or signal with regulatory standards, the Minister may notify a notice to the owner, the maintenance authority or the club, as the case may be, enjoining the offender to take the necessary corrective measures or to remove the non-conforming sign or signal within the time indicated by the Minister. If the offender does not comply with the notice, the Minister may have the sign or signal removed or replaced at the offender's expense.

CHAPTER V

ENFORCEMENT MEASURES AND INSPECTIONS

97. For the purposes of this Act, the following persons are trail security officers:

(1) the persons recruited as such by an off-highway vehicle club or an association of such clubs who satisfy the conditions determined by government regulation; and

(2) members of an Aboriginal community designated under an agreement for the purposes of this Act entered into between the Minister and an Aboriginal group or group of Aboriginal groups within the meaning of section 6.

Any peace officer may act as an inspector to ascertain compliance with this Act.

98. For the purpose of ascertaining compliance with this Act and the regulations, a peace officer and an inspector appointed under the Act respecting the Ministère des Transports may, as part of their inspection,

(1) enter, at any reasonable time and elsewhere than in a dwelling house, the premises of a lessor of off-highway vehicles or an off-highway vehicle club that lays out or operates a trail to examine and make copies of books, registers, accounts, records and other documents containing information relating to the obligations imposed on the lessor or club by this Act;

(2) travel to any area in which an off-highway vehicle or a maintenance vehicle is being operated or is stopped;

(3) when recognizable as such at first sight, require the operator of an off-road vehicle or maintenance vehicle to stop the vehicle for an inspection of it, to verify equipment or to ask for a document that the officer or inspector is entitled to require;

- (4) take photographs of the area, vehicles and other things;
- (5) require a vehicle operator to produce proof of age and, where applicable, the vehicle operator's training certificate;
- (6) require a vehicle operator to produce the driver's licence required under this Act;
- (7) if applicable, require a person acting or offering to act as a guide to produce a document certifying that they have successfully completed the training required under this Act;
- (8) require the production of the vehicle registration certificate issued under the Highway Safety Code and the civil liability insurance certificate;
- (9) require, where applicable, the production of documents issued by an association of off-highway vehicle clubs certifying that the owner of an off-highway vehicle stopped on a trail is the holder of a valid right of access; and
- (10) require a lessor, a club, a person offering guide services or any other person or enterprise whose activities are governed by this Act to provide any information relating to the application of its provisions and to produce any relevant document.

For the purposes of subparagraph 2 of the first paragraph, peace officers and inspectors who have reasonable grounds to believe that activities governed by this Act are being or have been engaged in may, in the exercise of their functions, enter upon and pass over private land, in places other than dwelling houses, to conduct inspections.

A trail security officer may, on the same conditions, exercise the powers provided for in subparagraphs 3 to 9 of the first paragraph with respect to the trail or trails to which the officer is assigned. A trail security officer recruited by an association of off-highway vehicle clubs may, in addition, on the same conditions as a peace officer, exercise the powers provided for in subparagraph 2 of the first paragraph.

A person who has the custody or possession of or control over the documents specified in the first paragraph must, on demand, surrender the documents for examination to the person conducting the inspection.

On completion of the examination, the peace officer, inspector or trail security officer must return the documents, except in the case of a driver's licence that the peace officer is authorized to seize under the Highway Safety Code.

99. If, in the course of a verification, a peace officer has reasonable grounds to believe that an offence under this Act or the regulations has been committed, the peace officer may seize any thing that may constitute evidence of the offence.

The provisions of the Code of Penal Procedure (chapter C-25.1) pertaining to things seized apply, with the necessary modifications, to things seized under this section.

100. On the same conditions, a peace officer, inspector or trail security officer may move a vehicle or cause it to be moved, or impound a vehicle or cause it to be impounded, to stop the commission of an offence.

The owner may not recover possession of the vehicle except on payment, to the person who has custody of the vehicle, of the actual costs of moving and impounding.

101. A trail security officer is not authorized to exercise the powers provided for in articles 84 to 86 of the Code of Penal Procedure nor, despite articles 87 and 98 of that Code, to make arrests or searches.

102. Peace officers, inspectors and trail security officers must, on request, identify themselves and show their badge or the certificate attesting their capacity.

103. No information obtained by a trail security officer in the performance of duties may be disclosed except for the purposes of this Act.

104. No action may be brought against a peace officer, inspector or trail security officer in relation to official acts performed in good faith in the performance of their duties under this Act.

CHAPTER VI

MONETARY ADMINISTRATIVE PENALTIES AND PENAL PROVISIONS

DIVISION I

MONETARY ADMINISTRATIVE PENALTIES

105. A monetary administrative penalty of \$125 may be imposed

(1) on any person who, in contravention of section 24, fails to show to a person authorized to ask for it a document certifying successful completion of the training required by that section;

(2) on an operator of a off-highway vehicle or a maintenance vehicle who, in contravention of section 27, fails to show to a person authorized to request it any document specified in that section;

(3) on a passenger of an off-highway vehicle or a maintenance vehicle who, in contravention of section 34, consumes alcoholic beverages, cannabis or any other drug in or on the vehicle;

(4) on an occupant of an off-highway vehicle or a maintenance vehicle who, in contravention of the third paragraph of section 50, fails to wear, properly, the seat belt with which their place to sit is equipped;

(5) on an occupant of an off-highway vehicle or a maintenance vehicle, sleigh or trailer who, in contravention of section 52, fails to wear a helmet or safety glasses as required under that section;

(6) on an operator of an off-highway vehicle or a maintenance vehicle who,

(a) in contravention of section 54, operates, on a trail, a vehicle exceeding the maximum authorized width, or

(b) in contravention of section 58, operates a vehicle without keeping the white headlight or headlights and the red tail-light or tail-lights on; and

(7) on an operator of an off-highway vehicle who, in contravention of section 75, operates a vehicle outside the permitted hours.

The monetary administrative penalties collected under this Act are credited to the Land Transportation Network Fund established by the Act respecting the Ministère des Transports.

The Government may, by regulation, determine the provisions, other than those referred to in the first paragraph, regarding which non-compliance may give rise to monetary administrative penalties and fix the amounts of the applicable penalties, which may not exceed \$250 in the case of a natural person or \$350 in any other case.

106. A monetary administrative penalty is imposed by a person designated by the Minister by the notification of a notice of claim to the person concerned.

The person concerned must have already been informed of the failure of which the person is accused by a notice of non-compliance mentioning that the failure may give rise to a monetary administrative penalty and penal proceedings. If circumstances permit, the notice may offer the person the opportunity to remedy the failure, and specify the time limit and the person to whom the person must report.

The notice of claim of a monetary administrative penalty must specify

(1) the failure to comply;

(2) the amount of the monetary administrative penalty to be paid, the payment terms and the time limit for paying, which cannot be less than 30 days after notification of the notice;

(3) the right of the person concerned to apply for a review of a decision imposing a monetary administrative penalty within 30 days after notification of the decision; and

(4) the person's right to contest, before the Administrative Tribunal of Québec, a review decision confirming the imposition of a monetary administrative penalty.

Unless a longer time limit was provided in the notice, 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.

The notice of contravention must also include information on the procedure for recovery of the amount claimed, including information relating to the issuance of the recovery certificate provided for in section 111.

Prescription is interrupted as of the date of notification of the notice.

107. The Minister designates the persons who may impose monetary administrative penalties under this Act and the persons responsible for the applications for review.

The persons responsible for applications for review must not come under the same administrative authority as the persons responsible for imposing the penalties.

108. An application for the review of a monetary administrative penalty imposed under this Act must be sent in writing to the Minister by the person concerned within 30 days after notification of the notice of claim provided for in section 106.

After giving the applicant an opportunity to submit observations and, where applicable, to 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 considers it necessary to proceed in some other manner. The person may confirm, quash or vary the decision under review.

A review decision that confirms the imposition of a monetary administrative penalty under this Act or the regulations may be contested before the Administrative Tribunal of Québec by the person concerned within 30 days after notification of the decision rendered by the person designated by the Minister.

The review decision must be written in clear, concise terms, with reasons given; it must be notified to the person concerned and state that the person has the right to contest the decision before the Tribunal within 30 days of its notification.

When rendering its decision, the Tribunal may make a ruling with respect to interest accrued.

109. 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.

If two years have passed since the date of the failure to comply, no monetary administrative penalty may be imposed.

110. No decision to impose a monetary administrative penalty may be notified to a person for a failure to comply with a provision of this Act or a regulation if a statement of offence has already been served on the person for a failure to comply with the same provision on the same day and based on the same facts.

In addition, no accumulation of monetary administrative penalties may be imposed on a person for failure to comply with the same provision if the failure occurs on the same day and is based on the same facts.

111. The Minister may issue, in a definitive manner, a recovery certificate for an amount owing under this division and file it at the office of the competent court, together with the decision establishing the amount of the debt, so that 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 provisions of sections 203 to 207 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2) relating to the recovery of amounts owing as a result of the imposition of a monetary administrative penalty apply, with the necessary modifications, to the issuance of a certificate and to the process for the recovery of amounts owing under this division.

The Minister may, 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 division.

DIVISION II

PENAL PROVISIONS

112. The following are guilty of an offence and are liable to a fine of \$450 to \$900 in the case of a natural person and \$2,500 to \$25,000 in any other case:

(1) a minor who operates an off-highway vehicle or a maintenance vehicle when under the prescribed age, in contravention of the first paragraph of section 16; when not holding the training certificate required to operate such a vehicle, in contravention of the second paragraph of section 16; or when in contravention of the conditions and requirements imposed by section 21;

(2) a person having authority over a minor and the control of an off-highway vehicle or a maintenance vehicle who allows the minor to operate the vehicle or tolerates the minor doing so when the minor is under the prescribed age, in contravention of the first paragraph of section 16; when the minor does not hold the training certificate required to operate such a vehicle, in contravention of the second paragraph of section 16; or when the minor operates such a vehicle in contravention of the conditions and requirements imposed by section 21;

(3) an owner or custodian of an off-highway vehicle or maintenance vehicle used by a minor who allows the minor to operate the vehicle or tolerates the minor doing so when the minor is under the prescribed age or when the minor does not hold the training certificate required to operate such a vehicle, in contravention of the first or second paragraph of section 16, or when the minor operates such a vehicle in contravention of the conditions and requirements imposed by section 21;

(4) an operator who contravenes any of sections 30, 32 and 34 or who tolerates a practice prohibited by the first or second paragraph of section 51; and

(5) an off-highway vehicle club that lays out or operates a trail in contravention of section 79.

113. The following are guilty of an offence and are liable to a fine of \$350 to \$700 in the case of a natural person and \$2,000 to \$20,000 in any other case:

(1) an operator who contravenes section 10, who contravenes the requirement to hold the driver's licence prescribed by the first paragraph of section 16, or who contravenes the first or second paragraph of section 31, or any of sections 37, 38, 40, 45, 49, 52 and 70, or the first paragraph of section 73;

(2) a person having authority over a minor and the control of an off-highway vehicle or a maintenance vehicle who allows the minor to contravene the first paragraph of section 16 by operating such a vehicle without holding the required driver's licence, or tolerates the minor doing so;

(3) a passenger of an off-highway vehicle who contravenes section 45 or the first or second paragraph of section 51;

(4) a person who operates a vehicle that is not equipped with a brake system required under section 61 or an owner of such a vehicle who allows a person to operate the vehicle or tolerates the person doing so;

(5) a vehicle operator who operates a vehicle in contravention of section 63 or section 64;

(6) an owner who allows a person to operate a vehicle that is not compliant with section 64, or tolerates a person doing so, or who allows or causes repairs or modifications to be carried out in contravention of section 64;

(7) a person who sells or distributes equipment in contravention of section 64;

(8) a repairer or person who carries out work on a vehicle in contravention of section 64 or the second paragraph of section 67;

(9) an operator or passenger of an off-highway vehicle who contravenes section 72; and

(10) an off-highway vehicle club that lays out or operates a trail in contravention of section 74 or fails to take out civil liability insurance as required under section 90.

114. The following are guilty of an offence and are liable to a fine of \$250 to \$500 in the case of a natural person and \$1,000 to \$15,000 in any other case:

(1) any person who contravenes section 22 or 24, the fourth paragraph of section 50, or any of sections 57, 86, 87 and 88;

(2) a vehicle owner who contravenes section 25 or the first paragraph of section 35, who allows a person to operate a vehicle that is not compliant with section 65, or tolerates a person doing so, or who allows or causes repairs or modifications to be carried out in contravention of section 67;

(3) an operator who contravenes the first or second paragraph of section 28, the second paragraph of section 35, the first paragraph of section 43, or any of sections 44, 47, 48 and 50, the third paragraph of section 51, or any of sections 58, 59, 60 and 75, or who operates a vehicle that is not compliant with section 65 or was repaired or modified in contravention of section 67;

(4) a passenger of an off-highway vehicle who contravenes the second paragraph of section 43, section 47, the third paragraph of section 50, or the first paragraph of or subparagraph 2 of the third paragraph of section 52;

(5) an operator or passenger of a non-motorized vehicle who contravenes section 72; and

(6) an off-highway vehicle club that contravenes the second paragraph of section 82 or the first paragraph of section 89.

115. The following are guilty of an offence and are liable to a fine of \$150 to \$300 in the case of a natural person and \$600 to \$6,000 in any other case:

(1) a person who contravenes any of sections 29, 42, 84 and 85;

(2) an operator who contravenes section 54 or 62;

(3) a passenger of an off-highway vehicle who contravenes section 34;

- (4) an operator of an off-highway vehicle who contravenes section 66; and
- (5) a pedestrian who contravenes section 72.

116. A lessor or enterprise who fails to comply with the requirements applicable to them under section 23 of this Act in relation to the keeping of a register is guilty of an offence and is liable to a fine of \$75 to \$150 in the case of a natural person and \$400 to \$2,000 in any other case.

117. Any person who, in contravention of section 36 or 39, operates an off-highway vehicle or a maintenance vehicle at a speed in excess of the prescribed maximum speed is guilty of an offence and is liable to a fine of \$30 plus,

- (1) if the speed exceeds the speed limit by 1 to 20 km/h, \$15 for each 5 km/h by which the speed exceeds the speed limit;

- (2) if the speed exceeds the speed limit by 21 to 30 km/h, \$20 for each 5 km/h by which the speed exceeds the speed limit;

- (3) if the speed exceeds the speed limit by 31 to 45 km/h, \$25 for each 5 km/h by which the speed exceeds the speed limit;

- (4) if the speed exceeds the speed limit by 46 to 60 km/h, \$30 for each 5 km/h by which the speed exceeds the speed limit; or

- (5) if the speed exceeds the speed limit by 61 km/h or more, \$35 for each 5 km/h by which the speed exceeds the speed limit.

If the speeding offence occurs at a location where the maximum prescribed speed is 30 km/h or less, the amounts specified in the first paragraph are increased by \$5.

118. The following are guilty of an offence and are liable to a fine of \$350 to \$700 in the case of a natural person and \$2,000 to \$10,000 in any other case:

- (1) any person who hinders a peace officer, an inspector or a trail security officer in the performance of their duties by concealment, by a false document or by a false declaration or by misleading the officer or inspector by concealing a document from the officer or inspector or by destroying a document or property relevant to an inspection; or

- (2) an operator or passenger of a vehicle who fails to comply with a request from a peace officer, an inspector or a trail security officer made in accordance with the sixth paragraph of section 52, section 59, 61 or 64 or subparagraph 3 of the first paragraph of section 98.

119. In the case of a second or subsequent offence, the fines prescribed by this Act are doubled.

120. The person in whose name a vehicle is registered is responsible for any offence imputable to the owner under this Act.

121. In any proceedings instituted under this Act in respect of a contravention of section 25 or 90, the burden is on the defendants to prove that they held the compulsory liability insurance required under either of those sections.

122. In the case of an offence committed by an off-highway vehicle club, an association of clubs or a legal person, any director, officer, representative or employee of the club, association of clubs or legal person who ordered, authorized, consented to or participated in the offence is guilty of an offence and is liable to the penalty prescribed, whether or not the legal person has been prosecuted or found guilty.

123. Anyone who, by an act or an omission, helps or, by encouragement, advice, authorization or order, induces another person to commit an offence under this Act is guilty of an offence and is liable to the same penalty as that prescribed for the offence they helped or induced the person to commit.

124. In determining the fine to be imposed under this Act, the judge may take into account aggravating factors such as

- (1) the seriousness of the harm or the risk of harm to the safety of persons;
- (2) the intentional, negligent or reckless nature of the offence;
- (3) the foreseeable nature of the offence or the failure to follow recommendations or warnings to prevent it;
- (4) the offender's attempts to cover up the offence or failure to try to mitigate its consequences;
- (5) the increase in revenues or decrease in expenses that the offender intended to obtain by committing the offence or by omitting to take measures to prevent it; and
- (6) the offender's failure to take reasonable measures to prevent the commission of the offence or mitigate its consequences despite the offender's ability to do so.

125. Fines collected as a result of penal proceedings brought under this Act are credited to the Land Transportation Network Fund.

126. Penal proceedings for an offence under a provision of this Act or the regulations may be instituted by a local municipality if the offence is committed in its territory.

Proceedings in respect of such an offence committed in the territory of a municipality may be instituted before the competent municipal court, if applicable.

Despite section 125, the fine belongs to the municipality if the municipality has instituted the penal proceedings.

The costs relating to proceedings instituted before a municipal court belong to the municipality to which the court is attached, except for the part of the costs remitted to another prosecuting party by the collector under article 345.2 of the Code of Penal Procedure and except for the costs payable to the defendant or imposed on the municipality under article 223 of that Code.

127. The clerk of a court of justice or a person under the clerk's authority and the collector of the fines must send notice to the Société de l'assurance automobile du Québec of any conviction for an offence under section 25 in relation to the requirement to hold civil liability insurance.

CHAPTER VII

AMENDING PROVISIONS

HIGHWAY SAFETY CODE

128. Section 1 of the Highway Safety Code (chapter C-24.2) is amended by replacing the third paragraph by the following paragraphs:

“The provisions of this Code regarding the registration and identification of a vehicle by means of a number affixed to it apply to the vehicles referred to in the Act respecting off-highway vehicles (2020, chapter 26).

The rules set out by this Code to ensure safe vehicular traffic are also applicable to off-highway vehicles and maintenance vehicles governed by the Act respecting off-highway vehicles when such vehicles travel in those areas where the Code applies, taking into account the specific equipment and vehicle specifications, and with the other necessary modifications.

In areas where this Code applies, if one of its provisions is inconsistent with a provision of the Act respecting off-highway vehicles, the more restrictive provisions to ensure public safety prevail. In particular, the lowest speed limits prevail.”

129. Section 21 of the Code is amended by replacing “the contribution of off-highway vehicle owners set pursuant to section 49.2 of the Act respecting off-highway vehicles (chapter V-1.2)” in subparagraph 3 of the first paragraph by “the contribution fixed under section 11 of the Act respecting off-highway vehicles (2020, chapter 26), hereinafter called the off-highway vehicle owners' contribution”.

130. Section 31.1 of the Code is amended by striking out “fixed pursuant to section 49.2 of the Act respecting off-highway vehicles (chapter V-1.2)” in the first paragraph.

131. Section 111 of the Code is amended by adding the following paragraph at the end:

“The system of demerit points referred to in this section also includes demerit points prescribed by regulation under section 19 of the Act respecting off-highway vehicles (2020, chapter 26) for an offence against a provision of that Act, where provided for by such a regulation. The points must be entered in the person’s file and be considered in the same manner as the demerit points prescribed under the second paragraph.”

132. Section 189 of the Code is amended by replacing “section 45 of the Act respecting off-highway vehicles (chapter V-1.2)” in the last paragraph by “section 127 of the Act respecting off-highway vehicles (2020, chapter 26)”.

133. Section 421.1 of the Code is amended by replacing “in section 35 of the Act respecting off-highway vehicles (chapter V-1.2)” in the second paragraph by “in the Act respecting off-highway vehicles (2020, chapter 26)”.

134. Section 626 of the Code is amended by replacing “on the conditions and for the periods of time it fixes” in subparagraph 14 of the first paragraph by “in compliance with the conditions and limits prescribed by section 73 of the Act respecting off-highway vehicles (2020, chapter 26)”.

135. Section 648.4 of the Code is amended, in the first paragraph,

(1) by replacing “snowmobiles with a net mass of 450 kg or less, all-terrain vehicles with a net mass not exceeding 600 kg and off-highway vehicles” in subparagraph 1 by “snowmobiles, all-terrain vehicles and other off-highway vehicles”;

(2) by replacing “snowmobile with a net mass of 450 kg or less, an all-terrain vehicle with a net mass not exceeding 600 kg and an off-highway vehicle” in subparagraph 2 by “snowmobile, an all-terrain vehicle and any other off-highway vehicle”.

ACT RESPECTING ADMINISTRATIVE JUSTICE

136. Schedule IV to the Act respecting administrative justice (chapter J-3), amended by section 19 of the Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund (chapter P-30.1.1), enacted by section 98 of chapter 5 of the statutes of 2020, is again amended by adding the following paragraphs at the end:

“(34) section 20 of the Act respecting off-highway vehicles (2020, chapter 26);

“(35) section 108 of the Act respecting off-highway vehicles.”

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

137. Section 12.30 of the Act respecting the Ministère des Transports (chapter M-28) is amended by replacing subparagraph *a.1* of paragraph 1 by the following subparagraph:

“(a.1) programs and measures covered by section 15 of the Act respecting off-highway vehicles (2020, chapter 26);”

138. Section 12.32 of the Act is amended by replacing paragraph 0.2 by the following paragraph:

“(0.2) the sums paid by the Société de l’assurance automobile du Québec under section 13 of the Act respecting off-highway vehicles (2020, chapter 26), the amounts determined by the Government under section 14 of that Act, the amounts of the fines and monetary administrative penalties imposed under that Act and, if applicable, the duties exigible according to a regulation made under subparagraph 4 of the first paragraph of section 19 of that Act;”

139. Section 12.32.1 of the Act is amended by replacing the second paragraph by the following paragraph:

“The sums referred to in paragraph 0.2 of section 12.32 are allocated to the financing of the financial assistance programs and the measures provided for in section 15 of the Act respecting off-highway vehicles (2020, chapter 26).”

REGULATION RESPECTING OFF-HIGHWAY VEHICLES

140. The Regulation respecting off-highway vehicles (chapter V-1.2, r. 5) is amended by inserting the following sections after section 11.01:

“**11.02.** The contribution to be paid by off-highway vehicle owners under section 11 of the Act is \$21 for an all-terrain vehicle and \$40 for a snowmobile.

“**11.03.** The minimum amount of civil liability insurance that owners of off-highway vehicles or maintenance vehicles must take out each year under section 25 of the Act is \$1,000,000.

The amount of insurance required of off-highway vehicle clubs under section 90 of the Act is \$5,000,000.”

141. The Regulation is amended by inserting the following sections after section 11.2:

“**11.2.1.** No person may operate a vehicle equipped with a straight or deep-tone exhaust, shortened, pierced or perforated muffler, gutted muffler, by-pass or similar device.

“**11.2.2.** No person may offer for sale a new snowmobile or a demonstrator if its exhaust system is not compliant with the standard entitled *Detailed Standards and Testing Specifications and Procedures*, SSCC/11 Supplement, published by the Snowmobile Safety and Certification Committee, Inc. (the Supplement), including the section of that standard entitled “Snowmobile Exhaust System Identification”, as the standard read during the vehicle’s year of manufacture.

“**11.2.3.** No person may install a muffler or cause a muffler to be installed on a snowmobile if it is not compliant with the standard mentioned in section 11.2.2 as the standard read at the time of the installation or replacement of the muffler.

This section does not apply to the installation or replacement of the muffler of a snowmobile of a model year prior to 2011.

“**11.2.4.** No person may operate a snowmobile that has an exhaust system that is not compliant with the standard mentioned in section 11.2.2 or, where it has been modified, a snowmobile that has a muffler that is not compliant with section 11.2.3.

This section does not apply to snowmobiles of a model year prior to 2011.”

142. The Regulation is amended by inserting the following section after section 28:

“**28.0.1.** Every person who contravenes any of the provisions of sections 11.2.1 to 11.2.4 is liable to a fine of \$350 to \$500 in the case of a natural person and \$2,000 to \$15,000 in all other cases.”

143. The Regulation is amended by inserting the following after section 28.1:

“DIVISION 6.1

“TRANSITIONAL PROVISIONS

“**28.2.** Despite section 11.2.4, if the exhaust system of a snowmobile is not compliant with that section on 10 December 2020, the owner has one year after that date to make it compliant with that section.”

CHAPTER VIII**TRANSITIONAL AND FINAL PROVISIONS**

144. No legal action founded on neighbourhood annoyances or any other injury relating to noise, odours or other contaminants may be brought for facts occurring between 16 December 2001 and 31 December 2020 if the alleged injury is due to the use of a vehicle to which this Act applies when the vehicle is operated in places authorized under this Act and the regulations.

Legal action may be brought against the operator or owner of an off-highway vehicle, however, if the cause of the injury is the contravention of a provision of this Act or a regulation under this Act or if the injury results from the commission of an intentional or gross fault by the operator or owner in operating the vehicle.

From 29 November 2006, the first paragraph applies only to events occurring as of that date on the trails that form part of the interregional network established by order of the Minister published in the *Gazette officielle du Québec*. Any order altering the network must be made after consulting with the interested regional county municipalities and, if it is interested, any responsible body referred to in section 21.5 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1).

For the purposes of the third paragraph, a local municipality whose territory is not included in that of a regional county municipality is considered a regional county municipality. The same holds for a responsible body referred to in section 21.5 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire as regards the territory or community it represents.

145. The requirement for a speedometer under section 65 does not apply to vehicles built before 1 January 1998.

146. The Regulation respecting snowmobiles (chapter V-1.2, r. 1) and the Regulation respecting all-terrain vehicles (chapter V-1.2, r. 6) are deemed to be regulations made under this Act to the extent that they are consistent with this Act, and each of their provisions is deemed to be a provision, determined under the first paragraph of section 91, the violation of which constitutes an offence.

Order 1013-99 (1999, G.O. 2, 4285, French only), Décret concernant l'habilitation de deux agents à délivrer des certificats d'aptitude pour conduire un véhicule hors route aux personnes âgées de 14 ans et plus mais de moins de 16 ans, is deemed to be a regulation made by the Minister for the purposes of section 17.

Any regulation made under a provision of the Act respecting off-highway vehicles (chapter V-1.2) remains in force until it is amended or repealed under the provisions of this Act.

147. A person who holds, on 29 December 2020, a civil liability insurance contract required under the Act respecting off-highway vehicles in force on that date is granted until 29 June 2021 to adjust the insurance coverage to comply with the minimum amounts set in section 11.03 of the Regulation respecting off-highway vehicles (chapter V-1.2, r. 5), enacted by section 140 of this Act.

148. The Act respecting off-highway vehicles is replaced by this Act, except for the provisions of sections 2, 2.0.1, 3, 12.1 to 12.1.3, 18.1, 21.1 to 21.3, 21.7, 21.8, 21.10, 22 and 28.1, which remain in force until the first regulation under this Act is made amending the Regulation respecting off-highway vehicles.

In the case of a contravention of any of those provisions, offenders are liable to the fines prescribed by the Act respecting off-highway vehicles, as it read on 9 December 2020.

149. Unless the context indicates otherwise, in any Act or any other document, a reference to the Act respecting off-highway vehicles or to any of its provisions replaced by this Act becomes, as the case may be, a reference to this Act or a reference to the corresponding legislative or regulatory provision.

150. The Minister of Transport is responsible for the administration of this Act.

151. The provisions of this Act come into force on 30 December 2020, except

(1) the requirement to hold a driver's licence under the first paragraph of section 16 and sections 22, 23 and 33, which comes into force on 10 September 2021;

(2) section 20, section 24 and paragraph 34 of Schedule IV to the Act respecting administrative justice (chapter J-3), enacted by section 136 of this Act, which come into force on the date or dates to be set by the Government.

2020, chapter 27

AN ACT RESPECTING THE ACCELERATION OF CERTAIN INFRASTRUCTURE PROJECTS

Bill 66

Introduced by Madam Sonia LeBel, Minister Responsible for Government Administration
and Chair of the Conseil du trésor

Introduced 23 September 2020

Passed in principle 3 November 2020

Passed 10 December 2020

Assented to 11 December 2020

Coming into force: 11 December 2020

Legislation amended: None

Explanatory notes

This Act introduces measures to allow the acceleration of infrastructure projects while conferring on the Autorité des marchés publics (the Authority) a greater role in monitoring the public contracts arising from those projects as well as other infrastructure projects that are necessary to serve them.

To that end, the Act allows the Authority to, in particular, conduct investigations into the tendering or awarding process for or the performance of the public contracts arising from an infrastructure project or any other project concerned. The Authority is granted powers enabling it to do such things as require information, order corrective measures and suspend the performance of or resiliate contracts.

An infrastructure project may benefit from one or more of the following acceleration measures:

- (1) a simplified expropriation procedure;
- (2) the possibility of undertaking work on part of the domain of the State before the required rights are obtained;

(cont'd on next page)

Explanatory notes (*cont'd*)

(3) the adaptation of certain processes applicable under the Environment Quality Act, in particular those relating to the obligation to obtain a ministerial authorization to carry on activities and those applicable to the environmental impact assessment and review procedure; and

(4) an exemption from the application of the Act respecting land use planning and development for government interventions as well as simplifications to the procedure for obtaining a municipal authorization.

Terms are specified for reporting on such matters as the Authority's oversight activities, the status of the projects' progress and the application of acceleration measures relating to the environment.

Furthermore, the Pilot project to facilitate payment to enterprises that are parties to the public construction work contracts and related public subcontracts is made applicable to the public contracts and public subcontracts arising from the infrastructure projects.

Lastly, the Act contains transitional provisions concerning, among other topics, the expropriation proceedings under way for the purposes of the Montréal metro blue line extension project. In addition to final provisions, it also includes miscellaneous provisions to, in particular, increase the Authority's oversight role over certain public contracts arising from public infrastructure projects and to make the provisions set out in the Act concerning the treatment and reclamation of contaminated soils applicable to their excavation.



Chapter 27

AN ACT RESPECTING THE ACCELERATION OF CERTAIN INFRASTRUCTURE PROJECTS

[Assented to 11 December 2020]

AS it is important for Québec to accelerate certain infrastructure projects in order to allow Quebecers to benefit more quickly from the resulting infrastructures and in order to help compensate for the impacts of the COVID-19 pandemic;

AS it is a priority to ensure the protection of the quality of the environment and avoid adverse effects on the life, health, safety, welfare and comfort of the public and on ecosystems, living species and property during the carrying out of those infrastructure projects;

AS it is necessary to reinforce oversight of the public contracts arising from those infrastructure projects;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

TITLE I

OVERSIGHT OF PUBLIC CONTRACTS AND ACCELERATION MEASURES APPLICABLE TO INFRASTRUCTURE PROJECTS

CHAPTER I

OVERSIGHT OF PUBLIC CONTRACTS

1. The purpose of this chapter is to confer on the Autorité des marchés publics (the Authority) oversight functions and powers in respect of public contracts, whether entered into by a public body or a municipal body, and related public subcontracts, to the extent that those contracts and subcontracts arise from infrastructure projects listed in Schedule I or from other infrastructure projects, such as road, waterworks or sewer infrastructure projects, that are necessary to serve the infrastructure projects listed in that schedule. Those functions and powers are in addition to those conferred on the Authority by the Act respecting the Autorité des marchés publics (chapter A-33.2.1) and the Act respecting contracting by public bodies (chapter C-65.1).

2. The provisions of this chapter apply to public contracts, whether entered into by a public body or a municipal body, and public subcontracts that arise from infrastructure projects listed in Schedule I or from other infrastructure projects, such as road, waterworks or sewer infrastructure projects, that are necessary to serve the infrastructure projects listed in that schedule.

The definitions of “public contract”, “public body” and “municipal body” respectively set out in subparagraphs 1 to 3 of the first paragraph of section 20 of the Act respecting the Autorité des marchés publics apply to this chapter.

For the purposes of this chapter, “public subcontract” means a public subcontract directly or indirectly related to a public contract.

3. The monitoring functions assigned to the Authority in accordance with subparagraph 5 of the first paragraph of section 21 of the Act respecting the Autorité des marchés publics also apply to public subcontracts.

Subparagraph 7 of the first paragraph of section 31 of that Act applies to the monitoring of public subcontracts, with the necessary modifications.

4. A bidder, contractor, subcontractor and any other person or partnership must send or otherwise make available to the Authority, at its request and within the time it specifies, all documents and information concerning a public contract or public subcontract that the Authority considers necessary for the exercise of its functions under the first paragraph of section 3 of this Act or subparagraph 1, 2 or 5 of the first paragraph of section 21 of the Act respecting the Autorité des marchés publics.

In addition, the Authority may require anyone referred to in the first paragraph to confirm, in an affidavit, the authenticity of the documents or the veracity of the information communicated.

The Authority may, in the exercise of its functions under subparagraphs 1 and 2 of the first paragraph of section 21 of the Act respecting the Autorité des marchés publics, delegate the exercise of the powers provided for in this section, with the necessary modifications, to a person referred to in the first paragraph of section 27 of that Act.

5. The Authority may, on its own initiative, conduct an investigation into any matter relating to the application of this chapter, including into the tendering or awarding process for a public contract or the performance of such a contract.

To that end, the Authority is vested with the powers and immunity of commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

When the Authority’s investigation concerns an ongoing tendering or awarding process, sections 48 and 49 of the Act respecting the Autorité des marchés publics and the second paragraph of section 50 of that Act apply, as the case may be, with the necessary modifications.

6. The Authority may, in writing, entrust the mandate of conducting an investigation referred to in section 5 of this Act to a person who is not a member of its staff and who meets the conditions set out in paragraphs 1 and 2 of section 6 of the Act respecting the Autorité des marchés publics. The person is then vested with the powers and immunity provided for in the second paragraph of that section.

7. When an audit or investigation conducted in accordance with this chapter or with the Act respecting the Autorité des marchés publics is concluded, the Authority may

(1) order a public body to take corrective measures, perform appropriate follow-up or implement any other measures, such as oversight and support measures, to ensure that a public contract is performed in compliance with the requirements specified in the tender documents or other contractual documents, and require that it be informed in writing, within the time specified, of the measures taken by the public body to comply with such a decision; and

(2) suspend the performance of any public contract for the time it specifies or resiliate such a contract if it is of the opinion that the seriousness of the breaches observed justifies suspending or resiliating the contract.

The Authority must publish a decision made under the first paragraph on its website.

Section 30 of the Act respecting the Autorité des marchés publics applies to a decision made under subparagraph 2 of the first paragraph, with the necessary modifications.

Despite the first paragraph, if the audit or investigation concerns a municipal body, the Authority's decision takes the form of a recommendation to the body's council or board.

When an investigation conducted in accordance with the first paragraph of section 5 of this Act is concluded, the Authority may, in addition to the powers provided for in the first paragraph, exercise the powers under sections 29 and 31 of the Act respecting the Autorité des marchés publics, on the conditions set out in those sections.

If the Authority issues a recommendation under this section, it may exercise the power provided for in section 35 of the Act respecting the Autorité des marchés publics.

8. The Conseil du trésor may, if there is an emergency that threatens human safety or property, give a public body permission to continue a public call for tenders despite the fact that the call for tenders is covered by an order of the Autorité des marchés publics under subparagraph 1 of the first paragraph of section 29 of the Act respecting the Autorité des marchés publics, on completion of an investigation conducted in accordance with the first paragraph of section 5 of this Act.

The Conseil du trésor may also, in such circumstances, give a public body permission to continue performing a public contract despite the fact that the contract is covered by a decision of the Authority made under subparagraph 2 of the first paragraph of section 7 of this Act.

The Conseil du trésor may subject either of such permissions to conditions.

Within 15 days after a permission is given under the first or second paragraph, the Chair of the Conseil du trésor makes public the name of the public body concerned, a summary description of the circumstances or reasons considered and the name of the enterprise concerned, if any, by posting them on the website of the secretariat of the Conseil du trésor. The Chair also publishes the information in the *Gazette officielle du Québec*.

9. The Authority may enter into an agreement with a public body or any person or partnership with a view to facilitating the application of this chapter.

For the purposes of the first paragraph, such persons and such partnerships as well as their officers, directors, partners and employees who take part in achieving the object of the agreement must meet the conditions set out in paragraphs 1 and 2 of section 6 of the Act respecting the Autorité des marchés publics.

10. Anyone who

(1) hinders or attempts to hinder a person conducting an audit or investigation,

(2) communicates any false or misleading document or information, refuses to provide any document or information they must send or make available, or conceals or destroys any document or information relevant to the monitoring of public contracts or public subcontracts, to an audit or to an investigation,

(3) by an act or omission, helps a person to commit an offence under subparagraph 1 or 2, or

(4) by encouragement, advice, consent, authorization or command, induces a person to commit an offence under subparagraph 1 or 2,

commits an offence and is liable to a fine of \$4,000 to \$20,000.

The fines are doubled for a subsequent offence.

11. Section 11 and sections 71 to 77 of the Act respecting the Autorité des marchés publics apply to the exercise of the functions and powers provided for in this chapter, with the necessary modifications.

CHAPTER II**ACCELERATION MEASURES APPLICABLE TO INFRASTRUCTURE PROJECTS****DIVISION I****APPLICATION OF ACCELERATION MEASURES**

12. The purpose of this division is to determine in what cases an infrastructure project listed in Schedule I benefits from one or more of the following acceleration measures:

(1) the acceleration measures relating to the acquisition of property provided for in Division II;

(2) the acceleration measures relating to occupation of the domain of the State provided for in Division III;

(3) the acceleration measures relating to the environment provided for in Division IV; and

(4) the acceleration measures relating to land use planning and development provided for in Division V.

13. An acceleration measure is applicable to a project until the project ends. However, it must begin to apply not later than 11 December 2025.

An acceleration measure begins to apply,

(1) in the case of acceleration measures relating to the acquisition of property, on the service of a notice of expropriation referred to in subparagraph 2 of the first paragraph of section 18 or of an information notice referred to in the first paragraph of section 74;

(2) in the case of acceleration measures relating to occupation of the domain of the State, on the granting of a temporary permission provided for in section 20 for the carrying out of work;

(3) in the case of acceleration measures relating to the environment, on the sending of one of the following documents:

(a) a project declaration referred to in section 28;

(b) an application for authorization under section 22 or 30 of the Environment Quality Act (chapter Q-2), including for a project referred to in section 57 of this Act;

(c) a rehabilitation plan referred to in subparagraph 1 of the first paragraph of section 39;

(d) a declaration of compliance referred to in subparagraph 2 of the first paragraph of section 39; or

(e) a project notice referred to in section 31.2 of the Environment Quality Act; or

(4) in the case of acceleration measures relating to land use planning and development, on 11 December 2020, for a project that is an intervention within the meaning of section 149 of the Act respecting land use planning and development (chapter A-19.1), or on the sending of a project notice referred to in section 59 of this Act, for a project that is not such an intervention.

14. For the purposes of this chapter, “public body” means a body listed in Schedule I. Anyone who must, under another Act, obtain an authorization, a decision or an approval for the purpose of carrying out an infrastructure project listed in Schedule I or carrying on any activity arising from such a project is considered a public body. Any person who or body which, but for the provisions of this Act, would have been required to obtain such an authorization is also considered a public body.

DIVISION II

ACCELERATION MEASURES RELATING TO THE ACQUISITION OF PROPERTY

15. The purpose of this division is to accelerate the acquisition of property necessary to carry out an infrastructure project listed in Schedule I by providing for modifications to the expropriation procedure prescribed by the Expropriation Act (chapter E-24).

16. The following are empowered to acquire, by mutual agreement or by expropriation, property necessary to carry out an infrastructure project:

(1) the minister responsible for transport, whether on the minister’s own behalf or on another’s behalf; and

(2) whoever is empowered, under another Act, to so acquire such property; in such a case, they have the same rights, powers and obligations as those assigned by this division to the minister responsible for transport, with the necessary modifications.

For the purposes of subparagraph 2 of the first paragraph, whoever intends to acquire such property for the purpose of carrying out a project that must be the subject of a report by the minister under section 68 must notify the minister of their intention.

If applicable, the minister must, within 30 days of receiving the notice provided for in the second paragraph, inform whoever intends to acquire the property of the minister's intention to acquire that property himself or herself, in which case only the minister may acquire the property.

Despite section 11.1 of the Act respecting the Ministère des Transports (chapter M-28), an acquisition provided for in the first paragraph does not require government authorization.

17. Despite the second paragraph of section 16, the Société de transport de Montréal may, without notifying the minister of its intention, acquire the property covered by Order in Council 1302-2019 (2020, G.O. 2, 167, French only) that is necessary to carry out the project to extend the Montréal metro's blue line from the Saint-Michel station to Anjou.

18. The Expropriation Act applies to every expropriation allowed by section 16, subject to the following modifications:

(1) the expropriation need not be decided or, as applicable, authorized by the Government under the first paragraph of section 36 of that Act;

(2) the notice of expropriation

(a) must specify the date before which the expropriated party, lessee or occupant in good faith must vacate the premises; and

(b) must contain a notification specifying that the expropriated party must send the expropriating party, within 60 days after service of the notice of expropriation, documents justifying the indemnity for the injury directly caused by the expropriation;

(c) must notify the expropriated party that the Administrative Tribunal of Québec will set the amount of the final indemnity; but

(d) must not include the notification required under subparagraph 3 of the first paragraph of section 40 of that Act specifying that the expropriated party has 30 days to contest the right to expropriate before the Superior Court;

(3) the expropriating party's right to expropriate may not be contested and, as a result, sections 44 to 44.3 of that Act do not apply;

(4) the notification required under section 45 of that Act must indicate to the lessee or occupant in good faith

(a) the date before which they must vacate the premises;

(b) that they must send the expropriating party, within 60 days after service of the notice of expropriation, documents justifying the indemnity for the injury caused by the expropriation; and

(c) that the Administrative Tribunal of Québec will set the amount of the final indemnity;

(5) the 30-day period provided for in section 46 of that Act is replaced by a 60-day period and begins on the date of service of the notice of expropriation;

(6) the notice of transfer of title referred to in section 53.3 of that Act need not reproduce the text set out in paragraphs 3 to 5 of Schedule II to that Act, and the date referred to in that section, before which the expropriated party, lessee or occupant in good faith must vacate the premises, need not be at least 15 days after the date of registration of the notice;

(7) the provisional indemnity, in the cases referred to in section 53.13 of that Act, is set by the minister and includes the indemnity the minister considers reasonable for the injury directly caused by the expropriation, to the extent that the documents justifying the indemnity were provided within 60 days after service of that notice;

(8) despite section 53.14 of that Act, the expropriated party, lessee and occupant in good faith may not request to retain possession of the expropriated property; and

(9) the expropriation indemnity for property is set on the basis of the value of the property and of the injury directly caused by the expropriation on the date of the expropriation, but without taking into account the increased value attributable to the public announcement of the infrastructure project.

For the purposes of subparagraph 6 of the first paragraph, the minister responsible for transport may designate any staff member of the minister's department to sign the notice.

19. Sections 9 and 11.1.2 of the Act respecting the Ministère des Transports apply to any infrastructure project to which this division applies, with the necessary modifications.

DIVISION III

ACCELERATION MEASURES RELATING TO OCCUPATION OF THE DOMAIN OF THE STATE

20. If the minister having authority over a part of the lands in the domain of the State is unable, within 30 days before the beginning of work that must be undertaken in that part of those lands to carry out an infrastructure project listed in Schedule I, to grant the rights necessary to carry out that work, the minister may temporarily allow the work to be carried out, on the conditions the minister determines, until the minister grants the necessary rights, provided the work is not incompatible with a right previously granted on that part of those lands or with any other related constraint.

This section does not have the effect of relieving anyone from the obligation to obtain the rights necessary to carry out a project.

DIVISION IV

ACCELERATION MEASURES RELATING TO THE ENVIRONMENT

§1. — General provisions

21. The purpose of this division is to accelerate the carrying out of infrastructure projects listed in Schedule I that require an authorization or approval from the minister responsible for the environment or that require an environmental impact assessment and review under the Environment Quality Act, while respecting the objective of no net loss of wetlands and bodies of water in order for them to continue to fulfill their ecological functions. To that end, this division provides for adaptations to that Act and to the Regulation respecting the environmental impact assessment and review of certain projects (chapter Q-2, r. 23.1).

22. The provisions of this division do not have the effect of restricting any power the minister responsible for the environment may exercise under the Environment Quality Act in the case where an activity referred to in that Act is carried on in contravention of this division, that Act or the regulations.

In addition, the powers provided for by the Environment Quality Act for the purposes of its application apply to this division.

23. The definitions set out in sections 3 and 4 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, enacted by Order in Council 871-2020 (2020, G.O. 2, 2349A), and in section 4 of the Regulation respecting activities in wetlands, bodies of water and sensitive areas, enacted by Order in Council 871-2020 (2020, G.O. 2, 2493A), apply to this division.

§2. — Acceleration measures applicable to certain activities for which an application for authorization under section 22 or 30 of the Environment Quality Act need not be submitted

I. — Exemption from the obligation to obtain an authorization

24. A public body that carries on an activity referred to in section 22 or 30 of the Environment Quality Act need not obtain the authorization required under those sections if the obligations set out in sections 27 to 34 of this Act are met.

However, such an authorization continues to be required for the following activities:

(1) work done, structures erected and any other intervention carried out in wetlands and bodies of water, if the project does not provide for the environments affected to be restored, within the year following the end of the work, so as to recover their original characteristics or present characteristics approaching their original characteristics;

(2) work done, structures erected and any other intervention carried out in the presence of a threatened or vulnerable species within the meaning of the Act respecting threatened or vulnerable species (chapter E-12.01), when such an authorization is required;

(3) construction on a former residual materials elimination site; and

(4) a water withdrawal, within the meaning of sections 31.74 and 31.75 of the Environment Quality Act, including related work and works.

In the case of an activity arising from a project to which the environmental impact assessment and review procedure as adapted by subdivision 5 applies, the acceleration measure provided for in the first paragraph applies only if the Government so provides in accordance with section 46.

25. In order to benefit from the acceleration measure referred to in the first paragraph of section 24, the public body must first consult the minister responsible for the environment, who will provide it with support to identify, within the framework of its project, the activities listed in the second paragraph of section 24, including those that are to be carried on in wetlands and bodies of water and for which restoration at the end of the work may be possible.

26. If a public body fails to meet the obligations set out in sections 27 to 34, it is deemed to carry on its activity without authorization. The administrative penalties and penal sanctions prescribed in sections 115.25 and 115.31 of the Environment Quality Act apply in such a case.

II. — *Obligations under the exemption from the obligation to obtain an authorization*

27. A public body referred to in the first paragraph of section 24 must comply with the conditions prescribed by the Regulation respecting activities in wetlands, bodies of water and sensitive areas and by the Regulation respecting the reclamation of residual materials, enacted by Order in Council 871-2020 (2020, G.O. 2, 2478A), for carrying on an activity covered by those regulations.

It must also comply with the standards set out in Schedule II.

28. A public body referred to in the first paragraph of section 24 of this Act must send the minister responsible for the environment, at least 10 days before the activities are to begin and using the form provided for that purpose, a project declaration containing the information and documents required under the first paragraph of section 23 of the Environment Quality Act and under section 41 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact. However, the declaration referred to in subparagraph 7 of the first paragraph of that section 41 must attest the following additional information:

(1) that the activity will be carried on in accordance with any condition set out in this subdivision;

(2) that the wetlands and bodies of water in which the activities will be carried on will be restored, within the year following the end of those activities, so as to recover their original characteristics or present characteristics approaching their original characteristics;

(3) that the assessment of the presence or potential presence of a threatened or vulnerable species has been conducted;

(4) that no activity will be carried on on a former residual materials elimination site;

(5) that avoidance or minimization measures, in particular those prescribed by Schedule II, will be implemented to avoid or limit environmental disturbances and contaminant releases into the environment; and

(6) that restoration measures, in particular those prescribed in sections 15 to 17 of the Regulation respecting activities in wetlands, bodies of water and sensitive areas that are applicable to the infrastructure project, will be implemented during the year following the end of the activities.

The public body must send its project declaration together with the fees payable under section 14.1 of the Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28).

29. When sending a project declaration under section 28, the public body must also send a copy of it to the municipality in whose territory the activities arising from the infrastructure project are to be carried on.

30. Sections 14 and 42 to 44 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact apply to a project declaration, with the necessary modifications.

However, for the purposes of section 44 of that Regulation, a new project declaration must be sent not later than 11 December 2025. After that date, an application for authorization under section 22 or 30 of the Environment Quality Act must be sent.

31. The public body concerned by the project declaration must send the minister responsible for the environment, not later than 60 days after the end of the activities and using the form provided for that purpose, a certificate of compliance signed by a professional.

Such a certificate must confirm that the activities arising from the infrastructure project were carried on in accordance with the requirements prescribed in this division and with any standards, conditions, restrictions and prohibitions applicable under the Environment Quality Act or the regulations or set out in an authorization issued after completion of an impact assessment and review procedure.

32. When work to restore wetlands and bodies of water is carried out, the public body concerned by the project declaration must send the minister responsible for the environment,

(1) on the completion of the restoration work, a notice to that effect including a brief description of the work carried out; and

(2) one year after the end of the restoration work, a monitoring report containing, among other things, a status report on the effectiveness of the measures implemented and, if applicable, a description of the corrective measures taken to improve the situation.

Documents sent to the minister under the first paragraph must be signed by a professional or any other person mentioned in paragraph 1 of section 46.0.3 of the Environment Quality Act.

33. Anyone who, under this subdivision, sends information or a document to the minister responsible for the environment must also send it to the minister responsible for wildlife.

34. The public body concerned by the project declaration must keep the following information for the duration of the infrastructure project and for a minimum of five years after its end:

(1) the nature, quantity, concentration and location of any and all contaminants released into the environment;

(2) the measures taken to avoid or limit contaminant releases or to mitigate their effects;

(3) the quantity of residual materials produced, including hazardous residual materials, and information on their management;

(4) the measures taken to minimize the impacts on wetlands and bodies of water, including the restoration measures taken; and

(5) the characterization of the contaminated soils that have been excavated and information on their management.

That information must be provided to the minister responsible for the environment or the minister responsible for wildlife within 20 days following his or her request.

35. The information and documents referred to in sections 28, 31, 32 and 34 must be published on the website of the department that is under the direction of the minister responsible for the project who must report on the project in accordance with section 68.

The body concerned by the project declaration must submit the information and documents referred to in the first paragraph to the minister as soon as possible for the purpose of their being so published.

§3.—Acceleration measures applicable to certain activities for which an application for authorization under section 22 or 30 of the Environment Quality Act must be submitted

I.—Exemption from the obligation to submit certain documents

36. A public body that carries on an activity referred to in subparagraph 1 of the second paragraph of section 24 of this Act must prepare the characterization study required under paragraph 1 of section 46.0.3 of the Environment Quality Act in the manner provided for in section 37 of this Act. In addition, the demonstration required under paragraph 2 of section 46.0.3 of the Environment Quality Act must contain the information required under section 38 of this Act.

If, after analysis of the characterization study, supplemental characterization of the wetlands and bodies of water is necessary to ensure adequate protection of the environment, the minister responsible for the environment may require such characterization, in accordance with the third paragraph of section 24 of the Environment Quality Act, before issuing the authorization.

In the case of an activity that arises from a project to which the environmental impact assessment and review procedure provided for in subdivision 5 applies, the acceleration measure provided for in the first paragraph applies only if the Government so provides in accordance with section 46.

II.—Obligations under the exemption from the obligation to submit certain documents

37. For the purposes of section 36 of this Act, the characterization study required under paragraph 1 of section 46.0.3 of the Environment Quality Act must be prepared on the basis of

(1) a photointerpretation analysis of the wetlands and bodies of water in which the work is to be carried out, which must be supported by any or a combination of the most recent following data:

(a) existing maps of the environments concerned;

- (b) satellite images of the environments concerned;
- (c) aerial photography or videography of the environments concerned;
- (d) a digital elevation model of the environments concerned; and

(e) climate, physico-chemical and hydrometric data if the environments concerned specifically relate to a body of water; and

(2) a field visit conducted to establish a description of the characteristics of the environments concerned, in particular of the soil, vegetation and wildlife. The visit may be conducted with a light snow cover that does not completely hide the vegetation and on ground that is not deeply frozen.

The characterization study must also make it possible to establish the boundaries and area of the environments concerned and to assess the presence or potential presence of threatened or vulnerable species and their habitats.

38. For the purposes of section 36 of this Act, the demonstration required under paragraph 2 of section 46.0.3 of the Environment Quality Act must contain

(1) the reasons for which work is necessary in the environments concerned, based in particular on

(a) a description of the constraints related to the project's development;

(b) if applicable, a description of the zoning and land-use constraints associated with potential alternative sites at the municipal level;

(c) in the case of the expansion of an existing facility, a description of the activities related to the project justifying the need for proximity to that facility; and

(d) a description of the nature of the project showing that it cannot be carried out elsewhere than in wetlands and bodies of water; and

(2) a description of the alternative scenarios examined.

Failure to send the information required under the first paragraph renders the application for authorization inadmissible for consideration by the minister responsible for the environment.

§4.—*Acceleration measures relating to land rehabilitation*

39. If an infrastructure project is carried out on land on which an industrial or commercial activity referred to in the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37) has been carried on and for which the characterization study required under section 31.51 or 31.53 of the Environment Quality Act reveals the presence of contaminants in a concentration exceeding the limit values prescribed by that Regulation, the following acceleration measures apply:

(1) the rehabilitation plan required under section 31.54 of that Act may be sent to the minister responsible for the environment gradually, based on the planned rehabilitation phases; and

(2) the contaminated land rehabilitation measures referred to in subparagraph 1 of the second paragraph of section 2.4 of the Land Protection and Rehabilitation Regulation are eligible for the declaration of compliance provided for in that section, regardless of the quantity of contaminated soils to be excavated.

For the purposes of subparagraph 1 of the first paragraph, the following information and documents must be sent to the minister for the first rehabilitation phase in order to be admissible for consideration by the minister:

(1) a detailed rehabilitation plan for that first phase and the implementation schedule;

(2) an implementation schedule for the subsequent phases; and

(3) an undertaking to send a detailed rehabilitation plan for the subsequent phases and to comply with the submitted schedule.

For the purposes of subparagraph 2 of the first paragraph, failure to send a complete declaration of compliance results in the public body being deemed to carry on its activity without its rehabilitation plan being approved. The administrative penalties and penal sanctions prescribed in sections 115.25 and 115.31 of the Environment Quality Act apply in such a case.

40. During the work involved in a project referred to in section 39, the treatment and reclamation of contaminated soils must be promoted with a view to their rehabilitation.

In particular, measures capable of ensuring the traceability of contaminated soils must be put in place when a system intended for that purpose is operational.

§5.—*Acceleration measures relating to the environmental impact assessment and review procedure*

I.—*General provisions*

41. Subject to section 57, this subdivision applies to any infrastructure project listed in Schedule I that is referred to in section 31.1 of the Environment Quality Act and section 2 of the Regulation respecting the environmental impact assessment and review of certain projects.

42. For the purposes of this subdivision,

(1) the rules of procedure adopted by the Bureau d’audiences publiques sur l’environnement under section 6.6 of the Environment Quality Act apply when the Bureau performs a mandate entrusted to it according to the provisions of this subdivision;

(2) “issue” means any major concern for the Government, the scientific community or the public, including the Aboriginal communities concerned, the analysis of which could influence the Government’s decision as to the authorization of a project; and

(3) a complete impact assessment statement is an impact assessment statement that contains all the information identified for that purpose in the directive of the minister responsible for the environment sent in accordance with section 31.3 of the Environment Quality Act and the information mentioned in section 52 of this Act.

Unless otherwise provided by this subdivision, the provisions of the Environment Quality Act concerning the environmental impact assessment and review procedure and those of the Regulation respecting the environmental impact assessment and review of certain projects apply to an infrastructure project, with the following modifications:

(1) the project proponent is the public body that has developed the project;

(2) the definition of “issue” set out in subparagraph 2 of the first paragraph of this section applies;

(3) mandates entrusted to the Bureau d’audiences publiques sur l’environnement under the fifth paragraph of section 31.3.5 of the Environment Quality Act and referred to in sections 31.3.6 and 31.3.7 of that Act and in section 16 and subparagraphs 3 and 7 of the first paragraph of section 18 of the Regulation respecting the environmental impact assessment and review of certain projects are mandates entrusted to the Bureau under the second paragraph of section 45 of this Act;

(4) a reference to the sixth paragraph of section 31.3.5 of the Environment Quality Act is a reference to the third paragraph of section 45 of this Act;

(5) an admissible impact assessment statement is an impact assessment statement that contains all the information identified for that purpose in the minister's directive sent in accordance with section 31.3 of the Environment Quality Act and the information mentioned in section 52 of this Act;

(6) an application record is complete when the minister has completed his or her consideration of the application; and

(7) the model notice set out in Schedule 3 to the Regulation respecting the environmental impact assessment and review of certain projects is to be read without reference to "that the project's environmental impact assessment statement has been deemed to be admissible by the Minister of Sustainable Development, the Environment and the Fight Against Climate Change and" and by replacing "public consultation" by "targeted consultation".

For the purposes of subparagraph 2 of the first paragraph, an issue must be determined on the basis of the following criteria in particular:

(1) the project's level of social acceptability;

(2) the extent, frequency, duration or intensity of the project's impacts;

(3) the impact on current and future use of the land concerned by the project by the various users;

(4) the importance given by the public to a component affected by the project;

(5) the impact on a component of a setting that is recognized under a conservation measure;

(6) the effects on sensitive areas of interest; and

(7) the project's impact on greenhouse gas emissions.

II.—*Adaptations to the Environment Quality Act*

43. For the purposes of section 31.3.1 of the Environment Quality Act, the minister responsible for the environment also sends the issues that the minister has identified to the public body.

44. Within the framework of the environmental impact assessment and review procedure provided for in this subdivision, the complete impact assessment statement must be filed not later than 11 December 2025.

The minister need not analyze whether the statement is admissible before directing the public body to hold the public information period and to begin the environmental analysis of the project.

The minister responsible for the environment may, at any time, request the public body to provide any information, to study certain matters more thoroughly or to undertake certain research the minister considers necessary, in accordance with section 31.4 of the Environment Quality Act.

If such a statement is not filed on or before that date, the public body concerned must file a new project notice with the minister responsible for the environment in accordance with the Environment Quality Act.

45. A person, group or municipality may, during the public information period prescribed by the Regulation respecting the environmental impact assessment and review of certain projects, apply in writing to the minister responsible for the environment for a targeted consultation or for mediation, informing the minister of the reasons for the application and of their interest as regards the environments affected by the project. The minister may, at any time, ask the person, group or municipality to provide additional explanations in support of the application.

Unless the minister considers the application to be frivolous, in particular if the minister considers that the reasons given in support of it are not serious or that a targeted consultation or mediation on the concerns raised would not be useful for analyzing the project, the minister mandates the Bureau d'audiences publiques sur l'environnement

(1) to hold a targeted consultation on the issues identified by the minister with, among others, the persons, groups or municipalities required to be consulted; or

(2) to conduct mediation if the minister considers that the nature of the concerns raised warrants it and that there is a possibility of compromise between the interested parties.

If the impact assessment statement is complete, and if, because of the nature of the issues raised by the project, holding a public hearing appears to be advisable, in particular if public concerns warrant it, the minister may, in relation to the issues that the minister has identified, mandate the Bureau to hold such a hearing without the public body having to hold the public information period prescribed in subdivision 2 of Division V of the Regulation respecting the environmental impact assessment and review of certain projects.

46. In addition to the powers provided for by section 31.6 of the Environment Quality Act, the Government may, in the authorization it issues under section 31.5 of that Act, allow an infrastructure project to be the subject of one or more of the acceleration measures provided for in sections 24, 36 and 39 of this Act. Otherwise, such a project may in no case benefit from those acceleration measures.

47. Any activity arising from an infrastructure project for which the government authorization includes a condition, restriction or prohibition is subject to the authorization of the minister responsible for the environment under section 22 or 30 of the Environment Quality Act.

Such an activity may nonetheless be the subject of an acceleration measure in accordance with section 46.

48. Despite section 31.7.3 of the Environment Quality Act, a decision made by the Government under section 31.5 of the Environment Quality Act is binding on the minister responsible for the environment only with respect to the conditions, restrictions or prohibitions prescribed in the decision.

49. Despite the second paragraph of section 46.0.11 of the Environment Quality Act, whether the payment of a financial contribution is required under the first paragraph of section 46.0.5 of that Act or whether the payment may be replaced, in whole or in part, by work referred to in the second paragraph of that section is determined by the minister responsible for the environment following the government authorization issued under section 31.5 of that Act.

50. The register provided for in section 118.5.0.1 of the Environment Quality Act need not contain the findings and questions of the minister responsible for the environment referred to in subparagraph 3 of the first paragraph of that section or the recommendations of the Bureau d'audiences publiques sur l'environnement referred to in subparagraph 4 of that paragraph. It must, however, include the issues sent by the minister to the public body in accordance with section 43 of this Act.

51. Sections 31.3.3 and 31.3.4 as well as the second, third, fourth, fifth and sixth paragraphs of section 31.3.5 of the Environment Quality Act do not apply to an infrastructure project to which this subdivision applies.

III.—Adaptations to the Regulation respecting the environmental impact assessment and review of certain projects

52. Despite section 5 of the Regulation respecting the environmental impact assessment and review of certain projects, an impact assessment statement must contain, in addition to the information required by the directive of the minister responsible for the environment sent in accordance with section 31.3 of the Environment Quality Act, the following information:

(1) the information required under subparagraphs 1, 3, 5, 8, 9, 10 and 11 of the first paragraph and the second sentence of the second paragraph of section 5 of that Regulation;

(2) a description of the infrastructure project that takes into consideration all the phases of the project and includes the information required under subparagraphs *a* to *e*, *i* and *j* of subparagraph 2 of the first paragraph of that section, a description of the related activities that the public body must carry on as well as an indication of any related activities that must be carried on by a third person and that third person's contact information;

(3) an outline of the process having led to the selection of valued environmental components linked to the project issues and, for each of those components, its description, its links with the project issues and an assessment of the project's impacts on it;

(4) a demonstration that climate change was taken into account in the project's development and the description of any projected adaptation measures;

(5) a description of the measures contemplated to limit the project's impacts on the valued environmental components; and

(6) an outline of the manner in which the results of the consultations referred to in subparagraph 9 of the first paragraph of section 5 of that Regulation were taken into consideration in the analysis of the project issues.

For the purposes of subparagraphs 3 and 5 of the first paragraph, a valued environmental component is an element considered as having scientific, social, cultural, economic, historical, archaeological or aesthetic importance.

53. Despite section 9 of the Regulation respecting the environmental impact assessment and review of certain projects, the minister responsible for the environment has 30 days to send to the public body the information referred to in that section as well as the issues that the minister has identified under section 43 of this Act.

54. The register mentioned in section 18 of the Regulation respecting the environmental impact assessment and review of certain projects need not contain the information and documents required under subparagraphs 2 and 8 of the first paragraph of that section. However, it must contain the targeted consultation applications or mediation applications made under section 45 of this Act, except those considered frivolous by the minister responsible for the environment.

55. Despite the first and second paragraphs of section 19 of the Regulation respecting the environmental impact assessment and review of certain projects, as of the date on which the impact assessment statement is filed in the environmental assessment register and the fees payable under the Environment Quality Act are paid, the minister responsible for the environment must, within a time limit of seven months, send the minister's recommendation regarding the infrastructure project to the Government for its decision.

The fourth paragraph of section 31.9 of that Act applies to that time limit.

56. Sections 14 and 15 of the Regulation respecting the environmental impact assessment and review of certain projects do not apply to an infrastructure project to which this subdivision applies.

§6. — Exemption of the Route 117 securing project and the Autoroute 30 improvement project from the environmental impact evaluation and review procedure

57. Despite section 31.1 of the Environment Quality Act and section 2 of the Regulation respecting the environmental impact assessment and review of certain projects, the project for securing Route 117 between Labelle and Rivière-Rouge and the project for improving Autoroute 30 between Brossard and Boucherville are not subject to the environmental impact assessment and review procedure or an authorization from the Government under section 31.5 of that Act.

Obtaining the authorization from the minister responsible for the environment under section 22 or 30 of the Environment Quality Act remains required for an activity arising from those projects. Subdivisions 1 to 4 of this division do not apply to such an activity.

DIVISION V

ACCELERATION MEASURES RELATING TO LAND USE PLANNING AND DEVELOPMENT

§1. — Exemption of an infrastructure project that is an intervention referred to in section 149 of the Act respecting land use planning and development from the application of that Act

58. The Act respecting land use planning and development does not apply when an infrastructure project listed in Schedule I is an intervention referred to in section 149 of that Act.

§2. — Simplifications applicable to an infrastructure project that requires a municipal authorization

59. A public body whose infrastructure project that is listed in Schedule I requires the authorization of a local municipality must notify to the local municipality a project notice containing a detailed description of the projected interventions in its territory.

It must also send a copy of that notice to the regional county municipality and, if applicable, to the metropolitan community in which the local municipality is located.

60. Within 15 days after receiving the project notice, the local municipality issues to the public body the authorizations necessary to carry out the project or sends the public body a notice indicating that the project is not in conformity with the planning by-laws applicable in the territory. The notice must specify which by-laws impede the issuance of those authorizations.

61. Division V of Chapter IV of Title I of the Act respecting land use planning and development does not apply to the adoption and coming into force of a by-law aimed exclusively at allowing the issuance of any authorization that is necessary to carry out an infrastructure project.

62. A by-law referred to in section 61 need not be preceded by a notice of motion and a draft by-law. It comes into force on the day it is adopted.

The local municipality must publish a public notice of the by-law's adoption as soon as possible.

63. A certified true copy of the by-law and of the council resolution adopting it must be sent to the regional county municipality whose territory includes the territory of the local municipality.

64. If a local municipality has not, within 35 days after a project notice was sent to it, issued an authorization that is necessary to carry out a project or if it has informed the public body that the by-laws impeding the issuance of that authorization do not fall under its jurisdiction, the public body may notify a public project declaration to the local municipality.

The declaration must include a brief description of the project and specify its location, the date contemplated for the work to begin and, if the public body has received a notice under section 60, the reasons for which the project is not in conformity with the planning by-laws.

65. The local municipality must publish the public project declaration without delay by any means it considers appropriate.

66. As of the 10th day after notification of the public project declaration, the infrastructure project is deemed to have obtained all the required municipal authorizations and to be in conformity with the planning by-laws in force in the territory.

CHAPTER III

REPORTING

67. The report required under section 79 of the Act respecting the Autorité des marchés publics must also contain information on the oversight activities conducted by the Authority under Chapter I.

68. The minister responsible for an infrastructure project listed in Schedule I must, on a semi-annual basis and according to the terms determined by the Conseil du trésor, prepare a report describing the acceleration measures from which the project has benefitted and the status of the project's progress.

A minister who is responsible for more than one project may produce a single report for all the projects under the minister's responsibility.

The semi-annual reports must be published by the Chair of the Conseil du trésor on the website of the secretariat of the Conseil du trésor. The minister responsible for a project, other than the Chair of the Conseil du trésor, must submit each report to the Chair for the purpose of its being so published.

69. The minister responsible for the environment must, on a semi-annual basis, prepare a report on the infrastructure projects listed in Schedule I that includes the following information and documents:

(1) the list of projects carried out in wetlands and bodies of water that have benefitted from an acceleration measure;

(2) an estimate of the surface area of the wetlands and bodies of water in which those projects are carried out; and

(3) the list of the projects that have benefitted from acceleration measures relating to the environmental impact assessment and review procedure and that have been the subject of a subsequent decision.

The minister publishes each semi-annual report on the minister's department's website.

70. The semi-annual reports referred to in sections 68 and 69 must be published not later than 31 May and 30 November of each year, until the infrastructure projects are completed.

TITLE II

MEASURES TO FACILITATE PAYMENT OF CERTAIN PUBLIC CONTRACTS

71. The Pilot project to facilitate payment to enterprises that are parties to public construction work contracts and related public subcontracts (chapter C-65.1, r. 8.01) applies to all public construction contracts and related public subcontracts, to the extent that such contracts or subcontracts arise from an infrastructure project listed in Schedule I, unless the manner in which the contract or subcontract is to be carried out does not allow for the application of a monthly payment schedule.

Despite the sixth paragraph of section 24.3 of the Act respecting contracting by public bodies, the terms and conditions prescribed in the pilot project are applicable to a contract or subcontract referred to in the first paragraph until the infrastructure project from which it arises ends, provided the contract was entered into not later than 11 December 2025.

The public contracts referred to in the first paragraph are those granted by a public body referred to in section 4 of the Act respecting contracting by public bodies.

TITLE III

TRANSITIONAL PROVISIONS

CHAPTER I

TRANSITIONAL PROVISIONS APPLICABLE TO AN INFRASTRUCTURE PROJECT FOR WHOSE ACTIVITIES AN APPLICATION FOR AUTHORIZATION UNDER SECTION 22 OR 30 OF THE ENVIRONMENT QUALITY ACT WAS SUBMITTED OR FOR WHICH THE ENVIRONMENTAL IMPACT ASSESSMENT AND REVIEW PROCEDURE IS UNDER WAY

72. Any infrastructure project listed in Schedule I for which the environmental impact assessment and review procedure is under way on 11 December 2020 is continued as follows:

(1) if, on 11 December 2020, no impact assessment statement has been considered admissible by the minister responsible for the environment, sections 41 to 56 apply;

(2) if the public body has begun the public information period, but no mandate has been entrusted to the Bureau d'audiences publiques sur l'environnement by the minister, the seven-month time limit prescribed by section 55 runs from the beginning of the public information period and sections 42, 45 to 51 and 54 to 56 apply to the project; or

(3) if the minister has entrusted a mandate to the Bureau under section 31.3.5 of the Environment Quality Act (chapter Q-2), only sections 46 to 49 of this Act apply to the project.

CHAPTER II

TRANSITIONAL PROVISIONS APPLICABLE TO THE EXTENSION OF THE MONTRÉAL METRO'S BLUE LINE

73. Sections 74 to 77 apply to the expropriation proceedings that were commenced before 11 December 2020 to carry out the project for the extension of the Montréal metro's blue line from the Saint-Michel station to Anjou.

Subparagraph 3 or subparagraph 7 of the first paragraph of section 18 applies to such expropriation proceedings, to the extent that no final decision has been rendered before that date on the expropriating party's right to expropriate or, as the case may be, on the application to have the provisional indemnity set.

74. The expropriating party must serve an information notice on the expropriated party informing them that the modifications to the expropriation procedure provided for in this Act are applicable to them from then on.

Such a notice must also be notified to the lessee or occupant in good faith who was notified as required under section 45 of the Expropriation Act (chapter E-24) before 11 December 2020.

In addition, the notice must specify, as the case may be,

(1) the date before which the expropriated party, lessee or occupant in good faith must vacate the premises;

(2) that the expropriated party may, if applicable, apply to the Superior Court, within 90 days of receiving the notice, for the reimbursement of the legal costs related to their contestation of the expropriating party's right to expropriate, regarding which no final decision was rendered before 11 December 2020; or

(3) that the expropriated party, lessee or occupant in good faith may, if applicable, apply to the Administrative Tribunal of Québec, within 90 days of receiving the notice, for the reimbursement

(a) of the expenses that were incurred, between the date of the application to set the provisional indemnity and 11 December 2020, to obtain property or services related to the hearing to set the provisional indemnity regarding which no final decision was rendered before that date and to obtain property or services related to the preparation of that hearing, and that have become unnecessary because the provisional indemnity was set by the minister responsible for transport; and

(b) of the costs and fees in connection with that application which were unnecessarily paid during that period.

75. On an application by the expropriated party, served within 90 days of their receiving the information notice provided for in section 74, the Superior Court grants the reimbursement of the legal costs related to the contestation regarding which no final decision was rendered before 11 December 2020.

The legal costs include, in addition to the expenses provided for in the first and second paragraphs of article 339 of the Code of Civil Procedure (chapter C-25.01), any other expenses related to expert fees, an amount to compensate for the payment of the professional fees of the expropriated party's lawyer and an amount to compensate for the time the expropriated party spent on the case and the work involved.

Despite the second paragraph, the legal costs exclude all expenses for which the expropriated party is otherwise reimbursed or indemnified. However, if the amount of the reimbursement or indemnity the expropriated party has obtained is less than the amount they would have obtained under this section, they may claim the difference. If, after the expropriating party has paid the legal costs, the expropriated party obtains a reimbursement or an indemnity for any of their expenses, they are bound to refund the overpayment to the expropriating party.

Articles 343 and 344 of the Code of Civil Procedure apply to that application.

76. In the case of a contestation of the expropriating party's right to expropriate regarding which no final decision was rendered before 11 December 2020, the 30-day period provided for in section 46 of the Expropriation Act begins on the date of service or notification of the information notice provided for in section 74 of this Act.

77. On an application by the expropriated party, lessee or occupant in good faith, served within 90 days of their receiving the information notice provided for in section 74, the Administrative Tribunal of Québec grants the reimbursement

(1) of the expenses that were incurred, between the date of service of the application to set the provisional indemnity and 11 December 2020, to obtain property or services related to the hearing regarding which no final decision was rendered before that date and to obtain property or services related to the preparation of that hearing, and that have become unnecessary because the provisional indemnity was set by the minister responsible for transport; and

(2) of the costs and fees in connection with that application which were unnecessarily paid during that period.

The inclusions and exclusions provided for in the second and third paragraphs of section 75 apply to the reimbursement provided for in the first paragraph.

TITLE IV

MISCELLANEOUS AND FINAL PROVISIONS

78. The provisions of Chapter I of Title I apply, with the necessary modifications, to public contracts and related public subcontracts, to the extent that those contracts and subcontracts are not otherwise covered by that chapter and that they arise from a public infrastructure project referred to in the second paragraph of section 9 of the Public Infrastructure Act (chapter I-8.3) whose purpose is to maintain, improve, replace, add or demolish an immovable or civil engineering structure. Those provisions apply from 1 April 2021 until the date of coming into force of provisions of an Act to modify the Authority's mission, functions and powers.

The public contracts referred to in the first paragraph are those granted by a public body referred to in section 4 of the Act respecting contracting by public bodies (chapter C-65.1).

79. Despite section 370 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, enacted by Order in Council 871-2020 (2020, G.O. 2, 2349A), section 2 of that Regulation comes into force on 11 December 2020.

However, before 31 December 2020, section 2 of that Regulation applies only to activities arising from an infrastructure project listed in Schedule I.

80. In addition to the infrastructure projects listed in Schedule I, section 40 applies to all work that consists in excavating contaminated soils resulting from human activity and that is carried out as part of any other project, to the extent provided for by the Environment Quality Act (chapter Q-2) and the regulations, until the date of coming into force of all the provisions of a regulation respecting the traceability of excavated contaminated soils made under subparagraph 3 of the first paragraph of section 95.1 of the Environment Quality Act.

81. This Act must be construed in a manner consistent with the obligation to consult Aboriginal communities.

82. The Chair of the Conseil du trésor is responsible for the administration of this Act, except the provisions specified in each of the following subparagraphs, which are under the administration of the ministers mentioned in them respectively:

(1) sections 15 to 19 and 73 to 77, the minister responsible for transport;

(2) section 20, the minister responsible for the environment for the waters in the domain of the State and the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1) for the other lands in the domain of the State;

(3) sections 21 to 57, 69, 72 and 79, the minister responsible for the environment;

(4) sections 58 to 66, the minister responsible for municipal affairs; and

(5) section 81, the minister responsible for Indigenous affairs.

They must jointly, not later than 1 June 2026, report to the National Assembly on the carrying out of this Act, including on the effects of the acceleration of the infrastructure projects listed in Schedule I based on the available data.

83. This Act comes into force on 11 December 2020.

SCHEDULE I

(Sections 1, 2, 12, 14, 15, 20, 21, 41, 58, 59, 68, 69, 71, 72, 79, 80 and 82)

LIST OF INFRASTRUCTURE PROJECTS

For the purposes of this Schedule,

- (1) “MSSS” means the Ministère de la Santé et des Services sociaux;
- (2) “MELS” means the Ministère de l’Éducation, des Loisirs et des Sports;
- (3) “MESRST” means the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie;
- (4) “MTQ” means the Ministère des Transports; and
- (5) “SQI” means the Société québécoise des infrastructures.

No.	Name of the projects	Bodies	Regions
1	Construction – Seniors home – Rouyn-Noranda	MSSS	Abitibi-Témiscamingue
2	Construction – Seniors home – Val-d’Or	MSSS	Abitibi-Témiscamingue
3	Construction – Seniors home – Palmarolle	MSSS	Abitibi-Témiscamingue
4	Construction of a residential and long-term care centre (CHSLD) in Macamic	MSSS	Abitibi-Témiscamingue
5	Expansion and refitting of the emergency and intensive care departments of Hôpital Hôtel-Dieu d’Amos	MSSS	Abitibi-Témiscamingue
6	Construction – Seniors home – Rimouski	MSSS	Bas-Saint-Laurent
7	Construction – Seniors home – Québec, Sainte-Foy sector	MSSS	Capitale-Nationale
8	Construction – Seniors home – Québec, Lebourgneuf sector	MSSS	Capitale-Nationale
9	Construction – Seniors home – Saint-Hilarion	MSSS	Capitale-Nationale
10	Construction – Seniors home – Portneuf	MSSS	Capitale-Nationale

No.	Name of the projects	Bodies	Regions
11	Reconstruction of the Saint-Augustin residential and long-term care centre (CHSLD) in Québec	MSSS	Capitale-Nationale
12	Expansion and refitting of Hôpital de La Malbaie	MSSS	Capitale-Nationale
13	Construction – Seniors home – Drummondville	MSSS	Centre-du-Québec
14	Construction – Seniors home – Arthabaska-et-de-l'Érable	MSSS	Centre-du-Québec
15	Expansion and refitting of Hôtel-Dieu d'Arthabaska	MSSS	Centre-du-Québec
16	Construction – Seniors home – Lévis west	MSSS	Chaudière-Appalaches
17	Construction – Seniors home – Thetford Mines, Black Lake sector	MSSS	Chaudière-Appalaches
18	Construction – Seniors home – Saint-Martin-de-Beauce	MSSS	Chaudière-Appalaches
19	Modernization of the emergency department of Hôpital de Thetford Mines	MSSS	Chaudière-Appalaches
20	Construction – Seniors home – Baie-Comeau	MSSS	Côte-Nord
21	Construction – Seniors home – Havre-Saint-Pierre	MSSS	Côte-Nord
22	Construction – Seniors home – Magog	MSSS	Estrie
23	Construction – Seniors home – Sherbrooke	MSSS	Estrie
24	Construction – Seniors home – Granby	MSSS	Estrie
25	Construction – Seniors home – Coaticook	MSSS	Estrie
26	Construction of a residential and long-term care centre (CHSLD) in Lac-Mégantic	MSSS	Estrie
27	Construction – Seniors home – Îles-de-la-Madeleine	MSSS	Gaspésie-Îles-de-la-Madeleine

No.	Name of the projects	Bodies	Regions
28	Construction – Seniors home – Rivière-au-Renard	MSSS	Gaspésie–Îles-de-la-Madeleine
29	Expansion and renovation of the Rocher-Percé residential and long-term care centre (CHLSD) in Chandler	MSSS	Gaspésie–Îles-de-la-Madeleine
30	Construction – Seniors home – Mascouche	MSSS	Lanaudière
31	Construction – Seniors home – L'Assomption	MSSS	Lanaudière
32	Construction – Seniors home – Repentigny	MSSS	Lanaudière
33	Construction of a residential and long-term care centre (CHSLD) in Sainte-Élisabeth	MSSS	Lanaudière
34	Reconstruction of the Parphilia-Ferland residential and long-term care centre (CHSLD) in Saint-Charles-Borromée	MSSS	Lanaudière
35	Reconstruction of the Saint-Eusèbe residential and long-term care centre (CHSLD) in Joliette	MSSS	Lanaudière
36	Expansion of Hôpital Pierre-Le Gardeur	MSSS	Lanaudière
37	Construction – Seniors home – Downtown Mirabel	MSSS	Laurentides
38	Construction – Seniors home – Blainville	MSSS	Laurentides
39	Construction – Seniors home – Labelle	MSSS	Laurentides
40	Construction – Seniors home – Sainte-Anne-des-Plaines	MSSS	Laurentides
41	Construction – Seniors home – Prévost	MSSS	Laurentides
42	Construction – Seniors home – Sainte-Agathe-des-Monts	MSSS	Laurentides

No.	Name of the projects	Bodies	Regions
43	Construction of a residential and long-term care centre (CHSLD) in Argenteuil	MSSS	Laurentides
44	Modernization and expansion of the emergency department of Hôpital de Saint-Eustache and addition of care units	MSSS	Laurentides
45	Construction – Seniors home – Laval, Chomedey sector 1	MSSS	Laval
46	Construction – Seniors home – Laval, Chomedey sector 2	MSSS	Laval
47	Construction – Seniors home – Trois-Rivières	MSSS	Mauricie
48	Construction – Seniors home – Carignan	MSSS	Montréal
49	Construction – Seniors home – Saint-Jean-sur-Richelieu	MSSS	Montréal
50	Construction – Seniors home – Châteauguay	MSSS	Montréal
51	Construction – Seniors home – Salaberry-de-Valleyfield	MSSS	Montréal
52	Construction – Seniors home – Longueuil	MSSS	Montréal
53	Construction – Seniors home – Saint-Amable	MSSS	Montréal
54	Construction – Seniors home – Beloeil	MSSS	Montréal
55	Construction of a hospital in Vaudreuil-Soulanges	MSSS	Montréal
56	Construction of the Optilab for the Centre intégré de santé et de services sociaux (CISSS) de la Montréal-Centre	MSSS	Montréal
57	Construction – Seniors home – Montréal west	MSSS	Montréal
58	Construction – Seniors home – Montréal north	MSSS	Montréal

No.	Name of the projects	Bodies	Regions
59	Expansion of the Henri-Bradet residential and long-term care centre (CHSLD)	MSSS	Montréal
60	Reconstruction of the Jeanne-Le Ber residential and long-term care centre (CHSLD)	MSSS	Montréal
61	Reconstruction of the Rousselot residential and long-term care centre (CHSLD)	MSSS	Montréal
62	Reconstruction of the Nicolet residential and long-term care centre (CHSLD)	MSSS	Montréal
63	Reconstruction of the David-Benjamin-Viger residential and long-term care centre (CHSLD)	MSSS	Montréal
64	Reconstruction of the LaSalle residential and long-term care centre (CHSLD)	MSSS	Montréal
65	Reconstruction of the Grace Dart residential and long-term care centre (CHSLD)	MSSS	Montréal
66	Reconstruction of the Dorval residential and long-term care centre (CHSLD)	MSSS	Montréal
67	Modernization of care units at St. Mary's Hospital Center	MSSS	Montréal
68	Modernization of the emergency department of Hôpital Fleury	MSSS	Montréal
69	Expansion and refitting of the operating suite and the medical device reprocessing unit at Hôpital Santa Cabrini	MSSS	Montréal
70	Expansion and modernization of the McGill University Health Centre's Lachine Hospital	MSSS	Montréal
71	Expansion and modernization of Hôpital de Verdun	MSSS	Montréal

No.	Name of the projects	Bodies	Regions
72	Refitting of the Centre de réadaptation pour les jeunes en difficulté d'adaptation Dominique-Savio in Montréal in the Ahuntsic-Cartierville borough	MSSS	Montréal
73	Construction – Seniors home – Gatineau east	MSSS	Outaouais
74	Construction – Seniors home – Gatineau	MSSS	Outaouais
75	Construction of a residential and long-term care centre (CHSLD) in Maniwaki	MSSS	Outaouais
76	Construction to add more than 170 hospital beds in Outaouais	MSSS	Outaouais
77	Construction – Seniors home – Alma	MSSS	Saguenay–Lac-Saint-Jean
78	Construction – Seniors home – Saguenay	MSSS	Saguenay–Lac-Saint-Jean
79	Construction – Seniors home – Roberval	MSSS	Saguenay–Lac-Saint-Jean
80	Expansion of the operating suite of Hôpital de Chicoutimi	MSSS	Saguenay–Lac-Saint-Jean
81	Expansion of the operating suite of Hôpital de Dolbeau-Mistassini	MSSS	Saguenay–Lac-Saint-Jean
82	Construction of a 4-3-18 elementary school in Rimouski (Lab-École)	MELS	Bas-Saint-Laurent
83	Construction of a secondary school in Québec City in the Charlesbourg borough	MELS	Capitale-Nationale
84	Construction of a secondary school in Drummondville	MELS	Centre-du-Québec
85	Construction of a secondary school in Terrebonne	MELS	Lanaudière
86	Construction of a 2-12 elementary school in the territory of the Centre de services scolaire des Laurentides	MELS	Laurentides

No.	Name of the projects	Bodies	Regions
87	Construction of a secondary school in Mirabel	MELS	Laurentides
88	Construction of a secondary school in Saint-Jérôme	MELS	Laurentides
89	Construction of a secondary school in Laval	MELS	Laval
90	Construction of a specialized school for students with disabilities served by École Alphonse-Desjardins	MELS	Laval
91	Construction of an adult education centre in the territory of the Centre de services scolaire de Laval	MELS	Laval
92	Construction of a 6-18 elementary school in the territory of the Centre de services scolaire des Patriotes	MELS	Montérégie
93	Construction of a 6-18-2 elementary school in the territory of the Centre de services scolaire des Grandes-Seigneuries	MELS	Montérégie
94	Construction of an elementary school in Brossard (Rome sector)	MELS	Montérégie
95	Construction of a 6-18 elementary school in the territory of the Centre de services scolaire de Saint-Hyacinthe	MELS	Montérégie
96	Expansion and refitting of Jacques-Leber secondary school in Saint-Constant	MELS	Montérégie
97	Expansion and refitting of Pierre-Bédard secondary school in Saint-Rémi	MELS	Montérégie
98	Reconstruction of Louis-Philippe-Paré secondary school and of École de formation professionnelle de Châteauguay	MELS	Montérégie
99	Construction of a secondary school in Vaudreuil-Dorion	MELS	Montérégie

No.	Name of the projects	Bodies	Regions
100	Construction of a secondary school in Saint-Zotique	MELS	Montréal
101	Expansion of École de la Magdeleine secondary school in La Prairie	MELS	Montréal
102	Construction of a vocational training centre for Atelier-école Les Cèdres	MELS	Montréal
103	Construction of an elementary and secondary school in Montréal on Île des Sœurs	MELS	Montréal
104	Construction of a 3-18 elementary school in the territory of the Centre de services scolaire de la Pointe-de-l'Île	MELS	Montréal
105	Construction of a 6-36 elementary school in the territory of the Centre de services scolaire de la Pointe-de-l'Île	MELS	Montréal
106	Construction of an 8-21 elementary school on the site of the Grand Séminaire	MELS	Montréal
107	Construction of a 4-24 elementary school in Outremont in the territory of the Centre de services scolaire Marguerite-Bourgeoys	MELS	Montréal
108	Construction of a 6-18 elementary school in Montréal in the Saint-Laurent borough	MELS	Montréal
109	Construction of a 3-26 elementary school (Mont-Royal) in the territory of the Centre de services scolaire Marguerite-Bourgeoys	MELS	Montréal
110	Construction of a 6-18 elementary school in Montréal in the Saint-Laurent borough's west end	MELS	Montréal
111	Construction of a secondary school in Montréal in the Anjou borough	MELS	Montréal

No.	Name of the projects	Bodies	Regions
112	Construction of a secondary school in Montréal in the Saint-Léonard borough	MELS	Montréal
113	Construction of a secondary school in Montréal in the Île-Bizard–Sainte-Geneviève borough	MELS	Montréal
114	Expansion and refitting of École Sophie-Barat	MELS	Montréal
115	Construction of a building to house the Centre de services aux entreprises	MELS	Montréal
116	Construction of an 8-24 elementary school in the territory of the Centre de services scolaire des Portages-de-l'Outaouais	MELS	Outaouais
117	Expansion of Dawson College	MESRST	Montréal
118	Expansion of École de technologie supérieure in the Dow complex	MESRST	Montréal
119	Acquisition and refitting of Pavillon Joseph-Armand-Bombardier at École Polytechnique	MESRST	Montréal
120	Development on part of the site of McGill University Health Centre's Royal Victoria Hospital	MESRST	Montréal
121	Redevelopment of the Université du Québec en Outaouais's Gatineau campus	MESRST	Outaouais
122	Correction of the Brière curve and addition of a passing lane on Route 117 in Rivière-Héva	MTQ	Abitibi-Témiscamingue
123	Pavement reconstruction and reconstruction of a structure (culvert) on Route 101 in Nédelec	MTQ	Abitibi-Témiscamingue
124	Pavement reconstruction and replacement of culverts on Routes 101 and 117 in Rouyn-Noranda	MTQ	Abitibi-Témiscamingue

No.	Name of the projects	Bodies	Regions
125	Reconstruction of the bridge over Rivière Barrière on Chemin Saint-Urbain in Rémigny	MTQ	Abitibi-Témiscamingue
126	Redevelopment of Route 293 in the sector south of 2 ^e Rang (reconfiguration of 4 curves) in Notre-Dame-des-Neiges	MTQ	Bas-Saint-Laurent
127	Reconstruction of Route 132 and Pont Arthur-Bergeron over Rivière Mitis in Grand-Métis	MTQ	Bas-Saint-Laurent
128	Reconstruction of Pont de l'Île-d'Orléans between Québec and Île-d'Orléans	MTQ	Capitale-Nationale
129	Improvement of Autoroute 55 between Bécancour and Sainte-Eulalie	MTQ	Centre-du-Québec
130	Replacement of structure P-04173 over Ruisseau Charland on Route 132 in Saint-Pierre-les-Becquets	MTQ	Centre-du-Québec
131	Development of reserved lanes for public transit on Boulevard Guillaume-Couture in Lévis	MTQ	Chaudière-Appalaches
132	Extension of Autoroute 73	MTQ	Chaudière-Appalaches
133	Repair of the Québec Central Railway, maintenance of its assets and extension of the network in service west of Vallée-Jonction	MTQ	Chaudière-Appalaches
134	Repair and reconstruction of the Gaspésie railway system between Port-Daniel-Gascons and Gaspé	MTQ	Gaspésie-Îles-de-la-Madeleine
135	Securing of Route 158 between Saint-Alexis and Joliette (4 projects)	MTQ	Lanaudière
136	Extension of Autoroute 25 and improvement of Route 125 (3 projects)	MTQ	Lanaudière

No.	Name of the projects	Bodies	Regions
137	Circumvention of Saint-Lin–Laurentides and redevelopment of Route 335 (3 projects)	MTQ	Lanaudière
138	Widening of Route 337 (Chemin Gascon) from Rodrigue street to Guillemette street in Terrebonne	MTQ	Lanaudière
139	Reconstruction of Pont de Bailleul and widening of Route 341 between Autoroute 40 and Route 344	MTQ	Lanaudière
140	Development of a reserved bus and carpool lane on Autoroute 15 north between Autoroutes 640 and 50	MTQ	Laurentides
141	Securing of Route 117 between Labelle and Rivière-Rouge	MTQ	Laurentides
142	Structuring electric public transit projects to extend the Réseau express métropolitain to downtown Laval and link Laval east and west	MTQ	Laval
143	Structuring rapid bus service public transit project on Boulevard Notre-Dame and Boulevard de la Concorde in Laval	MTQ	Laval
144	Development of a reserved lane on Autoroute 440 east between the Pie-IX rapid bus service terminal station (Route 125) and Autoroute 25	MTQ	Laval
145	Securing of and improvement of mobility in the Autoroute 440 and Autoroute 15 interchange by constructing a direct overpass between Autoroutes 440 west and 15 north, and new entrance to Autoroute 15 north	MTQ	Laval
146	Development of a reserved lane on Autoroute 25 north between Autoroute 440 and Île Saint-Jean	MTQ	Laval – Lanaudière

No.	Name of the projects	Bodies	Regions
147	Construction of Autoroute 19 between Laval and Bois-des-Filion	MTQ	Laval – Laurentides
148	Roadway repair on and improvement of Autoroute 15 between Laval and Boisbriand	MTQ	Laval – Laurentides
149	Repair of Pont Gédéon-Ouimet on Autoroute 15 between Laval and Boisbriand	MTQ	Laval – Laurentides
150	Improvement of the safety and stabilization of Route 361 between Autoroute 40 and the municipality of Sainte-Geneviève-de-Batiscan (road repair work)	MTQ	Mauricie
151	Reconstruction of the bridge (P-01559) over Rivière Batiscan on Route 138 in Batiscan	MTQ	Mauricie
152	Development of a reserved lane on Autoroute 10 east and west between Autoroutes 35 and 30 and reconfiguration of ramps on Autoroutes 10 and 35	MTQ	Montréal
153	Development of a reserved left lane on the Autoroute 30 west ramp to Autoroute 40 east	MTQ	Montréal
154	Structuring public transit project to serve the Chambly/ Saint-Jean-sur-Richelieu sector	MTQ	Montréal
155	Structuring electric public transit projects on Boulevard Taschereau and along the metro network's yellow line	MTQ	Montréal
156	Construction of Autoroute 35 between Saint-Armand and the American border (phase IV)	MTQ	Montréal
157	Improvement of Autoroute 30 between Brossard and Boucherville	MTQ	Montréal
158	Development of Autoroute 20 between Beloeil and Sainte-Julie	MTQ	Montréal

No.	Name of the projects	Bodies	Regions
159	Construction of the Saint-Alexandre interchange on Autoroute 35 in Saint-Alexandre	MTQ	Montréal
160	Redevelopment of Route 104 in La Prairie between Autoroute 30 and the limit of Saint-Jean-sur-Richelieu	MTQ	Montréal
161	Reconstruction of structure P-07331 on Route 104 westbound over Rivière L'Acadie in Saint-Jean-sur-Richelieu	MTQ	Montréal
162	Construction of the Société de transport de Montréal's northwest attachment centre – Montréal metro	MTQ	Montréal
163	Structuring electric public transit projects to link east, northeast and southwest Montréal to downtown	MTQ	Montréal
164	Extension of the Montréal metro's blue line from the Saint-Michel station to Anjou	MTQ	Montréal
165	Improvement of access to the Port (Phase II) with the extension of Avenue Souigny and Boulevard de l'Assomption in Montréal in the Mercier-Hochelaga-Maisonneuve borough	MTQ	Montréal
166	Reconstruction of Pont de l'Île-aux-Tourtes between Vaudreuil-Dorion and Senneville	MTQ	Montréal – Montréal
167	Structuring public transit system in Gatineau's west end	MTQ	Outaouais
168	Reserved lanes for the Société de transport de l'Outaouais's Rapibus (phase III) in Gatineau between Boulevard Lorrain and Boulevard de l'Aéroport	MTQ	Outaouais

No.	Name of the projects	Bodies	Regions
169	Improvement of Autoroute 50 between L'Ange-Gardien and Mirabel	MTQ	Outaouais – Laurentides
170	Improvement of Route 170 in Saint-Bruno and of Route 169 toward Alma	MTQ	Saguenay–Lac-Saint-Jean
171	Reconfiguration of curves from km 70 to km 73 on Route 170 in L'Anse-Saint-Jean	MTQ	Saguenay–Lac-Saint-Jean
172	Correction of the Émile-Doré curve on Route 169 in Métabetchouan	MTQ	Saguenay–Lac-Saint-Jean
173	Expansion and renovation of the Rouyn-Noranda courthouse	SQI	Abitibi-Témiscamingue
174	Repair of the D'Youville parking lot	SQI	Capitale-Nationale
175	Construction of a Sûreté du Québec station in Waterloo	SQI	Estrie
176	Refitting of the Saint-Hyacinthe courthouse	SQI	Montréal
177	Refitting and upgrading of the Anjou service centre of the Ministère des Transports	SQI	Montréal
178	Repair and development of 1000, rue Fullum in Montréal	SQI	Montréal
179	Repair and relocation of the morgue in Édifice Wilfrid-Derome at 1701, rue Parthenais in Montréal	SQI	Montréal
180	Repair of Édifice Gérald-Godin at 360, rue McGill in Montréal	SQI	Montréal

SCHEDULE II
(Sections 27 and 28)

IMPACT MITIGATION MEASURES TO LIMIT ENVIRONMENTAL
DISTURBANCES AND CONTAMINANT RELEASES INTO THE
ENVIRONMENT

1. When activities arising from an infrastructure project have been declared in a project declaration under section 28 of this Act and are likely to have adverse effects on wetlands and bodies of water, the following mitigation measures must be implemented, in addition to those provided for in sections 8, 9, 11, 23, 24 and 28 of the Regulation respecting activities in wetlands, bodies of water and sensitive areas, enacted by Order in Council 871-2020 (2020, G.O. 2, 2493A):

(1) at all times while work is underway, wetlands and bodies of water must be delimited using such means as stakes and ribbons or temporary fences to limit traffic in those zones, and crossing and traffic zones must be marked off; and

(2) when temporary storage sites are set up, they must

(a) be situated more than 30 metres away from wetlands and bodies of water;

(b) be delimited on-site; and

(c) be protected from erosion.

2. When activities arising from an infrastructure project have been declared in a project declaration under section 28 of this Act and are likely to cause a release of contaminants, the following mitigation measures must be implemented:

(1) for suspended matter, work must be carried out in such a manner as to limit the release of such matter into wetlands and bodies of water until full vegetation regrowth, particularly by means of the following measures:

(a) work that leaves soil unconsolidated must be accompanied by erosion and sediment control measures to prevent sediments from being carried into watercourses, lakes and wetlands, including the following measures:

i. work must be carried out during low-water periods and low-rainfall periods;

ii. as work is completed, soil stabilization and revegetation must be performed without delay, by means of naturalization techniques, on bare soils that are likely to be eroded; and

iii. clearing, stripping, excavation, earthwork and grading activities must be limited to a strict minimum and carried on immediately before infrastructure construction is to begin in order to limit the length of time for which loose soils are exposed; and

(b) for work carried out in winter, snow or ice containing sediments must be disposed of outside wetlands and bodies of water or transported to an authorized site; and

(2) for other contaminants, work must be carried out in such a manner as to avoid contaminating wetlands and bodies of water, by eliminating the risk of waste, oil, chemical or other contaminant spills, particularly by means of the following measures:

(a) machinery must be cleaned to eliminate excess oil or grease, mud, plant fragments and animals attached to it in order to prevent contamination and the introduction of invasive exotic species into the natural environment;

(b) machinery must be refuelled and stored and its mechanical maintenance must be performed in an area set up for those purposes outside any wetlands and bodies of water, particularly when work is temporarily stopped; if it is impossible to set up such an area outside any wetlands and bodies of water, special protection measures must be implemented, such as the use of leakproof reservoirs or membranes;

(c) before work is to begin, measures must be implemented to prevent contamination of the environment in the event of a spill, particularly the following:

i. regular inspections must be carried out to detect leaks and maintain the machinery in good working order;

ii. a spill kit must be kept available at all times on or near the site where work is being carried out, in case of accidental petroleum spills; and

iii. adequately sized drip trays must be placed under stationary apparatuses and equipment during the work; and

(d) for work carried out in winter, on snow or ice cover, and located in the littoral zone, on a riverbank or lakeshore, in a floodplain, in a wetland or close to such environments, no abrasives or ice melters must be used.

2020, chapter 28

AN ACT TO PROTECT PERSONS FROM CONVERSION THERAPY PROVIDED TO CHANGE THEIR SEXUAL ORIENTATION, GENDER IDENTITY OR GENDER EXPRESSION

Bill 70

Introduced by Mr. Simon Jolin-Barrette, Minister of Justice

Introduced 22 October 2020

Passed in principle 10 November 2020

Passed 9 December 2020

Assented to 11 December 2020

Coming into force: 11 December 2020

Legislation amended:

Civil Code of Québec

Health Insurance Act (chapter A-29)

Professional Code (chapter C-26)

Regulation amended:

Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5)

Explanatory notes

The purpose of this Act is to protect persons from injuries caused by any form of conversion therapy provided to induce them to change their sexual orientation, gender identity or gender expression or to repress non-heterosexual sexual behavior.

The Act establishes that any conversion therapy is deemed to affect a person's right to integrity and dignity. Any person having undergone such therapy may obtain reparation for the resulting injury.

The Act also stipulates that no one may, by gratuitous or onerous title, offer or undertake to provide conversion therapy to a person or require a person to provide such therapy to a third person, under pain of a fine.

The Act prohibits any advertising to promote conversion therapy, under pain of a fine.

Lastly, the Act explicitly establishes that the fact that a professional provides conversion therapy constitutes an act derogatory to the dignity of his or her profession.



Chapter 28

AN ACT TO PROTECT PERSONS FROM CONVERSION THERAPY PROVIDED TO CHANGE THEIR SEXUAL ORIENTATION, GENDER IDENTITY OR GENDER EXPRESSION

[Assented to 11 December 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The purpose of this Act is to protect persons from the injuries caused by any form of conversion therapy, which affects their integrity and dignity, and to prevent advertising of such therapy.

“Conversion therapy” means any spiritual or non-spiritual practice, service or treatment, including a conversion practice, intended to induce persons to change their sexual orientation, gender identity or gender expression or to repress non-heterosexual sexual behaviour. Any medical treatment or surgical operation arising from a person’s self-initiated process of gender affirmation and the support required for that purpose is, however, excluded. Support provided to persons in their self-initiated process of accepting, adapting to and affirming their sexual orientation, gender identity or gender expression is also excluded.

2. Any conversion therapy is deemed to affect the right to integrity and dignity of the person who undergoes the therapy.

Any person having undergone such therapy may obtain reparation for the resulting injury.

3. No one may, by gratuitous or onerous title, offer or undertake to provide conversion therapy to a person or require a person, directly or indirectly, to provide such therapy to a third person.

Any person who contravenes this section 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. Those amounts are doubled for a subsequent offence.

4. No one may advertise, whatever the form or means, to promote conversion therapy or if the advertisement could create an erroneous impression as to the human health benefits of such therapy.

Any person who contravenes this section 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. Those amounts are doubled for a subsequent offence.

- 5.** No service, medication, or compensating device or other equipment that is part of a conversion therapy treatment may be covered by insurance.

CIVIL CODE OF QUÉBEC

- 6.** Article 2926.1 of the Civil Code of Québec is amended by adding the following sentence at the end of the first paragraph: “Conversion therapy, as defined by section 1 of the Act to protect persons from conversion therapy provided to change their sexual orientation, gender identity or gender expression (2020, chapter 28), constitutes violent behaviour suffered during childhood within the meaning of this article.”

HEALTH INSURANCE ACT

- 7.** The Health Insurance Act (chapter A-29) is amended by inserting the following section after section 3:

“3.0.1. The services the cost of which is assumed by the Board under section 3 do not include any conversion therapy subject to the Act to protect persons from conversion therapy provided to change their sexual orientation, gender identity or gender expression (2020, chapter 28).”

PROFESSIONAL CODE

- 8.** The Professional Code (chapter C-26) is amended by inserting the following section after section 59.1.1:

“59.1.2. The fact that a professional provides conversion therapy subject to the Act to protect persons from conversion therapy provided to change their sexual orientation, gender identity or gender expression (2020, chapter 28) also constitutes an act derogatory to the dignity of his profession.”

- 9.** Section 123.6 of the Code is amended by replacing “section 59.1” in subparagraph 2 of the fourth paragraph by “sections 59.1 and 59.1.2”.

- 10.** Section 130 of the Code is amended by replacing “or 59.1.1” in paragraph 1 by “, 59.1.1 or 59.1.2”.

- 11.** Section 158.1 of the Code is amended by replacing “in section 59.1” in subparagraph 2 of the second paragraph by “in sections 59.1 and 59.1.2”.

- 12.** Section 188.2.1 of the Code is amended by inserting “, 59.1.2” after “59.1.1”.

REGULATION RESPECTING THE APPLICATION OF THE HEALTH
INSURANCE ACT

13. Section 22 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) is amended by inserting the following paragraph after paragraph *b*:

“(b.1) any conversion therapy subject to the Act to protect persons from conversion therapy provided to change their sexual orientation, gender identity or gender expression (2020, chapter 28);”.

FINAL PROVISIONS

14. To ensure this Act’s implementation, the Government must, not later than 11 December 2021, adopt and make public a government action plan to fight conversion therapy, specifying the activities the Government plans on carrying out to achieve the goals pursued.

The conditions, terms and schedule for carrying out the activities provided for in the action plan, and those related to achieving the goals pursued, are determined by the Government.

Every year, the Minister must submit a report to the Government on the activities carried out under the government action plan. The Minister must make the report public within 60 days after submitting it to the Government.

15. The Minister must, not later than 11 December 2023, report to the Government on the carrying out of this Act.

The report is tabled in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption.

16. The Minister of Justice is responsible for the administration of this Act.

17. This Act comes into force on 11 December 2020.

2020, chapter 29

AN ACT TO IMPROVE JUSTICE ACCESSIBILITY AND EFFICIENCY, IN PARTICULAR TO ADDRESS CONSEQUENCES OF THE COVID-19 PANDEMIC

Bill 75

Introduced by Mr. Simon Jolin-Barrette, Minister of Justice

Introduced 3 November 2020

Passed in principle 1 December 2020

Passed 11 December 2020

Assented to 11 December 2020

Coming into force: 11 December 2020, except

(1) sections 5 to 7, which come into force on the date of coming into force of the first by-law made under section 128.1 of the Act respecting the Barreau du Québec (chapter B-1), enacted by section 6 of this Act;

(2) section 35, which comes into force on the date of coming into force of the first regulation made under article 377 of the Code of Civil Procedure (chapter C-25.01), as replaced by section 35 of this Act;

(3) sections 40 to 47, which come into force on 11 March 2021;

(4) sections 61 and 62, which come into force on the date of coming into force of the first by-law made under section 15.1 of the Notaries Act (chapter N-3), enacted by section 62 of this Act.

Legislation amended:

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

Act respecting the Barreau du Québec (chapter B-1)

Code of Civil Procedure (chapter C-25.01)

Code of Penal Procedure (chapter C-25.1)

Act respecting the forfeiture, administration and appropriation of proceeds and instruments of unlawful activity (chapter C-52.2)

Jurors Act (chapter J-2)

Notaries Act (chapter N-3)

Act respecting payment of certain witnesses (chapter P-2.1)

Youth Protection Act (chapter P-34.1)

Courts of Justice Act (chapter T-16)

(cont'd on next page)

Explanatory notes

This Act amends the Code of Civil Procedure, in particular to

- (1) allow a judge to order special case management on the grounds of a case's complexity, to reject, on the judge's initiative, a prescribed application in small claims matters and to rule on applications on reading the record;
- (2) specify the obligations of the party that revokes its lawyer's mandate;
- (3) allow the Minister of Justice rather than the Government to establish the standards for determining child support;
- (4) establish rules for calculating time limits, such as the time limits applicable to filing exhibits with the court office in small claims matters; and
- (5) prescribe that, in matters regarding authorization for care or for the alienation of a body part and in matters regarding confinement in institution, hearings of the court are held in camera and access to the court records is restricted.

The Act also amends other legislative provisions to promote the use of technological means by the courts.

The Act provides that persons who perform work or render a service to the community under alternative measures or as part of an adaptation program are considered to be workers employed by the Government within the meaning of the Act respecting industrial accidents and occupational diseases.

The Act proposes that law students may give legal advice and consultations on legal matters in a legal clinic established by a professional training school established under the Act respecting the Barreau du Québec or by an educational institution at the university level or in a legal clinic recognized by such an institution.

The Act allows the board of directors of the Barreau du Québec to implement, under certain conditions, a pilot project designed to improve the instruction given in a professional training school established under the Act respecting the Barreau du Québec.

The Act amends the Code of Penal Procedure, in particular to provide that a court or judge does not lose jurisdiction in respect of an offence or in respect of a defendant because certain requirements for adjournment or postponement were not complied with.

The Act allows the allotment of the proceeds of the sale of property seized in connection with an offence under the Cannabis Act between certain government departments, bodies and organizations.

The Act amends certain procedures provided in the Act respecting payment of certain witnesses and the Jurors Act and allows a judge to delegate to a sheriff certain powers in relation to the attendance of jurors in court.

Lastly, the Act contains transitional and final provisions.



Chapter 29

AN ACT TO IMPROVE JUSTICE ACCESSIBILITY AND EFFICIENCY, IN PARTICULAR TO ADDRESS CONSEQUENCES OF THE COVID-19 PANDEMIC

[Assented to 11 December 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

1. Section 11 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is amended

(1) by replacing “subsection 3, carrying on compensatory work” in paragraph 1 by “paragraph 3, carrying on compensatory work, performing work or rendering a service to the community as part of an adaptation program”;

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

“(2.1) a person who performs work or renders a service to the community under alternative measures taken pursuant to the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46);”.

2. Section 81 of the Act is amended by inserting “, 2.1” after “2”.

ACT RESPECTING THE BARREAU DU QUÉBEC

3. Section 15 of the Act respecting the Barreau du Québec (chapter B-1) is amended by adding the following paragraph at the end of subsection 1:

“(p) implement, after consulting with the Office des professions du Québec, a pilot project not exceeding three years designed to improve the instruction given in a professional training school established under paragraph *b* of subsection 2.”

4. Section 16 of the Act is amended by adding the following paragraph at the beginning:

“Sections 95, 95.0.1 and 95.2 of the Professional Code (chapter C-26) and the Regulations Act (chapter R-18.1) do not apply to a by-law adopted by the board of directors necessary to implement a pilot project referred to in paragraph *p* of subsection 1 of section 15. A description of the pilot project and the by-law are made public on the Bar’s website.”

5. Section 128 of the Act is amended by replacing “The” in the introductory clause of subsection 1 by “Subject to sections 128.1 and 129, the”.

6. The Act is amended by inserting the following sections after section 128:

“128.1. A student may give legal advice and consultations on legal matters for others if the student complies with the following conditions:

(1) the student is enrolled in a professional training program given by a professional training school established pursuant to paragraph *b* of subsection 2 of section 15, in a program of study whose diploma gives access to the permit issued by the Bar or in a graduate program in law if the student obtained such a diploma;

(2) the student performs those acts in a legal clinic established or recognized by an educational institution at the university level that grants a diploma giving access to the permit issued by the Bar or established by a professional training school referred to in subparagraph 1; and

(3) the student performs those acts under the close supervision and responsibility of a practising advocate.

The board of directors must determine, by by-law, from among the regulatory standards applicable to advocates, those standards applicable to students as well as the terms and conditions that apply to the advocates supervising them. The by-law may also prescribe additional terms and conditions according to which students may perform such acts.

The board of directors must consult the Ordre des notaires du Québec before adopting a by-law under the second paragraph.

“128.2. For the purposes of section 128.1, an educational institution at the university level may recognize a legal clinic that complies with the following conditions:

(1) in the clinic, the students carry out activities that contribute to their training and that could be recognized by a program of study whose diploma gives access to the permit issued by the Bar or by a graduate program in law;

(2) the clinic renders services free of charge or charges only moderate administrative fees;

(3) the clinic or educational institution at the university level maintains security against any liability the clinic may incur if a student commits a fault when giving legal advice and consultations on legal matters for others;

(4) the clinic undertakes to ensure compliance with subparagraphs 1 and 3 of the first paragraph of section 128.1 and with the standards, terms and conditions determined by the board of directors under the second paragraph of that section; and

(5) the clinic undertakes to report on its activities to the educational institution at the university level every year, according to the terms they agree on.

A legal clinic established by an educational institution at the university level or by a professional training school established pursuant to paragraph *b* of subsection 2 of section 15 must comply with the conditions set out in subparagraphs 1 to 4 of the first paragraph, with the necessary modifications.”

7. The Act is amended by inserting the following section after section 137:

“137.1. A legal clinic governed by subparagraph 2 of the first paragraph of section 128.1 or subparagraph 2 of the first paragraph of section 15.1 of the Notaries Act (chapter N-3) may inform the public of the services that it offers.”

CODE OF CIVIL PROCEDURE

8. Article 13 of the Code of Civil Procedure (chapter C-25.01) is amended by replacing “anyone the court considers capable of assisting or reassuring the person” in the first paragraph by “anyone the person considers capable of assisting or reassuring the person, as well as any other person the court considers capable of doing so,”.

9. Article 14 of the Code is amended

(1) by replacing “; they may not, however, broadcast the recording. In no case may images be recorded” in the first paragraph by “. In no case may images be recorded or sound or image recordings be broadcast”;

(2) by replacing “All must” in the third paragraph by “All persons, even if they are not present in person at a hearing, must comply with those rules and”.

10. Article 15 of the Code, amended by section 62 of chapter 17 of the statutes of 2020, is again amended by inserting “, in matters regarding authorization for care or for the alienation of a body part, in matters regarding confinement in institution” after “family matters” in the first paragraph.

11. Article 16 of the Code is amended

(1) by inserting “, in matters regarding authorization for care or for the alienation of a body part, in matters regarding confinement in institution” after “family matters” in the first paragraph;

(2) by inserting “, in a matter regarding authorization for care or for the alienation of a body part, in a matter regarding confinement in institution” after “a family matter” in the last paragraph.

12. Article 26 of the Code is amended by replacing “even on its own initiative, may use such means or order that such means be used by the parties, including for case management purposes” in the second paragraph by “may use such means or, if the interests of justice so require, order that such means be used by the parties, even on its own initiative, including for case management purposes, for holding hearings or for sending and receiving documents in a medium other than paper”.

13. Article 52 of the Code is amended

(1) by inserting the following paragraphs after the first paragraph:

“An application before the trial must be notified to the other parties and filed with the court office at least 10 days before the date of presentation and is defended orally. However, the court may, on the face of the record, deny the application based on the grounds that it has no reasonable chance of success or is abusive.

An application during the trial is presented and defended orally.”;

(2) by replacing “The application is presented and defended orally, and” in the second paragraph by “If the application is defended orally, it is”.

14. Article 61 of the Code is amended by replacing the third paragraph by the following paragraphs:

“If the judgment finds that contempt of court was committed, it must set out the facts on which the finding of contempt is based. The resulting sanction may be imposed in a subsequent judgment.

The time limit for appealing a finding of contempt runs as of the date of the notice of judgment imposing the sanction or the date of the judgment imposing the sanction if the judgment was rendered at the hearing.”

15. Article 101 of the Code is amended by inserting “, in particular if the court is permitted to rule on the face of the record” after “court” in the fourth paragraph.

16. Article 107 of the Code is amended

(1) by replacing “the following day, at opening time” in the fourth paragraph by “at the court office’s next opening time”;

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

“To be considered received on the date of its filing, a pleading must be filed with the prescribed court costs and fees, if any. However, if the amount of the costs and fees is determined by the court clerk after the pleading is filed, payment must be made not later than two days after the notification of a notice stating the amount.”

17. Article 115 of the Code is amended by adding the following paragraph at the end:

“Notification of a pleading can be made at the court office if the addressee has no known domicile, residence or business establishment and the addressee is not represented by a lawyer or no notary is acting for the addressee. In such circumstances, the notification of the notice of execution, of opposition to seizure or sale, or of application for the annulment of a seizure or sale can also be made at the court office.”

18. Article 138 of the Code is amended by replacing “on the first day of publication” in the second paragraph by “on the date the time limit specified for taking delivery of the document expires”.

19. Article 139 of the Code, amended by section 63 of chapter 17 of the statutes of 2020, is again amended by inserting “and to cross-applications instituted against a party represented by a lawyer” at the end of the third paragraph.

20. Article 145 of the Code is amended by replacing “and informs the defendant that they are available on request” in the first paragraph by “. The plaintiff sends them to the defendant as soon as possible, in the manner they agree on”.

21. Article 148 of the Code is amended by replacing “and, if written,” in subparagraph 5 of the second paragraph by “, and, if the defence is oral, the advisability of filing a brief outline of the arguments made and the time limit for filing the outline if it cannot be filed with the case protocol or, if the defence is written,”.

22. Article 152 of the Code is amended

(1) by inserting the following sentence after the first occurrence of “filing.”: “On the expiry of a period of 10 days after the date of the filing, the proposal serves as the case protocol filed on that same date, unless the party that failed to co-operate has stated the points on which the parties differ.”;

(2) by replacing “In such circumstances” by “If points on which the parties differ remain”.

23. Article 154 of the Code is amended by replacing “to set the case down for trial” in the first paragraph by “to set the date”.

24. Article 157 of the Code is amended by adding the following paragraph at the end:

“The judge seized of a case may also, for the same reasons and with the authorization of the chief justice or chief judge, on their own initiative or on request, order special case management at any time, in which case the judge has the same responsibilities as a judge assigned by the chief justice or chief judge.”

25. Article 166 of the Code is amended by adding the following sentence at the end of the second paragraph: “If an exception to dismiss an application or a defence is raised, the three-day time limit is extended to 10 days.”

26. Article 168 of the Code is amended

(1) by replacing “conclure à” in the introductory clause of the first paragraph in the French text by “demander”;

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

“The court may, on the face of the record, deny an application for dismissal based on the grounds that it has no reasonable chance of success.”

27. Article 170 of the Code is amended by inserting the following paragraph after the second paragraph:

“The defendant discloses to the plaintiff the exhibits in support of the defence as soon as possible, in the manner they agree on.”

28. Article 173 of the Code is amended by replacing “or the case management conference following the filing of the case protocol is held, or after the date the case protocol is established by the court” in the first paragraph by “or after the date on which the court accepted or established the case protocol”.

29. Article 188 of the Code is amended

(1) by inserting “and state to the third person that that person must answer within the following 15 days” at the end of the first paragraph;

(2) in the second paragraph,

(a) by striking out “and the third person”;

(b) by inserting “after the third person answers” after “10 days”.

30. Article 192 of the Code is amended

(1) by inserting the following paragraphs after the first paragraph:

“A party that revokes the mandate of its lawyer must notify its decision to the other parties and to the court clerk and state its intention to appoint a new lawyer or to self-represent.

The lawyer brought in as a substitute must, without delay, notify a representation statement giving the lawyer’s name and contact information to the other parties and to the court clerk.”;

(2) by inserting “, without prior notice,” after “may request” in the second paragraph.

31. Article 221 of the Code is amended by adding the following paragraph at the end:

“A judgment on an application relating to an undertaking concerning the disclosure of a document made for or at a pre-trial examination may be rendered on the face of the record.”

32. Article 223 of the Code is amended by inserting the following paragraph after the second paragraph:

“Any objection relating to the examination may be decided by the court on the face of the record.”

33. Article 228 of the Code is amended

(1) by replacing “heard by” in the third paragraph by “submitted to”;

(2) by replacing “orally or in writing” in the fourth paragraph by “on the face of the record”.

34. Article 246 of the Code is amended by inserting “or unless the exhibits have already been disclosed” after “court” in the first paragraph.**35.** Article 377 of the Code is replaced by the following article:

377. Any application in the course of a proceeding must be in writing and be accompanied by a notice of the date of presentation.

The application must be notified to the other parties and filed with the court office within the time limit prescribed by a regulation of the Court of Appeal.”

36. Article 395 of the Code is amended by adding the following sentence at the end: “These persons may consult or copy the court record.”

37. Article 396 of the Code is amended by adding the following sentence at the end: “These persons may consult or copy the court record.”

38. Article 417 of the Code is amended by adding the following paragraph at the end:

“Exceptionally, where required by circumstances to ensure proper case management and orderly conduct of proceedings, or to prevent prejudice to one of the parties or to their children, the court may try the case without the parties having jointly or separately participated in such a session but must order them to take part in such a session within three months after the order, unless the court considers it inappropriate.”

39. Article 443 of the Code is amended by replacing “Government” in the first paragraph by “Minister of Justice”.

40. Article 540 of the Code is amended by replacing the second sentence of the third paragraph by the following sentences: “If an agreement or a settlement is reached, the judge homologates it. If no settlement is reached after conciliation is held during the hearing, the judge may continue the trial. If no settlement is reached after a settlement conference, the judge may take the appropriate case management measures or, with the parties’ consent, convert the conference into a case management conference, but may not subsequently try the case or decide any incidental application.”

41. Article 545 of the Code is amended by replacing “together with the exhibits or copies of the exhibits. In all instances, if the originals of the exhibits are not filed with the application,” in the second paragraph by “and the exhibits or copies of the exhibits must be filed within 10 days after the application is filed. If originals of the exhibits are not filed within that time limit,”.

42. Article 549 of the Code is amended by replacing “the exhibits or copies of the exhibits in support of the contentions of the defence with the court office. If originals of the exhibits are not filed with the defence,” in the first paragraph by “the exhibits or copies of the exhibits in support of the contentions of the defence with the court office within 10 days after the defence. If originals of the exhibits are not filed within that time limit,”.

43. Article 550 of the Code is amended by inserting “within 10 days after filing the application” after “court office”.

44. Article 551 of the Code is amended by replacing “submits the exhibits in support of the related contentions” by “files the exhibits in support of the related contentions with the court office within 10 days of the application for intervention”.

45. Article 554 of the Code is amended by replacing “21” in the second and third paragraphs by “30”.

46. Article 555 of the Code is amended

- (1) by replacing “21” by “30”;
- (2) by inserting “, at least 15 days before that date,” after “request”.

47. Article 560 of the Code is amended, in the first paragraph,

- (1) by striking out “, and explains any rules of prescription that are applicable”;
- (2) by adding the following sentence at the end: “The court may, on its own initiative, raise the exception resulting from prescription by allowing the parties to respond to it.”

CODE OF PENAL PROCEDURE

48. Article 2.2 of the Code of Penal Procedure (chapter C-25.1) is amended by replacing the second paragraph by the following paragraphs:

“Subject to article 61, a judge may use such means or, if the interests of justice so require, order that such means be used by the parties, even on the judge’s own initiative, including for case management purposes, for holding hearings or for sending and receiving documents in a medium other than paper.

The judge must, before ordering that such means be used, give the parties an opportunity to submit observations.”

49. Article 10 of the Code is amended

- (1) by inserting “in writing or orally” after “made” in the first paragraph;
- (2) by replacing the second paragraph by the following paragraph:

“The judge examines the allegations in support of the application. The judge may, if of the opinion that it is necessary, hear the applicant. The judge may also examine the sworn depositions of witnesses and, for that purpose, the judge has the power to compel them to appear and to testify. The judge must use all necessary means to ensure the confidentiality of the writings, where applicable.”

50. Article 31 of the Code is amended by inserting “, except an application for the authorization contemplated in paragraph 3 of article 9” after “application” in the second paragraph.**51.** Article 141.11 of the Code is amended by adding the following sentence at the end: “Those applications may be made at a distance using technological means.”

52. The Code is amended by inserting the following article after article 194.1:

“194.2. Persons present at a court hearing must conduct themselves in a respectful and restrained manner. Only those who prove their status as journalists may make a sound recording of the proceedings and the decision, unless the judge prohibits them from doing so. In no case may images be recorded or sound or image recordings be broadcast.”

The parties and their attorneys are duty-bound to exercise restraint throughout the proceeding out of respect for the judicial process.

Every person, even if they are not present in person at a hearing, must comply with those rules and obey the orders of the judge and of the officers of justice under the judge’s authority, under pain of contempt of court.”

53. The Code is amended by inserting the following article after article 206:

“206.1. A court or judge does not lose jurisdiction in respect of an offence because of failure to exercise jurisdiction or because certain requirements for adjournment or postponement were not complied with.

The judge does not lose jurisdiction in respect of a defendant because an adjournment or postponement is ordered in the absence of the defendant.”

ACT RESPECTING THE FORFEITURE, ADMINISTRATION AND
APPROPRIATION OF PROCEEDS AND INSTRUMENTS OF
UNLAWFUL ACTIVITY

54. Section 23 of the Act respecting the forfeiture, administration and appropriation of proceeds and instruments of unlawful activity (chapter C-52.2) is amended by replacing “or the Controlled Drugs and Substances Act (Statutes of Canada, 1996, chapter 19)” in the first paragraph by “, the Controlled Drugs and Substances Act (Statutes of Canada, 1996, chapter 19) or the Cannabis Act (Statutes of Canada, 2018, chapter 16)”.

55. Section 24 of the Act is amended by replacing “or the Controlled Drugs and Substances Act (Statutes of Canada, 1996, chapter 19)” by “, the Controlled Drugs and Substances Act (Statutes of Canada, 1996, chapter 19) or the Cannabis Act (Statutes of Canada, 2018, chapter 16)”.

56. Section 33 of the Act is amended by replacing “or the Controlled Drugs and Substances Act (Statutes of Canada, 1996, chapter 19)” in the third paragraph by “, the Controlled Drugs and Substances Act (Statutes of Canada, 1996, chapter 19) or the Cannabis Act (Statutes of Canada, 2018, chapter 16)”.

57. Schedule 2 to the Act is amended by replacing “*or of the Controlled Drugs and Substances Act (Statutes of Canada, 1996, chapter 19)*” and “*or Controlled Drugs and Substances Act*” by “*, of the Controlled Drugs and Substances Act (Statutes of Canada, 1996, chapter 19) or of the Cannabis Act (Statutes of Canada, 2018, chapter 16)*” and “*, Controlled Drugs and Substances Act or Cannabis Act*”, respectively.

JURORS ACT

58. Section 29 of the Jurors Act (chapter J-2) is amended, in the second paragraph,

(1) by replacing “and accompany his application with an affidavit.” by “*. The application is deemed to be a sworn statement.*”;

(2) by replacing “registered mail” by “any appropriate means”.

59. Section 32 of the Act is amended by striking out “or authorize a mode other than that provided for in section 29”.

60. Section 34 of the Act is amended by adding the following paragraph at the end:

“The judge may delegate to the sheriff the power to rule, on the day the attendance of jurors is required in court, on an application for exemption, disqualification or postponement of service to a later session.”

NOTARIES ACT

61. Section 15 of the Notaries Act (chapter N-3) is amended by replacing “section 16” in the introductory clause by “sections 15.1 and 16”.

62. The Act is amended by inserting the following sections after section 15:

“**15.1.** A student may give legal advice or opinions for others if the student complies with the following conditions:

(1) the student is enrolled in a program of study whose diploma is one of the diplomas which combine to give access to the permit issued by the Order or in a graduate program in law if the student obtained such a diploma;

(2) the student performs those acts in a legal clinic established or recognized by a university-level educational institution that grants a diploma that is one of the diplomas which combine to give access to the permit issued by the Order; and

(3) the student performs those acts under the close supervision and responsibility of a notary.

The board of directors must determine, by by-law, from among the regulatory standards applicable to notaries, those standards applicable to students as well as the terms and conditions that apply to the notaries supervising them. The by-law may also prescribe additional terms and conditions according to which students may perform such acts.

The board of directors must consult the Barreau du Québec before adopting a by-law under the second paragraph.

“15.2. For the purposes of section 15.1, a university-level educational institution may recognize a legal clinic that complies with the following conditions:

(1) in the clinic, the students carry out activities that contribute to their training and that could be recognized by a program of study whose diploma gives access to the permit issued by the Order or by a graduate program in law;

(2) the clinic renders services free of charge or charges only moderate administrative fees;

(3) the clinic or university-level educational institution maintains security against any liability the clinic may incur if a student commits a fault when giving legal advice and opinions for others;

(4) the clinic undertakes to ensure compliance with subparagraphs 1 and 3 of the first paragraph of section 15.1 and with the standards, terms and conditions determined by the board of directors under the second paragraph of that section; and

(5) the clinic undertakes to report on its activities to the university-level educational institution every year, according to the terms they agree on.

A legal clinic established by a university-level educational institution must comply with the conditions set out in subparagraphs 1 to 4 of the first paragraph.”

ACT RESPECTING PAYMENT OF CERTAIN WITNESSES

63. Section 2 of the Act respecting payment of certain witnesses (chapter P-2.1) is amended by striking out “, attested under oath,” in subsection 2.

YOUTH PROTECTION ACT

64. Section 82 of the Youth Protection Act (chapter P-34.1) is amended

(1) by replacing “and must” in the fourth paragraph by “. Every person, even if they are not present in person at a hearing, must comply with the rules set out in this section and”;

(2) in the fifth paragraph,

(a) by inserting “sound” before “recording”;

(b) by replacing “may images be recorded” by “may images be recorded or sound or image recordings be broadcast”.

COURTS OF JUSTICE ACT

65. Section 224 of the Courts of Justice Act (chapter T-16) is amended

(1) by adding the following sentence at the end of the second paragraph: “However, if the amount of the costs and fees is determined by the clerk after the filing of a proceeding or other document, the proceeding or document may be filed if the costs or fees are paid not later than two working days after the notification of a notice indicating their amount.”;

(2) by replacing “be entered on the proceeding or document filed” in the third paragraph by “be affixed to the proceeding, the document or a document filed with it”.

TRANSITIONAL AND FINAL PROVISIONS

66. On or before 11 June 2021, the board of directors of the Barreau du Québec and the board of directors of the Ordre des notaires du Québec must adopt a by-law under the second paragraph of section 128.1 of the Act respecting the Barreau du Québec (chapter B-1), enacted by section 6 of this Act, or under the second paragraph of section 15.1 of the Notaries Act (chapter N-3), enacted by section 62 of this Act, as applicable.

On the expiry of that time, the Government may, on the recommendation of the Minister of Justice and the minister responsible for the administration of legislation respecting the professions, and after obtaining the opinion of the Office des professions du Québec, adopt such a by-law if the board of directors concerned has not done so.

67. Articles 554 and 555 of the Code of Civil Procedure (chapter C-25.01) remain applicable, as they read before being amended by sections 45 and 46, respectively, of this Act, to parties that received a notice of hearing before 11 March 2021.

68. This Act comes into force on 11 December 2020, except

(1) sections 5 to 7, which come into force on the date of coming into force of the first by-law made under section 128.1 of the Act respecting the Barreau du Québec, enacted by section 6 of this Act;

(2) section 35, which comes into force on the date of coming into force of the first regulation made under article 377 of the Code of Civil Procedure, as replaced by section 35 of this Act;

(3) sections 40 to 47, which come into force on 11 March 2021;

(4) sections 61 and 62, which come into force on the date of coming into force of the first by-law made under section 15.1 of the Notaries Act, enacted by section 62 of this Act.

2020, chapter 30
**AN ACT MAINLY TO ALLOW THE ESTABLISHMENT OF
TARGET BENEFIT PENSION PLANS**

Bill 68

Introduced by Mr. Eric Girard, Minister of Finance

Introduced 7 October 2020

Passed in principle 5 November 2020

Passed 11 December 2020

Assented to 11 December 2020

Coming into force: 11 December 2020, except section 87, which has effect from 1 January 2020

Legislation amended:

Act respecting the Québec Pension Plan (chapter R-9)

Supplemental Pension Plans Act (chapter R-15.1)

Voluntary Retirement Savings Plans Act (chapter R-17.0.1)

Regulation amended:

Regulation to provide a framework for settlement of the benefits of members and beneficiaries of plans covered by subdivision 4.0.1 of Division II of Chapter XIII of the Supplemental Pension Plans Act and for administration by Retraite Québec of certain pensions paid out of the assets of the plans (chapter R-15.1, r. 3)

Explanatory notes

This Act amends the Supplemental Pension Plans Act, mainly to allow the establishment of target benefit pension plans.

The Act establishes the characteristics of that new type of pension plan, such as the fact that the employer contribution is limited to that stipulated in the plan. It also establishes that the contributions to be paid, less the employer contribution, are to be borne by the members and beneficiaries and that benefits, including pension benefits in payment, may be reduced due to insufficient contributions.

The Act proposes that target benefit pension plans determine, among other things, the benefit target, the recovery measures applicable in the event of insufficient contributions, and the conditions and procedure for restoring benefits that have been reduced.

(cont'd on next page)

Explanatory notes *(cont'd)*

Furthermore, the Act establishes the rules applicable to the conversion of certain multi-employer pension plans into target benefit pension plans.

The Act introduces special rules for certain target benefit pension plans in the pulp and paper sector, including the obligation for those plans to be brought into compliance, not later than 31 December 2023, with the new framework applicable to all target benefit pension plans. Special rules are also introduced for target benefit pension plans and member-funded pension plans in the municipal and university sectors.

The Act allows defined benefit or target benefit pension plans to provide that the degree of solvency for the purposes of member benefit payment is established at intervals shorter than the plan's fiscal year.

The Act proposes that, under certain circumstances, the value of a pension benefit in payment may be transferred to a pension plan, such as a life income fund or a locked-in retirement account.

Under the Act, pension plans that include defined contribution provisions and voluntary retirement savings plans are allowed to offer variable payment life pensions.

The Act also proposes amendments to the Act respecting the Québec Pension Plan that make it possible to credit the periods during which a person receives the supplement for handicapped children requiring exceptional care for a child under age 18.

The Act grants Retraite Québec the power to prescribe, by regulation, certain measures to mitigate the consequences of the state of emergency related to the COVID-19 pandemic.

Lastly, the Act contains technical and consequential amendments and a final provision.



Chapter 30

AN ACT MAINLY TO ALLOW THE ESTABLISHMENT OF TARGET BENEFIT PENSION PLANS

[Assented to 11 December 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

SUPPLEMENTAL PENSION PLANS ACT

1. Section 7 of the Supplemental Pension Plans Act (chapter R-15.1) is amended

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

“A target benefit pension plan is a plan under which employer contributions, or the method used for calculating them, and the benefit target are set in advance.”;

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

“A defined benefit pension plan under which employer contributions and, where applicable, member contributions and the normal pension, or the method used for calculating them, are set in advance is said to be a defined benefit-defined contribution pension plan.”

2. The Act is amended by inserting the following section after section 7:

“**7.1.** No pension plan may contain both defined benefit provisions and target benefit provisions.”

3. Section 14 of the Act is amended, in the second paragraph,

(1) by inserting “except for a target benefit plan,” at the beginning of subparagraph 9.1;

(2) by replacing “or a defined benefit-defined contribution pension plan” in subparagraph 10 by “or a target benefit plan”;

(3) by inserting the following subparagraph after subparagraph 10:

“(10.1) in the case of a target benefit plan, that the normal pension and the other benefits provided for in the plan constitute the benefit target and that that pension and those benefits may be reduced due to insufficient contributions;”;

(4) by inserting “and, in the case of a target benefit plan, the conditions on which and the person or persons by whom the plan may be terminated” at the end of subparagraph 15;

(5) by inserting the following subparagraphs after subparagraph 15:

“(15.1) in the case of a target benefit plan, the recovery measures applicable in the event of insufficient contributions, their objective and the conditions and procedure for applying them, in accordance with the rules set out in Division IV of Chapter X.3;

“(15.2) in the case of a target benefit plan, the conditions and procedure for restoring benefits that have been reduced, in accordance with the rules set out in Division V of Chapter X.3;”;

(6) by inserting “except for a target benefit plan,” at the beginning of subparagraph 16;

(7) by inserting “, except a target benefit plan” after “Chapter X applies” in subparagraph 17;

(8) by adding the following subparagraph at the end:

“(19) in the case of a target benefit plan, the conditions and procedure for appropriating all or part of surplus assets referred to in subdivision 2 of Division II of Chapter X.1.”

4. Section 14.1 of the Act is amended by replacing “defined benefit-defined contribution pension plan” in the first paragraph by “target benefit plan”.

5. Section 19 of the Act is amended by inserting “or, in the case of a target benefit plan, not later than the end of the fiscal year in which the bankruptcy occurs” at the end of paragraph 1.1.

6. Section 20 of the Act is amended by replacing “the date of the bankruptcy” in subparagraph 2 of the second paragraph by “set”.

7. Section 22 of the Act is amended

(1) by inserting “or target benefits” after “defined benefits” in the second paragraph;

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

“No defined benefit plan may, however, be converted into a target benefit plan.

If the purpose of the amendment is to convert a defined contribution plan into a target benefit plan or to convert a target benefit plan into another type of plan, the amendment is subject to the rules prescribed by regulation.”

8. Section 24 of the Act is amended by inserting “or 199.1” at the end of subparagraph *c* of subparagraph 3 of the second paragraph.

9. Section 39 of the Act is amended

(1) in the first paragraph,

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

“39. The contribution to be paid in each fiscal year of a pension plan is equal to or greater than,”;

(b) by replacing “determined in accordance with sections 128 and 129” in subparagraph *a* of subparagraph 2 by “, which is equal to the sum of the contribution established in accordance with sections 128 and 129 and the contribution established under defined contribution provisions”;

(2) by inserting the following paragraphs after the first paragraph:

“The contribution to be paid, less the member contributions, shall be borne by the employer.

In the case of a target benefit plan, that contribution, less the employer contribution stipulated in the plan, shall be borne by the members. However, it is to be paid taking into account the provisions of Division IV of Chapter X.3.”;

(3) by replacing “cette cotisation patronale” in the second paragraph in the French text by “la cotisation patronale”.

10. Section 39.1 of the Act is amended by inserting “that is a party to a plan other than a target benefit plan” after “authorize an employer” in the first paragraph.

11. Section 41 of the Act is amended

(1) in the second paragraph,

(a) by replacing “or an amortization payment to which members contribute” in the second paragraph by “, an amortization payment to which members contribute or any target benefit plan contribution”;

(b) by inserting “or a target benefit plan” after “in a defined benefit plan”;

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

“The monthly payments relating to the current service contribution may vary during a fiscal year of the plan to take into account an amendment to the plan.”;

(3) by inserting “, except a target benefit plan” after “Chapter X applies” in the third paragraph.

12. Section 44 of the Act is amended

(1) by replacing “at the monthly rate of return on personal five-year term deposits with chartered banks” in subparagraph 1 of the first paragraph by “at the weekly rate for personal five-year term deposits published the last week of every month”;

(2) by inserting “or a target benefit plan” after “in a defined benefit plan” in the third paragraph.

13. Section 47 of the Act is amended

(1) by inserting “or a target benefit plan” after “defined benefit plan” in the text after the second dash;

(2) by inserting “transferred under section 90.2,” after “until such contributions are”.

14. Section 48 of the Act is amended by inserting “or a target benefit plan” after “a defined benefit plan”.

15. Section 57 of the Act is amended

(1) by inserting “or a target benefit plan” after “defined benefit plan” in the text after the first dash;

(2) by striking out “or a defined contribution-defined benefit plan” in the text after the third dash;

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

“In the case of a target benefit plan, the benefit target shall not, with respect to members of the same class of employees and for the same period of credited service, vary according to the number of years of employment or of credited service.”

16. Section 59 of the Act is amended by adding the following paragraph at the end:

“(6) the periodic amounts are payable under a target benefit plan following the application of recovery measures, the restoration of benefits or the appropriation of surplus assets.”

17. Section 60 of the Act is amended, in the third paragraph,

(1) by inserting the following subparagraph after subparagraph 1:

“(1.1) to pension benefits accrued under a target benefit pension plan;”;

(2) by inserting “or a target benefit pension plan” after “a defined benefit pension plan” in subparagraph 2.

18. Section 61 of the Act is amended by adding the following paragraph at the end:

“The value of the benefits accrued under a target benefit pension plan shall be determined at the date of vesting of the benefits, on the basis of the assumptions determined by regulation.”

19. Section 62 of the Act is repealed.

20. Section 63.1 of the Act is amended by inserting “or target benefit provisions” after “defined-benefit provisions”.

21. Section 65 of the Act is amended by replacing “84, 86 and 93” by “84 and 86, section 90.1 with regard to the contributions that must be used to purchase a pension, and section 93”.

22. Section 66 of the Act is amended by adding the following paragraph at the end:

“In the case of a target benefit plan, the benefits may be refunded under the second paragraph only if the value of the benefits accrued to the member at the time of the refund, multiplied by the degree of solvency of the plan, is equal to or greater than the value of the member’s benefits established according to the benefit target.”

23. Section 67.3 of the Act is amended by inserting the following paragraph after the first paragraph:

“In the case of a target benefit plan, the agreement must stipulate that the pension may be reduced in the event of insufficient contributions.”

24. Section 67.4 of the Act is amended by replacing “fourth” in the last paragraph by “fifth”.

25. Section 81 of the Act is amended by adding the following sentence at the end of the second paragraph: “In the case of a target benefit plan, the assumptions to be used are those determined by regulation and applicable at that date.”

26. Section 82.1 of the Act is amended

(1) by inserting “, but, in the case of a target benefit plan, taking into account any adjustment resulting from any recovery measures, restoration of benefits or appropriation of surplus assets between that date and the date on which payment of the disability pension is interrupted” at the end of the definition of “a” in the second paragraph;

(2) by replacing “and used on that date to determine the value of the pension benefits to which section 60 applies” in the third paragraph by “that were applicable on that date”.

27. Section 84 of the Act is amended by adding the following paragraph at the end:

“In the case of a target benefit plan, the additional pension shall be determined on the basis of the assumptions determined by regulation that are applicable at the date of determination of the pension.”

28. Section 86 of the Act is amended, in the first paragraph,

(1) by inserting “or bridging benefit” after “disability pension” in subparagraph 1;

(2) by replacing “a retirement or disability pension” in subparagraph 2 by “such a pension or benefit”.

29. The Act is amended by inserting the following division after section 90.1:

“DIVISION III.2

“VARIABLE PAYMENT LIFE PENSION

“90.2. A pension plan that includes defined contribution provisions may provide that a member who has ceased to be an active member or, on the death of the member, the member’s spouse is entitled to apply, on the conditions and within the time prescribed by regulation, for payment of a variable payment life pension out of all or part of the sums the member or spouse holds under defined contribution provisions.

Such a pension must be paid into a variable payment life pension fund that meets the requirements prescribed by regulation, in particular with respect to establishing the amount of the pension that may be purchased with the sums transferred or to increasing or decreasing that amount.

A plan that pays variable payment life pensions may not be considered a defined benefit plan or a target benefit plan. However, the provisions of this Act regarding the latter plans may, to the extent prescribed by regulation and with the modifications provided for in the regulation, apply to a plan that pays variable payment life pensions.”

30. Section 92 of the Act is amended by inserting “in whole or in part” after “be replaced”.

31. Section 98 of the Act is amended

(1) by replacing “of other pension benefits to which section 60 applies and” in subparagraph *b* of subparagraph 2 of the first paragraph by “of benefits under the plan”;

(2) by replacing “of other pension benefits to which section 60 applies and” in subparagraph 4 of the first paragraph by “of benefits under the plan”;

(3) by inserting the following paragraph after the second paragraph:

“The value of the benefits under a target benefit plan shall be established taking into account, despite the postponement of their effective date, if applicable, the adjustments provided for in an actuarial valuation report of the plan transmitted to Retraite Québec before the date on which that value is determined and that result from recovery measures, the restoration of benefits or the appropriation of surplus assets.”

32. Section 99 of the Act is amended by inserting “or a target benefit plan” after “defined benefit plan” in the third paragraph.

33. Section 105 of the Act is amended by adding the following sentence at the end of the first paragraph: “In the case of a target benefit plan, the assumptions to be used are those determined by regulation.”

34. Section 113.1 of the Act is amended by replacing “the third paragraph of section 196 or the first paragraph of section 230.4” in subparagraph 2 of the first paragraph by “the second paragraph of section 146.33, the second paragraph of section 146.87 or the third paragraph of section 196”.

35. Section 117 of the Act is repealed.

36. Section 118 of the Act is amended by replacing “section 146.8” in subparagraph 5 of the first paragraph by “Division II of Chapter X.1”.

37. Section 119 of the Act is amended

(1) by replacing subparagraphs 1 and 1.1 of the first paragraph by the following subparagraph:

“(1) within nine months after the date of the actuarial valuation in the case of an actuarial valuation required under one of the following provisions of that section:

(a) subparagraph 2 of the first paragraph or the second paragraph;

(b) subparagraph 3 of the first paragraph, for the payment of benefits in accordance with the plan’s annuity purchasing policy;

(c) subparagraph 4 of the first paragraph, in relation to an amendment to the plan; no such report may, however, be required before the expiry of nine months following the date the amendment is made; or

(d) subparagraph 5 of the first paragraph, in the case of an appropriation of surplus assets;”;

(2) by replacing “an actuarial valuation” in the third paragraph by “a complete actuarial valuation”.

38. Section 121 of the Act is amended by replacing subparagraphs 1 and 2 of the first paragraph by the following subparagraphs:

“(1) the date on which the amendment is made;

“(2) the date on which the amendment becomes effective.”

39. Section 122.1 of the Act is amended

(1) by inserting “or a target benefit plan” after “a defined benefit plan” in subparagraph 2 of the first paragraph;

(2) by striking out the second paragraph.

40. Section 128 of the Act is amended by striking out the second paragraph.

41. Section 134 of the Act is amended by replacing “relatif” in the French text by “relative”.

42. Section 139 of the Act is amended by replacing “qui est relatif” in the French text by “relative”.

43. Section 140 of the Act is amended by replacing “subparagraph 2 of the first paragraph” in paragraph 2 by “paragraph 2”.

44. Section 142.3 of the Act is amended by adding the following paragraph at the end:

“In the case of a target benefit plan, those values are determined according to the rules set out in section 146.89.”

45. Section 143 of the Act is amended

(1) by inserting “or a target benefit plan” after “defined benefit plan” in subparagraph 2 of the first paragraph;

(2) by striking out the last sentence of the third paragraph;

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

“The degree of solvency applicable on the date referred to in the third paragraph is the most recent of the following degrees:

(1) the degree established in the last actuarial valuation of the plan for which the report was sent to Retraite Québec before that date;

(2) the degree established in the notice referred to in section 119.1 and sent to Retraite Québec before that date;

(3) the degree established in the report referred to in section 202 and sent to Retraite Québec before that date; and

(4) the degree established according to the intervals shorter than a fiscal year provided for in the plan in accordance with the rules prescribed by regulation.”

46. Section 146.1 of the Act is amended

(1) by replacing “benefits” by “contributions”;

(2) by replacing “under subparagraph 17 or 18” by “under subparagraph 17, 18 or 19”.

47. The Act is amended by inserting the following section after section 146.5:

“146.5.1. An employer that is required to send to the members and beneficiaries or publish the notice referred to in section 146.4 must, except where exercising powers delegated to the employer by the pension committee, indicate in the notice that any opposition to the draft amendment on the part of the members and beneficiaries concerned must be filed in writing with Retraite Québec.

In such a case, Retraite Québec shall count the notices of opposition as provided for in section 146.5.”

48. The Act is amended by inserting the following heading after the heading of Division II of Chapter X.1:

“§1. — *Plans other than target benefit plans*”.

49. Section 146.6 of the Act is amended

(1) by replacing “this division” by “this subdivision”;

(2) by inserting “, except a target benefit pension plan” after “Chapter X applies”.

50. Section 146.9.1 of the Act is amended by replacing “on the date of the end of a fiscal year for which an actuarial valuation or a notice referred to in section 119.1 shows” by “on the date of any actuarial valuation or notice referred to in section 119.1 that shows”.

51. The Act is amended by inserting the following subdivision after section 146.9.1:

“§2. — *Target benefit plans*

“**146.9.1.1.** Surplus assets may be determined in respect of a target benefit plan only after benefits have been restored to the target level, in accordance with the rules set out in Division V of Chapter X.3.

“**146.9.1.2.** The appropriation of surplus assets under this subdivision is permitted only if, according to the actuarial valuation of the pension plan, the plan’s assets are equal to or greater than its liabilities on a funding basis, increased by the value of the stabilization provision target level.

The maximum amount of surplus assets that may be used in a fiscal year is equal to 20% of the amount by which the plan’s assets determined on a funding basis exceed the minimum amount set under the first paragraph.

Section 122.1 applies to this subdivision.

“**146.9.1.3.** The amount of surplus assets that may be used in a fiscal year is appropriated, as provided for in the pension plan, according to one or a combination of the following appropriation methods:

(1) the payment of member contributions; and

(2) the payment of the value of the additional obligations arising from an amendment to the plan, increased by the value of the stabilization provision target level in respect of those obligations.

“**146.9.1.4.** The conditions and procedure set out in the plan for appropriating surplus assets must not confer on the pension committee any discretion regarding the election of the applicable measures, the order in which those measures are to be applied and how they are to be distributed among the group of active members and the group of non-active members and beneficiaries.

“**146.9.1.5.** The surplus assets appropriated for the benefit of non-active members and beneficiaries, in proportion to the plan’s liabilities, determined on a funding basis, that relate to their benefits, may not exceed the surplus assets appropriated for the benefit of active members, in proportion to the plan’s liabilities, determined on a funding basis, that relate to their benefits.

In addition, such an appropriation may not result in any disparities between members or beneficiaries of the same group.

“146.9.1.6. No appropriation of surplus assets may become effective before the day following the date of the actuarial valuation. It must, however, become effective not later than one year after that day.”

52. Section 146.11 of the Act is amended

- (1) by replacing “first” in the first paragraph by “second”;
- (2) by replacing “third” in the second paragraph by “fourth”.

53. Section 146.12 of the Act is amended by replacing “determined in accordance with sections 128 and 129” in paragraph 1 by “, which is equal to the sum of the contribution established in accordance with sections 128 and 129 and the contribution established under defined contribution provisions”.

54. Section 146.15 of the Act is amended by adding the following paragraph at the end:

“However, the assumptions to be used under section 61 are those referred to in that section that would otherwise have been applicable.”

55. The Act is amended by inserting the following section after section 146.17:

“146.17.1. An amendment to the plan allowing for the withdrawal of a bankrupt employer comes into force not later than the end date of the fiscal year in which the bankruptcy occurs.”

56. Section 146.18.1 of the Act is replaced by the following section:

“146.18.1. Section 139 applies where the actuarial valuation referred to in that section shows that the degree of solvency of the plan, established without reference to the amendment, is less than 90%.

The amount of the special improvement payment to be made under that section is equal to the higher of the value of additional obligations that is calculated on a solvency basis and the value of additional obligations that is calculated on a funding basis.”

57. Section 146.20 of the Act is amended by replacing “the degree of solvency of the plan as established in the last actuarial valuation that precedes the date on which the value is established and for which the report has been sent to Retraite Québec” in the first paragraph by “the most recent degree of solvency of the plan referred to in the fourth paragraph of that section that precedes the date on which the value is established”.

58. Section 146.22 of the Act is amended by replacing “the degree of solvency of the plan as established in the last actuarial valuation that precedes the date of their valuation, where the date of their valuation is subsequent to 31 December 2014, and for which the report has been sent to Retraite Québec” in the first paragraph by “the most recent degree of solvency of the plan referred to in the fourth paragraph of section 143 that precedes the date of their valuation, where the date of their valuation is subsequent to 31 December 2014”.

59. The Act is amended by inserting the following section after section 146.42:

“146.42.1. If the plan’s assets do not permit, according to the criteria prescribed by regulation, payment in full of the benefits of the members and beneficiaries affected by the withdrawal of the employer or the termination of the plan, a member or beneficiary whose pension is referred to in section 237 may opt to have his or her benefits transferred to a pension plan referred to in section 98.

The conditions and procedure relating to that option are prescribed by regulation.”

60. The Act is amended by inserting the following division after section 146.44:

“DIVISION VI

“CONVERSION INTO A TARGET BENEFIT PLAN

“146.44.1. Despite the third paragraph of section 22, a plan governed by this chapter may be converted into a target benefit plan, according to the rules and conditions prescribed by regulation.

“146.44.2. Any amendment to the plan that is required to bring the plan into compliance with the provisions of Chapter X.3 and that is referred to in section 20 may be made if, instead of the consents required under subparagraph 2 of the second paragraph of that section, less than 30% of the members and beneficiaries are opposed to it.

Subdivision 3 of Division IV applies, with the necessary modifications, to the consultation process required for the purposes of the first paragraph.

“146.44.3. A plan that, on its conversion into a target benefit plan, includes provisions described in paragraph 1 of section 146.47 may retain them.

In addition, despite paragraph 2 of that section, for any member who, before the conversion of the plan, opted for a pension referred to in subparagraph 2 of the first paragraph of section 93, the periodic increase of that pension is maintained.”

61. Section 146.45 of the Act is replaced by the following chapter:

“CHAPTER X.3

“SPECIAL PROVISIONS RELATING TO TARGET BENEFIT PLANS

“DIVISION I

“CHARACTERISTICS

“146.45. A target benefit plan must have the following characteristics:

(1) the obligations of the plan are borne by the plan’s members and beneficiaries;

(2) the employer contribution is limited to that stipulated in the plan;

(3) the plan determines the benefit target to be used as a basis for determining the current service contribution;

(4) the normal pension, as well as any benefit provided for in the plan, whether or not it is based on the normal pension, may, despite subparagraph 2 of the first paragraph of section 14.1, be reduced due to insufficient contributions;

(5) only the members and beneficiaries are entitled to the surplus assets, unless the fiscal rules require that the employer be relieved from paying the employer contribution through appropriation of all or part of the surplus assets of the plan; and

(6) the plan may not be amended or terminated, directly or indirectly, unilaterally by an employer that is a party to the plan or, in the case of a multi-employer pension plan, even one not considered as such under section 11, by all the employers that are parties to the plan or by one of them.

“146.46. A target benefit plan may not be an insured plan, a floor plan or a designated plan within the meaning of section 8515 of the Income Tax Regulations (C.R.C., c. 945).

It may be governed by both this Act and an Act of a legislative body other than the Parliament of Québec only on the conditions and to the extent prescribed by regulation.

“146.47. No target benefit plan may include provisions

(1) establishing that the remuneration used to calculate the member’s pension corresponds to the average salary of the member’s last remunerated years or to the average of the member’s best remunerated years over a specified number of years;

(2) providing for the periodic increase of the member's pension after retirement other than according to a fixed rate specified in the plan;

(3) granting benefits subject to the termination of the plan; or

(4) granting early retirement benefits that depend on the member's number of years of employment or of credited service.

“146.48. Where a target benefit pension plan provides for early retirement benefits or the periodic increase, before retirement, of the pension according to an index or rate specified in the plan, those benefits must be granted to all members who cease to be active members.

“DIVISION II

“PROVISIONS OF GENERAL APPLICATION

“146.49. The provisions of this Act apply to target benefit plans, except to the extent provided for in this chapter. In the event of incompatibility, the provisions of this chapter prevail.

“146.50. For the purposes of this Act, the value of the benefits accrued to a member or a beneficiary under target benefit provisions is established taking into account any benefit adjustments made in relation to the target that result from recovery measures, the restoration of benefits or the appropriation of surplus assets.

“146.51. For the purposes of this chapter, only the target benefit provisions of the plan are considered, unless otherwise specified.

“146.52. The benefits may not be guaranteed by an insurer except for the purposes of the final payment of the benefits of the member or beneficiary concerned.

“146.53. A target benefit plan may not be the subject of a general agreement referred to in section 106.

“146.54. The fiscal year of the plan must correspond to the calendar year unless, for the first fiscal year, Retraite Québec has authorized a period that exceeds one year.

“146.55. A target benefit pension plan may be established only if the eligible employees consent to the obligations incumbent on them under the plan.

Likewise, a plan amendment resulting in an increase in member contributions may be made only if the members subject to the increase consent to it, unless the amendment

(1) results from the application of recovery measures;

(2) is submitted for a consultation pursuant to section 146.3 or 146.87;

(3) is made for the withdrawal of an employer or a cessation of eligibility considered a withdrawal of an employer under section 146.93; or

(4) has been made mandatory by a new legislative or regulatory provision.

Approval in writing of the plan's establishment or amendment, as the case may be, by a certified association constitutes consent of the eligible employees or the members concerned that it represents.

For the employees eligible for membership under the plan or the members concerned who are not represented by such an association, their consent is deemed obtained if less than 30% of them oppose the plan's establishment or amendment, as the case may be. The second and third paragraphs of section 146.87 apply, with the necessary modifications, to the consultation required to obtain the consents.

“146.56. The application for registration referred to in section 24 shall be filed with Retraite Québec by the pension committee. In the absence of a pension committee, the application for registration of the plan is filed by the person or body who establishes the plan, if the application concerns the registration of the plan, or by the person or body who has the authority to amend the plan, if the application concerns the registration of an amendment to the plan.

If consents are required under section 146.55, the application for registration must be accompanied, in addition to the information and documents mentioned in section 24, by an attestation that those consents have been obtained and that they can be provided to Retraite Québec on request.

“146.57. The notice required by section 16 shall be given by the pension committee or, in the absence of a pension committee, by the person or body who establishes the plan.

“DIVISION III

“FUNDING RULES

“§1. — *General provisions*

“146.58. The current service contribution must be established according to the benefit target.

“146.59. The plan's liabilities must be equal to the value of the obligations arising from the plan taking into account the service credited to the members, which are established taking into account any benefit adjustments made in relation to the target that result from recovery measures, the restoration of benefits or the appropriation of surplus assets.

“146.60. An actuarial valuation referred to in subparagraph 2 of the first paragraph of section 118 or the second paragraph of that section must be carried out at the date of the end of a fiscal year of the plan.

The actuarial valuation referred to in subparagraph 3 of the first paragraph of that section must be carried out at the date of the end of the fiscal year of the plan in which the annuity purchasing agreement is made.

The actuarial valuation referred to in subparagraph 4 of that paragraph must be carried out at the date on which the amendment is considered for the first time.

All actuarial valuations must be complete.

“146.61. The report on any actuarial valuation other than those referred to in subparagraphs 1 and 6 of the first paragraph of section 118 must be sent to Retraite Québec within six months after the valuation date.

However, no report on an actuarial valuation referred to in subparagraph 4 of that paragraph may be required before the expiry of six months following the date the amendment referred to in section 121 is made.

“146.62. The time limit for sending the notice referred to in section 119.1 is six months.

“146.63. Any amendment to the pension plan referred to in section 121, including an amendment referred to in the third paragraph of that section, must be considered for the first time at a date that is not later than the latest of the dates referred to in the first paragraph of that section, which is the date of the end of a fiscal year of the plan. However, an amendment concerning the division of the plan must be considered for the first time at the date of the end of the fiscal year during which the division occurs.

“146.64. No stabilization actuarial deficiency or improvement unfunded actuarial liability may be established.

“146.65. The monthly amortization payments may represent an hourly rate or a rate of the remuneration of, or a percentage of the total payroll for, the active members.

“146.66. Despite section 138, the maximum amortization period for a technical actuarial deficiency is five years.

“146.67. Section 139 applies, regardless of the funding level of the plan, to any amendment considered for the first time.

“146.68. The second paragraph of section 142.4 does not apply to a payment of benefits made in accordance with the plan’s annuity purchasing policy.

“§2. — *Conditions governing payment of benefits*

“**146.69.** The value of the benefits accrued to a member or a beneficiary and referred to in the third paragraph of section 143 must be paid in proportion to the degree of solvency of the plan, which may not be capped.

Sections 144, 145 and 146 do not apply.

“**146.70.** A payment made in accordance with section 146.69 constitutes a final payment of the benefits accrued to a member or beneficiary.

“**146.71.** For the purposes of the assignment of a member’s benefits or the seizure of such benefits for non-payment of support, the value of the member’s benefits is determined taking into account the plan’s degree of solvency that is referred to in the fourth paragraph of section 143 and is applicable on the date the value is determined.

“**DIVISION IV**

“**RECOVERY MEASURES**

“§1. — *General provisions*

“**146.72.** The recovery measures applicable in the event of insufficient contributions must be mentioned in the text of the plan.

Such measures must not confer on the pension committee any discretion regarding the election of the applicable measures, the order in which those measures are to be applied or how they are to be distributed among the group made up of active members and the group made up of non-active members and beneficiaries.

“**146.73.** No recovery measure may result in a reduction, on a funding basis, in the value of the benefits of non-active members and beneficiaries in a proportion that is greater than that applicable to the value of active members’ benefits accrued at the date of the actuarial valuation showing insufficient contributions.

Nor may a recovery measure result in any disparities between members or beneficiaries of the same group.

“**146.74.** No recovery measure may become effective before the day following the date of the actuarial valuation regarding which the report showed insufficient contributions. It must, however, become effective not later than one year after that day.

“§2.—*Application of recovery measures*

“**146.75.** Where contributions are shown to be insufficient at the date of an actuarial valuation of the plan, the pension committee must apply the recovery measures provided for in the plan.

“**146.76.** The sufficiency of contributions shall be determined separately for service after the valuation date and for service credited at that date.

Separate recovery measures must be established for an insufficiency relating to service after the valuation date and an insufficiency relating to service credited at that date.

“**146.77.** Contributions for service after the valuation date are sufficient if the contributions provided for in the plan allow payment of the current service contributions determined in accordance with section 128 for the three fiscal years following the valuation date.

Failing that, the insufficiency of contributions relating to such service is equal to the difference between the amount of those current service contributions and the amount of the contributions provided for in the plan for that same period.

“**146.78.** An insufficiency of contributions relating to service after the valuation date must be offset by the application, as provided for in the plan, of one or a combination of the following recovery measures:

- (1) an increase in member contributions or the establishment of such contributions, in the case of a non-contributory plan;
- (2) an increase in the employer contribution;
- (3) a reduction in the benefit target relating to such service.

A recovery measure referred to in subparagraph 2 of the first paragraph must comply with the following limits, set by the plan:

- (1) the maximum employer contribution; and
- (2) the maximum increase in employer contributions in respect of the recovery measures.

Those limits must be expressed in the form of an hourly rate or a rate of the remuneration of, or a percentage of the total payroll for, the active members.

“146.79. Contributions for service credited at the valuation date are sufficient if the contributions provided for in the plan for the three fiscal years following that date, less the current service contributions established in accordance with section 128 and, if applicable, taking into account the recovery measures referred to in section 146.78, are sufficient to pay the technical amortization payments for that period.

Failing that, the insufficiency of contributions relating to such service is equal to the amount by which, after application of the recovery measures referred to in section 146.78, if applicable, the technical amortization payments exceed the amount of the contributions provided for in the plan less the current service contributions for that same period.

“146.80. An insufficiency of contributions relating to service credited at the valuation date must be offset by the application, as provided for in the plan, of one or a combination of the following recovery measures:

- (1) an increase in member contributions or the establishment of such contributions in the case of a non-contributory plan;
- (2) an increase in the employer contribution;
- (3) a reduction in the benefits related to service credited at the valuation date.

The second and third paragraphs of section 146.78 apply to the recovery measure referred to in subparagraph 2 of the first paragraph.

The measure referred to in subparagraph 3 of the first paragraph must not cause the plan's assets to exceed, on a funding basis, its liabilities increased by the value of the stabilization provision target level.

“146.81. A recovery measure may reduce a pension benefit the payment of which began prior to the measure's effective date.

No recovery measure may, however, have an effect on amounts or benefits already paid at the date on which the report on the actuarial valuation showing insufficient contributions is sent to Retraite Québec.

“146.82. The application of a recovery measure that consists in reducing benefits related to service credited at the valuation date does not constitute an amendment to the plan.

“DIVISION V

“RESTORATION OF BENEFITS

“146.83. Benefits that have been reduced may be restored if, at the date of an actuarial valuation of the plan, the plan's assets are both greater than 105% of its liabilities and greater than its liabilities increased by 50% of the value of the stabilization provision target level, on a funding basis.

No such restoration may, however, result in the plan's assets being less than the greater of 105% of its liabilities and its liabilities increased by 50% of the value of the stabilization provision target level.

“146.84. The plan must set out the conditions and procedure for restoring benefits.

The conditions and procedure must not confer on the pension committee any discretion as to whether or not to restore benefits, which benefits may be restored or the method for restoring them.

“146.85. A restoration of benefits does not constitute an amendment to the plan.

“146.86. A restoration of benefits may not become effective before the day following the date of the actuarial valuation regarding which the report showed the conditions allowing such a restoration. It must, however, become effective not later than one year after that day.

“DIVISION VI

“AMENDMENT TO RECOVERY MEASURES AND TO BENEFIT RESTORATION CONDITIONS OR PROCEDURE

“146.87. An amendment to the plan regarding the recovery measures applicable in the event of insufficient contributions or regarding the conditions or procedure for restoring benefits may be made only if, at the end of the consultation process set out in this section, less than 30% of the members and beneficiaries are opposed to it.

For the purposes of the consultation, the pension committee shall send every member and beneficiary of the pension plan a written notice which, in addition to containing the information mentioned in subparagraph 1 of the first paragraph of section 26, indicates

(1) the plan provisions being amended that are in force on the date of the notice; and

(2) the text of the plan provisions arising from the amendment.

The rules set out in the second, third and fourth paragraphs of section 146.4 apply, with the necessary modifications.

“DIVISION VII**“BENEFITS OF MEMBERS AND BENEFICIARIES ON WINDING-UP****“§1. — *General provisions***

“146.88. Only the members and beneficiaries whose benefits have not been paid before the date of withdrawal of an employer or the date of termination of the pension plan are affected by the withdrawal or termination.

“146.89. The value of the benefits of the members and beneficiaries affected by the withdrawal of an employer or the termination of a plan shall be determined at either of the following dates, using the assumptions referred to in section 61 that are applicable at that date:

(1) the date the member ceased to be an active member, if the benefits whose value is being determined are those accrued to a member whose active membership ended before the date of the withdrawal or termination and who, at that date, had already opted, within the time limit set out in subparagraph 1 of the second paragraph of section 99, for the payment of his or her benefits under the plan or still had time to exercise such an option, or those accrued to a beneficiary whose benefits under the plan derive from the service credited to such a member; or

(2) the date of the withdrawal or termination, if the benefits whose value is being determined are those accrued to any other member or beneficiary affected by the withdrawal or termination, including any member or beneficiary whose pension is not in payment on that date.

The benefits accrued to the members and the beneficiaries referred to in subparagraph 1 of the first paragraph bear interest from the date their value is determined to the date of the withdrawal or termination, at the rate used for the purposes of the determination.

“§2. — *Withdrawal of employer*

“146.90. The notice to be sent by the pension committee under section 200 shall specify, instead of the information indicated in paragraphs 2 to 4 of that section, the following information:

(1) that the benefits of members and beneficiaries affected by the withdrawal will be paid based on the degree of solvency of the plan;

(2) if the plan does not allow the benefits of the members and beneficiaries to be maintained in the plan,

(a) that the benefits of members and beneficiaries to whom a pension is in payment on the date of the withdrawal will be paid by the purchase, from an insurer selected by the pension committee, of an annuity established using the value of their benefits that is adjusted according to the degree of solvency of the plan or, if they so request, by means of a transfer under subparagraph *b*;

(b) that the benefits of the other members and the beneficiaries will be paid by means of a transfer under section 98, which applies with the necessary modifications, or, as applicable, by means of the payment in a lump sum or the transfer to a registered retirement savings plan of the portion of their benefits that is refundable; and

(3) if the plan provides that the benefits of members and beneficiaries may be maintained in the plan,

(a) that the benefits of members and beneficiaries to whom a pension is in payment on the date of the withdrawal will be maintained in the plan, unless they request payment of their benefits by the purchase, from an insurer selected by the pension committee, of an annuity established using the value of their benefits that is adjusted according to the degree of solvency of the plan or by means of a transfer under subparagraph *b* of paragraph 2;

(b) that the benefits of the other members and the beneficiaries will be maintained in the plan unless they request payment of their benefits according to one of the methods mentioned in subparagraph *b* of paragraph 2.

“146.91. The pension committee must send, within the time limit and in the manner prescribed by regulation, to each member or beneficiary affected by the withdrawal a statement of his or her benefits and of the value thereof as well as the information necessary to choose a benefit payment method.

“146.92. Where an employer withdraws from a pension plan, all the benefits accrued under a target benefit plan by a member who has worked for two or more employers who are parties to the plan must be considered in the value of his or her benefits regardless of the employer under which the benefits were accrued.

“146.93. The cessation of members’ eligibility under the plan that results from a decision concerning the certification of an association of employees is considered to be a withdrawal of an employer.

The following are then considered to be affected by the withdrawal:

(1) active members who cease to be eligible employees under the plan as a result of the decision;

(2) non-active members who would have ceased to be eligible employees if they had been active on the date of the decision; and

(3) beneficiaries whose benefits derive from the service credited to a member who, were it not for his or her death, would have been referred to in subparagraph 1 or 2.

“§3. — *Termination*

“**146.94.** The notice of termination of the plan referred to in section 204 is sent by the person or body who may amend the plan.

“**146.95.** The value of the benefits of members and beneficiaries that are in payment or suspended on the date of the termination must be paid according to one of the following methods:

(1) by the purchase, from an insurer selected by the pension committee, of an annuity established using the value granted to their benefits under section 218, which applies with the modifications provided for in paragraph 1 of section 146.96 and section 146.98; or

(2) at the member’s or beneficiary’s request, by means of a transfer of the value of his or her benefits established under subparagraph 1 into a plan referred to in section 98, which applies with the necessary modifications.

If a member or a beneficiary does not communicate his or her choices to the pension committee before the expiry of the time limit provided for in the first paragraph of section 207.2, the value of his or her benefits must be paid by the purchase of an annuity referred to in subparagraph 1 of the first paragraph.

“§4. — *Winding-up*

“**146.96.** The following provisions of Division II of Chapter XIII, which relates to winding-up, do not apply:

(1) sections 210.1 and 211, the second and third paragraphs of section 212.1, section 216 and subparagraphs 3 and 4 of the first paragraph of section 218;

(2) subdivision 3, which relates to the distribution of the assets;

(3) subdivision 4, which relates to the debts of the employer;

(4) subdivision 4.0.1, which relates to the payment options in the event of insufficient assets; and

(5) subdivision 4.1, which relates to the distribution of surplus assets in the event of termination.

“**146.97.** In the event of the withdrawal of an employer, the benefits referred to in subparagraph 2 of the first paragraph of section 218 are paid in proportion to the degree of solvency of the plan as established in the report referred to in section 202 that is sent to Retraite Québec.

“146.98. If, in the event of the termination of a pension plan, there remains a balance following payment of the benefits referred to in subparagraph 2 of the first paragraph of section 218, the balance must be appropriated to the restoration of benefits that were reduced, if applicable, up to the benefits target. If there are insufficient assets to restore all the reduced benefits, benefits are restored proportionately to the value of the reduced benefits.

If there are sufficient assets to pay all the benefits according to the benefit target and there remains a balance, the balance must be allocated to the members and beneficiaries proportionately to the value of their benefits restored in accordance with the first paragraph.

“146.99. Any amount paid by an employer, including any amount recovered after the date of termination, in respect of contributions outstanding and unpaid at the date of termination, shall be applied to the payment of benefits of members and beneficiaries in the order of priority established under section 218, which applies taking into account paragraph 1 of section 146.96 and section 146.98.

“146.100. Sections 239, 240 and 240.2 do not apply for the purposes of the settlement of the pension benefits of the members and beneficiaries.

“DIVISION VIII

“SPECIAL MEASURES RELATING TO CERTAIN PLANS

“146.101. The employer contribution to a target benefit plan established for members whose employer is, as the case may be,

(1) a municipality, a body referred to in section 18 of the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3) or a municipal housing bureau, within the meaning of the Act respecting the Société d’habitation du Québec (chapter S-8), or

(2) an educational institution at the university level 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),

may not, for any class of members covered by the plan and whose employer is referred to in paragraph 1 or 2, exceed 55% of the total of the employer and member contributions provided for in the plan for that class of members.

“146.102. For the purposes of section 146.101, the contributions include those paid for by the appropriation of surplus assets.”

62. Section 149 of the Act is amended by adding the following paragraph at the end:

“In the case of a target benefit plan, the pension plan shall be administered by the person or body who establishes the plan.”

63. Section 151.2 of the Act is amended by striking out “quantify and” in subparagraph 6 of the first paragraph.

64. Section 182.2 of the Act is amended by adding the following paragraph at the end:

“This section does not apply to target benefit pension plans.”

65. The Act is amended by inserting the following section after section 194:

“194.1. Despite section 194, merging all or part of the assets and liabilities of several target benefit pension plans into a single plan is prohibited.”

66. Section 195 of the Act is amended by inserting “other than a target benefit pension plan” after “of a pension plan” in the first paragraph.

67. The Act is amended by inserting the following section after section 195:

“195.0.0.1. In the case of a target benefit pension plan, Retraite Québec shall not authorize a division unless the value of the assets to be transferred is equal to the market value of the assets which, assuming that the plan is terminated on the effective date of the division, are allocated to the group of benefits to which the members and beneficiaries affected by the division are entitled.

The value of the assets to be transferred that is referred to in the first paragraph is established taking into account sections 220 and 222 to 224 as if they were applicable to target benefit pension plans, as well as section 146.89 and the first paragraph of section 212.1.

For establishing the assets to be allocated to the group affected by the division, section 218 applies taking into account the rules set out in paragraph 1 of section 146.96 and in section 146.98.

The third paragraph of section 195 applies for the purpose of establishing the value of the assets to be transferred.

Furthermore, Retraite Québec may not authorize such a division unless the plan into which a portion of the assets to be divided is to be transferred includes provisions which, in respect of the conditions and procedure for appropriating surplus assets, the recovery measures in the event of insufficient contributions and the conditions and procedure for restoring benefits, are identical to the provisions of the plan from which such assets are to be transferred.”

68. Section 196 of the Act is amended by replacing “In other cases” in the third paragraph by “If the conditions set out in the second paragraph are not met”.

69. Section 198 of the Act is amended by replacing “the date of the bankruptcy” in the second paragraph by “the date referred to in paragraph 1.1 of section 19”.

70. The Act is amended by inserting the following section after section 199.1:

“199.2. If the benefits accrued to all the members and beneficiaries affected by the withdrawal of an employer that is a party to a multi-employer pension plan derive only from defined contribution benefits, the amendment to the plan allowing for the withdrawal of the employer is not subject to the authorization of Retraite Québec.

The members’ and beneficiaries’ benefits affected by the withdrawal of the employer may be maintained in the plan if the plan so provides. In such a case, the notice referred to in section 200 must mention that option, allow the member or beneficiary at least 10 days to communicate his or her choice, and specify that if no choice is made, his or her benefits will, as provided for in the plan, either be paid or be maintained in the plan.

Furthermore, the plan is exempted from the application of sections 202 and 203. However, the pension committee must include the attestation referred to in paragraph 2 of section 203 with the application for registration of the amendment allowing for the withdrawal of the employer.

The pension committee must, within 30 days after the expiry of the time limit for exercising choices and options, pay the benefits to which the members and beneficiaries affected by the withdrawal of the employer are entitled. Section 217 applies to the payment.”

71. Section 200 of the Act is amended by replacing paragraph 1 by the following paragraph:

“(1) of the most recent degree of solvency as referred to in the fourth paragraph of section 143 that is applicable to the plan;”.

72. Section 202 of the Act is amended

(1) by striking out “; in the case of a plan referred to in paragraph 2 of section 116, it can be prepared by the pension committee” in the second paragraph;

(2) by adding the following sentence at the end of the third paragraph: “The exemption does not apply to target benefit pension plans.”

73. Section 207.6 of the Act is amended by inserting “, in the case of a plan other than a target benefit pension plan,” after “allow” in the first paragraph.

74. Section 217 of the Act is amended by replacing “in a defined benefit plan” in paragraph 3 by “in a defined benefit plan or target benefit plan”.

75. Section 228.1 of the Act is amended by striking out “or defined benefit-defined contribution pension plan”.

76. Section 230.0.0.3 of the Act is amended by replacing “or choose a pension paid out of the assets administered by Retraite Québec under section 230.0.0.4” by the following: “or opt for one of the following payment methods:

(1) the transfer of his or her benefits to a pension plan contemplated in section 98; or

(2) the payment of a pension out of the assets administered by Retraite Québec under section 230.0.0.4”.

77. Section 230.0.0.4 of the Act is amended by replacing “provided for in section 230.0.0.3” in the first paragraph by “provided for in paragraph 2 of section 230.0.0.3”.

78. Section 236 of the Act is amended by striking out “, except any entitlement to surplus assets,” in the first paragraph.

79. Section 237 of the Act is amended, in the first paragraph,

(1) by replacing “affected by the termination of the pension plan” by “affected by the withdrawal of an employer or the termination of the plan”;

(2) by inserting “withdrawal or” after “the date of the”.

80. Section 243 of the Act is amended by replacing “of notification of the decision or order” by “after the decision or order is sent”.

81. Section 244 of the Act is amended, in the first paragraph,

(1) by inserting the following subparagraph after subparagraph 1:

“(1.1) determine, for the purposes of section 22, the rules to which the conversion of a target benefit pension plan into another type of plan and the conversion of any type of plan into a target benefit pension plan are subject;”;

(2) by inserting the following subparagraph after subparagraph 3.1.1:

“(3.1.2) determine, for the purposes of section 90.2,

(a) the conditions and time limit for transferring sums held under defined contribution provisions into a variable payment life pension fund;

(b) the requirements that a variable payment life pension fund must meet, particularly with respect to establishing the amount of the pension that may be purchased with the sums transferred or to increasing or decreasing that amount;”;

(3) by inserting the following subparagraphs after subparagraph 8.0.4:

“(8.0.5) for the purposes of section 146.42.1, determine the criteria according to which the plan’s assets do not permit payment in full of the benefits of the members and beneficiaries, and the conditions and procedure relating to the option provided for in that section;

“(8.0.6) prescribe the rules referred to in the fourth paragraph of section 143 for establishing the degree of solvency of the pension plan according to intervals shorter than a fiscal year;

“(8.0.7) set out, for the purposes of section 146.44.1, the rules and conditions for converting a negotiated contribution plan referred to in Chapter X.2 into a target benefit pension plan referred to in Chapter X.3;

“(8.0.8) determine, for the purposes of the second paragraph of section 146.46, on what conditions and to what extent a target benefit pension plan may be a multi-jurisdictional pension plan;

“(8.0.9) prescribe, for the purposes of the provisions it specifies, in relation to target benefit pension plans, the use of a degree other than the degree of solvency;

“(8.0.10) set the time limit and procedure for sending the statement referred to in section 146.91 in the event of the withdrawal of an employer that is a party to a target benefit pension plan;”.

82. Section 257 of the Act is amended

(1) by striking out “17,” in paragraph 1;

(2) in paragraph 5,

(a) by inserting the following subparagraph after subparagraph *a*:

“(a.1) a variable payment life pension provided for in section 90.2;”;

(b) by replacing “third” in subparagraph *c* by “fourth”.

83. Section 258 of the Act is amended by striking out “the second paragraph of section 310.1 and sections” in paragraph 1.

84. Section 288.1.2 of the Act is amended by replacing “A pension plan that” in the first paragraph by “A pension plan to which Chapter X applies and”.

85. Sections 297 and 308.2 to 310.2 of the Act are repealed.

86. The Act is amended by inserting the following sections after section 318.8:

“**318.9.** A target benefit pension plan may be established as of 11 December 2020.

“**318.10.** A target benefit pension plan that is subject to the Regulation respecting target-benefit pension plans in certain pulp and paper sector enterprises (chapter R-15.1, r. 6.1.01) must be brought into compliance with the provisions of this Act that relate to target benefit pension plans not later than 31 December 2023.

Section 146.44.2 applies to any amendment to the plan required for that purpose.

If, on 7 October 2020, the plan includes provisions referred to in paragraph 1 of section 146.47 or provisions allowing the termination, on the cessation of active membership, of the periodic increase of the pension referred to in section 146.48, those provisions may be maintained.

“**318.11.** A pension plan referred to in the first paragraph of section 318.10 must, at the date of the end of the fiscal year in which the plan is brought into compliance with this Act, but not later than 31 December 2023, be the subject of an actuarial valuation that complies with the provisions of Chapter X.3.

“**318.12.** If, on 31 December 2023, the pension plan has not been brought into compliance with this Act, an actuarial valuation of the plan at that date must be carried out according to the rules set out in Chapter X.3.

An insufficiency in contributions shown in that actuarial valuation must be offset as follows:

(1) if the insufficiency relates to service subsequent to the date of the actuarial valuation, by a reduction in the benefit target relating to that service; or

(2) if the insufficiency relates to service credited at the date of the actuarial valuation, by a reduction in the benefits related to that service.

A measure provided for in the second paragraph becomes effective one year after the day following the date of the actuarial valuation.

In addition, no restoration of benefits or appropriation of surplus assets may be carried out following that actuarial valuation.

This section applies to any subsequent actuarial valuation of the plan until the text of the plan is brought into compliance with this Act.

“318.13. Section 7.1 does not apply in respect of a target benefit pension plan that is referred to in the first paragraph of section 318.10 and includes components established in accordance with the Regulation concerning certain Papiers White Birch pension plans (chapter R-15.1, r. 6.1.1) on 7 October 2020.

Despite any inconsistent provision of this Act or that Regulation, where an actuarial valuation is required in respect of one component of the pension plan, every component of the plan must be the subject of an actuarial valuation at the date of that actuarial valuation, in accordance with the rules applicable to it.

“318.14. Sections 318.10 to 318.12 apply even with respect to a pension plan referred to in the second paragraph of section 146.46.

“318.15. A target benefit pension plan may be established in respect of members whose employer is referred to in section 146.101 only if the plan governed by the applicable Act according to the sector concerned and to which the members covered by the target benefit pension plan are parties has been restructured in accordance with the Act respecting the restructuring of university-sector defined benefit pension plans (chapter R-26.2.1) or the Act to foster the financial health and sustainability of municipal defined benefit pension plans (chapter S-2.2.1) and only if, in the case of a municipal sector plan, there remains no contribution to be paid by the members, if applicable, under the second paragraph of section 14 of the latter Act.

“318.16. Section 88 of the Act respecting the restructuring of university-sector defined benefit pension plans (chapter R-26.2.1) and section 58 of the Act to foster the financial health and sustainability of municipal defined benefit pension plans (chapter S-2.2.1), according to the sector concerned, do not apply to a target benefit pension plan established in accordance with section 318.15.

“318.17. The provisions of the Regulation respecting the funding of pension plans of the municipal and university sectors (chapter R-15.1, r. 2) do not apply to a plan referred to in section 318.15.

“318.18. A pension plan referred to in Division X of the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act (chapter R-15.1, r. 7) may be established in respect of members whose employer is referred to in section 146.101, on the conditions set out in that section and sections 146.102 and 318.15.

Such a pension plan in force on 7 October 2020 is subject to the conditions referred to in the first paragraph. However, if the contribution of an employer that is a party to the plan is, at that date, greater than 55% of the sum of the employer and member contributions prescribed by the plan, including those referred to in section 146.102, for a class of members, the plan is not subject to the requirement set out in section 146.101 with regard to that class of members. The proportion of the contributions that is paid by the employer may not, however, be increased as of that date.

The second paragraph does not apply to a plan referred to in section 318.19.

“318.19. A pension plan referred to in the first paragraph of section 318.18 the establishment of which was the subject of an agreement before 7 October 2020 may come into force, as regards the classes of members covered by the agreement, on a date prior to 11 December 2020, but not prior to 1 January 2016. For the purposes of sections 318.20 and 318.21, such a plan is said to be the “new plan” and the defined benefit plan in force before the date of coming into force of the new plan is said to be the “former plan”.

A plan referred to in the first paragraph must be brought into conformity with the rule set out in section 146.101 not later than 31 December 2023.

“318.20. Amendments to the former plan may, if they are required for the new plan to come into force as regards the classes of members covered by the agreement, become effective, despite sections 20 and 21, on the date of coming into force of the new plan.

“318.21. Contributions paid into the former plan for service accumulated from the date of coming into force of the new plan by the members belonging to the classes covered by the agreement are deemed to be paid under the new plan.

“318.22. Sections 318.16 and 318.17 apply, with the necessary modifications, to a plan referred to in section 318.18.”

ACT RESPECTING THE QUÉBEC PENSION PLAN

87. Section 1 of the Act respecting the Québec Pension Plan (chapter R-9) is amended by replacing paragraph *v* by the following paragraph:

“(v) “recipient of family benefits”: the person who,

(1) for a child under seven years of age,

i. receives a family allowance or benefit under the statutes of Québec or Canada, other than an allowance or benefit paid for the month of the child’s birth;

ii. would, had it not been for the person’s income, have received benefits under the Act respecting family benefits (chapter P-19.1);

iii. receives an amount in respect of a family allowance under Division II.11.2 of Chapter III.1 of Title III of Book IX of Part I of the Taxation Act (chapter I-3); this subparagraph applies only if no person receives, in respect of the child, an amount referred to in subparagraph 2;

iv. is considered to be an eligible individual for the purposes of the child tax benefit or Canada child benefit provided for in the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1 (5th Supplement)), or could have been so considered had the person filed the notice for that purpose, provided, in the latter case, that no other person is considered to be an eligible individual in respect of the same child; this subparagraph applies only if no person receives, in respect of the child, any family benefits within the meaning of subparagraphs i to iii;

(2) for a child under 18 years of age, receives an amount referred to as the “supplement for handicapped children requiring exceptional care” under subparagraph *c* of the second paragraph of section 1029.8.61.18 of the Taxation Act;”.

VOLUNTARY RETIREMENT SAVINGS PLANS ACT

88. The Voluntary Retirement Savings Plans Act (chapter R-17.0.1) is amended by inserting the following division after section 70:

“DIVISION V

“VARIABLE PAYMENT LIFE PENSION

“**70.1.** The voluntary retirement savings plan may provide that a member referred to in Division III of Chapter IV or the member’s spouse, as defined in section 71, is entitled to apply, on the conditions and within the time prescribed by regulation, for payment of a variable payment life pension out of all or part of the sums in his or her accounts.

Such a pension must be paid into a variable payment life pension fund that must meet the requirements prescribed by regulation, in particular with respect to establishing the amount of the pension that may be purchased with the sums transferred or to increasing or decreasing that amount.”

89. Section 113 of the Act is amended by inserting the following paragraph after paragraph 22:

“(22.1) for the purposes of section 70.1, regulate variable payment life pensions;”.

REGULATION TO PROVIDE A FRAMEWORK FOR SETTLEMENT OF THE BENEFITS OF MEMBERS AND BENEFICIARIES OF PLANS COVERED BY SUBDIVISION 4.0.1 OF DIVISION II OF CHAPTER XIII OF THE SUPPLEMENTAL PENSION PLANS ACT AND FOR ADMINISTRATION BY RETRAITE QUÉBEC OF CERTAIN PENSIONS PAID OUT OF THE ASSETS OF THE PLANS

90. Section 6 of the Regulation to provide a framework for settlement of the benefits of members and beneficiaries of plans covered by subdivision 4.0.1 of Division II of Chapter XIII of the Supplemental Pension Plans Act and for administration by Retraite Québec of certain pensions paid out of the assets of the plans (chapter R-15.1, r. 3) is amended by replacing “provided” by “provided for in section 27.1 of this Regulation or”.

91. Section 16 of the Regulation is amended, in the first paragraph,

(1) by replacing “that his or her pension be paid out of the assets” in subparagraph 4 by “to have his or her benefits transferred to a pension plan referred to in section 98 of the Act, or to have his or her pension paid out of the assets”;

(2) by replacing “that his or her pension be paid out of the assets” in subparagraph 5.1 by “to have his or her benefits transferred to a pension plan referred to in section 98 of the Act, or to have his or her pension paid out of the assets”.

92. Section 17 of the Regulation is amended by replacing “that his or her pension be paid” in paragraph 3 by “to have his or her benefits transferred to a pension plan referred to in section 98 of the Act, or to have his or her pension paid”.

93. Section 19 of the Regulation is amended by replacing paragraph 1 by the following paragraph:

“(1) the estimated value of the pension reduced to take into account insufficient assets with a statement that that value may be transferred to a pension plan referred to in section 98 of the Act;”.

94. The Regulation is amended by inserting the following section after section 27:

“27.1. Where a member or beneficiary whose pension has been guaranteed opts, in accordance with paragraph 1 of section 230.0.0.3 of the Act, to have his or her benefits transferred to a pension plan referred to in section 98 of the Act, the insurer must, at the request of the pension committee, allocate the guarantee to non-guaranteed benefits of other members or beneficiaries in the same account or, if the insurer is unable to make such an allocation, pay into the pension fund the commuted value of the guaranteed pension at the date the

benefits are transferred or, where the contract does not provide for a commuted value, the fair market value of the guaranteed pension determined on the basis of reasonable assumptions and cancellation fees.

The value of the guaranteed pension to be transferred by the pension committee to the pension plan specified by the member or beneficiary must be equal to the value of the pension to which the member or beneficiary is entitled, reduced to take into account insufficient assets. That value is determined in accordance with the first and third paragraphs of section 24.”

MISCELLANEOUS AND FINAL PROVISIONS

95. Until the date of coming into force of a regulation made for the purposes of the third paragraph of section 61 and the second paragraph of section 81 of the Supplemental Pension Plans Act (chapter R-15.1), amended by sections 18 and 25, respectively, the assumptions to be used in the case of a target benefit plan are those described in section 67.4 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6).

96. The first regulation made for the purposes of section 146.42.1 of the Supplemental Pension Plans Act may, if it so provides, apply as of any date not prior to 11 December 2020.

97. To mitigate the consequences of the public health emergency declared on 13 March 2020 due to the COVID-19 pandemic, Retraite Québec may, by regulation, take measures concerning

(1) life income funds referred to in Division III of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6); and

(2) time limits applicable to the formalities prescribed by the Voluntary Retirement Savings Plans Act (chapter R-17.0.1).

Such a regulation may take effect on any date not prior to 13 March 2020. It may also have a shorter publication period than that required under section 11 of the Regulations Act (chapter R-18.1), but not shorter than 10 days.

Such a regulation is not subject to the requirement of section 17 of that Act as regards its date of coming into force.

98. A regulation made by Retraite Québec under section 97 must be submitted to the Government for approval.

99. This Act comes into force on 11 December 2020, except section 87, which has effect from 1 January 2020.

2020, chapter 31

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MAINLY BODIES IN THE FIELD OF PUBLIC SAFETY

Bill 72

Introduced by Madam Geneviève Guilbault, Minister of Public Security

Introduced 21 October 2020

Passed in principle 2 December 2020

Passed 11 December 2020

Assented to 11 December 2020

Coming into force: 11 December 2020, except sections 57 and 58, which come into force on the date of coming into force of section 27 of the Act respecting liquor permits (chapter P-9.1), enacted by section 2 of the Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages (2018, chapter 20)

Legislation amended:

Labour Code (chapter C-27)

Act respecting offences relating to alcoholic beverages (chapter I-8.1)

Anti-Corruption Act (chapter L-6.1)

Act respecting liquor permits (chapter P-9.1)

Police Act (chapter P-13.1)

Act respecting the Régie des alcools, des courses et des jeux (chapter R-6.1)

Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)

Act respecting the Pension Plan of Management Personnel (chapter R-12.1)

Act respecting the Syndical Plan of the Sûreté du Québec (chapter R-14)

Act respecting the Société des alcools du Québec (chapter S-13)

Act respecting the Québec correctional system (chapter S-40.1)

Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages (2018, chapter 20)

Regulations amended:

Regulation respecting duties and costs payable under the Act respecting liquor permits (chapter P-9.1, r. 3)

Regulation respecting liquor permits (chapter P-9.1, r. 5)

Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages (chapter P-9.1, r. 6)

Code of ethics of Québec police officers (chapter P-13.1, r. 1)

(cont'd on next page)

Regulations amended: (cont'd)

Regulation respecting cider and other apple-based alcoholic beverages (chapter S-13, r. 4)

Regulation respecting conditional release (chapter S-40.1, r. 2)

Regulation respecting the Québec sales tax (chapter T-0.1, r. 2)

Explanatory notes

This Act changes the mode of appointment of investigators of the specialized anti-corruption police force and investigators of the Bureau des enquêtes indépendantes so that they will in future be appointed by the Anti-Corruption Commissioner and the director of the Bureau, respectively.

The Anti-Corruption Commissioner also appoints the other peace officers necessary for the pursuit of the Commissioner's mission, whereas the director of the Bureau des enquêtes indépendantes appoints investigation coordinators and investigation supervisors.

Subject to the provisions of a collective agreement, the remuneration standards and scales for persons appointed by the Anti-Corruption Commissioner and the director of the Bureau des enquêtes indépendantes as well as their employee benefits and other conditions of employment are determined by the Commissioner and the director, in accordance with the conditions defined by the Government. The Act determines the syndical and pension plans that are applicable to those persons.

The Act respecting the Québec correctional system is amended in order, among other things, to allow for the use of any technological means to hold the sittings of the Commission québécoise des libérations conditionnelles, to abolish the category of community members of the Commission and to establish that the decisions of the parole board regarding an offender are made by a single member, except in certain cases.

Various measures concerning liquor permits and alcoholic beverages are amended, in particular,

(1) to allow the holder of a restaurant sales permit to delegate to a third person the alcoholic beverage delivery activities authorized by the permit;

(2) to allow the price of alcoholic beverages sold for take out or delivery to differ from the price of alcoholic beverages sold for consumption on the premises;

(3) to set conditions relating to the use of a restaurant sales or service permit;

(4) to eliminate certain restrictions applicable to advertising alcoholic beverages;

(5) to bring into force certain provisions of the Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages, including those concerning the use of a permit for a seasonal period;

(6) to allow holders of a small-scale beer producer's permit to sell and deliver to grocery stores the alcoholic beverages they make; and

(7) to allow holders of a small-scale beer producer's permit and holders of a small-scale production permit to entrust, under certain conditions, the making and bottling of the alcoholic beverages they make to a third person.

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Explanatory notes (*cont'd*)

The Act respecting the Régie des alcools, des courses et des jeux is amended, in particular,

(1) to provide that the number of commissioners is determined by the Government and that the latter may appoint part-time commissioners;

(2) to allow a sole commissioner to decide cases and applications presented under an Act administered by the board, even if public interest, public security or public tranquility are involved;

(3) to allow a member of the personnel to decide alone certain applications presented under the Act respecting safety in sports; and

(4) to provide that, in all cases where the board reviews or revokes a decision it has rendered, that decision must be reviewed or revoked by a person other than the person who rendered it.

Lastly, the Act contains various consequential and transitional provisions.



Chapter 31

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MAINLY BODIES IN THE FIELD OF PUBLIC SAFETY

[Assented to 11 December 2020]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

MODE OF APPOINTMENT OF SPECIALIZED POLICE FORCE INVESTIGATORS

DIVISION I

PROVISIONS CONCERNING THE SPECIALIZED ANTI-CORRUPTION POLICE FORCE

ANTI-CORRUPTION ACT

1. Section 8.4 of the Anti-Corruption Act (chapter L-6.1) is amended by replacing subparagraph *c* of paragraph 1 by the following subparagraph:

“(c) the other peace officers as follows:

- i. chief inspectors, inspectors, captains and lieutenants, who rank as senior officers;
- ii. sergeants and corporals, who rank as junior officers; and
- iii. constables;”.

2. Section 14 of the Act is amended

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

“The Commissioner appoints, as members of the police force referred to in subparagraph *c* of paragraph 1 of section 8.4, the persons necessary for the pursuit of the Commissioner’s mission, including those acting within the specialized investigation unit under the authority of the Associate Commissioner for Investigations, according to the staffing plan and the standards that the Commissioner determines. Subject to the provisions of a collective agreement, the Commissioner determines remuneration standards and scales for those persons as well as their employee benefits and other conditions of employment in accordance with the conditions defined by the Government.

Any member of another police force on secondment to the Commissioner by agreement between the Commissioner and the competent authority in respect of the other police force may also act as a member of that police force.”;

(2) by replacing “investigators of the unit” in the third paragraph by “members of the police force”.

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

“14.01. Subparagraph 4 of the first paragraph of section 115 of the Police Act (chapter P-13.1) does not apply to members of the police force acting within the specialized investigation unit.

The Government determines, by regulation, the selection criteria applicable to those members as well as the training they must undergo. The regulation may provide for exceptions to the training obligation applicable to the members.”

POLICE ACT

4. Section 126 of the Police Act (chapter P-13.1) is amended by striking out “of section 14 of the Anti-Corruption Act (chapter L-6.1) and” in the first paragraph.

5. Section 286 of the Act is amended by striking out “or a peace officer within the meaning of section 14 of the Anti-Corruption Act (chapter L-6.1)” in the first paragraph.

6. Section 289 of the Act is amended

(1) by striking out “, a peace officer within the meaning of section 14 of the Anti-Corruption Act (chapter L-6.1)” in the first paragraph;

(2) by striking out “or the peace officer within the meaning of section 14 of the Anti-Corruption Act” in the second paragraph.

CODE OF ETHICS OF QUÉBEC POLICE OFFICERS

7. Section 1 of the Code of ethics of Québec police officers (chapter P-13.1, r. 1) is amended by striking out “of section 14 of the Anti-Corruption Act (chapter L-6.1) and” in the second paragraph.

DIVISION II**PROVISIONS CONCERNING THE BUREAU DES ENQUÊTES
INDÉPENDANTES****POLICE ACT****8.** Section 289.5 of the Police Act (chapter P-13.1) is amended

(1) in the second paragraph,

(a) by striking out “appointed by the Government” in the introductory clause;

(b) by inserting the following subparagraphs after subparagraph 2:

“(2.1) investigation coordinators;

“(2.2) investigation supervisors;”;

(2) by striking out the third paragraph;

(3) by inserting “and its members are peace officers throughout Québec” after “mission” in the fourth paragraph.

9. Section 289.9 of the Act is amended

(1) by adding the following paragraph at the beginning:

“The director and assistant director of the Bureau are appointed by the Government.”;

(2) by replacing “director, assistant director or investigator” in paragraph 3 by “member”.

10. Section 289.10 of the Act is replaced by the following section:

“289.10. Investigation coordinators, investigation supervisors and investigators are appointed by the director of the Bureau according to the staffing plan and the standards that the director determines. Subject to the provisions of a collective agreement, the director of the Bureau determines remuneration standards and scales for those persons as well as their employee benefits and other conditions of employment in accordance with the conditions defined by the Government.

The director must encourage parity between investigators who have never been peace officers and those who have.”

11. Section 289.11 of the Act is amended

(1) in the first paragraph,

(a) by inserting “investigation coordinator, investigation supervisor or” after “position of” in the introductory clause;

(b) by replacing “an investigator” in subparagraph 2 by “a member”;

(2) in the second paragraph,

(a) by striking out “and process”;

(b) by inserting “investigation coordinators, investigation supervisors and” after “applicable to”.

12. Section 289.12 of the Act is amended

(1) by replacing “, the assistant director and the investigators” in the first paragraph by “and the assistant director”;

(2) by replacing “, the assistant director and the investigators” in the third paragraph by “and the assistant director”.

13. Section 289.13 of the Act is amended by replacing “and the investigators” in the first paragraph by “and the other members”.

14. Section 289.27 of the Act is amended by inserting “and their average duration for each type of investigation, specifying the number and average duration of investigations involving a member of an Aboriginal community” at the end of subparagraph 3 of the second paragraph.

DIVISION III

COMMON AMENDING PROVISIONS

ACT RESPECTING THE SYNDICAL PLAN OF THE SÛRETÉ
DU QUÉBEC

15. The title of the Act respecting the Syndical Plan of the Sûreté du Québec (chapter R-14) is amended by adding “and of specialized police forces” at the end.

16. Section 1 of the Act is amended by inserting the following paragraphs after paragraph *b*:

“(b.1) “members of the specialized anti-corruption police force”: the members of the specialized police force referred to in subparagraphs ii and iii of subparagraph *c* of paragraph 1 of section 8.4 of the Anti-Corruption Act (chapter L-6.1), except those referred to in the second paragraph of section 14 of that Act;

“(b.2) “members of the Bureau des enquêtes indépendantes”: the investigators of the Bureau des enquêtes indépendantes referred to in subparagraph 3 of the second paragraph of section 289.5 of the Police Act (chapter P-13.1);

“(b.3) “members of a specialized police force”: the members of the specialized anti-corruption police force and of the Bureau des enquêtes indépendantes;”.

17. Sections 2 and 4 of the Act are amended by inserting “or of a specialized police force” after “Police Force”.

18. Section 5 of the Act is replaced by the following section:

“**5.** The members of the Police Force or of the specialized anti-corruption police force shall not be members of an association which is not composed exclusively of members of the Police Force or exclusively of members of that specialized police force or which is affiliated or otherwise linked with another organization and shall not enter into a service agreement with such an association or organization.

The members of the Bureau des enquêtes indépendantes shall not be members of an association consisting of employees exercising the functions of a peace officer or which is affiliated or otherwise linked with an organization consisting of employees exercising the functions of a peace officer and shall not enter into a service agreement with such an association or organization.”

19. Section 6 of the Act is amended by inserting “and of specialized police forces” after “Police Force”.

20. Section 7 of the Act is amended by inserting “for each association recognized under section 2” at the end of the first paragraph.

21. Section 8 of the Act is amended

(1) by replacing “, pension plan and any other condition of employment entailing pecuniary advantages to the members of the Police Force” in paragraph *a* by “and any other condition of employment entailing pecuniary advantages for the members of the Police Force or of a specialized police force and, for the members of the Police Force, the pension plan”;

(2) by inserting “or specialized police forces” at the end of paragraph *e*.

22. Section 11 of the Act is amended by inserting “or of a specialized police force” after “Police Force” in the first paragraph.

23. Section 13 of the Act is amended by replacing “Minister of Public Security” in the first paragraph by “Government”.

24. Unless the context indicates otherwise or this Act provides otherwise, in any Act, regulation or other document, a reference to the Act respecting the Syndical Plan of the Sûreté du Québec or any of its provisions is a reference to the Act respecting the Syndical Plan of the Sûreté du Québec and of specialized police forces or the corresponding provision of that Act.

LABOUR CODE

25. Section 1 of the Labour Code (chapter C-27) is amended by inserting the following subparagraph after subparagraph 5 of paragraph *l*:

“(5.1) a member of a specialized police force referred to in section 89.2 of the Police Act (chapter P-13.1);”.

ACT RESPECTING THE PROCESS OF NEGOTIATION OF THE COLLECTIVE AGREEMENTS IN THE PUBLIC AND PARAPUBLIC SECTORS

26. 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 inserting “— The Bureau des enquêtes indépendantes” and “— The Anti-Corruption Commissioner” in alphabetical order.

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

27. The Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended

(1) by adding the following paragraph at the end of section 3 of Schedule I:

“(4) member of a specialized police force who is referred to in subparagraph *c* of paragraph 1 of section 8.4 of the Anti-Corruption Act (chapter L-6.1), except a member acting as such under the second paragraph of section 14 of that Act, or who is referred to in any of subparagraphs 2.1 to 3 of the second paragraph of section 289.5 of the Police Act (chapter P-13.1).”;

(2) by inserting “Bureau des enquêtes indépendantes” and “Anti-Corruption Commissioner” in alphabetical order in section 1 of Schedule II.

DIVISION IV**TRANSITIONAL PROVISIONS**

28. Members of the Anti-Corruption Commissioner's personnel appointed under section 12 of the Anti-Corruption Act (chapter L-6.1) who, on 11 December 2020, are acting within the specialized investigation unit established under the first paragraph of section 14 of the Anti-Corruption Act, as it read before being replaced by section 2 of this Act, and who meet the requirement set out in subparagraph 4 of the first paragraph of section 115 of the Police Act (chapter P-13.1) are deemed to have been appointed in accordance with the first paragraph of section 14 of the Anti-Corruption Act, as replaced by section 2 of this Act. They keep their remuneration, employee benefits and other conditions of employment, except the syndical plan, pension plan and grievance settlement and arbitration procedure, until the Commissioner determines remuneration standards and scales for them as well as their employee benefits and other conditions of employment in accordance with the conditions defined by the Government under the first paragraph of section 14 of the Anti-Corruption Act, as replaced by section 2 of this Act, or until a first labour contract binding the Government and the recognized association representing them is made.

29. Investigators of the Bureau des enquêtes indépendantes who are in office on 11 December 2020 are deemed to have been appointed in accordance with the first paragraph of section 289.10 of the Police Act, as replaced by section 10 of this Act. They keep the remuneration, employee benefits and other conditions of employment determined by the Government under section 289.12 of the Police Act, as it read before being amended by section 12 of this Act, until the director of the Bureau determines remuneration standards and scales for them as well as their employee benefits and other conditions of employment in accordance with the conditions defined by the Government under section 289.10 of the Police Act, as replaced by section 10 of this Act, or until a first labour contract binding the Government and the recognized association representing them is made.

Investigation supervisors in office on 11 December 2020 are deemed to have been appointed in accordance with the first paragraph of section 289.10 of the Police Act, as replaced by section 10 of this Act. They keep the remuneration, employee benefits and other conditions of employment determined by the Government under section 289.12 of the Police Act, as it read before being amended by section 12 of this Act, until the director of the Bureau determines remuneration standards and scales for them as well as their employee benefits and other conditions of employment in accordance with the conditions defined by the Government under section 289.10 of the Police Act, as replaced by section 10 of this Act.

Except for the purposes specified in this section, orders made under section 289.5 of the Police Act, as it read before being amended by section 8 of this Act, concerning the appointment of investigators of the Bureau des enquêtes indépendantes or concerning designations as investigation supervisors of the Bureau des enquêtes indépendantes cease to have effect on 11 December 2020.

30. A certification granted under the Labour Code (chapter C-27) to an association representing investigators of the Bureau des enquêtes indépendantes is revoked.

However, an association representing such investigators may continue to represent them on the condition that it complies with the Act respecting the Syndical Plan of the Sûreté du Québec (chapter R-14), as amended by this Act.

CHAPTER II

MEASURES CONCERNING THE COMMISSION QUÉBÉCOISE DES LIBÉRATIONS CONDITIONNELLES

ACT RESPECTING THE QUÉBEC CORRECTIONAL SYSTEM

31. The Act respecting the Québec correctional system (chapter S-40.1) is amended by inserting the following section after section 118:

“118.1. To hold the sittings of the parole board, appropriate technological means that are available to both the offender and the parole board should be used whenever possible.

The parole board may, even on its own initiative and without the offender’s consent, use such means or, if it considers it appropriate in light of the circumstances, order that such means be used by the offender. If the parole board intends to order that such means be used, it shall inform the offender within a reasonable time before the sitting.”

32. Section 120 of the Act is amended

(1) by inserting “and” after “vice-chair.”;

(2) by striking out “and of at least one community member per region determined by regulation”.

33. Section 122 of the Act is replaced by the following section:

“122. The members of the parole board shall be appointed for terms not exceeding five years.”

34. Section 125 of the Act is amended by striking out “full-time members and part-time members and the fees and allowances of the community”.

35. Section 130 of the Act is repealed.

36. Section 138 of the Act is amended by replacing “A member of the” by “The”.

37. Section 141 of the Act is amended by replacing “A full-time or part-time member of the” in the introductory clause of the first paragraph by “The”.

38. Section 142 of the Act is amended by replacing both occurrences of “The member of the” by “The”.

39. Section 152 of the Act is amended by replacing the second paragraph by the following paragraph:

“After examining the application, the parole board shall reject it if it does not meet the conditions set out in the first paragraph or shall refer the case for re-examination.”

40. Section 154 of the Act is replaced by the following section:

“154. Decisions of the parole board regarding an offender are made by one of its members.

Despite the first paragraph, a decision examining a request for a temporary absence in preparation for conditional release under section 136 or examining or re-examining a conditional release under the second paragraph of section 143 must be made by two members if

(1) the decision concerns an offender who is incarcerated following a conviction for an offence of a sexual nature or related to domestic violence; or

(2) the chair considers it useful given, in particular, the complexity or importance of the case.

In the cases referred to in the second paragraph, the decision must be unanimous. If the two members cannot agree, the case shall be referred to two other members.”

41. The Act is amended by inserting the following section after section 156:

“156.1. If the examination of an offender’s application for a temporary absence in preparation for conditional release takes place within 28 days before the date of his or her eligibility for conditional release, the parole board may, if it authorizes the temporary absence, render a decision on his or her conditional release at the same sitting.”

42. Section 160 of the Act is amended by striking out “or, in the case of a temporary absence for a family visit, a member of the parole board,” and “the board or member” in the introductory clause of the second paragraph.

43. Section 161 of the Act is amended, in the first paragraph,

(1) by replacing “A member of the” in the introductory clause by “The”;

(2) by replacing “he or she has” in subparagraph 1 by “the parole board or the person has”.

44. Section 162 of the Act is amended by replacing “The member of the parole board who ordered the suspension under section 161 or, after consulting the parole board, the person designated by the parole board” in the first paragraph by “Following the suspension of a temporary absence or of a conditional release under section 161, the parole board or, after consulting the parole board, the person designated”.

45. Section 167 of the Act is amended

(1) by replacing “A member of the parole board or a person designated in writing by the parole board” in the first paragraph by “The parole board or a person designated in writing by the parole board”;

(2) by replacing “A member of the parole board or, after consulting the parole board” in the second paragraph by “The parole board or, after consulting the parole board”.

46. Section 169 of the Act is amended by striking out “full-time or part-time”.

47. Section 170 of the Act is amended by replacing paragraph 1 by the following paragraph:

“(1) the applicable legislative prescriptions have not been complied with; or”.

48. Section 171 of the Act is amended

(1) by replacing “order a new review of the case” in paragraph 2 by “refer the case for re-examination”;

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

“In the case of a referral for re-examination, a member who participated in the review may not participate in the re-examination or in the subsequent review of the decision resulting from the re-examination.”

49. Section 172.1 of the Act is amended by inserting “138,” after “136,” in the first paragraph.

50. Section 175 of the Act is amended by inserting “138,” after “136,” in subparagraph *c* of subparagraph 2 of the first paragraph.

51. Section 193 of the Act is amended by striking out subparagraph 28 of the first paragraph.

REGULATION RESPECTING CONDITIONAL RELEASE

52. Division I of Chapter I of the Regulation respecting conditional release (chapter S-40.1, r. 2), comprising section 1, is repealed.

53. Section 7 of the Regulation is amended, in the first paragraph,

(1) by striking out “or one of its members”;

(2) by replacing “the parole board or the member” by “the parole board”.

54. Section 10 of the Regulation is amended by replacing “is on the record by a member of the parole board” in the third paragraph by “by the parole board is conducted on the record”.

TRANSITIONAL PROVISION

55. The terms of office of community members of the Commission québécoise des libérations conditionnelles in office on 10 December 2020 end on that date, without remuneration or other compensation in accordance with their instrument of appointment.

CHAPTER III

MEASURES CONCERNING LIQUOR PERMITS AND ALCOHOLIC BEVERAGES

ACT RESPECTING LIQUOR PERMITS

56. The Act respecting liquor permits (chapter P-9.1), amended by sections 1 to 58 of chapter 20 of the statutes of 2018, is again amended by inserting the following division after section 34:

“DIVISION 1.2

“DELIVERY OF ALCOHOLIC BEVERAGES BY A THIRD PERSON

“**34.1.1.** A restaurant permit authorizes the permit holder to delegate to a third person the delivery activities authorized by the permit under section 27.

Despite any provision to the contrary, the third person may collect the payment due for the sale of alcoholic beverages on behalf of the permit holder when the latter has authorized the third person to do so.

The delegation must be the subject of a written agreement between the permit holder and the third person. The permit holder must keep the agreement until the date that is three years after the date on which the agreement ended.

“34.1.2. The third person may subdelegate the activities authorized by this division to a person who intends to make deliveries in the third person’s name.

The subdelegation must be the subject of a written agreement between the third person and the person. The third person must keep the agreement until the date that is three years after the date on which the agreement ended.

In addition, the third person must keep a register specifying the name and address of each person transporting alcoholic beverages in the third person’s name.

“34.1.3. A person making deliveries under this division may not deliver alcoholic beverages to an address other than the one appearing on the invoice or on another document of the same nature.

“34.1.4. The delivery activities delegated and subdelegated under this division are deemed to be carried on by the restaurant permit holder.

“34.1.5. The restaurant permit holder must take the necessary measures to ensure that the person making deliveries complies with the conditions for using the holder’s permit and with the holder’s obligations under this Act and the Act respecting offences relating to alcoholic beverages (chapter I-8.1) and their regulations.”

ACT TO MODERNIZE THE LEGAL REGIME APPLICABLE TO LIQUOR PERMITS AND TO AMEND VARIOUS OTHER LEGISLATIVE PROVISIONS WITH REGARD TO ALCOHOLIC BEVERAGES

57. Section 2 of the Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages (2018, chapter 20) is amended

(1) by adding the following paragraph at the end of section 27 that it enacts:

“The price of alcoholic beverages sold for take out or delivery may differ from the price of alcoholic beverages sold for consumption on the premises.”;

(2) by replacing section 32 that it enacts by the following section:

“32. A delivery permit authorizes, on the conditions determined by regulation, the transportation of alcoholic beverages in the course of the provision of a public transportation service, in which case the holder is authorized to purchase the alcoholic beverages from a person authorized to sell them.”

58. Section 17 of the Act is amended by replacing paragraph 2 by the following paragraph:

“(2) by striking out “sales” in the second paragraph;”.

59. Section 144 of the Act, amended by section 243 of chapter 5 of the statutes of 2020, is again amended by adding the following paragraph at the end:

“(3) sections 14 and 16, paragraph 3 of section 29, section 37, paragraph 3 of section 56, to the extent that it enacts paragraph 2.2 of section 114 of the Act respecting liquor permits, and paragraph 5 of section 59, to the extent that it strikes out paragraph 26 of section 2 of the Act respecting offences relating to alcoholic beverages, which come into force on 11 December 2020.”

REGULATION RESPECTING DUTIES AND COSTS PAYABLE UNDER THE ACT RESPECTING LIQUOR PERMITS

60. Section 1 of the Regulation respecting duties and costs payable under the Act respecting liquor permits (chapter P-9.1, r. 3) is amended by adding the following paragraph at the end:

“Notwithstanding the foregoing, in the case of a permit for a seasonal period, the amount payable under the first paragraph is reduced in proportion to the number of days during which the permit is not used.”

61. The Regulation is amended by inserting the following section after section 7.1:

“**7.2.** Where the holder of a permit for an annual period applies to have that period changed to a seasonal period, the board shall reimburse the portion of the duties paid corresponding to the number of days during which the permit is not used after the application.”

REGULATION RESPECTING LIQUOR PERMITS

62. The Regulation respecting liquor permits (chapter P-9.1, r. 5) is amended by inserting the following division after section 7:

“DIVISION III.1

“RESTAURANT PERMIT

“**7.1.** An applicant for a restaurant sales or service permit must demonstrate to the board that the arrangement of the establishment for which the application is made

(1) includes the equipment necessary to prepare and sell food;

(2) is set up and includes an area intended for the sale and service of food to patrons for consumption on the premises.

In addition, the applicant must send the board the menu the applicant plans to offer to patrons.

“7.2. The holder of a restaurant sales or service permit must maintain the equipment in good repair and in working order and have the necessary staff on duty to prepare and sell food during the hours and days when the permit holder sells or serves alcoholic beverages.

The permit holder may continue to sell or serve alcoholic beverages to a patron already admitted to the holder’s establishment until the close of the hours during which the holder’s permit may be used, despite the fact that the preparation and sale of food has ceased. However, no alcoholic beverages may be sold or served to a patron admitted after the preparation and sale of food has ceased.”

63. Section 32.7 of the Regulation is amended by inserting the following paragraph after paragraph 2:

“(2.1) permit holders who have contravened section 51.1 of the Act by using their permit outside the continuous period it indicates;”.

64. The Regulation is amended by inserting the following section after section 32.7:

“32.8. The following failures result in the payment of an administrative monetary penalty of \$800:

(1) restaurant sales permit holders who have contravened the third paragraph of section 28 of the Act by selling, for take out or delivery, alcoholic beverages not accompanied by food;

(2) restaurant sales or service permit holders who have contravened section 7.2 by selling or serving alcoholic beverages to a patron admitted after the preparation and sale of food has ceased.”

REGULATION RESPECTING PROMOTION, ADVERTISING AND EDUCATIONAL PROGRAMS RELATING TO ALCOHOLIC BEVERAGES

65. Sections 6 and 8 of the Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages (chapter P-9.1, r. 6) are repealed.

REGULATION RESPECTING THE QUÉBEC SALES TAX

66. Section 677R3 of the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2) is amended by replacing the second paragraph by the following paragraph:

“It is the same for alcoholic beverages, other than alcohol and spirits, which are intended to be sold, for take out or delivery, by an establishment that primarily and ordinarily prepares and sells food for consumption on the premises, if the alcoholic beverages are sold with food prepared by the establishment.”

67. Section 677R6 of the Regulation is amended by replacing the second paragraph by the following paragraph:

“Notwithstanding the first paragraph, alcoholic beverages other than alcohol and spirits, conserved in an identified container, may be sold to a consumer, by an establishment that primarily and ordinarily prepares and sells food for consumption on the premises, for take out or delivery accompanied by food prepared by the establishment.”

68. Section 677R9.1.1 of the Regulation is replaced by the following section:

“**677R9.1.1.** Beer intended to be sold, by an establishment that primarily and ordinarily prepares and sells food for consumption on the premises, for take out or delivery accompanied by food prepared by the establishment shall be in an identified container and shall be sold and delivered in such a container.”

TRANSITIONAL PROVISIONS

69. The Act respecting liquor permits (chapter P-9.1) is to be read as follows from 11 December 2020 until the date of coming into force of section 27 of that Act, enacted by section 2 of the Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages (2018, chapter 20):

(1) as if sections 28 and 28.1 were replaced by the following sections:

“**28.** A restaurant sales permit authorizes, in an establishment whose principal and usual activity is to prepare and sell food on the premises, the sale of alcoholic beverages for consumption on the premises if such beverages are generally served as an accompaniment to the food.

A restaurant sales permit also authorizes the permit holder to allow a patron to take home a partially consumed container of wine purchased in the establishment, provided the container has been securely resealed.

A restaurant permit also authorizes the sale, for take out or delivery in a sealed container, of alcoholic beverages, other than draught beer, alcohol and spirits, if such beverages are sold with food prepared by the permit holder.

The price of alcoholic beverages sold for take out or delivery may differ from the price of alcoholic beverages sold for consumption on the premises.

“28.1. A restaurant service permit authorizes its holder, in an establishment whose principal and usual activity is to prepare and sell food on the premises, to serve to his patrons, or allow them to consume on the premises, alcoholic beverages, other than alcohol and spirits, they have brought with them to the establishment for consumption on the premises, if such beverages are generally served as an accompaniment to the food prepared by the permit holder.”;

(2) as if **“DIVISION I.2”** in the heading before section 34.1.1, enacted by section 51 of this Act, were replaced by **“DIVISION I.1”**;

(3) as if “restaurant permit” and “27” in the first paragraph of section 34.1.1, enacted by section 51 of this Act, were replaced by “restaurant sales permit” and “28”, respectively;

(4) as if both occurrences of “restaurant permit” in sections 34.1.4 and 34.1.5, enacted by section 51 of this Act, were replaced by “restaurant sales permit”; and

(5) as if sections 34.1.1 to 34.1.5, enacted by section 51 of this Act, were renumbered 34.2.1 to 34.2.5.

70. Paragraph 2.2 of section 114 of the Act respecting liquor permits, enacted by paragraph 3 of section 56 of the Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages, is to be read as if it were renumbered 2.1 from 11 December 2020 until the date of coming into force of paragraph 3 of that section 56, to the extent that it enacts paragraph 2.1 of section 114 of the Act respecting liquor permits.

CHAPTER IV

MEASURES CONCERNING SMALL-SCALE BEER PRODUCER’S AND SMALL-SCALE PRODUCTION PERMITS

ACT RESPECTING LIQUOR PERMITS

71. Section 72.1 of the Act respecting liquor permits (chapter P-9.1), amended by section 29 of chapter 20 of the statutes of 2018, is again amended by inserting the following subparagraph after subparagraph 2 of the second paragraph:

“(2.1) in the establishment of the holder of a grocery permit, the presence of alcoholic beverages supplied by the holder of a small-scale beer producer’s permit;”.

ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC

72. Section 24.1 of the Act respecting the Société des alcools du Québec (chapter S-13), amended by section 105 of chapter 20 of the statutes of 2018, is again amended by inserting the following subparagraph after subparagraph 1 of the first paragraph:

“(1.1) have his raw materials pressed and the alcoholic beverages he makes filtered and bottled, on his behalf and in his establishment, by a person who has the necessary equipment and expertise;”.

73. Section 24.2 of the Act is amended

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

“(2.1) have the alcoholic beverages he makes filtered and bottled, on his behalf and in his establishment, by a person who has the necessary equipment and expertise;”;

(2) by inserting “and sell and deliver the same alcoholic beverages to the holder of a grocery permit” after “Act respecting liquor permits” in the third paragraph.

ACT RESPECTING OFFENCES RELATING TO ALCOHOLIC BEVERAGES

74. Section 82.1 of the Act respecting offences relating to alcoholic beverages (chapter I-8.1) is amended by inserting the following paragraph after the second paragraph:

“In addition, no holder of a grocery permit may keep, possess or sell in his establishment beer made by the holder of a small-scale beer producer’s permit not purchased directly from that permit holder.”

75. Section 83 of the Act is amended by replacing “or from the Corporation” in paragraph 6 by “, from the Corporation or from a grocery permit holder”.

REGULATION RESPECTING CIDER AND OTHER APPLE-BASED ALCOHOLIC BEVERAGES

76. Section 13.1 of the Regulation respecting cider and other apple-based alcoholic beverages (chapter S-13, r. 4) is amended by striking out “themselves”.

CHAPTER V**MEASURES RELATING TO THE GOVERNANCE OF THE RÉGIE DES
ALCOOLS, DES COURSES ET DES JEUX****ACT RESPECTING THE RÉGIE DES ALCOOLS, DES COURSES ET
DES JEUX**

77. Section 3 of the Act respecting the Régie des alcools, des courses et des jeux (chapter R-6.1) is replaced by the following section:

“3. The board shall consist of commissioners, including a president and not more than two vice-presidents, in a number determined by the Government. The commissioners shall be appointed by the Government for terms not exceeding five years.

The Government may appoint part-time commissioners.”

78. Section 4 of the Act is repealed.

79. Section 15 of the Act is amended by replacing “Nine commissioners constitute” in the second paragraph by “A majority of the commissioners constitutes”.

80. Section 26 of the Act is replaced by the following section:

“26. The decisions of the board shall be made in one of three ways: in a plenary session, by one or more commissioners or by a member of the personnel designated by the president.”

81. Section 27 of the Act is repealed.

82. Section 28 of the Act is amended, in the first paragraph,

(1) by striking out “, except cases and applications involving public interest, public security or public tranquility” in subparagraph 2;

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

“(3) an application for review under the last paragraph of section 29 or under section 37, or an application for the review of a decision rendered by a racing judge or a paddock judge under section 53 or 54 of the Act respecting racing (chapter C-72.1).”

83. The Act is amended by inserting the following section after section 28:

“28.1. The president or the vice-president designated by the president for that purpose may, where he considers it expedient, in particular given the complexity or importance of a matter, provide for a panel consisting of more than one commissioner, of whom one shall be an advocate.

The decision shall be made by a majority of the commissioners who heard the matter. In the case of a tie, the matter before the panel shall be referred to the president so that he may refer it to another panel.”

84. Section 29 of the Act is amended by inserting “, the Act respecting safety in sports (chapter S-3.1)” after “the Act respecting lotteries, publicity contests and amusement machines (chapter L-6)” in subparagraph 1 of the first paragraph.

85. Section 37 of the Act is amended by replacing “In cases to which subparagraph 3 of the first paragraph applies” in the second paragraph by “In all cases”.

CHAPTER VI

FINAL PROVISIONS

86. The provisions of this Act come into force on 11 December 2020, except sections 57 and 58, which come into force on the date of coming into force of section 27 of the Act respecting liquor permits (chapter P-9.1), enacted by section 2 of the Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages (2018, chapter 20).

TABLE OF AMENDMENTS TO PUBLIC ACTS IN 2020

This table contains the amendments made in 2020 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 website of Les Publications du Québec.

Abbreviations

a. = article	c. = chapter	ss. = sections
aa. = articles	Rp. = Replaced	Sched. = Schedule
Ab. = Abrogated	s. = section	

Reference	Title Amendments
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1- LAWS OF QUÉBEC INCLUDED IN THE COMPILATION OF QUÉBEC LAWS AND REGULATIONS

c. A-2.1	Act respecting Access to documents held by public bodies and the Protection of personal information 2 , 2020, c. 17, s. 28 6 , 2020, c. 1, s. 309
c. A-3	Workers' Compensation Act 2 , 2020, c. 6, s. 4 22 , 2020, c. 6, s. 5 35 , 2020, c. 11, s. 168 54 , 2020, c. 6, s. 6 55 , 2020, c. 6, s. 7 124 , 2020, c. 6, s. 8
c. A-3.001	Act respecting industrial accidents and occupational diseases 2 , 2020, c. 6, s. 10 10 , 2020, c. 1, s. 164 11 , 2020, c. 29, s. 1 81 , 2020, c. 29, s. 2 141 , 2020, c. 11, s. 169 454 , 2020, c. 6, s. 11 455 , 2020, c. 6, s. 12
c. A-4.1	Act respecting the acquisition of farm land by non-residents 23 , 2020, c. 17, s. 112 24 , 2020, c. 17, s. 112
c. A-6.001	Financial Administration Act 45.1 , 2020, c. 5, s. 103 45.2 , 2020, c. 5, s. 103

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Reference	Title Amendments
c. A-6.001	<p>Financial Administration Act — <i>Cont'd</i></p> <p>45.3, 2020, c. 5, s. 103 45.4, 2020, c. 5, s. 103 45.5, 2020, c. 5, s. 103 45.6, 2020, c. 5, s. 103 45.7, 2020, c. 5, s. 103 45.8, 2020, c. 5, s. 103 75, 2020, c. 5, s. 218 83.1, 2020, c. 1, s. 309 Sched. 1, 2020, c. 2, s. 3 Sched. 2, 2020, c. 2, s. 4; 2020, c. 10, s. 44; 2020, c. 19, ss. 25, 55</p>
c. A-6.002	<p>Tax Administration Act</p> <p>1, 2020, c. 5, s. 35 9.0.1.1, 2020, c. 5, s. 94 10, 2020, c. 12, s. 145 10.1, 2020, c. 12, s. 85 12.0.3, 2020, c. 12, s. 86 21.0.1, 2020, c. 12, s. 87 25.1.2, 2020, c. 16, s. 1 27.0.1, 2020, c. 12, s. 88 31.1.4, 2020, c. 1, s. 309 35.4, 2020, c. 12, s. 89 40.1.1, 2020, c. 12, s. 58 59.1, 2020, c. 16, s. 2 65, 2020, c. 12, s. 90 69.0.0.7, 2020, c. 5, s. 36 69.1, 2020, c. 2, s. 5; 2020, c. 5, s. 221; 2020, c. 16, s. 3 69.4.3, 2020, c. 5, s. 222 69.5.3, 2020, c. 2, s. 6; 2020, c. 16, s. 4 83, 2020, c. 12, s. 91 91, 2020, c. 12, s. 145 93.1.5, 2020, c. 16, s. 5 93.1.8, 2020, c. 12, s. 92 93.1.10, 2020, c. 12, s. 94 93.1.10.1, 2020, c. 12, s. 95 93.1.12, 2020, c. 12, s. 96 93.1.13, 2020, c. 12, s. 97; 2020, c. 16, s. 6 93.1.14, 2020, c. 12, s. 145 93.1.15, 2020, c. 12, s. 98 93.1.15.1, 2020, c. 12, s. 99 93.1.15.2, 2020, c. 12, s. 100 93.1.15.3, 2020, c. 12, s. 101 93.1.17, 2020, c. 12, s. 102 93.1.19, 2020, c. 12, s. 144 93.1.20, 2020, c. 12, s. 144 93.1.21, 2020, c. 12, s. 103 93.1.21.1, 2020, c. 12, s. 104 93.1.22, 2020, c. 12, s. 144; 2020, c. 16, s. 7 93.1.23, 2020, c. 16, s. 8 93.1.24, 2020, c. 12, s. 105 93.2, 2020, c. 5, s. 22; 2020, c. 12, s. 107 93.2.1, 2020, c. 5, s. 23; 2020, c. 12, s. 149 93.4, 2020, c. 12, s. 108 93.6, 2020, c. 5, s. 24; 2020, c. 12, s. 149 93.7, 2020, c. 12, s. 109 93.8, 2020, c. 12, s. 149 93.9, 2020, c. 12, s. 110 93.11, 2020, c. 5, s. 25; 2020, c. 12, s. 111 93.12, 2020, c. 5, s. 26; 2020, c. 12, s. 112 93.13, 2020, c. 5, s. 27; 2020, c. 12, s. 113 93.14, 2020, c. 12, s. 149 93.14.1, 2020, c. 5, s. 28 93.15, 2020, c. 5, s. 29</p>

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Reference	Title Amendments
c. A-6.002	<p>Tax Administration Act — <i>Cont'd</i></p> <p>93.17, 2020, c. 12, s. 149 93.18, 2020, c. 5, s. 30; 2020, c. 12, s. 149 93.21.1, 2020, c. 5, s. 31 93.21.2, 2020, c. 5, s. 31 93.21.3, 2020, c. 5, s. 31 93.26.1, 2020, c. 5, s. 32 93.29, 2020, c. 5, s. 33; 2020, c. 12, s. 114 93.33, 2020, c. 12, s. 115 94.1, 2020, c. 12, s. 116 95.2, 2020, c. 16, s. 9</p>
c. A-6.01	<p>Public Administration Act</p> <p>21, 2020, c. 2, s. 7 24, 2020, c. 2, s. 8 77, 2020, c. 5, s. 104 77.1, 2020, c. 2, s. 9</p>
c. A-7.003	<p>Act respecting the Agence du revenu du Québec</p> <p>14, 2020, c. 5, s. 92 40, 2020, c. 5, s. 95 51.1, 2020, c. 2, s. 10 54, Ab. 2020, c. 5, s. 105</p>
c. A-14	<p>Act respecting legal aid and the provision of certain other legal services</p> <p>4, 2020, c. 12, s. 160 4.3.1, 2020, c. 12, s. 161 4.4, 2020, c. 12, s. 161 4.5, 2020, c. 12, s. 162 4.7, 2020, c. 11, s. 170 4.10, 2020, c. 12, s. 163 32.1, 2020, c. 12, s. 164 74, 2020, c. 12, s. 165 76, 2020, c. 12, s. 166 77, 2020, c. 12, s. 167 78, 2020, c. 12, s. 168 84, Ab. 2020, c. 5, s. 106</p>
c. A-19.1	<p>Act respecting land use planning and development</p> <p>1, 2020, c. 1, s. 310 5, 2020, c. 1, s. 165 53.17, 2020, c. 1, s. 310 110.3.2, 2020, c. 1, s. 311 117.15, 2020, c. 1, s. 166 117.16.1, 2020, c. 1, s. 167</p>
c. A-21	<p>Architects Act</p> <p>1, 2020, c. 15, s. 23 5.1, 2020, c. 15, s. 24 14, 2020, c. 15, s. 26 15, 2020, c. 15, s. 26 16, 2020, c. 15, s. 26 16.1, 2020, c. 15, s. 26 16.1.1, 2020, c. 15, s. 26 16.2, 2020, c. 15, s. 27 17, 2020, c. 15, s. 28 17.1, 2020, c. 15, s. 28 18, 2020, c. 15, s. 28 19, 2020, c. 15, s. 28 19.1, 2020, c. 15, s. 28 19.2, 2020, c. 15, s. 28 20, 2020, c. 15, s. 29 22.1, Ab. 2020, c. 15, s. 30</p>

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Reference	Title Amendments
c. A-21.1	Archives Act Sched. , 2020, c. 1, s. 309
c. A-23	Land Surveyors Act 53 , 2020, c. 17, s. 112 58 , 2020, c. 11, s. 171 62 , 2020, c. 17, s. 29
c. A-23.001	Act respecting prearranged funeral services and sepultures 26 , 2020, c. 1, s. 168
c. A-25	Automobile Insurance Act 83.27 , 2020, c. 11, s. 172
c. A-29	Health Insurance Act 3 , 2020, c. 4, s. 3 3.0.1 , 2020, c. 28, s. 7 3.2 , 2020, c. 4, s. 4 3.3 , 2020, c. 4, s. 4 10 , 2020, c. 4, s. 5 22.0.0.2 , 2020, c. 4, s. 6 37 , Ab. 2020, c. 4, s. 7 69 , 2020, c. 4, s. 8 71 , 2020, c. 4, s. 9
c. A-29.01	Act respecting prescription drug insurance 22 , 2020, c. 4, s. 10 84.5 , 2020, c. 4, s. 11
c. A-29.011	Act respecting parental insurance 2 , 2020, c. 23, s. 1 3 , 2020, c. 23, s. 2 7 , 2020, c. 23, s. 3 8 , 2020, c. 23, s. 4 10 , 2020, c. 23, s. 5 10.1 , 2020, c. 23, s. 5 10.2 , 2020, c. 23, s. 5 10.3 , 2020, c. 23, s. 5 11 , 2020, c. 23, s. 6 11.1 , 2020, c. 23, s. 6 11.2 , 2020, c. 23, s. 6 11.3 , 2020, c. 23, s. 6 12.1 , 2020, c. 23, s. 7 13 , 2020, c. 23, s. 8 14 , 2020, c. 23, s. 9 15 , 2020, c. 23, s. 10 16 , 2020, c. 23, s. 11 17 , 2020, c. 23, s. 12 17.1 , 2020, c. 23, s. 13 18 , 2020, c. 23, s. 14 19 , 2020, c. 23, s. 15 21 , 2020, c. 23, s. 16 23 , 2020, c. 23, s. 17 24 , 2020, c. 23, s. 18 26 , 2020, c. 23, s. 19 37 , 2020, c. 23, s. 20 88 , 2020, c. 23, s. 21 88.0.1 , 2020, c. 23, s. 22 88.0.2 , 2020, c. 23, s. 22 88.0.3 , 2020, c. 23, s. 22 118 , 2020, c. 23, s. 23 121.1 , 2020, c. 23, s. 24

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c. A-32.1	Insurers Act 118 , 2020, c. 11, s. 173
c. A-33.02	Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions 8 , 2020, c. 19, s. 23 59 , 2020, c. 19, s. 30 62.1 , 2020, c. 19, s. 24
c. A-33.2.1	Act respecting the Autorité des marchés publics 32 , 2020, c. 1, s. 169 83 , Ab. 2020, c. 5, s. 107
c. B-1	Act respecting the Barreau du Québec 15 , 2020, c. 29, s. 3 16 , 2020, c. 29, s. 4 69.1 , 2020, c. 11, s. 174 122 , 2020, c. 11, s. 175 128 , 2020, c. 11, s. 176; 2020, c. 29, s. 5 128.1 , 2020, c. 29, s. 6 128.2 , 2020, c. 29, s. 6 136 , 2020, c. 1, s. 170 137.1 , 2020, c. 29, s. 7
c. B-1.1	Building Act 65.4 , 2020, c. 1, s. 309; 2020, c. 2, s. 11 69 , 2020, c. 11, s. 177 126 , 2020, c. 17, s. 30 149.1 , Ab. 2020, c. 5, s. 108
c. B-1.2	Act respecting Bibliothèque et Archives nationales du Québec 26.1 , Ab. 2020, c. 5, s. 109
c. B-5.1	Unclaimed Property Act 2 , 2020, c. 11, s. 178 17 , 2020, c. 17, s. 112
c. B-9	Act respecting registry offices 1 , 2020, c. 17, s. 31 1.1 , 2020, c. 17, s. 32 2 , 2020, c. 17, s. 33 7 , 2020, c. 17, s. 34 10 , 2020, c. 17, s. 35 11 , 2020, c. 17, s. 36 12 , 2020, c. 17, s. 44 12.2 , 2020, c. 17, s. 44 13 , 2020, c. 17, s. 44 1 (Sched. I) , 2020, c. 17, s. 37 2 (Sched. I) , 2020, c. 17, s. 37 3 (Sched. I) , 2020, c. 17, s. 37 4 (Sched. I) , 2020, c. 17, s. 37 5 (Sched. I) , 2020, c. 17, s. 38 6 (Sched. I) , 2020, c. 17, s. 39 9 (Sched. I) , 2020, c. 17, s. 40 11 (Sched. I) , Ab. 2020, c. 17, s. 41 14 (Sched. I) , 2020, c. 17, s. 42 15 (Sched. I) , 2020, c. 17, s. 42 16 (Sched. I) , Ab. 2020, c. 17, s. 43

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Reference	Title Amendments
c. C-1	<p>Cadastre Act</p> <p>4.4, 2020, c. 17, s. 45 4.5, 2020, c. 17, s. 48 4.6, 2020, c. 17, s. 48 5, 2020, c. 17, s. 46 6, 2020, c. 17, s. 48 19, 2020, c. 17, s. 47 21.6, 2020, c. 17, s. 48</p>
c. C-2	<p>Act respecting the Caisse de dépôt et placement du Québec</p> <p>20, 2020, c. 1, s. 309 20.4, 2020, c. 1, s. 309</p>
c. C-5.3	<p>Cannabis Regulation Act</p> <p>78, Ab. 2020, c. 12, s. 63 79, Ab. 2020, c. 12, s. 63 82, 2020, c. 12, s. 64</p>
c. C-6.1	<p>Act constituting Capital régional et coopératif Desjardins</p> <p>4, 2020, c. 5, s. 201 4.1, 2020, c. 5, s. 202 4.2, 2020, c. 5, s. 202 4.3, 2020, c. 5, s. 202 4.4, 2020, c. 5, s. 202 4.5, 2020, c. 5, s. 202 4.6, 2020, c. 5, s. 202 5, 2020, c. 5, s. 203 5.1, 2020, c. 5, s. 204 6, 2020, c. 5, s. 205 7, 2020, c. 5, s. 206 18.1, 2020, c. 5, s. 208 18.2, 2020, c. 5, s. 208 18.3, 2020, c. 5, s. 208 24, 2020, c. 5, s. 209</p>
c. C-7.1	<p>Act respecting the Centre de la francophonie des Amériques</p> <p>37, Ab. 2020, c. 5, s. 110</p>
c. C-8.1	<p>Act respecting the Centre de recherche industrielle du Québec</p> <p>20, 2020, c. 5, s. 155</p>
c. C-8.1.1	<p>Act respecting the Centre de services partagés du Québec</p> <p>48, Ab. 2020, c. 5, s. 111 Ab., 2020, c. 2, s. 12</p>
c. C-11	<p>Charter of the French language</p> <p>208.1, 2020, c. 1, s. 174 Sched., 2020, c. 1, s. 309</p>
c. C-11.3	<p>Charter of Ville de Longueuil</p> <p>25 (Sched. C), 2020, c. 1, s. 175 35 (Sched. C), 2020, c. 17, s. 49 36 (Sched. C), 2020, c. 17, s. 50 37 (Sched. C), 2020, c. 17, s. 51 41 (Sched. C), 2020, c. 17, s. 52</p>
c. C-11.4	<p>Charter of Ville de Montréal, metropolis of Québec</p> <p>89 (Sched. C), 2020, c. 17, s. 55 143 (Sched. C), 2020, c. 17, s. 53 145 (Sched. C), 2020, c. 11, s. 179 150 (Sched. C), 2020, c. 17, s. 55</p>

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Reference	Title Amendments
c. C-11.4	Charter of Ville de Montréal, metropolis of Québec — <i>Cont'd</i> 182 (Sched. C) , 2020, c. 17, s. 55 190 (Sched. C) , 2020, c. 17, s. 55 192 (Sched. C) , 2020, c. 17, s. 55 193 (Sched. C) , 2020, c. 17, s. 55 241 (Sched. C) , 2020, c. 17, s. 54
c. C-11.5	Charter of Ville de Québec, national capital of Québec 43 (Sched. C) , 2020, c. 2, s. 13 56 (Sched. C) , 2020, c. 17, s. 56 91 (Sched. C) , 2020, c. 17, s. 57 95 (Sched. C) , 2020, c. 17, s. 58 176 (Sched. C) , 2020, c. 17, s. 59
c. C-19	Cities and Towns Act 28 , 2020, c. 1, s. 309 29 , 2020, c. 1, s. 309 29.5 , 2020, c. 1, s. 309 29.9.2 , 2020, c. 1, s. 309; 2020, c. 2, s. 14 29.12.2 , 2020, c. 2, s. 15 99 , 2020, c. 1, s. 309 500.2 , 2020, c. 1, s. 309 514 , 2020, c. 17, s. 60 522 , 2020, c. 17, s. 112 523 , 2020, c. 17, s. 61 556.1 , 2020, c. 1, s. 176 570 , 2020, c. 1, s. 177 573.3.2 , 2020, c. 2, s. 16
c. CCQ-1991	Civil Code of Québec 4 , 2020, c. 11, a. 1 29 , 2020, c. 11, a. 2 81 , 2020, c. 11, a. 3 87 , 2020, c. 11, a. 4 154 , 2020, c. 11, a. 5 184 , 2020, c. 11, a. 6 188 , 2020, c. 11, a. 7 209 , 2020, c. 11, a. 8 213 , 2020, c. 11, a. 9 214 , 2020, c. 11, a. 10 217 , 2020, c. 11, a. 11 221 , 2020, c. 11, a. 12 226 , 2020, c. 11, a. 13 227 , 2020, c. 11, a. 14 233.1 , 2020, c. 11, a. 15 242 , 2020, c. 11, a. 16 256 , 2020, c. 11, a. 18 257 , 2020, c. 11, a. 19 258 , 2020, c. 11, a. 20 259 , Ab. 2020, c. 11, a. 21 260 , 2020, c. 11, a. 22 261 , 2020, c. 11, a. 23 262 , Ab. 2020, c. 11, a. 24 263 , 2020, c. 11, a. 25 264 , 2020, c. 11, a. 26 265 , 2020, c. 11, a. 27 266 , 2020, c. 11, a. 28 267 , 2020, c. 11, a. 29 268 , 2020, c. 11, a. 31 268.1 , 2020, c. 11, a. 32 269 , 2020, c. 11, a. 33 270 , 2020, c. 11, a. 34 271 , 2020, c. 11, a. 35

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c. CCQ-1991	Civil Code of Québec — <i>Cont'd</i>
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	283, Ab. 2020, c. 11, a. 46
	284, Ab. 2020, c. 11, a. 46
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	293, Ab. 2020, c. 11, a. 52
	294, Ab. 2020, c. 11, a. 52
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	296, 2020, c. 11, a. 55
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	297.5, 2020, c. 11, a. 58
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	297.7, 2020, c. 11, a. 58
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	297.10, 2020, c. 11, a. 58
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	297.12, 2020, c. 11, a. 58
	297.13, 2020, c. 11, a. 58
	297.14, 2020, c. 11, a. 58
	297.15, 2020, c. 11, a. 58
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Reference	Title Amendments
c. CCQ-1991	Civil Code of Québec — <i>Cont'd</i>
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c. E-2.3	<p>Act respecting school elections <i>(Act respecting school elections to elect certain members of the boards of directors of English-language school service centres) — Cont'd</i></p> <p>7.3, 2020, c. 1, s. 200 7.5, 2020, c. 1, s. 201 9.5, 2020, c. 1, s. 202 9.6, 2020, c. 1, s. 203 9.7, 2020, c. 1, s. 204 9.13, 2020, c. 1, s. 205 9.14, 2020, c. 1, s. 206 10.3, 2020, c. 1, s. 207 11.0.1, 2020, c. 1, s. 208 11.0.2, 2020, c. 1, s. 208 11.1, 2020, c. 1, s. 209 11.2, 2020, c. 1, s. 210 11.3, 2020, c. 1, s. 210 11.4, 2020, c. 1, s. 211 12, 2020, c. 11, s. 160 15, 2020, c. 1, s. 212 17, 2020, c. 1, s. 213 18, 2020, c. 1, s. 214 18.1, 2020, c. 1, s. 215 20, 2020, c. 1, s. 216 20.1, 2020, c. 1, s. 216 21, 2020, c. 1, s. 217 21.3, 2020, c. 1, s. 264 21.4, 2020, c. 1, s. 264 38, 2020, c. 1, s. 218 39, 2020, c. 1, s. 219 53, Ab. 2020, c. 1, s. 220 58.2, 2020, c. 1, s. 221 58.8, 2020, c. 11, s. 161 58.10, 2020, c. 11, s. 162 60, 2020, c. 1, s. 222 69, 2020, c. 1, s. 223 71, 2020, c. 1, s. 224 72, 2020, c. 1, s. 225 74, 2020, c. 1, s. 226 84, 2020, c. 1, s. 264 85, 2020, c. 1, s. 227 99, 2020, c. 1, s. 228 102, 2020, c. 1, s. 229 116, 2020, c. 1, s. 230 147, 2020, c. 1, s. 231 156, 2020, c. 1, s. 232 160, 2020, c. 1, s. 233 160.1, 2020, c. 1, s. 234 163, 2020, c. 1, s. 235 164, 2020, c. 1, s. 236 171, 2020, c. 1, s. 237 173, 2020, c. 1, s. 238 181, 2020, c. 1, s. 239 191, 2020, c. 1, s. 242 193, 2020, c. 1, s. 243 194, 2020, c. 1, s. 244 195, 2020, c. 1, s. 264 197, 2020, c. 1, s. 264 199, 2020, c. 1, s. 245 200, 2020, c. 1, s. 246 200.1, Ab. 2020, c. 1, s. 247 200.2, 2020, c. 1, s. 248 203.1, 2020, c. 1, s. 249 206.6, 2020, c. 1, s. 250 206.7, 2020, c. 1, s. 251</p>

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c. E-2.3	<p>Act respecting school elections <i>(Act respecting school elections to elect certain members of the boards of directors of English-language school service centres) — Cont'd</i></p> <p>206.9, 2020, c. 1, s. 252 206.14, 2020, c. 1, s. 253 206.47, 2020, c. 1, s. 254 206.56, 2020, c. 1, s. 255 209, 2020, c. 1, s. 264 209.3, 2020, c. 1, s. 256 209.6, 2020, c. 1, s. 257 209.26, 2020, c. 12, s. 121 209.33, 2020, c. 1, s. 258 209.34, 2020, c. 1, s. 259 209.36, 2020, c. 1, s. 260 210, 2020, c. 1, s. 261 211, 2020, c. 1, s. 262 213, 2020, c. 1, s. 263</p>
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c. E-12.000001	<p>Money-Services Businesses Act — <i>Cont'd</i></p> <p>52, 2020, c. 5, s. 57 54, 2020, c. 5, s. 58 56, Ab. 2020, c. 5, s. 59 57, 2020, c. 5, s. 60 60, 2020, c. 5, s. 61 60.1, 2020, c. 5, s. 62 61, Ab. 2020, c. 5, s. 63 65.1, 2020, c. 5, s. 64 65.2, 2020, c. 5, s. 64 65.3, 2020, c. 5, s. 64 65.4, 2020, c. 5, s. 64 65.5, 2020, c. 5, s. 64 65.6, 2020, c. 5, s. 64 65.7, 2020, c. 5, s. 64 65.8, 2020, c. 5, s. 64 65.9, 2020, c. 5, s. 64 65.10, 2020, c. 5, s. 64 65.11, 2020, c. 5, s. 64 65.12, 2020, c. 5, s. 64 65.13, 2020, c. 5, s. 64 66, 2020, c. 5, s. 65 72, 2020, c. 5, s. 66 73, Ab. 2020, c. 5, s. 67 74, Ab. 2020, c. 5, s. 67 75, Ab. 2020, c. 5, s. 67 76, 2020, c. 5, s. 68 78, Ab. 2020, c. 5, s. 69 82, Ab. 2020, c. 5, s. 71 84, Ab. 2020, c. 5, s. 71 85, 2020, c. 5, s. 72</p>
c. E-12.001	<p>Pay Equity Act</p> <p>3, 2020, c. 1, s. 309 11, 2020, c. 1, s. 311 21.1, 2020, c. 1, s. 267</p>
c. E-12.01	<p>Act respecting threatened or vulnerable species</p> <p>15, 2020, c. 17, s. 80 41, 2020, c. 17, s. 81</p>
c. E-20.01	<p>Act respecting Nasdaq stock exchange activities in Québec</p> <p>Ab., 2020, c. 5, s. 212</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>21, 2020, c. 1, s. 309 26, 2020, c. 1, s. 309 26.4, 2020, c. 1, s. 309 75, 2020, c. 1, s. 309</p>
c. E-24	<p>Expropriation Act</p> <p>36, 2020, c. 1, s. 268 53.15, 2020, c. 1, s. 310; 2020, c. 17, s. 112 55.2, 2020, c. 17, s. 112 84, 2020, c. 17, s. 112</p>
c. F-1	<p>Act respecting fabriques</p> <p>39, 2020, c. 11, s. 192</p>

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c. F-2.01	Act respecting Financement-Québec 4, 2020, c. 1, s. 269; 2020, c. 5, s. 174 14, 2020, c. 5, s. 175 15, 2020, c. 5, s. 176 31, 2020, c. 5, s. 177
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c. P-13.1	Police Act 47 , Ab. 2020, c. 5, s. 135 88 , 2020, c. 12, s. 144 89 , 2020, c. 12, s. 136 126 , 2020, c. 31, s. 4 286 , 2020, c. 31, s. 5 289 , 2020, c. 31, s. 6 289.5 , 2020, c. 31, s. 8 289.9 , 2020, c. 31, s. 9 289.10 , 2020, c. 31, s. 10 289.11 , 2020, c. 31, s. 11 289.12 , 2020, c. 31, s. 12 289.13 , 2020, c. 31, s. 13 289.27 , 2020, c. 31, s. 14

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c. P-30.01	<p>Petroleum Products Act</p> <p>1, 2020, c. 19, s. 60 4, 2020, c. 19, s. 62 5, 2020, c. 19, s. 63 72, 2020, c. 19, s. 64 94, 2020, c. 19, s. 64 96, 2020, c. 19, s. 65 97, 2020, c. 19, s. 66 98, Ab. 2020, c. 19, s. 67 99, 2020, c. 19, s. 68 103, 2020, c. 19, s. 69 106, 2020, c. 19, s. 70 110, 2020, c. 19, s. 71 114, 2020, c. 19, s. 72</p>
c. P-34.1	<p>Youth Protection Act</p> <p>71.26, 2020, c. 12, s. 137 82, 2020, c. 29, s. 64</p>
c. P-38.001	<p>Act respecting the protection of persons whose mental state presents a danger to themselves or to others</p> <p>7, 2020, c. 6, s. 16 8, 2020, c. 6, s. 17 12, 2020, c. 6, s. 18 17, 2020, c. 6, s. 19 Sched., 2020, c. 11, s. 203</p>
c. P-39.1	<p>Act respecting the protection of personal information in the private sector</p> <p>8.1, 2020, c. 21, s. 108 19, 2020, c. 21, s. 109 19.1, 2020, c. 21, s. 110 91.1, 2020, c. 21, s. 111</p>
c. P-40.1	<p>Consumer Protection Act</p> <p>188, 2020, c. 1, s. 310</p>
c. P-41.1	<p>Act respecting the preservation of agricultural land and agricultural activities</p> <p>1, 2020, c. 1, s. 309 24, 2020, c. 17, s. 111 35, 2020, c. 17, s. 111 36, 2020, c. 17, s. 111 37, 2020, c. 17, s. 111 52, 2020, c. 17, s. 112 67, 2020, c. 17, s. 111 68, 2020, c. 17, s. 112 69, 2020, c. 17, s. 111 100.1, 2020, c. 17, s. 111 105.1, 2020, c. 17, s. 90</p>
c. P-44	<p>Roadside Advertising Act</p> <p>1, 2020, c. 1, s. 291</p>
c. P-44.1	<p>Act respecting the legal publicity of enterprises</p> <p>62, 2020, c. 5, s. 178 70, 2020, c. 5, s. 179 74.1, 2020, c. 5, s. 180 79.1, 2020, c. 5, s. 181 80, 2020, c. 5, s. 182 89, Ab. 2020, c. 5, s. 183 96, 2020, c. 5, s. 184 98, 2020, c. 5, s. 185</p>

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c. P-44.1	<p>Act respecting the legal publicity of enterprises — <i>Cont'd</i></p> <p>101, 2020, c. 5, s. 186 121, 2020, c. 5, s. 187 123, 2020, c. 5, s. 188 131, 2020, c. 5, s. 189 132, 2020, c. 5, s. 190 134.1, 2020, c. 5, s. 191 138, 2020, c. 5, s. 192 142, 2020, c. 5, s. 193 143, Ab. 2020, c. 5, s. 194 144, Ab. 2020, c. 5, s. 194 163.1, 2020, c. 5, s. 195</p>
c. Q-2	<p>Environment Quality Act</p> <p>Preamble, 2020, c. 19, s. 16 2, 2020, c. 1, s. 292 46.3, 2020, c. 19, s. 18 46.4, 2020, c. 19, s. 19 46.8, 2020, c. 19, s. 20 46.8.1, 2020, c. 19, s. 21 46.8.2, 2020, c. 19, s. 21 95.3, 2020, c. 19, s. 22 115.43, 2020, c. 19, s. 30 115.44, 2020, c. 19, s. 30</p>
c. R-0.2	<p>Act respecting the determination of the causes and circumstances of death <i>(Coroners Act)</i></p> <p>Title, 2020, c. 20, s. 1 5, 2020, c. 20, s. 2 5.1, 2020, c. 20, s. 2 5.2, 2020, c. 20, s. 2 5.3, 2020, c. 20, s. 2 6, Ab. 2020, c. 20, s. 3 7, 2020, c. 20, s. 4 8, 2020, c. 20, s. 5 9, 2020, c. 20, s. 6 13, 2020, c. 20, s. 7 13.1, 2020, c. 20, s. 7 14, 2020, c. 20, s. 8 15, 2020, c. 20, s. 9 21, 2020, c. 20, s. 10 23, 2020, c. 20, s. 11 23.1, 2020, c. 20, s. 12 32, 2020, c. 20, s. 13 33, 2020, c. 20, s. 14 34.1, 2020, c. 20, s. 15 37, 2020, c. 20, s. 16 38, 2020, c. 20, s. 17 39, 2020, c. 20, s. 18 45, 2020, c. 20, s. 19 46, 2020, c. 20, s. 20 46.1, 2020, c. 20, s. 21 74, 2020, c. 20, s. 22 76.1, 2020, c. 20, s. 23 90, 2020, c. 20, s. 24 90.1, 2020, c. 20, s. 25 90.2, 2020, c. 20, s. 25 91.1, 2020, c. 20, s. 26 94.1, 2020, c. 20, s. 27 98, 2020, c. 20, s. 28 101, 2020, c. 20, s. 29 102, 2020, c. 20, s. 30 110, 2020, c. 20, s. 31</p>

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c. R-0.2	<p>Act respecting the determination of the causes and circumstances of death (<i>Coroners Act</i>) — <i>Cont'd</i></p> <p>111, 2020, c. 20, s. 32 140, 2020, c. 20, s. 33 140.1, 2020, c. 20, s. 34 148, 2020, c. 20, s. 35 162, 2020, c. 20, s. 36 163, 2020, c. 20, s. 37 163.1, 2020, c. 20, s. 37 163.2, 2020, c. 20, s. 37 163.3, 2020, c. 20, s. 37 163.4, 2020, c. 20, s. 37 164, 2020, c. 20, s. 38 166, Ab. 2020, c. 20, s. 39 168, 2020, c. 20, s. 40 180, 2020, c. 20, s. 41</p>
c. R-2.2	<p>Act respecting the collection of certain debts</p> <p>6, 2020, c. 11, s. 204</p>
c. R-2.2.0.0.2	<p>Act respecting the Compilation of Québec Laws and Regulations</p> <p>7, 2020, c. 2, s. 57</p>
c. R-2.2.0.1	<p>Act to reduce the debt and establish the Generations Fund</p> <p>1.1, 2020, c. 5, s. 216 1.2, 2020, c. 5, s. 217 3, 2020, c. 19, s. 29</p>
c. R-3.1	<p>Act to promote the reform of the cadastre in Québec</p> <p>8.1, 2020, c. 17, s. 91 8.3, 2020, c. 17, s. 92 10.1, 2020, c. 17, s. 93 16, 2020, c. 17, s. 94 18, 2020, c. 17, s. 96 19.1, 2020, c. 17, s. 95 20, 2020, c. 17, s. 96</p>
c. R-5	<p>Act respecting the Régie de l'assurance maladie du Québec</p> <p>2, 2020, c. 6, s. 20 24.2, Ab. 2020, c. 5, s. 136 24.3, 2020, c. 5, s. 137 24.4, 2020, c. 5, s. 138 34.1.6, 2020, c. 12, s. 145 40.2, 2020, c. 5, s. 139 40.4, 2020, c. 5, s. 140</p>
c. R-6.01	<p>Act respecting the Régie de l'énergie</p> <p>25, 2020, c. 19, s. 73 85.40, 2020, c. 19, s. 74 85.41, 2020, c. 19, s. 75 85.42, Ab. 2020, c. 19, s. 76 85.43, Ab. 2020, c. 19, s. 76 85.44, 2020, c. 19, s. 77 106, Ab. 2020, c. 5, s. 141 114, 2020, c. 19, ss. 30, 78 Sched. II, 2020, c. 19, s. 79</p>
c. R-6.1	<p>Act respecting the Régie des alcools, des courses et des jeux</p> <p>3, 2020, c. 31, s. 77 4, Ab. 2020, c. 31, s. 78 15, 2020, c. 31, s. 79 26, 2020, c. 31, s. 80</p>

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c. R-6.1	Act respecting the Régie des alcools, des courses et des jeux — <i>Cont'd</i> 27 , Ab. 2020, c. 31, s. 81 28 , 2020, c. 31, s. 82 28.1 , 2020, c. 31, s. 83 29 , 2020, c. 31, s. 84 37 , 2020, c. 31, s. 85
c. R-7	Act respecting the Régie des installations olympiques 17 , 2020, c. 17, s. 112 Rp. , 2020, c. 10, s. 66
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c. R-10	Act respecting the Government and Public Employees Retirement Plan 28 , 2020, c. 1, s. 310 28.1 , 2020, c. 1, s. 310 34 , 2020, c. 1, s. 310 213.1 , 2020, c. 1, s. 310 Sched. I , 2020, c. 2, s. 58; 2020, c. 10, s. 48 Sched. II , 2020, c. 1, s. 297 Sched. II.2 , 2020, c. 1, s. 298
c. R-11	Act respecting the Teachers Pension Plan 7 , 2020, c. 1, s. 310 23 , 2020, c. 1, s. 310 23.1 , 2020, c. 1, s. 310 Sched. I , 2020, c. 1, s. 299
c. R-12	Act respecting the Civil Service Superannuation Plan 99 , 2020, c. 1, s. 309
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c. R-13	<p>Watercourses Act</p> <p>35, 2020, c. 17, s. 113 60, 2020, c. 17, s. 113 Form 2, 2020, c. 17, s. 97</p>
c. R-14	<p>Act respecting the Syndical Plan of the Sûreté du Québec <i>(Act respecting the Syndical Plan of the Sûreté du Québec and of specialized police forces)</i></p> <p>Title, 2020, c. 31, s. 15 1, 2020, c. 31, s. 16 2, 2020, c. 31, s. 17 4, 2020, c. 31, s. 17 5, 2020, c. 31, s. 18 6, 2020, c. 31, s. 19 7, 2020, c. 31, s. 20 8, 2020, c. 31, s. 21 11, 2020, c. 31, s. 22 13, 2020, c. 31, s. 23</p>
c. R-15.1	<p>Supplemental Pension Plans Act</p> <p>7, 2020, c. 30, s. 1 7.1, 2020, c. 30, s. 2 14, 2020, c. 30, s. 3 14.1, 2020, c. 30, s. 4 19, 2020, c. 30, s. 5 20, 2020, c. 30, s. 6 22, 2020, c. 30, s. 7 24, 2020, c. 30, s. 8 39, 2020, c. 30, s. 9 39.1, 2020, c. 30, s. 10 41, 2020, c. 30, s. 11 44, 2020, c. 30, s. 12 47, 2020, c. 30, s. 13 48, 2020, c. 30, s. 14 57, 2020, c. 30, s. 15 59, 2020, c. 30, s. 16 60, 2020, c. 30, s. 17 61, 2020, c. 30, s. 18 62, Ab. 2020, c. 30, s. 19 63.1, 2020, c. 30, s. 20 65, 2020, c. 30, s. 21 66, 2020, c. 30, s. 22 67.3, 2020, c. 30, s. 23 67.4, 2020, c. 30, s. 24 81, 2020, c. 30, s. 25 82.1, 2020, c. 30, s. 26 84, 2020, c. 30, s. 27 86, 2020, c. 30, s. 28 90.2, 2020, c. 30, s. 29 92, 2020, c. 30, s. 30 98, 2020, c. 30, s. 31 99, 2020, c. 30, s. 32 105, 2020, c. 30, s. 33 113.1, 2020, c. 30, s. 34 117, Ab. 2020, c. 30, s. 35 118, 2020, c. 30, s. 36 119, 2020, c. 30, s. 37 121, 2020, c. 30, s. 38 122.1, 2020, c. 30, s. 39 128, 2020, c. 30, s. 40 134, 2020, c. 30, s. 41 139, 2020, c. 30, s. 42 140, 2020, c. 30, s. 43</p>

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c. R-18.1	Regulations Act 3 , 2020, c. 1, s. 302
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c. S-18.1	Act respecting the Makivik Corporation Sched. , 2020, c. 1, s. 304
c. S-20	Act respecting the Société québécoise d'information juridique 3 , 2020, c. 2, s. 67 15 , 2020, c. 5, s. 149 23 , 2020, c. 2, s. 68
c. S-22.01	Act respecting the Société québécoise de récupération et de recyclage 25 , Ab. 2020, c. 5, s. 150
c. S-29.02	Trust Companies and Savings Companies Act 2 , 2020, c. 11, s. 214 18 , 2020, c. 11, s. 215 99 , 2020, c. 11, s. 216
c. S-30.01	Act respecting public transit authorities 104 , 2020, c. 2, s. 69 154 , 2020, c. 17, s. 98 156 , 2020, c. 17, s. 99
c. S-31.1	Business Corporations Act 234 , 2020, c. 11, s. 217

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Reference	Title Amendments
c. S-40	Professional Syndicates Act 27 , 2020, c. 11, s. 218
c. S-40.1	Act respecting the Québec correctional system 118.1 , 2020, c. 31, s. 31 120 , 2020, c. 31, s. 32 122 , 2020, c. 31, s. 33 125 , 2020, c. 31, s. 34 130 , Ab. 2020, c. 31, s. 35 138 , 2020, c. 31, s. 36 141 , 2020, c. 31, s. 37 142 , 2020, c. 31, s. 38 152 , 2020, c. 31, s. 39 154 , 2020, c. 31, s. 40 156.1 , 2020, c. 31, s. 41 160 , 2020, c. 31, s. 42 161 , 2020, c. 31, s. 43 162 , 2020, c. 31, s. 44 167 , 2020, c. 31, s. 45 169 , 2020, c. 31, s. 46 170 , 2020, c. 31, s. 47 171 , 2020, c. 31, s. 48 172.1 , 2020, c. 31, s. 49 175 , 2020, c. 31, s. 50 193 , 2020, c. 31, s. 51
c. T-0.1	Act respecting the Québec sales tax 1 , 2020, c. 1, s. 309; 2020, c. 16, s. 196 9.1 , 2020, c. 16, s. 197 42.0.1.2 , 2020, c. 16, s. 198 42.0.22 , 2020, c. 12, s. 141 42.0.24 , 2020, c. 12, s. 142 162 , 2020, c. 16, s. 199 244.1 , 2020, c. 16, s. 200 267.1 , 2020, c. 16, s. 201 279.3 , 2020, c. 16, s. 202 279.4 , 2020, c. 16, s. 203 289.2 , 2020, c. 16, s. 204 289.3 , 2020, c. 16, s. 205 289.4 , 2020, c. 16, s. 206 289.5 , 2020, c. 16, s. 207 289.5.1 , 2020, c. 16, s. 208 289.6 , 2020, c. 16, s. 209 289.6.1 , 2020, c. 16, s. 210 289.7 , 2020, c. 16, s. 211 289.7.1 , 2020, c. 16, s. 212 289.8 , 2020, c. 16, s. 213 289.8.1 , 2020, c. 16, s. 214 289.9 , 2020, c. 16, s. 215 289.9.1 , 2020, c. 16, s. 216 289.9.2 , 2020, c. 16, s. 216 289.10 , 2020, c. 16, s. 217 289.11 , 2020, c. 16, s. 218 289.12 , 2020, c. 16, s. 218 289.13 , 2020, c. 16, s. 219 289.14 , 2020, c. 16, s. 219 289.15 , 2020, c. 16, s. 219 289.16 , 2020, c. 16, s. 219 289.17 , 2020, c. 16, s. 219 289.18 , 2020, c. 16, s. 219 297.0.2.2 , 2020, c. 16, s. 220 297.7 , 2020, c. 16, s. 221 297.7.4 , 2020, c. 16, s. 222

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Reference	Title Amendments
c. T-0.1	<p>Act respecting the Québec sales tax — <i>Cont'd</i></p> <p>310, 2020, c. 11, s. 219 328, 2020, c. 16, s. 223 331.2, 2020, c. 16, s. 224 331.3, 2020, c. 16, s. 225 332, 2020, c. 16, s. 226 332.1, 2020, c. 16, s. 227 333.2, 2020, c. 16, s. 228 346.1, 2020, c. 16, s. 229 350.50, 2020, c. 5, s. 19 388.0.1, 2020, c. 16, s. 230 402.13, 2020, c. 16, s. 231 402.16.1, 2020, c. 16, s. 232 402.21, 2020, c. 16, s. 233 433.2, 2020, c. 16, s. 234 433.16, 2020, c. 16, s. 235 433.17, 2020, c. 16, s. 236 433.18, Ab. 2020, c. 16, s. 237 433.19, 2020, c. 16, s. 238 433.19.0.1, 2020, c. 16, s. 239 433.19.0.2, 2020, c. 16, s. 239 450.0.1, 2020, c. 16, s. 240 450.0.2, 2020, c. 16, s. 241 450.0.3, 2020, c. 16, s. 242 450.0.4, 2020, c. 16, s. 243 450.0.5, 2020, c. 16, s. 244 450.0.6, 2020, c. 16, s. 245 450.0.7, 2020, c. 16, s. 246 677, 2020, c. 16, s. 247</p>
c. T-7.1	<p>Act respecting agricultural lands in the domain of the State</p> <p>43.1, 2020, c. 17, s. 111 43.8, 2020, c. 17, s. 111</p>
c. T-8.1	<p>Act respecting the lands in the domain of the State</p> <p>19, 2020, c. 17, s. 111 28, 2020, c. 17, s. 112 40.1, 2020, c. 17, s. 112 45.5, 2020, c. 17, s. 111 72, 2020, c. 17, s. 112 72.1, 2020, c. 17, s. 112</p>
c. T-11	<p>Act respecting land titles in certain electoral districts</p> <p>6, 2020, c. 17, s. 112 7, 2020, c. 17, s. 112 8, 2020, c. 17, s. 112</p>
c. T-11.011	<p>Lobbying Transparency and Ethics Act</p> <p>57, 2020, c. 12, s. 143</p>
c. T-11.02	<p>Act respecting Transition énergétique Québec</p> <p>21, 2020, c. 5, s. 151 51, Ab. 2020, c. 5, s. 152 Ab., 2020, c. 19, s. 85</p>
c. T-12	<p>Transport Act</p> <p>88.11, 2020, c. 1, s. 305</p>
c. T-15.1	<p>Act to establish the Administrative Labour Tribunal</p> <p>101, 2020, c. 5, s. 153 Sched. I, 2020, c. 12, s. 158</p>

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Reference	Title Amendments
c. T-16	Courts of Justice Act 5.2 , 2020, c. 12, s. 159 32 , 2020, c. 12, s. 71 83.1 , 2020, c. 12, s. 84 85 , 2020, c. 12, s. 152 147 , 2020, c. 12, s. 72 224 , 2020, c. 29, s. 65 255 , 2020, c. 12, s. 153 Sched. I , 2020, c. 12, s. 73 Sched. IV , 2020, c. 12, s. 74 Sched. V , 2020, c. 12, s. 75
c. V-1.1	Securities Act 3 , 2020, c. 11, s. 220 41 , 2020, c. 1, s. 309 151.0.1 , 2020, c. 11, s. 221
c. V-1.2	Act respecting off-highway vehicles Rp. , 2020, c. 26, s. 148
c. V-5.01	Auditor General Act 40.1 , 2020, c. 5, s. 230 40.2 , 2020, c. 5, s. 231 40.3 , 2020, c. 5, s. 232 40.4 , 2020, c. 5, s. 233 43.1 , 2020, c. 19, s. 27
c. V-5.1	The Cree Villages and the Naskapi Village Act 18 , 2020, c. 1, s. 309
c. V-6.1	Act respecting Northern villages and the Kativik Regional Government 207.1 , 2020, c. 2, s. 70 351.1 , 2020, c. 1, s. 306 358.5 , 2020, c. 2, s. 71
2- ACTS NOT INCLUDED IN THE COMPILATION OF QUÉBEC LAWS AND REGULATIONS	
2000, c. 42	Act to amend the Civil Code and other legislative provisions relating to land registration 245 , Ab. 2020, c. 17, s. 100 250 , 2020, c. 17, s. 101
2016, c. 26	Act to amend the Education Act 22 , Ab. 2020, c. 1, s. 307 23 , Ab. 2020, c. 1, s. 307 24 , Ab. 2020, c. 1, s. 307 61 , Ab. 2020, c. 1, s. 307 62 , 2020, c. 1, s. 307
2018, c. 18	Act to improve the performance of the Société de l'assurance automobile du Québec, to better regulate the digital economy as regards e-commerce, remunerated passenger transportation and tourist accommodation and to amend various legislative provisions 135 , 2020, c. 16, s. 248 136 , 2020, c. 16, s. 249
2018, c. 20	Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages 2 , 2020, c. 31, s. 57 17 , 2020, c. 31, s. 58 143 , 2020, c. 5, s. 242 144 , 2020, c. 5, s. 243; 2020, c. 31, s. 59

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Reference	Title Amendments
2018, c. 23	Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions 486 , 2020, c. 11, s. 222 653 , Ab. 2020, c. 5, s. 199
2020, c. 2, s. 1	Act respecting the Centre d'acquisitions gouvernementales 41 , Ab. 2020, c. 5, s. 154
2020, c. 5, s. 98	Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund <i>(Act to establish the Special Contracts Fund)</i> Title , 2020, c. 5, s. 98 1 , 2020, c. 5, s. 98; Ab. 2020, c. 5, s. 98 2 , Ab. 2020, c. 5, s. 98 3 , Ab. 2020, c. 5, s. 98 4 , Ab. 2020, c. 5, s. 98 5 , Ab. 2020, c. 5, s. 98 6 , Ab. 2020, c. 5, s. 98 7 , Ab. 2020, c. 5, s. 98 8 , Ab. 2020, c. 5, s. 98 9 , Ab. 2020, c. 5, s. 98 10 , Ab. 2020, c. 5, s. 98 11 , Ab. 2020, c. 5, s. 98 12 , Ab. 2020, c. 5, s. 98 13 , 2020, c. 5, s. 98 14 , 2020, c. 5, s. 98 15 , 2020, c. 5, s. 98

Note: Information on how to use this table may be obtained by phone at 418 643-2840.



**TABLE OF GENERAL AMENDMENTS
TO PUBLIC ACTS IN 2020**

The entries below are references to legislative provisions passed in 2020 which amend generally or affect one or several Acts rather than specific sections.

Title	Reference
Act to amend mainly the Education Act with regard to school organization and governance	2020, c. 1, ss. 163, 264, 312, 313 (Bill 40)
Act mainly to establish the Centre d'acquisitions gouvernementales and Infrastructures technologiques Québec	2020, c. 2, ss. 1, 2 (Bill 37)
Act respecting mainly the implementation of certain provisions of the Budget Speeches of 17 March 2016, 28 March 2017, 27 March 2018 and 21 March 2019	2020, c. 5, ss. 73, 214 (Bill 41)
Act to amend the Nurses Act and other provisions in order to facilitate access to health services	2020, c. 6, ss. 9, 13 (Bill 43)
Act mainly to control the cost of the farm property tax and to simplify access to the farm property tax credit	2020, c. 7, s. 40 (Bill 48)
Act respecting the Société de développement et de mise en valeur du Parc olympique	2020, c. 10, s. 64 (Bill 15)
Act to amend the Civil Code, the Code of Civil Procedure, the Public Curator Act and various provisions as regards the protection of persons	2020, c. 11, s. 254 (Bill 18)
Act to amend the Professional Code and other provisions in particular in the oral health and the applied sciences sectors	2020, c. 15, ss. 71, 72, 73, 74 (Bill 29)
Act concerning mainly the appointment and the terms of office of coroners and of the Chief Coroner	2020, c. 20, s. 44 (Bill 45)
Act respecting off-highway vehicles	2020, c. 26, s. 149 (Bill 71)
Act to amend various legislative provisions concerning mainly bodies in the field of public safety	2020, c. 31, s. 24 (Bill 72)



**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
2020, chapter 2, s. 1	chapter C-7.01
2020, chapter 2, s. 2	chapter I-8.4
2020, chapter 5, s. 98	chapter P-30.1.1
2020, chapter 10	chapter S-10.2
2020, chapter 21	chapter A-8.2
2020, chapter 22	chapter R-1.1
2020, chapter 26	chapter V-1.3
2020, chapter 27	chapter A-2.001
2020, chapter 28	chapter P-42.2



**LIST OF LEGISLATIVE PROVISIONS WHOSE COMING INTO FORCE
HAS BEEN DETERMINED BY PROCLAMATION OR ORDER
IN COUNCIL AS OF 31 DECEMBER 2020**

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)

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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

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Reference	Title Date of coming into force
1978, c. 36	An Act respecting lotteries, racing, publicity contests and amusement machines 1980-07-30 ss. 20 (part), 23 (part), 24-26, 27 (part), 28 (part), 29, 30, 31 (2 nd par.), 34 (part), 36 (part), 38-44, 45 (part), 46, 53 (part), 56, 57, 67 (part), 70 (part), 73, 77 (part), 125 (part)
1978, c. 54	An Act to amend the Electricians and Electrical Installations Act and the Building Contractors Vocational Qualifications Act 1979-03-01 ss. 1-23, 35 1980-04-01 ss. 24-34
1978, c. 55	An Act to amend the Pipe-Mechanics Act and to again amend the Building Contractors Vocational Qualifications Act 1980-04-01
1978, c. 56	An Act to amend the Stationary Enginemmen Act 1981-09-01
1978, c. 57	An Act to amend the Workmen's Compensation Act and other legislation 1981-01-01 s. 67 1981-03-11 s. 24
1978, c. 64	An Act to amend the Environment Quality Act 1984-05-16 s. 18
1978, c. 66	An Act to amend the Charter of the General Investment Corporation of Québec 1979-08-15 s. 5
1978, c. 75	An Act to amend the Highway Code 1979-09-17 ss. 2, 3, 5, 7
1978, c. 98	An Act approving the Northeastern Québec Agreement 1979-07-04 ss. 2 (par. 1-5, 7), 3, 4
1979, c. 1	An Act to amend the Health Insurance Act and other legislation 1982-03-24 s. 40 (par. <i>a</i> , <i>b</i>)
1979, c. 17	An Act to amend the Adoption Act 1980-10-08 ss. 3 (s. 37.3), 4 (s. 41 (1 st par., subpar. <i>f</i>)) 1981-04-15 s. 3 (s. 37.2)
1979, c. 25	An Act respecting the legislation provided for in the Northeastern Québec Agreement and amending other legislation 1981-09-10 ss. 105 (s. 31 <i>i</i> (2 nd par.)), 111-114, 116-119, 122-128, 131-139, 142, 145 (ss. 763-765, 790, 792) 1985-07-01 s. 145 (ss. 766-779, 782-789, 791, 793, 794)
1979, c. 27	An Act to amend the Maritime Fisheries Credit Act 1980-03-13 ss. 1-4
1979, c. 31	An Act to amend the Companies Act and other legislation 1980-09-17 ss. 11, 12, 28, 29, 33 1980-12-17 s. 48 1980-12-30 ss. 19 (s. 31.1), 20 (s. 32 (part)), 30 (s. 132.1), 31 (s. 133 (part)), 35, 36, 37 (par. <i>a</i>), 38, 39, 45-47

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Reference	Title Date of coming into force
1979, c. 45	An Act respecting labour standards 1980-04-16 ss. 1-4, 5 (par. 1-3), 6-28, 29 (par. 1-3, 5), 30-38, 39 (par. 1-5, 8-12), 40-69, 71-74, 76, 77 (part), 78-111, 113-135, 139-171 1981-04-01 s. 75
1979, c. 48	An Act to establish the Régie du logement and to amend the Civil Code and other legislation 1980-03-15 s. 126 1980-07-01 ss. 4, 6, 7, 14, 85, 128 1980-10-01 ss. 1-3, 5, 8-13, 15-84, 86-125, 127, 129, 132-146
1979, c. 51	An Act respecting land use planning and development 1985-06-01 s. 261 (par. 4) 1985-09-01 s. 261 (par. 7) 1993-07-01 s. 261 (par. 6) 1995-01-01 s. 261 (par. 10)
1979, c. 56	Election Act 1980-07-10 ss. 1, 177-215, 220, 231, 232, 238, 239, 289-308, 313, 314 1980-08-15 ss. 2-176, 216-219, 221-230, 233-237, 240-288, 309-312
1979, c. 63	An Act respecting occupational health and safety 1981-01-01 s. 271 1981-01-01 ss. 9-51, 53-57, 62-67, 98-103, 127-136, 178-192, 194-197, 216-222, 227-246, 252, 265, 267, 273, 275, 278-282, 284-286, 289-301, 303-310, 313-324, 326 1981-02-25 ss. 110, 111, 247 (2 nd par.) 1982-05-26 ss. 58-61, 198-203 1982-12-01 ss. 52, 112-126 1983-10-22 ss. 68-86, 268, 327 1984-09-08 ss. 87-97
1979, c. 64	An Act respecting the protection of persons and property in the event of disaster 1980-09-01 ss. 1-16, 18, 19 (1 st par.), 20-22, 24-44, 46, 48-60
1979, c. 67	An Act to amend the Police Act 1980-06-01 ss. 1-50
1979, c. 68	An Act respecting the development of Québec firms in the book industry 1981-02-12 ss. 1, 6-14, 38, 39, 48-50, 52 1981-06-01 ss. 2-5, 15-37, 40-47, 51, schedule
1979, c. 70	An Act respecting the collection of certain debts 1981-04-01 ss. 2-4, 45-63, 65-70 1981-07-01 ss. 1, 5-24, 26-44, 64
1979, c. 71	An Act respecting liquor permits 1980-06-01 ss. 2-24, 42 (par. 1), 64, 86 (1 st par. (subpar. 9), 2 nd par.), 114-118, 120 (par. 1), 121, 122, 128, 132 (par. 2, 4, 5), 133 (par. 3), 137, 141, 144, 146, 148, 149, 160, 163, 164, 165, 169, 170, 172, 173, 175, 176 1980-10-15 ss. 1, 25-41, 42 (par. 2), 43-47, 50, 51 (2 nd par.), 52-63, 65-85, 86 (1 st par. (subpar. 1-8, 10)), 87-113, 119, 120 (par. 2), 123-127, 130, 131, 132 (par. 1, 3 (part)), 133 (par. 2, 4), 134, 135 (part), 136, 138-140, 142, 143, 145, 147, 150-159, 161, 162, 166-168, 171, 174 1981-01-01 ss. 48, 49, 51 (1 st par.), 129, 132 (par. 3 (part)), 133 (par. 1), 135 (part)

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Reference	Title Date of coming into force
1979, c. 73	An Act to amend the Crop Insurance Act and the Act respecting farm income stabilization insurance 1981-01-21 ss. 1-22
1979, c. 75	An Act respecting pressure vessels, and other legislation 1980-04-01 ss. 1-38, 50-52
1979, c. 84	Grain Act 1981-02-01 ss. 1-66
1979, c. 85	An Act respecting child day care 1980-10-16 ss. 1-4, 7-31, 34-45, 74-76, 80-86, 88-96
1979, c. 86	An Act respecting safety in sports 1980-06-25 ss. 1-20, 22-25, 54-57, 71-74 1982-12-30 ss. 21, 26-30, 47-53, 58, 61-65 1987-06-23 ss. 32-38, 40-46, 59, 60, 66-69 1987-09-28 s. 70
1980, c. 11	An Act to amend various legislative provisions 1981-03-01 s. 113
1980, c. 18	An Act to amend the Act respecting the Government and Public Employees Retirement Plan, the Act respecting the Teachers Pension Plan and the Act respecting the Civil Service Superannuation Plan 1981-11-01 ss. 2, 3
1980, c. 27	An Act to amend the Act respecting the Société québécoise d'initiatives pétrolières 1981-04-01 ss. 1-9
1980, c. 29	An Act to amend the Forestry Credit Act 1981-07-09 ss. 1-3
1980, c. 32	An Act respecting the conservation of energy in buildings 1981-11-01 ss. 5, 16, 17 1983-02-01 ss. 1-4, 6-15, 18-26
1980, c. 39	An Act to establish a new Civil Code and to reform family law 1981-04-02 ss. 1 (Civil Code of Québec, aa. 407-422, 440-458, 460-524, 572-594, 633-659), 2-5, 7, 8, 10-32, 34-58, 61, 62, 65-67, 72, 74-79 1982-12-01 ss. 1 (Civil Code of Québec, aa. 406, 431-439, 459, 525-537, 556-559, 568, 570, 595-632), 6, 33, 59, 60, 64 (3 rd par.), 68, 69, 70 (2 nd par.), 71 (1 st par.), 73 1986-06-01 s. 1 (Civil Code of Québec, aa. 547, 549, 550)
1981, c. 2	An Act to amend the Youth Protection Act 1981-08-01 ss. 1-27
1981, c. 3	An Act to amend the Civil Service Act 1981-06-23 ss. 1, 2, 3 (s. 50 (subpar. <i>a</i> and <i>b</i>)) 1982-07-02 s. 5 1982-08-12 s. 3 (par. <i>c</i>)
1981, c. 6	An Act respecting the Société du Palais des congrès de Montréal 1981-07-16 ss. 1-31

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Reference	Title Date of coming into force
1981, c. 7	Highway Safety Code 1981-11-01 ss. 58, 59, 143, 163-165, 273, 477-479, 510, 511, 562, 563, 568 1982-01-01 ss. 1-57, 60, 61, 63-66, 68, 70-94, 125-129, 132-162, 166-168, 172-179, 512-529, 533-550, 554-561, 564, 565 1982-04-01 ss. 118-124, 194-263, 265-272, 274-476, 482, 484, 486, 489-491, 498-503, 505-509 1982-06-01 ss. 95-117, 169-171, 180-193, 480, 481, 485, 487, 488, 492-497, 504, 530 (1 st par.), 531, 532, 551-553, 556 1983-01-01 s. 69 1984-03-14 ss. 62, 67 1985-07-01 s. 264
1981, c. 8	An Act to amend the Transport Act and other legislation 1981-09-01 ss. 1, 2 (par. 4, 5), 3, 6, 15, 18, 19, 21, 22, 24-28, 31-35, 38 1981-12-16 ss. 4, 20, 36, 37 1982-01-20 ss. 2 (par. 1, 3), 5, 7-11, 13, 14, 16, 17 1982-11-17 ss. 23, 30 1983-08-01 s. 29 (s. 80 (par. a, b)) 1984-01-01 s. 29 (s. 80 (par. c))
1981, c. 10	An Act respecting the Ministère de l'Habitation et de la Protection du consommateur 1981-07-22 s. 28 (2 nd par.)
1981, c. 20	An Act to amend the Civil Service Act 1982-01-08 ss. 1-9
1981, c. 22	An Act to amend various legislation in the field of health and social services 1982-03-24 ss. 1 (s. 2 (10 th par.)), 4, 8, 9, 14-20, 22, 23, 24 (par. 1, 3, 4, 6), 25-29, 33, 35, 36, 40, 42, 43 (ss. 18.1, 18.2, 18.5), 46, 52-55, 57, 59-82, 86-91, 94-96, 100, 102, 113 (3 rd par.), 116 1982-07-01 ss. 1 (s. 3 (9 th , 11 th par.)), 7, 10 1983-02-01 s. 49 1983-04-01 s. 21
1981, c. 23	An Act to amend various legislative provisions 1983-01-01 ss. 16, 17
1981, c. 24	An Act to amend various fiscal laws 1982-01-20 ss. 14, 15
1981, c. 26	An Act to amend the Transport Act and other legislation 1982-03-25 ss. 1-26, 28, 29, 40, 41 1982-04-01 ss. 31, 32, 37 1982-07-01 ss. 27, 30, 33-36, 38, 39
1981, c. 27	An Act respecting school loans 1982-03-08 ss. 1-27
1981, c. 31	An Act respecting the sociétés d'entraide économique and amending various legislation 1982-01-13 ss. 1-15, 16 (part), 17-49, 162-167, 190-195, 201-204, 206 (1 st par.), 207-213, 216-218, 220-223 1982-03-01 ss. 50-52, 53 (par. 1, 2), 54-56, 61-99, 100 (2 nd par.), 104-117, 118 (1 st par.), 119-123, 124 (1 st par., 2 nd par. (par. 1, 2, 4, 5)), 125, 127 (1 st par.), 128, 129 (part), 130-161, 170-181, 189, 198-200, 214, 215 1984-04-01 ss. 53 (par. 3), 60, 100 (1 st par.), 101-103, 118 (2 nd par.) 1984-11-15 ss. 168 (part), 169

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Reference	Title Date of coming into force
1981, c. 32	An Act to amend the Act to establish the Régie du logement and to amend the Civil Code and other legislation 1982-02-17 ss. 2, 16 1982-06-09 ss. 10, 18
1982, c. 2	An Act to amend various legislative provisions respecting municipalities 1982-08-12 s. 121
1982, c. 8	An Act respecting the Société du Grand Théâtre de Québec 1982-07-01 ss. 1-41
1982, c. 9	An Act respecting the Société de la Place des Arts de Montréal 1982-07-01 ss. 1-43
1982, c. 13	An Act respecting public agricultural lands 1984-07-01 ss. 1-73
1982, c. 17	An Act to provide for the carrying out of the family law reform and to amend the Code of Civil Procedure 1982-12-01 ss. 1, 3-28, 29 (Code of Civil Procedure, aa. 813-817.4, 818.1-819.4, 821-827.1), 30-41, 43-80, 81 (par. 1, 2), 83-87 1983-10-01 ss. 2, 42
1982, c. 26	Cooperatives Act 1983-03-30 ss. 328, 329 1983-06-08 ss. 244, 245, 271, 279, 282 1983-12-21 ss. 1-243, 246-270, 272-278, 280, 281, 283-327
1982, c. 27	An Act respecting the revocation of mining rights and amending the Mining Act 1982-09-15 ss. 1-15
1982, c. 29	An Act to promote the establishment of young farmers 1982-09-01 ss. 1-34
1982, c. 30	An Act respecting Access to documents held by public bodies and the Protection of personal information 1983-10-01 ss. 155-157, 168, 169, 178 1984-07-01 ss. 9-15, 17-68, 71-102, 122-130, 132-154, 158-167, 170-173, 175-177 1985-07-01 ss. 69, 70 1986-01-01 s. 16
1982, c. 31	An Act to amend certain legislation concerning the financing of political parties and concerning municipal elections 1982-06-30 ss. 1-59, 62-118 1982-10-10 ss. 60, 61
1982, c. 32	An Act to amend the Summary Convictions Act, the Code of Civil Procedure and other legislation 1982-06-23 ss. 64-69, 71, 72, 97, 99 1983-01-01 ss. 1-30 1983-04-01 s. 59
1982, c. 33	An Act to amend various legislation respecting pension plans 1982-08-18 ss. 1, 21, 30, 36 (s. 115), 40

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Reference	Title Date of coming into force
1982, c. 37	An Act to amend the Labour Code, the Code of Civil Procedure and other legislation 1982-06-30 ss. 20-26, 28, 29 1982-08-03 ss. 1, 4, 6 (ss. 111.0.15, 111.0.16, 111.0.18-111.0.26), 17, 27 1982-11-10 s. 6 (ss. 111.0.1-111.0.3, 111.0.5-111.0.7, 111.0.14) 1982-12-01 ss. 2, 3, 5, 6 (ss. 111.0.8-111.0.11, 111.0.13, 111.0.17), 16, 18, 19 1985-06-19 ss. 7-10, 13
1982, c. 38	An Act to amend various fiscal laws 1983-01-01 s. 23
1982, c. 40	An Act to amend the Act to preserve agricultural land 1982-07-01 ss. 1-15
1982, c. 48	Securities Act 1983-01-19 ss. 150, 160, 300, 301, 331-335, 348, 353, 354 1983-04-06 ss. 1-149, 151-159, 161-299, 302-330, 336-338, 340-347, 349-352 1983-12-21 s. 339
1982, c. 49	An Act to amend the Autoroutes Act and other legislation 1983-01-01 ss. 1-10, 12-23 1983-01-20 s. 11
1982, c. 50	An Act respecting the Ministère du Commerce extérieur 1983-01-12 ss. 1-22
1982, c. 51	An Act respecting the abolition of compulsory retirement in the public and parapublic sector pension plans and amending various legislation respecting such plans 1983-01-01 ss. 45, 122
1982, c. 52	An Act respecting the Inspector General of Financial Institutions and amending various legislation 1983-04-01 ss. 1-30, 32-35, 37-43, 45-52, 56-233, 235-263, 266-273, Schedule I 1983-04-01 ss. 264, 265
1982, c. 54	An Act respecting the integration of the administration of the electoral system 1983-01-01 ss. 1-59
1982, c. 55	An Act respecting the transfer of property in stock 1984-07-03 ss. 1-6
1982, c. 58	An Act to amend various legislation 1983-04-01 s. 1 1983-12-21 s. 22 1984-01-18 ss. 75 (s. 178.0.2), 76 (s. 178.1) 1987-03-18 ss. 41, 42, 43
1982, c. 59	An Act to amend the Automobile Insurance Act and other legislation 1983-01-01 ss. 1-4, 5 (par. 1, 3), 12, 15, 19, 20, 24, 27-30, 48, 49, 54, 59-61, 63, 64, 66, 70-73 1983-03-01 ss. 31-35, 62, 67-69 1983-07-01 ss. 6-9, 10 (s. 26 (3 rd par.)), 13, 14, 16-18, 21, 23, 36 (par. 2) 1984-01-01 ss. 25, 26, 47, 53, 55, 56 1984-03-14 ss. 10 (s. 26 (2 nd par.)), 11, 38-41, 50, 52 1984-05-16 ss. 57, 58

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Reference	Title Date of coming into force
1982, c. 61	An Act to amend the Charter of human rights and freedoms 1983-10-01 ss. 1-4, 5 (s. 18.2), 6 (par. 1), 7-20, 21 (ss. 86.8-86.10), 22, 23, 28, 29, 31-35 1984-06-01 s. 5 (s. 18.1) 1985-06-26 ss. 21 (ss. 86.1, 86.2 (2 nd par.), 86.3-86.7), 24, 26, 27
1982, c. 62	An Act respecting the National Assembly 1983-02-09 ss. 33-36, 38, 40, 41, 42-56, 66, 74, 77-79, 116, 128-132, 133, 134, 136-139, 140, 155 (to the extent that it repeals ss. 14, 16, 27-33 and 37 of the Interpretation Act), 159, Schedule II 1983-05-04 ss. 86-115, 117-127, 147, 164 1983-05-18 ss. 57-65, 67-73, 75, 76, 80-85, 135, 141 (2 nd par.), 167 (1 st par.) 1989-06-07 ss. 37, 39, 155 to the extent that it repeals ss. 15, 20, 21, 23-26, 34-36
1983, c. 7	An Act to amend the Act to promote farm improvement 1983-06-08 ss. 1-6
1983, c. 8	An Act to amend the Act to promote credit to farm producers 1983-06-08 ss. 1-4, 6-8
1983, c. 10	An Act to amend the Deposit Insurance Act 1984-06-01 ss. 2-4, 28, 32 1991-12-01 s. 35
1983, c. 15	An Act to amend the Hydro-Québec Act and the Act respecting the exportation of electric power 1983-06-28 ss. 1-47
1983, c. 16	An Act to promote forest credit by private institutions 1984-06-30 ss. 1-71
1983, c. 20	An Act to amend certain fiscal legislation 1984-01-01 s. 5
1983, c. 21	An Act to amend the Expropriation Act, the Civil Code and the Act respecting the Communauté urbaine de Montréal 1983-10-01 ss. 8, 12, 14, 17, 19-34
1983, c. 23	An Act to promote the advancement of science and technology in Québec 1983-08-17 ss. 1-64, 98-101, 103-109, 111, 113 (s. 55 (par. 16, 18)), 114, 115, 127-131 1984-01-25 ss. 65 (par. 2), 66-79, 81, 83-93, 94 (2 nd par.), 95 (2 nd , 3 rd par.), 96, 97, 113 (s. 55 (par.17)), 116, 119-124 respecting the Fonds de recherche en santé du Québec 1984-01-25 ss. 102, 110 1984-11-28 ss. 65 (par. 1), 66-80, 83-93, 94 (1 st par.), 95 (1 st , 3 rd par.), 96, 97, 117-124 to the extent that they relate to the Fonds pour la formation de chercheurs et l'aide à la recherche 1984-11-28 s. 112
1983, c. 25	An Act to amend the Act respecting assistance for tourist development 1983-09-15 ss. 1-13
1983, c. 26	An Act to amend various legislative provisions respecting housing and consumer protection 1983-09-01 ss. 10, 12 (par. 2)

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Reference	Title Date of coming into force
1983, c. 27	An Act respecting the Société québécoise des transports 1983-07-05 ss. 1-38
1983, c. 28	An Act to amend the Code of Civil Procedure, the Civil Code and other legislation 1983-12-01 ss. 10, 28-35 1985-02-25 s. 43
1983, c. 30	An Act to amend the Act respecting the Société des alcools du Québec and other legislation 1983-10-19 ss. 1-14 (s. 83), 15-28
1983, c. 37	Cinema Act 1983-12-14 ss. 1-8, 15-35, 38, 40-62, 65-75, 123-134, 136, 137, 145-148, 167-172, 185-187, 192, 193, 202, 209-211 1984-02-20 ss. 9-14, 36, 37, 39, 207, 208 1984-04-11 ss. 63, 64, 191 1985-03-13 ss. 76-78, 80-82, 84-90, 135 (1 st par. (subpar. 1, 7), 2 nd par.), 138-144, 149-153, 173-176, 178-181, 195, 196, 200, 201, 203-206 1985-04-01 ss. 100, 197 1985-10-08 s. 83 1988-09-30 ss. 79, 91-96, 97 (1 st par., 2 nd par. (subpar. 1-5, 7)), 98, 99, 101-104, 106-108, 110, 117-122, 135 (1 st par. (subpar. 2, 3, 5, 6)), 154-166, 177, 182-184, 194
1983, c. 38	Archives Act 1987-08-21 ss. 69, 71 1989-08-30 ss. 58, 63, 80 1990-04-02 ss. 73, 81 1991-04-19 s. 79 1992-02-05 s. 72 1993-04-01 s. 70 1994-04-27 ss. 64, 66, 67
1983, c. 39	An Act respecting the conservation and development of wildlife 1984-06-06 ss. 1-25, 27, 28, 31-37, 39, 41, 44, 45, 47, 48, 50, 52-66, 69-74, 77-128, 162, 164-197 1984-06-15 ss. 30, 38, 40, 129-132, 133 (1 st par.), 134-139, 142-146, 150-161, 163 1985-11-27 ss. 140, 141 1988-01-13 s. 148 1988-03-09 ss. 147, 149 1989-03-01 ss. 49, 51, 75, 76 1989-08-23 s. 29 1992-08-06 ss. 42, 67, 68 1993-07-29 s. 26 1999-04-22 s. 43
1983, c. 40	An Act respecting the Société immobilière du Québec 1984-02-15 ss. 1-17, 53, 61, 66, 96, 97, 98 1984-03-14 ss. 18, 22-45, 54-60, 67, 68, 72-76, 79-82, 84, 91, 92 (except Div. II and ss. 19, 20), 93-95 1984-04-01 ss. 85-87 1984-09-25 ss. 19, 21 1984-09-30 ss. 46-52 1984-10-01 ss. 20, 62, 63-65, 69-71, 77, 78, 83, 88-90, 92 (Div. II and ss. 19, 20)
1983, c. 41	An Act respecting the determination of the causes and circumstances of death 1984-11-21 ss. 5-33, 163-169, 183, 184, 189, 212, 213 1986-03-03 ss. 1-4, 34-162, 170-182, 185-188, 190-211

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Reference	Title Date of coming into force
1983, c. 42	An Act respecting the Agence québécoise de valorisation industrielle de la recherche 1984-01-25 ss. 1-42
1983, c. 47	An Act to amend various fiscal laws in view of instituting a new right of appeal for taxpayers 1984-09-30 ss. 1-10
1983, c. 49	An Act to amend various fiscal laws 1984-01-01 ss. 7-9, 18-21, 23, 36, 37, 39 (in respect of individuals only), 43-45, 49-53 1984-05-01 s. 17 1984-08-08 s. 39 in respect of the department corporations and mandataries
1983, c. 52	National Museums Act 1984-05-16 ss. 1-22, 26-41, 44-52, 55-57 1984-11-09 ss. 23, 24, 25, 42, 43, 53, 54
1983, c. 54	An Act to amend various legislative provisions 1984-03-14 s. 13 1984-04-25 s. 21 (s. 78 (4 th par.)) 1985-01-09 s. 44
1983, c. 55	Public Service Act 1984-02-02 ss. 28, 29, 87-89, 136, 137, 153, 164, 174 1984-03-21 ss. 162, 169-171, 173 1984-04-01 ss. 1-27, 30-41, 51, 52, 54-86, 90-135, 138-152, 154-161, 163, 165-168, 172 1985-02-01 ss. 42-50, 53
1983, c. 56	An Act to amend the Charter of the French language 1984-02-01 ss. 1-53
1984, c. 4	An Act to amend the Youth Protection Act and other legislation 1984-04-04 ss. 3, 15, 20, 21, 22 (par. 1), 26, 27, 33, 38, 44, 46, 62-85 1984-04-16 ss. 1, 2, 4-14, 16-19, 22 (par. 2), 23-25, 28-32 (ss. 57.2, 57.3), 34-37, 39-43, 45, 47-61
1984, c. 8	An Act respecting the Société de développement des coopératives 1984-06-06 ss. 1-51
1984, c. 12	An Act respecting the civil aspects of international and interprovincial child abduction 1984-12-12 ss. 41, 46, 47 1985-01-01 ss. 1-40, 42-45
1984, c. 16	An Act respecting commercial fisheries and aquaculture and amending other legislation 1985-11-15 ss. 1-3, 5-10, 12-68
1984, c. 17	An Act to amend the Act respecting commercial establishments business hours 1984-08-15 ss. 1-8
1984, c. 19	An Act respecting the leasing of water-powers of the Péribonca river to the Aluminum Company of Canada Limited 1984-09-07 ss. 1-10

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Reference	Title Date of coming into force
1984, c. 23	An Act to amend various legislation respecting transport 1984-12-12 ss. 7, 12, 26-30 1985-03-13 s. 3
1984, c. 26	An Act to amend the Code of Civil Procedure and other legislation 1984-07-03 ss. 34, 35, 36 1984-08-08 ss. 37, 38, 42, 43 1984-11-01 ss. 1-5, 11, 13, 14, 19, 23-28, 30-33, 39, 40 1985-01-01 ss. 6-10, 12, 15-18, 20, 22
1984, c. 27	An Act to amend various legislation 1995-06-30 s. 84
1984, c. 30	An Act respecting beer and soft drinks distributor's permits 1984-06-27 ss. 1, 5, 10, 11, 12 1984-07-15 ss. 2, 3, 4, 6, 7, 8, 9
1984, c. 33	An Act to amend the National Museums Act 1984-12-19 ss. 1, 3, 13, 15 1985-04-01 ss. 2, 4-12, 14
1984, c. 36	An Act respecting the Ministère du Tourisme and amending other legislation 1984-12-20 ss. 1-52
1984, c. 41	An Act to amend the Securities Act 1985-08-01 ss. 8, 14-16, 20, 33 1987-06-04 ss. 1 (par. 2), 36, 37, 40 (ss. 110-118, 120, 123 (1 st par.), 124, 125, 127-142, 145-147.7, 147.8 (part), 147.9-147.12, 147.15, 147.16, 147.19-147.23), 53, 54 1987-07-16 s. 40 (ss. 119, 121, 122, 126, 143, 144, 147.13, 147.14, 147.17, 147.18)
1984, c. 42	An Act respecting the Société de transport de la Ville de Laval 1985-02-01 ss. 1-145
1984, c. 43	An Act respecting the leasing of water-powers of the du Lièvre river to Les Produits forestiers Bellerive Ka'N'Enda Inc. 1985-03-06 ss. 1-10
1984, c. 46	An Act to amend the Civil Code, the Code of Civil Procedure and other legislation 1985-04-01 ss. 5-14
1984, c. 47	An Act to amend various legislation 1985-02-22 ss. 23-25, 191, 192, 195, 196, 197 1985-03-01 s. 137 1985-03-13 s. 22 1985-03-13 ss. 217-225 1985-04-01 s. 207 1985-12-15 ss. 128-132 1986-04-30 s. 31
1984, c. 51	Election Act 1985-03-13 ss. 1-93, 95-563 1985-07-01 s. 94
1984, c. 54	An Act respecting the Société des établissements de plein air du Québec 1985-03-20 ss. 1-56

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Reference	Title Date of coming into force
1985, c. 9	An Act respecting Québec business investment companies 1985-08-14 ss. 1-19
1985, c. 12	An Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors 1985-06-19 ss. 1-56, 70-91, 93-101, schedules A, B, C 1985-08-01 s. 92 (ss. 111.16-111.20 of the Labour Code) 1985-08-01 ss. 57-69
1985, c. 13	An Act respecting the Société du Parc des expositions agro-alimentaires 1985-07-10 ss. 1-40
1985, c. 14	Cullers Act 1985-09-01 ss. 1-46
1985, c. 15	Restauration Merit Act 1985-12-01 ss. 1-12
1985, c. 16	Fishermen's Merit Act 1985-12-01 ss. 1-12
1985, c. 17	An Act to amend the Act respecting insurance and other legislation 1985-09-11 ss. 1-100
1985, c. 20	An Act to amend the Act respecting the Montréal Museum of Fine Arts 1985-09-01 ss. 1-12
1985, c. 21	An Act respecting the Ministère de l'Enseignement supérieur, de la Science et de la Technologie and amending various legislation 1985-07-15 ss. 1-30, 32, 35-74, 80-85, 96-106 1985-08-15 ss. 31, 33, 34
1985, c. 23	An Act to amend various legislation respecting social affairs 1992-08-01 ss. 1, 2, 4
1985, c. 24	An Act to amend the Cultural Property Act and other legislation 1986-04-02 ss. 1-46
1985, c. 29	An Act to amend various legislation respecting the administration of justice 1985-11-27 ss. 17-19, 42 (s. 103.1), 44-47 1986-03-03 ss. 16, 20, 21, 38-41, 42 (ss. 103.2-103.6), 43 1989-05-01 ss. 7-11
1985, c. 30	An Act to amend various legislation 1985-10-16 ss. 26-28 1985-10-23 ss. 40-52
1985, c. 34	Building Act 1985-10-31 ss. 87-111, 130, 140-149, 154, 156-159, 217, 220, 222, 223, 225 (Title of Div. III.2, ss. 9.14-9.34), 228 (par. 1), 229 (par. 2), 233, 236, 237, 241 (ss. 20.8-21, 21.2-23), 244, 246, 248, 250, 251, 255 (par. 1), 256, 261 (ss. 19.8-20, 20.2-21.2), 298, 300 1986-11-01 ss. 226, 227, 228 (par. 2, 3) 1987-01-01 s. 224 1988-06-15 ss. 269-273 1989-02-01 ss. 221, 225 (s. 9.35), 229 (par. 1)

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Reference	Title Date of coming into force
1985, c. 34	<p>Building Act – <i>Cont'd</i></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> <p>2018-03-08 s. 214 (as regards the Act respecting pressure vessels (chapter A-20.01))</p> <p>2020-06-27 s. 214 (in respect of any provision of the Act respecting the conservation of energy in buildings (chapter E-1.1) that has not yet been replaced by the Building Act under that section)</p>
1985, c. 35	<p>An Act to amend various legislation respecting transport</p> <p>1985-07-10 ss. 3-7, 12 (par. 2), 13 (par. 1), 16-23, 26-29, 31, 33, 36-48, 50-55, 57, 60-73, 75-80</p> <p>1985-10-16 ss. 1, 2, 8-11, 12 (par. 1), 13 (par. 2), 14, 15, 24, 25, 30, 32, 34, 35, 49, 56, 58, 59, 74</p>
1985, c. 36	<p>An Act to repeal the Act respecting corporations for the development of Québec business firms</p> <p>1985-11-01 ss. 1-4</p>

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Reference	Title Date of coming into force
1985, c. 62	An Act respecting the Société mutuelle de réassurance du Québec 1985-12-16 ss. 1-60
1985, c. 66	An Act respecting a trust created for the benefit of Phyllis Barbara Bronfman 1986-07-23 s. 4 (3 rd par.)
1985, c. 68	An Act respecting the Collège militaire Royal de Saint-Jean 1985-08-28 ss. 1-5
1986, c. 12	An Act to amend the Highway Safety Code 1986-08-29 ss. 1-15
1986, c. 17	An Act to amend the Tobacco Tax Act in order to counter the misappropriation of tax by intermediaries 1986-09-01 ss. 1-10
1986, c. 18	An Act to amend the Fuel Tax Act in order to counter the misappropriation of tax by intermediaries 1986-09-01 ss. 1-12
1986, c. 21	An Act respecting the Coopérative régionale d'électricité de Saint-Jean-Baptiste de Rouville and repealing the Act to promote rural electrification by means of electricity cooperatives 1986-11-05 ss. 1-26
1986, c. 45	An Act to amend the Hotels Act 1986-07-22 ss. 1-9
1986, c. 50	An Act to amend the Act respecting safety in sports 1987-06-23 ss. 1-17
1986, c. 52	An Act respecting the Ministère des Approvisionnements et Services and amending various legislation 1986-07-09 ss. 1-28
1986, c. 53	An Act to amend the Animal Health Protection Act 1986-09-03 ss. 1-20
1986, c. 54	An Act to amend the Act to promote the development of agricultural operations 1986-08-20 ss. 3, 5, 7-10, 13
1986, c. 57	An Act to amend the Act respecting health services and social services 1986-08-09 ss. 1-3, 5-11 1986-11-12 s. 4
1986, c. 58	An Act respecting various financial provisions relating to the administration of justice 1987-01-01 ss. 18, 72
1986, c. 60	An Act respecting the sale of the Raffinerie de sucre du Québec 1986-09-18 ss. 4-9, 11-15, 18
1986, c. 62	An Act to amend the Civil Code, the Registry Office Act and the Territorial Division Act 1986-11-15 ss. 1, 2, 4 (par. 5, 12 except that part which concerns the territory included in the registration division of Montmorency), 5

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Reference	Title Date of coming into force
1986, c. 62	An Act to amend the Civil Code, the Registry Office Act and the Territorial Division Act – <i>Cont'd</i> 1987-03-14 s. 4 (par. 14, 17) 1987-04-04 s. 4 (par. 2, 6) 1987-06-20 s. 4 (par. 13, 18) 1988-03-31 s. 4 (par. 3, 15) 1988-06-24 s. 4 (par. 9, 10, 11 (Nicolet)) 1988-07-01 s. 4 (par. 11 (Yamaska)) 1988-09-09 s. 4 (par. 16 (Iberville)) 1988-09-16 s. 4 (par. 16 (Napierville))
1986, c. 64	An Act to amend the Act respecting municipal and intermunicipal transit corporations and other legislation respecting public bodies providing public transportation 1986-07-16 ss. 1-30
1986, c. 66	An Act to amend the Act respecting intermunicipal boards of transport in the area of Montréal, the Cities and Towns Act and the Municipal Code of Québec 1986-07-16 ss. 1-18
1986, c. 67	An Act to amend the Transport Act, the Act respecting the Ministère des Transports and the Roads Act 1986-07-16 ss. 1-12
1986, c. 71	An Act to amend the Interpretation Act and to again amend the Act respecting the National Assembly 1989-12-20 s. 2
1986, c. 81	An Act to repeal the Act respecting the Société de cartographie du Québec 1987-05-01 s. 1
1986, c. 82	An Act to repeal the Act respecting the Institut national de productivité 1990-08-29 s. 1
1986, c. 86	An Act respecting the Ministère du Solliciteur général and amending various legislation 1986-12-10 ss. 1-48
1986, c. 91	Highway Safety Code 1987-06-29 ss. 1-10, 12-75, 81-83, 85-104, 107-116, 127-142, 146-150, 167-179, 187, 188, 189 (par. 1, 3), 190, 191, 195-206, 210-331, 333-387, 390-412, 415-495, 497-520, 521 (par. 4, 7-11), 522-602, 612-617, 620-623, 625-638, 640-649, 651-653, 655, 657-659, 661, 664, 665, 668, 669 1987-06-30 ss. 603-611 1987-12-01 ss. 11, 76-80, 105, 106, 117-126, 143-145, 151-166, 180, 181 (1 st par.), 182-186, 192, 193, 207-209, 388, 521 (par. 1, 2, 3, 6), 639, 654, 656, 666, 667, 670, 671 1988-05-01 ss. 181 (2 nd par.), 189 (par. 2) 1988-05-04 ss. 413, 414 1988-06-01 ss. 84, 194 1990-09-01 s. 521 (par. 5) 2008-09-03 s. 332
1986, c. 95	An Act to amend various legislation having regard to the Charter of human rights and freedoms 1987-02-15 ss. 1-30, 32, 34-68, 70, 71, 75, 79-120, 121 (par. 1), 122-229, 231-302, 304-353, 358 1987-04-01 s. 230 1988-08-01 ss. 31, 33, 69, 72-74, 76-78, 121 (par. 2, 3)

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Reference	Title Date of coming into force
1986, c. 97	An Act to again amend the Animal Health Protection Act 1990-06-15 ss. 1-12
1986, c. 104	An Act to amend the Youth Protection Act with reference to international adoptions 1987-08-17 ss. 1-3
1986, c. 106	An Act to again amend the Act respecting health services and social services 1987-01-07 ss. 1-9, 11 1987-10-25 s. 10
1986, c. 107	An Act to amend the Official Time Act 1987-02-01 ss. 1, 2
1986, c. 110	An Act to amend the Act respecting the Société de développement industriel du Québec 1987-03-01 ss. 2, 13, 14
1987, c. 10	An Act to amend the Act respecting the Société d'habitation du Québec 1987-04-01 ss. 1-43
1987, c. 12	Tourist Establishments Act 1991-06-27 ss. 1-55
1987, c. 20	An Act to repeal the Act respecting the Société du Parc des expositions agro-alimentaires 1989-02-01 ss. 1-4
1987, c. 25	An Act to amend the Environment Quality Act 1987-11-01 ss. 2-15
1987, c. 29	Pesticides Act 1988-07-07 ss. 1-10, 14-62, 63 (par. 1), 64-104, 108-134 2003-03-05 ss. 11-13, 63 (par. 2), 105-107
1987, c. 31	An Act respecting the funding of the Fondation pour la conservation et la mise en valeur de la faune et de son habitat 1987-07-17 ss. 1-5
1987, c. 35	An Act to amend the Grain Act and the Farm Products Marketing Act 1987-07-16 ss. 1-16
1987, c. 40	An Act to amend various legislative provisions respecting securities 1987-07-15 ss. 4, 5, 29-31 1988-07-21 ss. 3, 6
1987, c. 44	An Act respecting adoption and amending the Youth Protection Act, the Civil Code of Québec and the Code of Civil Procedure 1987-08-17 ss. 1-17
1987, c. 50	An Act to amend the Courts of Justice Act 1988-09-01 s. 3 (par. 4) 1989-06-14 s. 3 (par. 2)
1987, c. 51	The Marine Products Processing Act 1987-07-22 ss. 1-55

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Reference	Title Date of coming into force
1987, c. 52	An Act to amend the Territorial Division Act with respect to certain registration divisions 1989-07-04 ss. 1, 2
1987, c. 64	Mining Act 1988-07-06 ss. 273-277 1988-10-24 ss. 1-272, 278-383
1987, c. 65	An Act respecting prearranged funeral services and sepultures 1988-03-01 ss. 1-90
1987, c. 71	An Act to amend the Cinema Act and the Act respecting the Société de développement des industries de la culture et des communications 1988-03-30 ss. 1-4, 15, 17, 34 (par. 1, 3, 4), 35-49, 52-61 1988-09-30 ss. 20-25, 27-33, 34 (par. 2) 1988-10-12 ss. 5-14, 16, 51 1989-03-01 ss. 18, 50
1987, c. 73	An Act respecting the Conseil de la conservation et de l'environnement 1988-04-27 ss. 1-28
1987, c. 80	An Act respecting the use of petroleum products 1991-07-11 ss. 1-82
1987, c. 86	An Act respecting farm financing 1988-07-13 ss. 6, 64, 95, 111, 159, 160 1988-08-11 ss. 1-5, 7-63, 65-94, 96-110, 112-158
1987, c. 94	An Act to amend the Highway Safety Code and other legislation 1988-06-01 ss. 38, 47, 63, 64, 66, 67, 70 (ss. 519.10, 519.13, 519.20, 519.24-519.34, 519.36, 519.37, 519.39-519.41, 519.43, 519.45, 519.48, 519.49, 519.51, 519.52, 519.55-519.62), 79, 82, 100 1988-07-01 ss. 10 (ss. 80.1, 80.2), 13, 17 (s. 94 (2 nd par., par. 1, 2)), 22, 23, 32 (s. 187.1), 36 (par. 1) 1988-12-14 ss. 58 (s. 388 (par. 2)), 106 1989-01-01 ss. 17 (s. 94 (1 st and 2 nd par., par. 3-5)), 104, 105 1989-02-06 s. 70 (ss. 519.9, 519.42) 1989-04-13 ss. 10 (ss. 80.3, 80.4), 32 (s. 187.2), 59, 70 (ss. 519.11, 519.12, 519.21, 519.23, 519.38, 519.44, 519.50, 519.53) 1989-06-01 ss. 34, 48, 70 (ss. 519.4-519.8, 519.15-519.19, 519.22, 519.35, 519.46, 519.47) 1990-06-01 s. 101
1987, c. 95	An Act respecting trust companies and savings companies 1988-05-18 s. 408 1988-06-09 ss. 1-312, 315-407, 409, 410 1989-07-01 ss. 313, 314
1987, c. 96	Code of Penal Procedure 1990-10-01 ss. 1-7, 17-54, 55 (1 st , 2 nd par.), 56-61, 62, 63 (offence reports), 64, 65, 66 (1 st , 2 nd par.), 67-70, 71 (par. 1, 2 except the words "statement of offence or", 3-7), 72-86, 88, 89, 90 (1 st par.), 92-128, 143, 150-155, 169 (1 st , 2 nd par.), 170-173, 174 (par. 1-4, 6-8), 175-179, 181-183, 184 (1 st par. (subpar. 1-3, 5-8)), 184 (2 nd par.), 185 (except the reference to subpar. 4 of s. 184), 186, 189-221, 222 (2 nd par.), 223-229, 231-243, 244 (except the second sentence of the 2 nd par.), 245, 246 (except the words "or under article 165"), 247-249, 250 (1 st par.), 251-256, 257 (1 st par.), 258-260, 265, 266 (except the words "or the proceeds of the sale thereof"), 267, 268 (except the words "or, even if he was not a party to the proceedings, the Attorney General"),

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Reference	Title Date of coming into force
1987, c. 96	Code of Penal Procedure – <i>Cont'd</i> 269, 270 (1 st par.), 271-290, 291 (except the words “and the Attorney General, even if he was not a party to the proceedings,”), 292, 293, 294 (the following words: “An appeal shall be brought before the Court of Appeal sitting at Montréal or at Québec according to where an appeal from a judgment in a civil matter would lie”), 295-315, 316 (1 st par.), 317-362, 364, 365, 367-386 and the schedule 1993-11-01 ss. 8-16, 55 (3 rd par.), 62, 63, 66 (3 rd par.), the words “statement of offence or” in 71 (par. 2), 87, 90 (2 nd par.), 91, 129-142, 144-146, 147 (1 st , 3 rd par.), 148, 149, 156-168, 169 (3 rd par.), 174 (par. 5), 180, 184 (1 st par. (subpar. 4)), 185 (reference to subpar. 4 of s. 184), 187 (1 st par.), 188, 222 (1 st , 3 rd par.), 230, 261, 262 (1 st par.), 263, 264, 266 (the words “or the proceeds of the sale thereof” in par. 6), 268 (the words “or, even if he was not a party to the proceedings, the Attorney General”), 291 (the words “and the Attorney General, even if he was not a party to the proceedings,”), 363, 366 1996-07-15 ss. 187 (2 nd par.), 244 (2 nd par. (2 nd sentence)), 250 (2 nd par.), 257 (2 nd par.), 262 (2 nd par.), 270 (2 nd par.), 294 (the words “or, also, where the judgment was rendered in the judicial district contemplated in the second paragraph of article 187, according to where the appeal from the judgment would lie if it had been rendered in the district where proceedings were instituted”), 316 (2 nd par.)
1987, c. 97	An Act respecting truck transportation 1988-01-13 ss. 1-9, 11-13, 16-50, 52-62, 64-100, 102-130 1988-06-30 ss. 10, 14, 15, 51, 63 1989-02-01 s. 101
1987, c. 103	An Act respecting horse racing 1988-03-31 ss. 1-144
1987, c. 141	An Act respecting Les Clairvoyants, Compagnie Mutuelle d'Assurance de Dommages 1988-04-15 ss. 1-14
1988, c. 3	An Act to amend the Act respecting farm-loan insurance and forestry-loan insurance 1988-08-11 ss. 1-14
1988, c. 6	An Act respecting the Conseil de la famille 1988-09-28 ss. 1-30
1988, c. 8	An Act respecting the Régie des télécommunications 1988-11-09 ss. 1-99
1988, c. 9	An Act to amend the Mining Act 1988-07-06 s. 48 1988-10-24 ss. 1-47, 49-66
1988, c. 14	Roadside Advertising Act 1989-09-15 ss. 1-38
1988, c. 19	An Act respecting municipal territorial organization 1996-09-01 s. 235
1988, c. 21	An Act to amend the Courts of Justice Act and other legislation to establish the Court of Québec 1988-08-17 s. 74 (par. 2) 1988-08-31 ss. 1-16, 19-73, 74 (par. 1), 75-166

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Reference	Title Date of coming into force
1988, c. 24	An Act to again amend the Act respecting the conservation and development of wildlife with regard to wildlife habitats 1992-08-06 ss. 3, 4 1993-07-29 ss. 1, 2, 5-8
1988, c. 32	An Act respecting the Société de promotion économique du Québec métropolitain and amending the Act respecting the Société Inter-Port de Québec 1988-08-31 ss. 1-45
1988, c. 33	An Act to amend the Act respecting the Communauté urbaine de Québec and other legislation concerning industrial promotion and development 1989-11-01 ss. 3, 5
1988, c. 36	An Act to amend the Hydro-Québec Act 1988-06-30 ss. 1-6
1988, c. 39	An Act to amend the Act respecting the conservation and development of wildlife and the Parks Act 2008-06-25 s. 9
1988, c. 41	An Act respecting the Ministère des Affaires internationales 1988-12-21 ss. 1-103
1988, c. 42	An Act respecting the Bibliothèque nationale du Québec 1989-04-01 ss. 1-62
1988, c. 45	An Act to amend the Consumer Protection Act 1988-12-14 ss. 1, 3-5, 7 1989-08-03 ss. 2, 6, 8-15
1988, c. 46	An Act to amend various legislation respecting public security 1989-01-01 ss. 1, 3-9, 24, 25 1989-04-01 ss. 2, 10-23, 26-31
1988, c. 47	An Act to amend the Act respecting health services and social services and other legislation 1988-12-21 ss. 4 (par. 1), 5 1989-03-08 ss. 2 (ss. 149.1-149.4, 149.6-149.25, 149.27, 149.29, 149.30, 149.33, 149.34), 4 (par. 2, 4), 7, 8, 14, 15, 17-24, 26-30 1989-07-17 ss. 1, 2 (ss. 149.5, 149.26, 149.28, 149.31, 149.32), 3, 4 (par. 3), 6, 9, 16, 25 1990-09-01 ss. 11-13
1988, c. 49	An Act to amend the Environment Quality Act and other legislation 1989-02-22 ss. 1, 2, 4 (par. 1, 3), 5-7, 9 (par. 1, 2), 10, 11, 12 (par. 1), 13-17, 18 (s. 106.1), 19-27, 30-36, 38-57 1993-04-28 ss. 3, 8, 9 (par. 3), 12 (par. 2), 18 (s. 106.2), 28, 29, 37 1993-12-02 s. 4 (par. 2)
1988, c. 51	An Act respecting income security 1989-07-01 ss. 41, 43, 137 1989-08-01 ss. 1-40, 42, 45, 62-84, 86-97, 100-136, 141, 142
1988, c. 52	An Act to repeal the Act respecting the Société du parc industriel et commercial aéroportuaire de Mirabel 1990-10-03 ss. 1, 2

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Reference	Title Date of coming into force
1988, c. 56	An Act to amend the Code of Civil Procedure in respect of the collection of support payments 1992-01-22 s. 1 (s. 553.10)
1988, c. 57	An Act to ensure safety in guided land transport 1989-05-17 ss. 1-3, 19-22, 24-26, 28, 30-35, 37-43, 48, 69-88 2000-05-01 ss. 50-62, 63 (1 st par.), 64-68 2001-01-01 ss. 4-18, 23, 27, 29, 36, 44-47, 49
1988, c. 61	An Act to amend the Act respecting occupational health and safety 1989-03-22 ss. 1, 2 (ss. 62.2-62.21), 3-6 1989-10-01 s. 2 (s. 62.1)
1988, c. 64	Savings and Credit Unions Act 1989-03-15 ss. 1-344, 346-447, 448 (1 st par.), 449-513, 516-572, 574-593 1990-01-01 ss. 514, 515
1988, c. 65	An Act to amend the Jurors Act 1989-06-15 ss. 1-10
1988, c. 67	An Act to amend the Transport Act 1989-02-08 ss. 1-6, 8-10 1990-06-01 s. 7
1988, c. 69	An Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters 1989-12-01 ss. 8, 10, 29, 43-45, 48, 54
1988, c. 74	An Act respecting certain aspects of the status of municipal judges 1989-05-17 s. 3 (s. 609)
1988, c. 75	An Act respecting police organization and amending the Police Act and various legislation 1989-04-26 ss. 1-13, 20, 27-34, 37-46, 91-100, 104, 135-141, 143, 144, 203, 204, 272 1990-06-27 s. 35 1990-08-31 ss. 14-19, 21-26, 236, 244-254 1990-09-01 ss. 36, 47-88, 108-134, 169-201, 205-210, 212-222, 224-235, 237-240, 242, 243, 255-271, Schedule I, Schedule II 2000-03-29 s. 202
1988, c. 84	Education Act 1997-08-13 ss. 111, 112, 205, 207, 516-521, 523, 524, 526, 527, 530-535, 537-540 1998-01-01 ss. 262, 263, 402
1988, c. 95	An Act respecting Laurentian Mutual Insurance 1988-12-31 ss. 1-27
1989, c. 1	Election Act 1990-04-15 s. 1 (subpar. 4)
1989, c. 7	An Act to amend the Act to preserve agricultural land 1989-07-01 ss. 1, 4, 19 (par. 3), 20, 21, 24, 25, 26, 29, 31, 33 (1 st par.), 35 1989-08-02 ss. 3, 5-18, 19 (par. 1, 2), 22, 23, 27, 28, 30, 32, 33 (2 nd , 3 rd par.), 34
1989, c. 13	An Act respecting the examination of complaints from customers of electricity distributors 1989-07-12 ss. 10, 23, 33 1989-09-01 ss. 1-9, 11-22, 24-32

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Reference	Title Date of coming into force
1989, c. 22	An Act to amend the Act respecting the National Assembly 1990-05-09 s. 1
1989, c. 25	An Act to amend the Chartered Accountants Act 1990-04-15 s. 1 (par. 1)
1989, c. 36	An Act respecting school elections 1990-04-15 s. 12 (par. 4)
1989, c. 38	Supplemental Pension Plans Act 1990-09-01 ss. 89, 107-110, 244 (1 st par. (subpar. 7)), 264 (1 st par. (subpar. 3))
1989, c. 47	An Act to amend the Automobile Insurance Act 1990-01-01 ss. 1-10, 11 (except for the words “and the amount of his indemnity” in the 2 nd par. of s. 179.3), 12-15
1989, c. 48	An Act respecting market intermediaries 1989-07-12 ss. 30, 39, 115-135, 184-203, 210-212, 215-221, 254-256, 259-262 1989-09-20 s. 204 1989-10-01 ss. 91-114 1989-11-01 ss. 58-90, 136-160 1991-05-01 ss. 1 (def. of “market intermediary in insurance business”, “market intermediary in damage insurance” and “market intermediary in insurance of persons”), 2 (1 st par.), 14 (1 st par.) 1991-09-01 ss. 1 (definitions not in force), 2 (2 nd par.), 3-13, 14 (2 nd , 3 rd , 4 th par.), 15-25, 27, 28, 29 (except second sentence of 1 st par.), 31-38, 40-48, 161-183, 205-209, 213, 214, 222-253, 257, 258
1989, c. 51	An Act to amend the Charter of human rights and freedoms concerning the commission and establishing the Tribunal des droits de la personne 1990-06-27 ss. 14, 15 1990-09-01 ss. 16 (ss. 100-102), 22 1990-12-10 ss. 1-13, 16 (ss. 103-133), 17-21
1989, c. 52	An Act respecting municipal courts and amending various legislation 1991-04-01 ss. 1-66, 68-205, 207-218, Schedule I (par. 1-59, 62-130)
1989, c. 54	An Act respecting the Public Curator and amending the Civil Code and other legislative provisions 1990-04-15 ss. 1-154, 156-207
1989, c. 55	An Act to amend the Civil Code of Québec and other legislation in order to favour economic equality between spouses 1989-07-01 ss. 1-47
1989, c. 57	An Act to amend the Bailiffs Act 1989-09-13 ss. 1-22, 24-35, 38 1990-02-14 ss. 23, 36, 37
1989, c. 66	An Act to amend the Act respecting electrical installations 1990-08-02 s. 12
1989, c. 114	An Act to amend the Act to incorporate the Roberval and Saguenay Railway Company 1989-12-13 ss. 1-4

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Reference	Title Date of coming into force
1990, c. 4	An Act to amend various legislative provisions respecting the implementation of the Code of Penal Procedure 1990-10-01 ss. 1-292, 294-590, 592-743, 746-1126, 1128-1258 1993-11-01 ss. 744, 745, 1127
1990, c. 5	An Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan 1990-09-01 ss. 1-53
1990, c. 13	An Act respecting the marketing of agricultural, food and fish products and amending various legislation 1990-09-12 ss. 1-229
1990, c. 29	An Act respecting adoption and amending the Civil Code of Québec, the Code of Civil Procedure and the Youth Protection Act 1990-09-24 ss. 1-16
1990, c. 32	An Act to amend various legislative provisions respecting the pension plans of the public and parapublic sectors 1990-09-01 s. 46 (par. 2)
1990, c. 38	An Act to amend the Act respecting the Ministère des Transports 1991-04-01 ss. 1-3
1990, c. 41	An Act respecting the Conseil métropolitain de transport en commun and amending various legislation 1994-07-20 ss. 72, 82, 86-97, 99
1990, c. 54	An Act to amend the Act respecting the Barreau du Québec 1991-09-30 ss. 2, 78, 81 1994-01-06 s. 43
1990, c. 60	An Act to amend the Retail Sales Tax Act and other fiscal legislation 1991-01-01 ss. 1-63
1990, c. 64	An Act respecting the Ministère des Forêts 1991-01-30 ss. 1-43
1990, c. 71	An Act to repeal the Act respecting the Agence québécoise de valorisation industrielle de la recherche 1991-04-01 ss. 1-6
1990, c. 75	An Act to amend the Pharmacy Act 1998-07-01 ss. 1-10
1990, c. 77	An Act to amend the Securities Act 1991-03-15 ss. 1, 2, 5-10, 12-28, 31-58 1991-08-01 ss. 4, 29 1992-04-15 s. 30
1990, c. 78	An Act to amend the Education Act and the Act respecting private education 1997-08-13 s. 18
1990, c. 80	An Act to amend the Agricultural Products, Marine Products and Food Act 1992-01-01 s. 5 (par. 2, subpar. <i>m</i> and <i>n</i>)

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Reference	Title Date of coming into force
1990, c. 81	An Act to amend the Act respecting the Société québécoise d'initiatives agro-alimentaires 1991-03-15 ss. 1-3
1990, c. 82	An Act to amend the Act respecting transportation by taxi 1991-05-01 ss. 2 (par. 2), 6, 7, 12 (par. 4), 13
1990, c. 83	An Act to amend the Highway Safety Code and other legislative provisions 1991-02-01 ss. 2 (par. 1, 2, 4-7), 15-17, 20-23, 25, 48, 49, 62, 67, 92, 94, 96-111, 113-128, 130-138, 141-147, 149, 150, 158, 161, 163, 164, 167-171, 172 (ss. 473, 473.1), 173-186, 188, 189, 191-195, 203, 205, 207, 211, 212, 218, 224, 232, 235, 238, 240, 254 1991-11-13 ss. 209, 213 1991-11-14 ss. 3-6, 8-11, 13, 14, 18, 19, 24, 26-29, 31-34, 36, 37 (par. 2), 43 (par. 1), 44-47, 51 (par. 1), 52, 53 (par. 1, 3), 54, 56, 60, 61, 69, 70, 75-79, 81-85, 87-91, 93, 95, 214 (par. 1), 216 (s. 553 (1 st par.)), 217 (par. 1), 220 (par. 1), 226 (par. 1-11), 227 (par. 1, 2, 4, 6, 9), 227 (par. 3 concerning par. 6 and 6.4 of s. 619), 228, 231, 242 (par. 1), 244-250, 261, 262 1999-08-01 s. 241 (as regards s. 645.3 of the Highway Safety Code (R.S.Q., chapter C-24.2)) 2000-01-27 s. 140 (par. 1, 3)
1990, c. 86	An Act to amend the Act respecting insurance and other legislation 1991-03-15 ss. 1-5, 6 (par. 2), 7, 12, 14 (ss. 93.154-93.154.3), 16 (ss. 93.238-93.238.3), 20, 22-35, 38, 39 (ss. 285.1-285.3, 285.5-285.11, 285.17-285.26), 45-56, 61, 63, 64 1991-07-01 ss. 6 (par. 1), 8-11, 13, 14 (s. 93.154.4), 15, 16 (s. 93.238.4), 17-19, 21, 36, 37, 39 (ss. 285.4, 285.12-285.16), 40-44, 57-60, 62
1990, c. 88	An Act to again amend the Financial Administration Act 1991-01-16 s. 2 1991-04-24 s. 1
1990, c. 91	An Act to amend the Charter of the city of Québec 1990-10-01 s. 12
1990, c. 98	An Act respecting The Laurentian Mutual Management Corporation and The Laurentian Life Insurance Company Inc. 1991-01-01 ss. 1-31
1991, c. 13	An Act to amend the Act respecting the Québec Pension Plan and other legislation 1991-10-25 ss. 1-7
1991, c. 15	An Act to amend the Fuel Tax Act 1991-09-01 ss. 1 (par. 3, 4, 6 to the extent that s. 23 of the Fuel Tax Act (R.S.Q., chapter T-1), as enacted by s. 10, applies to an importer, 7, 8 to the extent that the abovementioned s. 23, as enacted by s. 10, applies to a refiner, 9 to the extent that par. 10 uses the word "vehicle", and par. 10 except, with respect to par. 10, to the extent that the abovementioned s. 23, as enacted by s. 10, applies to a motor vehicle), 8 (par. 1, 2, 4), 10 to the extent that it enacts ss. 23, 23.1, 25, 28 excluding the words "or to a wholesale dealer who does not hold a collection officer's permit required by section 27", 30 excluding: in that part preceding subparagraph a of the first paragraph, the words "or a permit, or refuse to renew the permit"; in subparagraph c of the first paragraph, the words "or a permit"; subparagraph g of the first paragraph; in subparagraph h of the first paragraph, the words "a permit or"; in subparagraph i of the first paragraph, the words "permit or"; in the second paragraph, the words "or the permit"; s. 31.1 excluding, in the first paragraph, the words "or of a permit"; s. 31.2 excluding: in the first paragraph, the words "or permit";

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Reference	Title Date of coming into force
1991, c. 15	An Act to amend the Fuel Tax Act – <i>Cont'd</i> in the fifth paragraph, the words “or permit”; s. 31.3, s. 31.4 excluding the words “or permit” and s. 31.5 excluding, in the first paragraph, the words “or permit” of the Fuel Tax Act (R.S.Q., chapter T-1), and s. 20 to the extent that it enacts s. 43.2 of the Fuel Tax Act (R.S.Q., chapter T-1)
	1992-04-01 ss. 1 (except par. 3, 4 and 6-10, to the extent that they were put into force by O.C. 1205-91), 2-7, 8 (par. 3), 9, 10 (except ss. 23, 23.1, 25, 28, 30 and 31.1-31.5 of R.S.Q., chapter T-1 that it enacts, to the extent that they were put into force by O.C. 1205-91), 11-19, 20 (except s. 43.2 of R.S.Q., chapter T-1 that it enacts), 21-34
1991, c. 16	An Act to amend the Tobacco Tax Act
	1991-10-09 ss. 1, where it replaces or enacts the definitions of the words: “manufacturer”, “package” and “tobacco”, but to the extent that s. 13.1 of the Tobacco Tax Act (R.S.Q., chapter I-2), as amended by s. 7, uses the words “package” and “tobacco”; “retail vendor” to the extent that s. 13.1 of the Tobacco Tax Act (R.S.Q., chapter I-2), as amended by s. 7, and s. 17.10 of the Tobacco Tax Act (R.S.Q., chapter I-2), as enacted by s. 21, apply to a retail vendor; “retail sale” to the extent that s. 13.1 of the Tobacco Tax Act (R.S.Q., chapter I-2), as amended by s. 7, applies to a retail sale, 7, 14 to the extent that it enacts that part preceding par. <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

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Reference	Title Date of coming into force
1991, c. 37	Real Estate Brokerage Act 1991-09-11 ss. 64-66, 68, 69, 74-78, 80, 88-92, 94-96, 101-106, 142-155, 158-162, 165, 166, 176, 177, 186-190 1993-05-17 ss. 178-181 1993-12-15 s. 184 1994-01-15 ss. 1-63, 67, 70-73, 81-87, 93, 97-100, 107-141, 156, 157, 163, 164, 167-175, 182, 183, 185 1994-08-01 s. 79
1991, c. 42	An Act respecting health services and social services and amending various legislation 1992-06-17 ss. 478 (assistance to victims of violence), 479, 480, 481, 482, 484 1992-07-01 s. 148 (2 nd , 3 rd , 4 th par.) 1992-08-01 ss. 571, 572, 583 1992-09-30 ss. 559, 560, 569, 574 (par. 1), 577 (par. 1), 581 (par. 1, 2, 3), 592 1992-10-01 ss. 1-108, 110-118, 148 (1 st par.), 160-164, 166-172, 173 (par. 2-5), 174-192, 194-213, 214 (except subpar. d of subpar. 7 of 1 st par.), 215-258, 260-338, 340, 343-359, 367, 368, 369 (except subpar. 3 of 1 st par.), 370-396, 405 (1 st par., 2 nd par. (par. 1, 2, 4)), 406-413, 415-417, 419 (par. 3, 4), 431-477, 478 (with exceptions), 485-504, 508-520, 531-555, 558 (par. 1), 578, 594, 620 1993-01-20 ss. 588, 590 1993-04-01 ss. 259 (1 st sentence), 568 1993-09-01 s. 564 1993-09-01 ss. 109, 214 (subpar. d of subpar. 7 of 1 st par.), 360 (1 st par.), 361-366, 369 (1 st par. (subpar. 3)), 565, 566, 581 (par. 5, 6), 582, 584
1991, c. 43	An Act to amend the Act to promote the parole of inmates and the Act respecting probation and houses of detention 1992-04-01 ss. 1, 2 1992-06-15 ss. 3-23
1991, c. 49	An Act to amend the Tourist Establishments Act 1993-11-10 ss. 1, 4 (par. 2), 10 (par. 1, 6), 12, 13
1991, c. 51	An Act to amend the Act respecting liquor permits and the Act respecting the Société des alcools du Québec 1992-01-15 ss. 4, 5 (par. 1, 2), 6, 7, 10, 12, 13 (par. 1, 2), 14, 15, 17, 18, 21, 22 (par. 1), 24, 25, 26 (par. 3), 27, 28, 30-34 1992-05-20 s. 20 1992-08-27 ss. 1, 3, 5 (par. 3), 8, 9, 11, 13 (par. 3), 16, 19, 22 (par. 2, 3), 23, 26 (par. 1, 2), 29, 35
1991, c. 53	An Act to repeal the Act to ensure continuity of electrical service by Hydro-Québec 1992-04-15 s. 1
1991, c. 58	An Act to amend the Automobile Insurance Act and the Act to amend the Automobile Insurance Act and other legislation 1993-07-01 s. 14
1991, c. 59	An Act to amend the Transport Act 1993-05-31 s. 4
1991, c. 62	An Act to amend the Act respecting the Société d'habitation du Québec and other legislation 1993-07-07 ss. 3, 6, 7
1991, c. 64	Civil Code of Québec 1994-01-01 ss. 1-3168

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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

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Reference	Title Date of coming into force
1991, c. 84	An Act to amend the Charter of the city of Québec 1994-04-15 ss. 39-41, 43, 45 (s. 601 <i>b</i> (1 st par.)), 47
1991, c. 85	An Act to amend the charter of the city of Longueuil 1993-05-31 ss. 1-3
1991, c. 87	An Act respecting the city of Saint-Hubert 1993-05-01 s. 48
1991, c. 106	An Act respecting Aéroports de Montréal 1992-08-29 ss. 1-7
1992, c. 5	An Act to amend the Act respecting the Ministère des Communautés culturelles et de l'Immigration 1992-05-19 ss. 1-12
1992, c. 11	An Act to amend the Act respecting industrial accidents and occupational diseases, the Act respecting occupational health and safety and the Health Insurance Act 1992-09-23 ss. 29, 30, 44 (par. 3), 45, 83 1992-10-01 ss. 4, 8 (par. 1, 3), 32 (par. 1), 40, 43, 44 (par. 1), 48, 65-69, 71 (s. 176.7.1), 72-74, 75 (ss. 176.16, 176.16.1 (1 st par.)), 76, 84, 86 1992-10-28 ss. 49-64, 88, 89 1992-11-01 ss. 1-3, 5-7, 10-28, 31, 32 (par. 2), 33-39, 41, 42, 44 (par. 2), 46, 47, 70, 71 (ss. 176.7.2, 176.7.3, 176.7.4), 75 (s. 176.16.1 (2 nd par.)), 77, 78, 80-82, 85, 87
1992, c. 17	An Act to amend the Act respecting the Société des alcools du Québec and other legislation 1992-06-30 ss. 1-20
1992, c. 18	An Act to amend the Financial Administration Act and the Act respecting municipal debts and loans 1992-08-19 ss. 1-6
1992, c. 20	An Act to amend the Courts of Justice Act and to make various provisions respecting the establishment of the judicial district of Laval 1992-08-31 ss. 1-11
1992, c. 21	An Act to amend various legislative provisions concerning the application of the Act respecting health services and social services and amending various legislation 1992-09-30 ss. 104, 381 1992-10-01 ss. 2-9, 17-20, 22-40, 46-52, 56, 59-61, 68 (ss. 619.2-619.4, 619.8-619.15, 619.18-619.46, 619.48-619.68), 69-77, 79-81, 83-100, 101 (par. 1, 2, 4), 102, 103, 106-110, 114, 116-299, 300 (par. 1, 2), 311 (par. 1), 320 (par. 2), 322, 327 (par. 1), 328, 329 (par. 2), 330, 333-364, 370-375 1993-04-28 s. 68 (s. 619.27 (2 nd par.); date of application) 1993-04-28 ss. 78, 82, 300 (par. 3, 4), 301-310, 311 (par. 2), 312-319, 320 (par. 1), 321, 323-326, 327 (par. 2), 329 (par. 1), 331, 332 1993-05-01 s. 68 (s. 619.13 (1 st par.)) 1993-07-01 ss. 268-273 1993-09-01 s. 113
1992, c. 24	An Act to amend various legislative provisions concerning regional affairs 1993-04-01 s. 7 (Note: Section 6 repealing the Act respecting the Office de planification et de développement du Québec (R.S.Q., chapter O-3) comes into force on 1 April 1993, by virtue of the same Order in Council)

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Reference	Title Date of coming into force
1992, c. 32	An Act respecting the Société de financement agricole and amending other legislative provisions 1993-06-17 ss. 1-52
1992, c. 44	An Act respecting the Société québécoise de développement de la main-d'œuvre 1992-09-01 ss. 1-15, 47-54, 67-69, 71 (par. 2), 73 (par. 2), 74, 81, 95, 96 1993-03-24 ss. 21, 23, 30, 39, 77, 78 (1 st par.), 84-91, 94 1993-04-01 ss. 16-20, 22, 24-29, 31-38, 40-46, 55-66, 70, 71 (par. 1), 72, 73 (par. 1), 75, 76, 78 (2 nd par.), 79, 80, 82, 83, 92, 93
1992, c. 50	An Act to amend the Financial Administration Act and the Act respecting the Ministère des Approvisionnements et Services 1993-08-18 ss. 1-3
1992, c. 56	An Act to amend the Environment Quality Act 1993-02-15 s. 14
1992, c. 57	An Act respecting the implementation of the reform of the Civil Code 1994-01-01 ss. 1-716, 719
1992, c. 61	An Act respecting the implementation of certain provisions of the Code of Penal Procedure and amending various legislative provisions 1993-11-01 ss. 1-8, 10-25, 27-34, 36-40, 43, 44, 47-49, 51-54, 56, 58, 60-64, 67, 71, 75-88, 91, 93-99, 101-128, 131-168, 171-174, 178-193, 195-197, 200, 201, 204, 205, 207-210, 213, 216, 218-234, 237, 239-245, 248, 250-253, 255-260, 262, 264, 266, 267, 269-273, 276, 277, 279, 280, 282, 283, 285-293, 295-301, 303, 304, 309-316, 319, 320, 322-325, 328-330, 332, 334-344, 346-348, 350, 351, 353-376, 378, 380-382, 384-387, 389-392, 396, 397, 399, 400, 402-404, 407-412, 414-416, 418-422, 424-426, 428-439, 443-446, 449-456, 458-467, 471-474, 476-479, 483-490, 492, 496-498, 500-506, 508-510, 514-516, 518, 520-525, 527, 528, 530-533, 535-538, 540, 542-544, 546-550, 552, 553, 555-560, 562, 565, 566, 568-570, 572-582, 584, 586, 587, 589, 591, 593-597, 600-608, 610-620, 622-624, 626-639, 641-645, 647-656, 658, 662-678, 680-690, 692-699, 701-704
1992, c. 63	An Act to amend the Code of Civil Procedure with respect to the recovery of small claims 1993-11-01 ss. 1-20
1992, c. 64	An Act respecting the Conseil des aînés 1993-10-27 ss. 1-24
1992, c. 66	An Act respecting the Conseil des arts et des lettres du Québec 1993-07-07 ss. 1-50
1993, c. 1	An Act to amend the Code of Civil Procedure regarding family mediation 1997-05-01 s. 4 (to the extent that that section enacts the first sentence of a. 827.2 of the Code of Civil Procedure)
1993, c. 3	An Act to amend the Act respecting land use planning and development and other legislative provisions 1997-04-16 s. 31 (par. 3)
1993, c. 12	An Act to amend the Act respecting transportation by taxi 1996-01-01 ss. 2, 4, 24 (ss. 90.6, 91.1), 27

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Reference	Title Date of coming into force
1993, c. 17	An Act respecting the protection of personal information in the private sector 1994-01-01 ss. 1-4, 10-21, 22 (1 st par. (subpar. 1, 3), 2 nd par.), 23 (1 st par.), 27-114 1994-07-01 ss. 5-9, 22 (1 st par. (subpar. 2)), 23 (2 nd par.), 24-26
1993, c. 18	An Act to amend the Animal Health Protection Act 2004-12-08 ss. 6-8
1993, c. 21	An Act to amend the Agricultural Products, Marine Products and Food Act and to repeal the Act respecting the bread trade 1993-11-10 ss. 2, 4
1993, c. 22	An Act to amend the Tourist Establishments Act and to repeal certain legislative provisions 1993-11-10 ss. 1-7
1993, c. 23	An Act to amend the Financial Administration Act, the Act respecting the Ministère des Approvisionnements et Services and other legislative provisions 1993-08-18 ss. 1-9
1993, c. 25	An Act to amend the General and Vocational Colleges Act and other legislative provisions 1993-07-14 s. 11 (s. 18 (3 rd par. (subpar. e))) 1993-08-31 s. 11 (s. 18 (4 th par.))
1993, c. 26	An Act respecting the Commission d'évaluation de l'enseignement collégial and amending certain legislative provisions 1993-07-14 ss. 1-30, 31 (par. 2, 3, 4), 32-48 1993-08-31 s. 31 (par. 1)
1993, c. 29	An Act to amend the Act respecting Attorney General's prosecutors 1993-08-11 s. 3
1993, c. 30	An Act to amend the Code of Civil Procedure and the Charter of human rights and freedoms 1994-01-01 ss. 2-4, 6-8, 10-16, 18
1993, c. 34	An Act respecting the Société du Centre des congrès de Québec 1994-05-30 s. 32
1993, c. 37	An Act respecting the conditions of employment in the public sector and the municipal sector 1993-09-15 ss. 1-19, 26, 27, 29-39, 43-55, 57 1993-10-01 ss. 20-25, 28, 40-42, 56
1993, c. 38	An Act to amend the Professional Code and the Nurses Act 1993-09-15 ss. 2 (par. 20), 3 (par. 2), 5 (par. 1), 7
1993, c. 39	An Act respecting the Régie des alcools, des courses et des jeux and amending various legislative provisions 1993-07-14 ss. 1-22, 23 (par. 1, 2, 4, 5, 6), 24, 25 (par. 1, 2, 3, 7), 26-40, 48-55, 56 (ss. 52.1-52.11, 52.13-52.15), 57-75, 77-97, 100 (1 st par.), 101, 102, 104-107, 109-111, 114-117 1993-10-27 ss. 23 (par. 3), 25 (par. 4, 5, 6), 41-47, 76, 98, 99, 100 (2 nd par.), 103, 108
1993, c. 40	An Act to amend the Charter of the French language 1993-12-22 ss. 1-69

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Reference	Title Date of coming into force
1993, c. 42	An Act to amend the Highway Safety Code 1993-09-01 ss. 1-28, 30-32 1993-11-01 s. 29
1993, c. 45	An Act to amend the Supplemental Pension Plans Act 1998-02-25 s. 1
1993, c. 48	An Act respecting the legal publicity of sole proprietorships, partnerships and legal persons 1993-12-15 ss. 58-60, 63-65, 97-99, 537-539 1994-01-01 ss. 1-57, 61, 62, 66-96, 100-519, 521-526, 528-536 1994-07-01 ss. 520, 527
1993, c. 49	An Act to amend the Act respecting the Société québécoise d'initiatives agro-alimentaires 1994-01-01 ss. 1-5, 7-12 1994-04-27 s. 6
1993, c. 55	An Act to amend the Forest Act and to repeal various legislative provisions 1994-05-04 s. 30 (par. 1) 1994-09-07 ss. 27, 30 (par. 2)
1993, c. 58	An Act to amend the Act respecting health services and social services 1995-04-01 s. 1 (ss. 530.40, 530.41) 1995-05-01 s. 1 (ss. 530.1-530.10, 530.16, 530.18, 530.20-530.24, 530.27-530.29, 530.31-530.39, 530.42)
1993, c. 61	An Act to amend the Act respecting labour relations, vocational training and manpower management in the construction industry and other legislative provisions 1994-01-01 ss. 11 (par. 1), 89, 90 1994-07-01 ss. 1 (par. 3, 5, 7), 19, 21-33, 35, 40, 43-47, 57 (par. 1, 2) 1995-01-01 ss. 1 (par. 4, 6, 8, 9), 4 (par. 1, 2, 4), 6, 11 (par. 3), 13-18, 20, 34, 36-39, 41, 42, 51, 52, 53 (par. 1) [except for the amendment concerning the second paragraph of the section it amends], 53 (par. 2), 54, 55, 58, 61, 62, 79 1999-01-20 ss. 11 (par. 2), 48, 49, 50, 53 (par. 1, for the amendment concerning the second paragraph of the section it amends), 53 (par. 3), 59, 60
1993, c. 70	An Act to amend the Act respecting the Ministère des Communautés culturelles et de l'Immigration 1994-10-31 ss. 2, 3 (par. 2), 4, 6, 10, 11 (par. 4, 10) 1996-10-01 ss. 11 (par. 1), 12 2006-09-13 ss. 5, 11 (par. 6)
1993, c. 71	An Act to amend the Act respecting the Régie des alcools, des courses et des jeux and various Acts concerning the activities under its supervision 1994-02-03 provisions concerning the activities under the supervision of the Régie 1994-10-01 provisions respecting the renewal of amusement machine licences or registrations and the revocation of such licences or registrations
1993, c. 72	An Act to amend the Code of Civil Procedure and various legislative provisions 1995-05-11 ss. 17, 18, 19
1993, c. 77	An Act to amend the Pesticides Act 1997-04-23 ss. 1-8, 10 (in respect of the repeal of s. 108 of R.S.Q., chapter P-9.3), 12, 13

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Reference	Title Date of coming into force
1994, c. 2	An Act respecting the Conservatoire de musique et d'art dramatique du Québec 1994-11-01 s. 28 2007-03-31 ss. 6, 13 (2 nd par.), 14-16, 19-27, 52-54, 56-75, 77-80, 83-88, 96-98 2007-09-01 ss. 31-36, 40-46 2007-12-01 ss. 37-39, 47-51
1994, c. 21	An Act respecting the Société de développement des entreprises culturelles 1994-10-19 ss. 1-16, 28, 29 (1 st par. (subpar. 1)), 30 (1 st par.), 40, 41, 65 1995-04-01 ss. 17-27, 29 (1 st par. (subpar. 2), 2 nd par.), 30 (2 nd , 3 rd par.), 31-39, 42-64
1994, c. 23	An Act to amend the Act respecting health services and social services and other legislative provisions 1995-05-01 ss. 4, 6, 8-15, 17-21, 23
1994, c. 24	An Act to amend the Supplemental Pension Plans Act 1995-08-17 s. 7 1995-12-31 ss. 13, 14
1994, c. 28	An Act to amend the Code of Civil Procedure 1995-10-01 ss. 1-26, 28-42
1994, c. 30	An Act to amend the Act respecting municipal taxation and other legislative provisions 1994-12-15 ss. 8, 29-32, 36, 41 (par. 2, 3), 42, 55 (par. 1, 2), 57, 83
1994, c. 35	An Act to amend the Youth Protection Act 1994-09-01 ss. 1-43, 45-51, 52 (par. 1), 54-60, 61 (par. 1, 2), 62-67, 70 1995-09-28 ss. 44, 61 (par. 3)
1994, c. 37	An Act respecting acupuncture 1994-10-15 ss. 46-50 1995-07-01 ss. 2, 5, 8-20, 22-25, 28-33, 36-45
1994, c. 40	An Act to amend the Professional Code and other Acts respecting the professions 1994-10-15 ss. 1-199, 200 (except where it repeals ss. 10 (par. <i>b, c, d, f</i>), 11 of the Architects Act (R.S.Q., chapter A-21)), 201-207, 208 (par. 1), 209-211, 212 (except where it repeals s. 37 (1 st par. (subpar. <i>c, d, e, f, g, h</i>), 2 nd par.) of the Land Surveyors Act (R.S.Q., chapter A-23)), 213-237, 238 (except where it repeals s. 43 (1 st par. (subpar. <i>d</i>)) of the Act respecting the Barreau du Québec (R.S.Q., chapter B-1)), 239-243, 244 (except where it repeals ss. 50 (1 st par. (subpar. <i>b, c, d</i>)), 51, 54 of the Act respecting the Barreau du Québec), 245-277, 279-293, 294 (except where it repeals ss. 21 (1 st par., 2 nd par. except the words “, provided that they are Canadian citizens or comply with section 44 of the Professional Code (chapter C-26)”), 22 (1 st par., 2 nd par. (subpar. <i>a, c, d, e</i>)) of the Chartered Accountants Act (R.S.Q., chapter C-48)), 295-342, 343 (except where it repeals ss. 14, 15 (subsect. 2, except the words “any Canadian citizen and any candidate who fulfils the conditions prescribed by section 44 of the Professional Code”) of the Engineers Act (R.S.Q., chapter I-9)), 344, 345 (except where it repeals s. 17 (1 st par., except the word “Canadian”) of the Engineers Act), 346-405, 406 (except where it repeals ss. 107-112, 113 (par. <i>c, d, e</i>), 114, 118 of the Notarial Act (R.S.Q., chapter N-2)), 407-435, 437-470 1995-11-30 s. 406 (where it repeals ss. 107-112, 113 (par. <i>c, d, e</i>), 114, 118 of the Notarial Act (R.S.Q., chapter N-2)) 1996-07-04 ss. 238 (where it repeals s. 43 (1 st par. (subpar. <i>d</i>)) of the Act respecting the Barreau du Québec (R.S.Q., chapter B-1)), 244 (where it repeals ss. 50 (1 st par. (subpar. <i>b, c, d</i>)), 51, 54 of the Act respecting the Barreau du Québec)

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Reference	Title Date of coming into force
1994, c. 40	An Act to amend the Professional Code and other Acts respecting the professions – <i>Cont'd</i> 1998-07-01 s. 436 (s. 37.1 of the Pharmacy Act (R.S.Q., chapter P-10)) 2002-03-27 ss. 343 (where it repeals ss. 14, 15 (subsect. 2, except the words “any Canadian citizen and any candidate who fulfils the conditions prescribed by section 44 of the Professional Code”) of the Engineers Act (R.S.Q., chapter I-9)), 345 (where it repeals s. 17 (1 st par., except the word “Canadian”) of the Engineers Act) 2011-01-06 ss. 208 (par. 2), 212 (insofar as it repeals s. 37 (1 st par. (subpar. c, d, e, f, g, h), 2 nd par.) of the Land Surveyors Act (R.S.Q., chapter A-23))
1994, c. 41	An Act to amend the Environment Quality Act and other legislative provisions 1996-06-01 s. 21
1995, c. 5	An Act to amend the Hydro-Québec Act 1995-04-03 ss. 1-9
1995, c. 6	An Act to again amend the Highway Safety Code 1995-04-12 s. 16 1995-04-24 ss. 1-15
1995, c. 8	An Act to amend the Act respecting labour relations, vocational training and manpower management in the construction industry and other legislative provisions 1995-06-28 ss. 5, 6, 51-53
1995, c. 9	An Act to amend the Act respecting the Caisse de dépôt et placement du Québec 1995-03-31 ss. 1-9
1995, c. 12	An Act to amend the Police Act and the Act respecting police organization as regards Native police 1995-04-05 ss. 1-5
1995, c. 18	An Act to facilitate the payment of support 1995-12-01 ss. 1-79, 81 (where the collector of support payments is charged with compulsory execution of a judgment awarding support), 82-84, 86, 89-95, 96 (where the collector of support payments is charged with compulsory execution of a judgment awarding support), 99 (except for 1 st par. (subpar. 1)), 101 1996-05-16 ss. 81 and 96 (where the collector of support is charged with compulsory execution of a judgment awarding support), 97, 98, 99 (1 st par. (subpar. 1)) 1997-04-01 ss. 80, 85, 87, 88, 100
1995, c. 23	An Act to establish the permanent list of electors and amending the Election Act and other legislative provisions 1996-05-01 ss. 12 (where it enacts sections 40.2, 40.3 and 40.4 except, in the 3 rd line of the 1 st par., the words “by electors and on the basis of the information transmitted” and except, in the 2 nd and 3 rd lines of the 2 nd par., the words “or by the person responsible for a municipal poll”, 40.7-40.9, 40.11, 40.12, 40.39-40.42), 91 1997-05-31 ss. 12 (where it enacts sections 40.1, 40.4 (in the 3 rd line of the 1 st par., the words “by electors and on the basis of the information transmitted”), 40.5, 40.6), 51, and the amendment appearing in the schedule opposite s. 570 1997-06-01 ss. 12 (where it enacts sections 40.4 (in the 2 nd and 3 rd lines of the 2 nd par., the words “or by the person responsible for a municipal poll”), 40.10), 57-76, 84-90 1997-10-15 ss. 77, 78, 79 (where it enacts s. 39), 80-83

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Reference	Title Date of coming into force
1995, c. 27	An Act respecting the Commission des droits de la personne et des droits de la jeunesse 1995-11-29 ss. 1-23, 25-41
1995, c. 33	An Act to amend the Act respecting the implementation of the reform of the Civil Code and other legislative provisions as regards security and the publication of rights 2000-11-07 s. 17
1995, c. 38	An Act to amend the Consumer Protection Act 1995-09-20 ss. 1, 2, 3 (par. 2), 4-8, 9 (R.S.Q., chapter P-40.1 (s. 302, 1 st sentence)), 10,11 1997-08-20 ss. 3 (par. 1), 9 (the second sentence of s. 302 of the Consumer Protection Act (R.S.Q., chapter P-40.1) enacted by s. 9)
1995, c. 39	An Act to amend the Code of Civil Procedure and the Act respecting the Régie du logement 1995-09-01 ss. 1-22
1995, c. 41	Court Bailiffs Act 1995-10-01 ss. 1-37
1995, c. 51	An Act to amend the Code of Penal Procedure and other legislative provisions 1996-03-01 ss. 1, 3, 5, 7-9, 12, 13 (par. 2, 3, 4, 5), 15, 16, 19, 20, 22, 27, 31, 33-45, 47-49 1996-07-15 ss. 4, 17, 23, 24 1997-10-01 ss. 6 (s. 62.1 (1 st par.) of the Code of Penal Procedure), 18, 21, 32
1995, c. 55	An Act to amend the Act respecting the Québec Pension Plan and the Automobile Insurance Act 1996-06-01 ss. 1-9
1995, c. 61	An Act to amend the Act respecting the Régie du logement and the Civil Code of Québec 1996-09-01 ss. 1, 2
1995, c. 67	An Act to amend the Cooperatives Act and other legislative provisions 1997-02-14 ss. 1-149, 151-201
1995, c. 69	An Act to amend the Act respecting income security and other legislative provisions 1996-03-01 ss. 10, 14, 21, 26 1996-04-01 ss. 3-7, 9, 17, 23, 25 1996-04-01 ss. 1 (par. 2), 20 (par. 2, 6), 24 1996-07-18 ss. 11, 20 (par. 4 and 7 [but solely in respect of s. 91 (subpar. 24.1 of 1 st par.) of the Act respecting income security]) 1996-07-18 s. 20 (par. 7 [in respect of s. 91 (subpar. 23 and 24 of 1 st par.) of the Act respecting income security]) 1996-08-01 ss. 1 (par. 1), 20 (par. 1) 1996-10-01 ss. 18, 20 (par. 4 [but solely in respect of s. 91 (subpar. 24.2 of 1 st par.) of the Act respecting income security]) 1997-01-01 ss. 12, 13, 20 (par. 5, 8, 9)
1996, c. 6	An Act respecting the implementation of international trade agreements 1996-07-10 ss. 1-10
1996, c. 8	An Act to amend the Act respecting lotteries, publicity contests and amusement machines in respect of international cruise ships 1999-09-08 s. 1

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Reference	Title Date of coming into force
1996, c. 18	An Act to amend the Act respecting the conservation and development of wildlife 1998-04-29 s. 7
1996, c. 20	An Act respecting the Société de télédiffusion du Québec and amending the Act respecting educational programming and other legislative provisions 1996-12-18 ss. 1-41
1996, c. 21	An Act respecting the Ministère des Relations avec les citoyens et de l'Immigration and amending other legislative provisions 1996-09-04 ss. 1-74
1996, c. 23	An Act to amend the Legal Aid Act 1996-07-17 s. 59 1996-08-28 ss. 42, 43 1996-09-26 ss. 1-5, 6 (ss. 4, 4.1, 4.4-4.13), 7-41, 44-58, 60 1997-01-01 s. 6 (ss. 4.2, 4.3)
1996, c. 24	An Act to amend the Act respecting the Société de récupération, d'exploitation et de développement forestiers du Québec 1996-11-13 s. 8
1996, c. 26	An Act to amend the Act to preserve agricultural land and other legislative provisions in order to promote the preservation of agricultural activities 1997-06-20 ss. 1-89
1996, c. 32	An Act respecting prescription drug insurance and amending various legislative provisions 1996-08-01* ss. 3 (except the words “, or by the insurers insuring transacting group insurance or the administrators of private-sector employee benefit plans,”), 5, 8 (1 st par. except the words “ in Québec”), 9, 11 (1 st , 3 rd par.) (4 th par. except the words “or by an insurer or employee benefit plan, as the case may be”), 12, 13 (1 st sentence which reads: “The maximum contribution for a reference period of one year shall not exceed \$750 per adult;”), 14, 15 (par. 1 except the words “who are not members of a group insurance contract or employee benefit plan that is applicable to a group of persons determined on the basis of current or former employment status, profession or any other habitual occupation and that includes basic plan coverage, and who are not beneficiaries under such a contract or plan;”), 15 (par. 2, 3), 22 (1 st par.) (2 nd par. except the words “ and, with respect to medications provided by an institution, according to the price established in that list”), 31 (*The coming into force of the provisions of the sections referred to in the preceding paragraph have effect: — from 1996-08-01, in respect of the persons referred to in s. 15 (par. 1 to 3) of 1996, c. 32; — on the date or dates determined by the Government, in respect of the other persons eligible for the basic prescription drug insurance plan.) 1996-08-01 ss. 1, 51-82, 87, 88, 89 (par. 1 (3 rd par. of s. 3 of the Health Insurance Act except, in the introductory sentence, the words “and, where applicable, the cost of medications provided as part of the services provided by an institution in accordance with the third paragraph of section 8 of the Act respecting prescription drug insurance and amending various legislative provisions”, except, in subpar. a of 3 rd par. the words “and is not a member of a group insurance contract or employee benefit plan that is applicable to a group of persons determined on the basis of current or former employment status, profession or any other habitual occupation and that includes basic plan coverage, and is not a beneficiary under such a plan”, and except subpar. c of 3 rd par.)), 89 (par. 2 (4 th par. of s. 3 of the Health Insurance Act except the words “and, where applicable, the cost of medications provided as part of the services provided by an institution in

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Reference	Title Date of coming into force
1996, c. 32	<p data-bbox="419 297 1243 342">An Act respecting prescription drug insurance and amending various legislative provisions – <i>Cont'd</i></p> <p data-bbox="554 351 1243 413">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="419 413 525 437">1996-09-01</p> <p data-bbox="554 413 1243 521">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="419 530 525 553">1997-01-01</p> <p data-bbox="554 530 1243 826">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="419 826 525 849">1997-01-01</p> <p data-bbox="554 826 1243 1614">ss. 2,3 (the words “or by the insurers transacting group insurance or the administrators of private sector employee benefit plans”), 4, 6, 7, 8 (1st par., the words “in Québec”) (2nd par., 3rd par. except the words “or any other institution recognized for that purpose by the Minister that is situated outside Québec in a region bordering on Québec”), 10, 11 (2nd par.) (4th par., the words “, or by an insurer or employee benefit plan, as the case may be”), 13 (2nd sentence which reads “this amount includes any amounts paid by the adult as a deductible amount and coinsurance payment for a child of the adult or a person suffering from a functional impairment who is domiciled with the adult.”), 15 (par. 1, the words “who are not members of a group insurance contract or employee benefit plan applicable to a group of persons determined on the basis of current or former employment status, profession or habitual occupation and that includes basic plan coverage, and who are not beneficiaries under such a contract or plan”), 15 (par. 4), 16, 18, 19 (2nd par.), 22 (2nd par., the words “and, with respect to medications provided by an institution, according to the price established in that list”), 23-30, 32-37, 38 (except, in subpar. 2 of 1st par., the words “otherwise binding the policy-holder” and except, in subpar. 3 of 1st par., the words “administered by or on behalf of the policy-holder”), 39 (except, in subpar. 2 of 1st par., the words “otherwise binding the plan administrator”) and except, in subpar. 3 of 1st par., the words “binding the plan administrator”), 41, 42, 43 (1st par.), 44, 45 (except, in the first sentence, the words “or the plan member” and except the second sentence, which reads “Any notice of non-renewal or of a change in the premium or assessment from the insurer must be sent to the last known address of the plan member not later than 30 days preceding the date of expiry.”), 46-50, 83-86, 89 (par. 1, introductory sentence of 3rd par. of s. 3 of the Health Insurance Act, the words “and, where applicable, the cost of medications provided as part of the services provided by an institution in accordance with the third paragraph of section 8 of the Act respecting prescription drug insurance and amending various legislative provisions”), 89 (par. 1, subpar. a of 3rd par. of s. 3 of the Health Insurance Act, the words “and is not a member of a group insurance contract or employee benefit plan applicable to a group of persons determined on the basis of current or former employment status, profession, or habitual occupation and that includes basic plan coverage, and is not a beneficiary under such a plan”), 89 (par. 1, subpar. c of 3rd par. of s. 3 of the Health Insurance</p>

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Reference	Title Date of coming into force
1996, c. 32	An Act respecting prescription drug insurance and amending various legislative provisions – <i>Cont'd</i> Act), 89 (par. 2, 4 th par. of s. 3 of the Health Insurance Act, the words “and, where applicable, the cost of medications provided as part of the services provided by an institution in accordance with the third paragraph of section 8 of the Act respecting prescription drug insurance and amending various legislative provisions”), 91 (except 3 rd par. of s. 10 of the Health Insurance Act, introduced by par. 2), 95 (s. 22.1.0.1 of the Health Insurance Act, except, in 3 rd par., the words “or institution”), 96, 97, 106-108, 117
1996, c. 44	An Act to amend the Act respecting the Société générale de financement du Québec 2001-03-31 s. 6 (when it enacts s. 8.1)
1996, c. 51	An Act respecting reserved designations and amending the Act respecting the marketing of agricultural, food and fish products 1997-10-15 ss. 1-27
1996, c. 54	An Act respecting administrative justice 1997-09-24 ss. 16, 17, 61, 63, 64, 68, 69, 70, 79, 80, 86 (1 st par.), 98, 199 1997-09-24 s. 14 (1 st par.) [for the sole purposes of the preceding sections] 1998-04-01 ss. 1-13, 14 (in all other respects), 15, 18-60, 62, 65-67, 71-78, 81-85, 86 (2 nd par.), 87-92, 99-164, 177, 178, 182-198, schedules
1996, c. 56	An Act to amend the Highway Safety Code and other legislative provisions 1997-12-01 ss. 46, 51, 156 1998-12-24 ss. 103, 104 (par. 1), 106, 107 1999-07-01 ss. 99, 121, 137 (par. 6) 1999-07-15 s. 53 1999-08-01 ss. 118, 119 2000-01-27 ss. 82, 93, 149, 150
1996, c. 60	An Act respecting off-highway vehicles 1997-10-02 ss. 1-10, 11 (1 st , 2 nd par. (subpar. 1, 2, 4, 5, 6), 3 rd par.), 12-17, 18 (1 st , 3 rd par.), 19-26, 28-82, 84-87 1998-02-02 ss. 11 (par. 3), 27 1999-09-01 s. 18 (2 nd par.)
1996, c. 61	An Act respecting the Régie de l'énergie 1997-02-05 ss. 8, 165 1997-05-01 s. 134 (with the exception of s. 16 (1 st par.) of R.S.Q., chapter S-41) 1997-05-13 ss. 6, 7, 9, 10, 12, 60-62, 122, 135, 148, 171 1997-06-02 ss. 4, 13-15, 19-22 1997-06-02 ss. 2, 3, 5, 11, 16, 17, 18 (1 st par.), 23, 26-30, 31 (2 nd par.), 33, 34, 37-41, 63-71, 77-79, 81-85, 104-109, 113, 115, 128, 129, 132, 142-144, 146, 157-159, 161, 162, 166, 170; and, as they apply to natural gas, ss. 1, 25, 31 (1 st par., subpar. 1, 2, 4, 5), 32, 35, 36, 42-54, 73-75, 80, 86-103, 110-112, 114 (par. 1-6), 116, 117, 147 1997-10-15 ss. 24, 127, 130, 131, 149-156, 168, and, as they do not apply to natural gas, ss. 1, 25 (1 st par. (subpar. 3), 2 nd par.), 35, 36, 42-47, 75, 87-89, 110-112, 116 (2 nd par., subpar. 4), 117 1997-11-01 ss. 137, 138, 140, 141, and, as they apply to petroleum products, ss. 55-58, 116 1998-01-01 as they do not apply to natural gas, ss. 102, 103 1998-02-11 ss. 18 (2 nd par.), 59, 118, 139 (s. 45.1, par. d of subpar. 1 of 3 rd par. of R.S.Q., chapter U-1.1), 160, 167 (1 st par.), 169, and, as they do not apply to natural gas, ss. 25 (1 st par., subpar. 2), 31 (1 st par., subpar. 4), 86, 90-101, 147

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Reference	Title Date of coming into force
1996, c. 61	<p>An Act respecting the Régie de l'énergie – <i>Cont'd</i></p> <p>1998-03-18 ss. 31 (1st par. (subpar. 2, 5)), 32 (par. 3), 114 (par. 4) [as they do not apply to natural gas]</p> <p>1998-05-02 ss. 121, 123, 125, 133, 1st par. of s. 16 of R.S.Q., chapter S-41, as enacted by s. 134, 136, 145, 164 and, as they do not apply to natural gas, subpar. 1 of 1st par. of s. 25, subpar. 1 of 1st par. of s. 31, par. 1 and 4 of s. 32, 48-51, 53, 54 and, as it does not apply to natural gas and petroleum products, subpar. 1 of 2nd par. of s. 116</p> <p>1998-08-11 s. 114 (par. 7) and, as it does not apply to natural gas, s. 114 (par. 6)</p> <p>1998-11-01 ss. 31 (1st par. (subpar. 3)), 72, 76, 119, 120, 124 and, as they apply to steam, ss. 55-58 and, as they do not apply to natural gas, ss. 32 (par. 2), 73, 74, 80, 114 (par. 1-3, 5) and, as they do not apply to natural gas and petroleum products, s. 116 (1st par., 2nd par. (subpar. 2))</p>
1996, c. 68	<p>An Act to amend the Civil Code of Québec and the Code of Civil Procedure as regards the determination of child support payments</p> <p>1997-05-01 ss. 1-4</p>
1996, c. 69	<p>An Act to amend the Savings and Credit Unions Act</p> <p>1997-02-15* ss. 1-3, 7-13, 14 (par. 1), 15, 16 (par. 1), 17 (par. 1, 3), 18, 19, 20 (par. 1), 21-165, 167-182, 184 (*Subject to the following provisions which come into force 1997-02-15:</p> <p style="padding-left: 2em;">Provisions relating to the structure of credit unions and federations</p> <ol style="list-style-type: none"> 1. The new provisions relating to the structure of credit unions and federations whose fiscal period ended before 1 February 1997, and that therefore have eight months in which to hold their annual meeting, apply thereto from the time at which their respective annual meeting is held. Pending the annual meeting, such credit unions and federations may hold a special meeting for the purpose of determining the interest that is payable on permanent shares following the allocation of the annual surplus earnings. In such case, the new provisions relating to structure apply thereto only from the time at which the annual meeting is held. Credit unions and federations that do not take advantage of that extended time period may postpone until a later special meeting, held before 1 October 1997, the election of the members of their board of directors and board of audit and ethics, in which case the new provisions relating to structure will apply thereto only from the time at which that meeting is held. 2. In the case of credit unions and federations whose fiscal period ends between 1 February 1997 and 31 May 1997 and that must therefore hold their annual meeting before 1 October 1997, the same provisions will apply from the time at which their respective annual meeting are held. 3. In the case of credit unions and federations whose fiscal period ends between 1 June 1997 and 31 August 1997 and that therefore are not obliged to hold their annual meeting before 1 October 1997, the same provisions will apply, from the latter date, except where such credit unions or federations hold a special meeting before that time, in which case those same provisions apply thereto from the time at which that meeting is held. 4. Notwithstanding the foregoing, where, on 15 February 1997, credit unions are involved in a process of amalgamation, the new provisions relating to structure will apply thereto from the time at which the amalgamation becomes effective, if the amalgamation agreement complies with those provisions.

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Reference	Title Date of coming into force
1996, c. 69	<p>An Act to amend the Savings and Credit Unions Act – <i>Cont'd</i></p> <p>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>Provisions relating to administration</p> <ol style="list-style-type: none"> 5. Decisions rendered by credit committees before they were abolished may be reviewed by any employee who is appointed for that purpose and whose position allows him to grant credit. 6. Representatives of legal persons who are members of a credit union and have been acting as directors or members of the board of supervision shall continue to act in that capacity until the end of their term of office. 7. The provisions of section 54 of the Act to amend the Savings and Credit Unions Act apply immediately to officers who, on 15 February 1997, are under suspension from duty. 8. Credit unions, federations and confederations have 18 months from the coming into force of paragraph 4 of section 36 of that Act to provide liability insurance for directors and officers. 9. The reports on activities that would have been submitted by the credit committees and ethics committees, had they not been abolished, shall be drafted by the boards of audit and ethics.)
1996, c. 70	<p>An Act to amend the Act respecting industrial accidents and occupational diseases and the Act respecting occupational health and safety</p> <p>1997-10-01 ss. 9 (insofar as it enacts s. 284.2 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)), 39 (insofar as it enacts the second paragraph of s. 357.1 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)), 40, 44 (par. 2, insofar as it enacts subpar. 4.2 of the first paragraph of s. 454 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001))</p> <p>1998-01-01 ss. 8, 10-18, 19 (par. 2), 20 (par. 1), 24, 25, 28, 30, 34 (par. 1), 38, 44 (par. 2, insofar as it enacts subpar. 4.3 of the first paragraph of s. 454 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)), 44 (par. 3-5)</p> <p>1999-01-01 ss. 4, 19 (par. 1), 20 (par. 2), 22, 23, 26, 27, 29, 31, 32, 33, 39 (insofar as it enacts the first paragraph of s. 357.1 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)), 41-43, 44 (par. 6-11, 13)</p>
1996, c. 74	<p>An Act to amend various legislative provisions relating to the construction industry</p> <p>1997-01-15 ss. 2, 10 (par. 4), 15-27</p> <p>1997-01-15 ss. 7, 8</p>
1996, c. 78	<p>An Act to amend the Act respecting income security</p> <p>1997-04-01 ss. 2-5, 6 (par. 2, 3, 4)</p> <p>1997-10-01 ss. 1, 6 (par. 1)</p>
1996, c. 79	<p>An Act to amend the Act respecting financial assistance for students and the General and Vocational Colleges Act</p> <p>1997-02-06 ss. 1, 2, 3, 4, 8, 9, 10, 12, 13, 14, 15, 17</p> <p>1997-04-01 ss. 6, 16</p> <p>1997-05-01 ss. 7, 11</p> <p>1997-07-01 s. 5</p>

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Reference	Title Date of coming into force
1997, c. 8	An Act to amend the Election Act and other legislative provisions as regards the permanent list of electors 1998-10-21 ss. 10 (par. 4), 11 (par. 1, the words “and a list of the addresses for which no electors’ names are entered”), 13 (where it enacts s. 198.1 of the Election Act (R.S.Q., chapter E-3.3)) 1999-09-22 ss. 5, 8 (except for the words “as such information appears in the register kept under section 54 of the Public Curator Act (chapter C-81)” in section 40.7.1 enacted by section 8)
1997, c. 16	An Act respecting the Saguenay—St. Lawrence Marine Park 1998-06-12 ss. 1-26
1997, c. 20	An Act to amend the Act to foster the development of manpower training and other legislative provisions 1998-04-01 s. 8 (s. 23.1 of R.S.Q., chapter D-7.1) 1998-02-04 ss. 13, 15 1998-04-01 s. 16
1997, c. 23	An Act to amend the Act respecting the Conseil consultatif du travail et de la main-d’œuvre 1997-11-26 ss. 1, 2
1997, c. 24	An Act to amend the Charter of the French language 1997-09-01 ss. 1, 2, 7-21, 23-26 1998-01-01 ss. 3-6, 22
1997, c. 27	An Act to establish the Commission des lésions professionnelles and amending various legislative provisions 1997-10-29 ss. 24 (enacting ss. 429.1, 429.5 (1 st par.), 429.12 of R.S.Q., chapter A-3.001), 30 (enacting s. 590 of R.S.Q., chapter A-3.001) [for the sole purpose of declaring the Minister of Labour responsible for the provisions of the latter Act concerning the Commission des lésions professionnelles], 62 1998-04-01 ss. 1-23, 24 (ss. 367-429, 429.2-429.4, 429.5 (2 nd par.), 429.6-429.11, 429.13-429.59), 25-29, 31-61, 63-68
1997, c. 29	An Act respecting the Centre de recherche industrielle du Québec 1997-06-30 ss. 1-42
1997, c. 37	An Act to amend the Act respecting safety in sports 2002-04-01 s. 2 (ss. 46.17, 46.18 of the Act respecting safety in sports (R.S.Q., chapter S-3.1))
1997, c. 39	An Act respecting certain flat glass setting or installation work 1997-07-09 ss. 1-3
1997, c. 43	An Act respecting the implementation of the Act respecting administrative justice 1997-09-24 ss. 845 (2 nd par.), 848-850 (as regards persons governed by s. 853), 853 (except the words “Until 1 December 1997”) 1997-09-24 s. 14 (1 st par.) [for the sole purposes of the preceding sections] 1997-10-29 s. 866 (s. 58.1 of the Act to establish the Commission des lésions professionnelles and amending various legislative provisions (1997, chapter 27))

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Reference	Title Date of coming into force
1997, c. 43	An Act respecting the implementation of the Act respecting administrative justice – <i>Cont'd</i> 1998-04-01 ss. 1-10, 14-105, 111 (par. 1), 121 (par. 1), 124-184, 186-211, 216-337, 340-360, 362, 364-404, 410-565, 567 (par. 3), 568, 576 (par. 1), 577 (par. 1, 3, 4), 578-759, 761-824, 826-832, 833 (except the provisions of the second paragraph respecting proceedings already before the Commission municipale du Québec, in matters of real estate or business tax exemptions), 835-844, 845 (1 st par.), 846, 847, 848-850 (as regards the persons governed by s. 841), 851, 852, 855-864 1998-04-01 ss. 11, 12, 13, 865, 867, 876 (par. 4)
1997, c. 44	An Act respecting the Commission de développement de la métropole 1997-06-20 s. 103
1997, c. 47	An Act to amend the Education Act, the Act respecting school elections and other legislative provisions 1997-08-13 ss. 2, 3, 16, 17, 25, 29-50, 52, 54-59, 61-63, 67-71 1998-07-01 ss. 1, 4-15, 18-24, 26, 27, 28 (subject to s. 68), 51, 53, 60, 64-66
1997, c. 49	An Act to amend the Act respecting the Société de l'assurance automobile du Québec and other legislative provisions 1998-07-02 ss. 4-7, 9
1997, c. 50	An Act to amend various legislative provisions of the pension plans in the public and parapublic sectors 1997-03-22 ss. 52, 53 (effective date)
1997, c. 53	An Act to amend various legislative provisions concerning municipal affairs 1998-07-01 ss. 7 (par. 3), 18 (par. 3), 24 (par. 2), 29 (par. 2), 33 (par. 2), 36 (par. 3), 42 (par. 2), 47 (par. 2), 52 (par. 4)
1997, c. 54	An Act to amend the Act respecting lotteries, publicity contests and amusement machines 1997-09-24 ss. 1-9
1997, c. 55	An Act respecting the Agence de l'efficacité énergétique 1997-10-22 ss. 1-11, 14, 15, 35 1997-12-03 ss. 12, 13, 16-31, 34
1997, c. 58	An Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care 1997-07-02 ss. 1-19, 21 (par. 4), 24 (par. 3), 25-41, 44, 52, 59 (par. 4), 68, 98, 106 (par. 1), 121, 133, 134, 135 (par. 3), 136 (par. 3), 142-155
1997, c. 63	An Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail 1997-09-10 ss. 16, 17 (1 st par. (the part preceding subpar. 1, subpar. 8)), 21-29, 31, 32 1997-12-17 ss. 37, 38 (the part preceding par. 1, par. 2, 5), 40-46 1997-12-17 ss. 58-68, 107 (par. 4), 110, 119 (the part preceding par. 1, par. 2), 135, 145, 147 1998-01-01 ss. 17 (1 st par. (subpar. 1-7)), 18-20, 30, 33-36, 38 (par. 1, 3, 4, 6, 7), 39, 120-123, 136, 137 1998-04-01 ss. 17 (2 nd par.), 69-96, 97 (par. 2, 3), 98-105, 107 (par. 1, 2), 108, 111-118, 119 (par. 1), 125, 127, 129-134, 138 (par. 4), 140-143, 146

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Reference	Title Date of coming into force
1997, c. 64	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

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Reference	Title Date of coming into force
1997, c. 96	An Act to amend the Education Act and various legislative provisions 1998-04-01 ss. 107, 109-111, 126 (par. 2), 131, 163, 178, 180-183, 187-191
1998, c. 3	An Act to amend the Act respecting stuffing and upholstered and stuffed articles 2005-10-13 ss. 1-10
1998, c. 5	An Act to amend the Civil Code and other legislative provisions as regards the publication of personal and movable real rights and the constitution of movable hypothecs without delivery 1999-09-17 ss. 1-9, 12, 13, 19, 21, 23, 24, 25
1998, c. 15	An Act to amend the Act respecting immigration to Québec and other legislative provisions 1998-09-07 ss. 8, 10 (par. 8)
1998, c. 17	An Act respecting Investissement-Québec and Garantie-Québec 1998-08-21 ss. 1-83
1998, c. 19	An Act respecting Société Innovatech du Grand Montréal 1998-06-30 ss. 1-45
1998, c. 20	An Act respecting Société Innovatech Régions ressources 1998-06-30 ss. 1-42
1998, c. 21	An Act respecting Société Innovatech Québec et Chaudière-Appalaches 1998-06-30 ss. 1-45
1998, c. 22	An Act respecting Société Innovatech du sud du Québec 1998-06-30 ss. 1-45
1998, c. 24	An Act to amend the Mining Act and the Act respecting the lands in the public domain 1999-12-01 s. 82 (s. 169.2, except par. 3) 2000-11-22 ss. 1 (par. 2), 3 (par. 1), 4-51, 56-70, 75 (par. 3), 102 (par. 2), 103 (except with respect to applications for a licence or lease relating to petroleum, natural gas, brine or underground reservoirs), 105-109, 113 (par. 2), 114, 116, 117 (par. 2, 3), 118-120, 122, 124-126, 127 (par. 1, 3, 4), 128 (par. 1, 3-9, 12 (except with respect to applications for a licence or lease relating to petroleum, natural gas, brine or underground reservoirs)), 129, 130, 133, 134, 136, 142-145, 148-152, 158 2010-01-21 ss. 1 (par. 1), 2, 3 (par. 2-4), 71-74, 75 (par. 1, 2), 76-81, 82 (to the extent that it enacts ss. 169.1 and 169.2 (par. 3)), 83-101, 102 (par. 1), 103 (with respect to applications for a licence or lease relating to petroleum, natural gas or underground reservoirs, and authorizations to produce brine), 104, 113 (par. 1), 115, 117 (par. 1), 123, 127 (par. 2), 128 (par. 2, 10, 11, 12 (with respect to applications for a licence or lease relating to petroleum, natural gas or underground reservoirs, and authorizations to produce brine)), 131, 132, 154-157
1998, c. 27	An Act to amend the Act to promote the parole of inmates 1999-01-27 s. 13
1998, c. 30	An Act to amend the Act respecting municipal courts and the Courts of Justice Act 1998-09-09 ss. 6, 7, 14, 16, 21 1998-10-15 ss. 4, 5, 8-13, 18, 19, 22-28, 30, 31, 36, 40-42, 44 2001-03-28 ss. 15, 37, 38, 39

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1998, c. 33	Tobacco Act 1998-10-01 ss. 67, 71 1998-11-01 ss. 32-40, 55-57
1998, c. 36	An Act respecting income support, employment assistance and social solidarity 1998-08-05 s. 203 1999-10-01 ss. 1-19, 20 (1 st par.), 21-26, 27 (1 st , 2 nd par.), 28-31, 33-55, 58, 67, 68 (except 2 nd par. (subpar. 4, what follows the word “work”)), 69-74, 75 (except 2 nd par. (subpar. 4, what follows the words “Insurance Act”)), 76-78, 79 (except 1 st par., last sentence), 80-95, 96 (1 st , 3 rd par.), 97-155, 156 (par. 1-6, 8-23, 25-30), 158 (1 st par. (subpar. 1-13), 2 nd par.), 159-175, 178-186, 189-202, 204, 206, 209-212, 216, 217, 219-226, 228 (except for the provisions of the first paragraph concerning the report on the implementation of the provisions pertaining to the payment of part of the benefit relating to lodging to the lessor), 229 2000-01-01 ss. 68 (2 nd par. (subpar. 4, what follows the word “work”)), 75 (2 nd par. (subpar. 4, what follows the words “Insurance Act”)), 79 (1 st par., last sentence), 96 (2 nd par.), 158 (1 st par. (subpar. 14)) 2000-11-01 ss. 56, 57, 156 (par. 31)
1998, c. 37	An Act respecting the distribution of financial products and services 1998-08-26 ss. 158-184, 194, 229, 231, 244-248, 251-255, 256 (1 st , 2 nd par.), 257, 284-287, 288 (1 st par.), 296 (2 nd par.), 297 (2 nd par.), 299, 302-311, 312 (1 st par.), 323-326, 504-506, 510, 568, 572, 577, 579, 581 1999-02-24 ss. 1-11, 13 (2 nd par.), 58, 59, 61-65, 70, 72, 185, 189, 190, 193, 195, 196, 200-217, 223-228, 232, 233 (1 st par.), 258-273, 274 (3 rd par.), 279-283, 312 (2 nd par.), 313, 314, 315 (2 nd par.), 316, 319, 321, 322, 327, 328, 331-333, 351, 352, 355-358, 364, 365, 366, 370, 408 (2 nd par.), 411-414, 416, 423, 424, 426, 440, 443, 503, 543, 573 (2 nd par.) 1999-07-19 ss. 45, 57, 66, 67, 73-79, 82 (1 st par.), 104 (1 st par.), 128, 130-134, 144 (1 st par.), 146-157, 197, 218-222, 234-239, 249, 250, 274 (2 nd par. (subpar. 1)), 395-407, 418, 427, 428, 445, 447, 449, 450, 451 (1 st par.), 452, 458, 459, 484, 485, 487, 502, 517-521, 534-542, 544-546, 549 (1 st par.), 550-553, 566, 569, 570, 571, 574, 576 1999-10-01 ss. 12, 13 (1 st par.), 14-16, 18-25, 27, 29, 30, 33-39, 41-44, 46-56, 60, 68, 69, 71, 80, 81, 82 (2 nd par.), 83-103, 104 (2 nd , 3 rd par.), 105-127, 129, 135-143, 144 (2 nd , 3 rd par.), 145, 186-188, 191, 192, 198, 199, 230, 233 (2 nd par.), 240-243, 256 (3 rd par.), 274 (1 st par., 2 nd par. (subpar. 2)), 275-278, 288 (2 nd par.) 289-295, 296 (1 st par.), 297 (1 st par.), 298, 300, 301, 315 (1 st par.), 317, 318, 320, 329, 330, 334-350, 353, 354, 359-363, 367-369, 371-394, 408 (1 st par.), 409, 410, 415, 417, 419-422, 425, 429-439, 441, 442, 444, 446, 448, 451 (2 nd par.), 453-457, 460-483, 486, 488-501, 507-509, 511-516, 522-533, 547, 548, 549 (2 nd , 3 rd par.), 554, 557-565, 567, 573 (1 st par.), 575, 578, 580, 582 1999-10-01 ss. 555, 556 2003-01-01 ss. 17, 26, 31, 32
1998, c. 38	An Act to establish the Grande bibliothèque du Québec 1998-08-05 ss. 1-3, 4 (1 st par. (subpar. 1, 3), 2 nd par.), 5-22, 24-33 1999-05-05 ss. 4 (1 st par. (subpar. 2)), 23
1998, c. 39	An Act to amend the Act respecting health services and social services and amending various legislative provisions 1999-04-01 ss. 171, 207, 208 1999-03-31 ss. 139, 141-149, 202 2001-04-01 ss. 63 (par. 2), 94-97, 160

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1998, c. 40	An Act respecting owners and operators of heavy vehicles 1998-07-21 ss. 1-4, 6-14, 19, 20, 22-46, 48, 49, 51, 54, 55 (par. 1), 55 (par. 2, as regards the definition of “tool vehicle”), 58, 59, 62, 65, 66, 69, 71-76, 78, 79, 94, 117, 120-123, 125, 126, 128 (par. 1), 144 (par. 7, 8, 12), 146-148, 150 (par. 1, 2), 154-162, 171, 172, 174-182 1998-11-27 s. 144 (par. 9, 10) 1998-12-24 ss. 130, 131, 132 1999-02-24 ss. 15 (1 st , 3 rd par.), 16 (1 st par.), 17, 18 1999-04-01 ss. 5, 21, 50, 55 (par. 2 (as regards the definition of “heavy vehicle”)), 56, 57, 60, 61, 63, 67, 70, 77, 80, 82, 84, 85, 86, 88-93, 95, 96, 98, 103, 107, 108, 109 (par. 1 (except as regards the deletion of ss. 413 and 471), par. 3)), 111, 114, 124 (par. 2, 3), 127, 128 (par. 2), 129, 133-140, 149, 151, 163-170, 173 1999-04-29 s. 112 1999-07-01 ss. 15 (2 nd par.), 16 (2 nd par.), 47 1999-06-02 ss. 83, 144 (par. 1-6, 11, 13-18, 20, 21, 23) 1999-07-01 ss. 52, 53, 64, 68, 81, 99-102, 104-106, 109 (par. 2), 118, 119, 124 (par. 1), 141-143, 144 (par. 19, 22, 24), 145, 150 (par. 3), 152, 153 1999-11-01 ss. 115, 116 2000-12-14 ss. 109 (par. 1 (as regards the striking out of section 471)), 110, 113
1998, c. 41	An Act respecting Héma-Québec and the haemovigilance committee 1998-07-08 ss. 1, 2, 4-54, 56-75 1998-09-28 ss. 3, 55
1998, c. 42	An Act respecting Institut national de santé publique du Québec 1998-10-08 ss. 1-3, 4 (1 st par. (subpar. 5), 2 nd par.), 5-48 1999-09-12 s. 4 (1 st par. (subpar. 2, 3, 4)) 2000-04-01 s. 4 (1 st par. (subpar. 1))
1998, c. 44	An Act respecting the Institut de la statistique du Québec 1998-10-14 ss. 1, 14-19, 21-24, 63 1999-04-01 ss. 2-13, 20, 25-62
1998, c. 46	An Act to amend various legislative provisions relating to building and the construction industry 1998-09-08 ss. 1, 3, 25, 41, 42 (par. 1), 43-50, 58, 60-63, 68-70, 81, 82, 84-86, 88-100, 110-113, 120, 122 (par. 1) [which enacts s. 123 (par. 8.4) of the Act respecting labour relations, vocational training and manpower management in the construction industry], 122 (par. 2), 125-135 2000-11-07 ss. 4-7, 9, 30-32, 37 2002-10-01 ss. 8, 10-13 2002-11-20 ss. 71, 73, 75, 76, 78, 80
1998, c. 47	An Act respecting certain facilities of Ville de Montréal 1998-09-25 ss. 1-42
1998, c. 51	An Act to amend the Code of Civil Procedure and other legislative provisions in relation to notarial matters 1999-05-13 ss. 1-25, 27, 29 2000-01-01 s. 26
1998, c. 52	An Act to amend the Election Act, the Referendum Act and other legislative provisions 1999-09-22 ss. 46, 47, 55, 56, 81, 94 (par. 3, 4)
1999, c. 11	An Act respecting Financement-Québec 1999-10-01 ss. 1-68

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Reference	Title Date of coming into force
1999, c. 13	An Act to amend various legislative provisions relating to building and the construction industry 1999-09-08 ss. 1, 8, 10, 13
1999, c. 14	An Act to amend various legislative provisions concerning de facto spouses 1999-07-01 ss. 18, 19 (on the date of the coming into force of ss. 35 and 65 of 1997, c. 73, under the provisions of s. 98 (par. 2) of that Act) 1999-10-01 ss. 34 (on the date of the coming into force of the provisions of s. 19 of 1998, c. 36 (subpar. 3 of 1 st par.)), 35 (on the date of the coming into force of the provisions of s. 28 of 1998, c. 36 (subpar. 4 of 1 st par.))
1999, c. 16	An Act respecting Immobilière SHQ 1999-12-15 ss. 1-38
1999, c. 26	An Act respecting the Société nationale du cheval de course 1999-09-01 ss. 1-20
1999, c. 30	An Act to amend certain legislative provisions respecting the Public Curator 2000-04-01 ss. 7-15, 17, 18, 19 (par. 1, 3, 4), 20, 24
1999, c. 32	An Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec 1999-08-04 ss. 1, 2 (1 st par., 2 nd par. (subpar. 2)), 3-15, 18-30, 33 2001-09-13 ss. 2 (2 nd par. (par. 1)), 16, 17, 31, 32
1999, c. 34	An Act respecting the Corporation d'hébergement du Québec 1999-12-01 ss. 1-26, 28-40, 42-55, 56 (par. 1), 57-61, 63-77 2000-01-05 ss. 27, 62 2000-04-01 ss. 41, 56 (par. 2)
1999, c. 36	An Act respecting the Société de la faune et des parcs du Québec 1999-09-08 ss. 1-3, 5-23, 33, 35, 36, 169, 170 1999-12-01 ss. 4, 24-32, 34, 37-168
1999, c. 37	An Act to amend the Act respecting prescription drug insurance 1999-09-01 ss. 1, 4-8
1999, c. 38	An Act respecting the transport of bulk material under municipal contracts 2000-09-20 ss. 1-3
1999, c. 41	An Act respecting the Société de développement de la Zone de commerce international de Montréal à Mirabel 2000-03-30 ss. 1-50
1999, c. 45	An Act to amend the Act respecting health services and social services as regards access to users' records 2000-01-01 ss. 1-5
1999, c. 46	An Act to amend the Code of Civil Procedure 2000-02-01 ss. 1-19
1999, c. 47	An Act to amend the Civil Code as regards names and the register of civil status 2002-05-01 s. 8

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Reference	Title Date of coming into force
1999, c. 49	An Act to amend the Civil Code as regards publication of certain rights by means of a notice 2000-01-01 s. 1
1999, c. 50	An Act to repeal the Grain Act and to amend the Act respecting the marketing of agricultural, food and fish products and other legislative provisions 2002-03-27 ss. 30 (to the extent that it enacts ss. 149.2-149.5 of the Act respecting the marketing of agricultural, food and fish products (R.S.Q., chapter M-35.1)), 31, 47 (to the extent that it repeals ss. 19-22 of the Dairy Products and Dairy Products Substitutes Act (R.S.Q., chapter P-30)), 74
1999, c. 52	An Act to amend the Act respecting labour standards and other legislative provisions concerning work performed by children 2000-07-20 ss. 11 (where it enacts sections 84.6, 84.7 of the Act respecting labour standards), 12
1999, c. 53	An Act to provide for the implementation of agreements with Mohawk communities 1999-11-24 ss. 1-21
1999, c. 65	An Act to amend the Act respecting the Ministère du Revenu and other legislative provisions of a fiscal nature 2000-02-02 ss. 1-4, 6, 7, 9 (par. 1, 2, 3), 11, 13-16, 17 (par. 2), 18, 19, 27, 28 (par. 1), 29 (par. 1, 2, 5), 30-32, 46, 49-53, 54 (par. 2), 55-63, 65-71, 74-76 2002-02-02 ss. 28 (par. 2, 3, 4), 29 (par. 3, 4)
1999, c. 66	An Act to amend the Highway Safety Code and other legislative provisions 2000-04-01 ss. 8, 9, 12, 13, 22-24, 30, 31 2000-12-14 ss. 18, 26 (par. 1), 29 2001-03-01 s. 20 2003-09-03 s. 15 2008-04-01 ss. 10, 26 (par. 2)
1999, c. 69	An Act to again amend the James Bay Region Development Act 2000-09-27 ss. 1-16
1999, c. 75	An Act to amend the Environment Quality Act and other legislation as regards the management of residual materials 2000-05-01 ss. 1-13 (subsections 1, 3, 4, 5 (heading) of Division VII of Chapter I of the Environment Quality Act), 14-54 2001-01-01 subsection 2 of Division VII of Chapter I of the Environment Quality Act, enacted by section 13
1999, c. 77	An Act respecting the Ministère des Finances 2000-11-15 ss. 1-56
1999, c. 84	An Act to delimit the high water mark of the St. Lawrence River in the territory of Municipalité régionale de comté de La Côte-de-Beaupré 2002-10-03 ss. 1-4
1999, c. 89	An Act to amend the Health Insurance Act and other legislative provisions 2000-03-01 ss. 1 (par. 1, 3 (the replacement of “beneficiary” by “insured person”), 4, 5), 2, 3, 8, 11-17, 19, 20, 22-29, 31-37, 38 (par. 3-6), 39-56 2001-05-31 ss. 1 (par. 2, 3 (the replacement of “deemed” by “temporary”)), 4-7, 9, 10 (except the new s. 9.6 of the Health Insurance Act (R.S.Q., chapter A-29) that it introduces), 18, 21, 30, 38 (par. 1, 2)

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Reference	Title Date of coming into force
1999, c. 90	An Act to amend various legislative provisions respecting municipal affairs 2001-01-31 ss. 22-26, 31
2000, c. 8	Public Administration Act 2000-09-06 s. 144 2000-10-01 ss. 1, 2, 12-23, 29-36, 38-56, 58-76, 77 (par. 1-3, 5-10, 12), 78-92, 93 (except to the extent that it repeals sections 22, 49.6 of the Financial Administration Act (R.S.Q., chapter A-6) and Division IX of that Act comprising sections 83-85), 94-98, 100, 103-105, 109, 120-123, 125-143, 145-149, 152, 153, 157-173, 175, 178-182, 186, 188, 191, 201, 219, 221, 222, 224-228, 230, 231, 236, 238, 239, 240 (with the exception of the number and word "10.2 and" in paragraph 3 and paragraphs 4 and 5), 242, 243 (with the exception of the word and number "and 49.6"), 244-253 2001-04-01 ss. 6, 7, 28, 57, 93 (to the extent that it repeals section 49.6 and Division IX comprising sections 83-85 of the Financial Administration Act), 192, the number and word "10.2 and" in paragraph 3 of section 240, and the word and number "and 49.6" in section 243 of that Act 2001-06-20 ss. 37, 93 (to the extent that it repeals s. 22 of the Financial Administration Act (R.S.Q., chapter A-6)), 99, 101, 102, 106-108, 110-119, 124, 150, 151, 154-156, 174, 176, 177, 183-185, 187, 189, 190, 193-200, 202-218, 220, 223, 229, 232-235, 237, 241 2002-04-01 ss. 24-27
2000, c. 9	Dam Safety Act 2002-04-11 ss. 1-18, 19 (1 st , 2 nd , 3 rd , 5 th par.), 20-49
2000, c. 10	An Act to amend the Tourist Establishments Act 2001-12-01 ss. 1-4, 6-33
2000, c. 13	An Act to amend the Professional Code and other legislative provisions 2000-07-12 ss. 1-95
2000, c. 15	Financial Administration Act 2000-11-15 ss. 1-14, 20-32, 46-57, 77-163, 165, 166 (except to the extent that the latter replaces sections 8, 22, 36-36.2, 47, 48, 49.6, 59-69.0.7, 69.5 and Division IX comprising sections 83-85 of the Financial Administration Act (R.S.Q., chapter A-6)), 167 2001-03-01 ss. 67, 68, 69 and 166 (to the extent that it replaces sections 59, 68 and 69 of the Financial Administration Act (R.S.Q., chapter A-6)) 2002-03-01 ss. 15-19, 61-66, 70-76, 164, 166 (to the extent that the latter replaces ss. 8, 36-36.2, 47, 48, 60-67, 69.0.1-69.0.7, 69.5 of the Financial Administration Act (R.S.Q., chapter A-6))
2000, c. 18	An Act respecting the Office Québec-Amériques pour la jeunesse 2000-09-13 ss. 1-34
2000, c. 20	Fire Safety Act 2000-09-01 ss. 1-6, 8-38 (1 st par.), 39-152, 154-185 2001-04-01 ss. 7, 153
2000, c. 21	An Act to amend the Cinema Act 2001-01-01 ss. 1-8
2000, c. 22	An Act to amend the Act respecting the Régie de l'énergie and other legislative provisions 2000-11-15 ss. 68, 69 2001-09-20 ss. 58, 59, 65 2004-03-24 ss. 45 (par. 2), 50 (par. 1 (except the words "the registration fees and"), 2)

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 <i>en minute</i> 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.

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Reference	Title Date of coming into force
2001, c. 11	An Act respecting the Bibliothèque nationale du Québec and amending various legislative provisions 2002-03-04 ss. 1-34
2001, c. 12	Geologists Act 2001-08-22 ss. 1-24
2001, c. 15	An Act respecting transportation services by taxi 2002-05-15 ss. 10 (3 rd par.), 79 (1 st par. (subpar. 4, 8)) 2002-06-05 ss. 12 (4 th par.), 88 2002-06-30 ss. 1-9, 10 (1 st , 2 nd par.), 11, 12 (1 st , 2 nd , 3 rd par.), 13-17, 18 (except 3 rd par. (subpar. 1)), 19-25, 26 (except 1 st par. (subpar. 3)), 27-34, 48-71, 79 (1 st par. (subpar. 1-3, 5-7, 9-12), 2 nd , 3 rd , 4 th par.), 80-87, 89-134, 139-151
2001, c. 19	An Act concerning the organization of police services 2001-10-10 s. 1 (par. 1)
2001, c. 23	An Act respecting public transit authorities 2002-02-13 s. 208
2001, c. 24	An Act to amend the Act respecting health services and social services and other legislative provisions 2001-06-29 ss. 6, 7 (to the extent that it introduces s. 126.2 (2 nd par.) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 8, 11 2001-12-19 ss. 1, 2, 55, 56, 58-61, 63, 65, 66, 67 (to the extent that it replaces s. 397.3 of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 68-78, 80-82, 85, 87, 92, 106, 108, 109 2002-04-01 s. 64 2002-05-01 ss. 36-38 2002-08-01 ss. 5, 7 (to the extent that it introduces s. 126.2 (3 rd par.) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 9, 10, 12-34, 39-42, 46, 47, 50-52, 84, 90, 91, 94-101, 104, 107
2001, c. 26	An Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions 2002-02-13 ss. 63 (where it enacts ss. 137.11-137.16 of the Labour Code (R.S.Q., chapter C-27)), 207 2002-10-02 s. 63 (where it enacts ss. 137.17-137.39 of the Labour Code) 2002-10-23 ss. 63 (where it enacts ss. 113, 137.62, 137.63 of the Labour Code), 139, 209, 220 2002-11-25 s. 63 (where it enacts s. 112 of the Labour Code) 2002-11-25 ss. 1-11, 12 (par. 1), 13-24, 25 (par. 2, 3), 26-30, 32 (where it enacts ss. 45.1, 45.2 of the Labour Code), 33-41, 43, 46, 48, 49, 52-56, 59, 63 (where it enacts ss. 114 (except with respect to a complaint, other than that provided for in s. 47.3 of the Labour Code, alleging a contravention of s. 47.2 of the Code), 115, 116 (1 st par.), 117-132, 134-137.10, 137.40-137.61 of the Labour Code), 64 (except par. 3 where it enacts s. 138 (1 st par. (subpar. g, h)) of the Labour Code), 65-72, 83-92, 94-125, 127, 131, 140-150, 151 (par. 1-23, 25), 152-157, 160-172, 174-181, 182 (par. 1, 2, 4), 183-201, 203-205, 208, 210, 212-219 2003-04-01 s. 138 2003-09-01 s. 63 (where it enacts s. 133 of the Labour Code) 2004-01-01 s. 63 (where it enacts ss. 114 (with respect to a complaint, other than that provided for in s. 47.3 of the Labour Code, alleging a contravention of s. 47.2 of the Code), 116 (2 nd par.) of the Labour Code)

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</p> <p>Note: Sections 694 and 741 came into force on the date of coming into force of section 7.</p> <p>2004-06-01 ss. 358 (par. 1), 359 (par. 2), 373, 374 (par. 2), 445, 730</p> <p>2004-08-01 s. 104 (1st par.)</p> <p>2010-01-01* ss. 342, 343, 361, 378, 384, 390, 400, 403, 416, 418, 483, 484, 491, 727-729 (*Order in Council 1282-2009 postponed the coming into force of those sections.)</p>
2002, c. 50	<p>An Act to amend the General and Vocational Colleges Act and the Act respecting the Commission d'évaluation de l'enseignement collégial</p> <p>2004-04-07 s. 7</p>
2002, c. 51	<p>An Act to amend the Act respecting income support, employment assistance and social solidarity and the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail</p> <p>2003-01-01 ss. 1-31</p>
2002, c. 53	<p>An Act to amend the Environment Quality Act and other legislative provisions</p> <p>2008-06-01 ss. 1, 2 (par. 2), 3-5, 9-14, 18</p>
2002, c. 55	<p>An Act to amend the Travel Agents Act and the Consumer Protection Act</p> <p>2003-01-29 s. 22</p> <p>2004-11-11 ss. 18 (par. 2), 25 (par. 2, 6), 26</p>
2002, c. 56	<p>An Act to secure the supply of hogs to a slaughterhouse enterprise in the Abitibi-Témiscamingue region</p> <p>2004-07-21 s. 1</p>
2002, c. 61	<p>An Act to combat poverty and social exclusion</p> <p>2003-03-05 ss. 1 (1st par, 2nd par. (except the second sentence)), 2-20, 21 (1st par.), 61, 62 (except as regards ss. 58 and 60), 64, 66, 69</p> <p>2003-04-01 ss. 1 (3rd par.), 46-57, 67</p> <p>2005-10-17 ss. 1 (2nd par. (2nd sentence), to the extent that that provision applies in respect of the advisory committee on the prevention of poverty and social exclusion), 21 (2nd par., except the words "and those of the indicators proposed by the Observatoire de la pauvreté et de l'exclusion sociale that were retained"), 22-30, 31 (except 3rd par.), 32 (except 2nd par. (2nd sentence)), 33, 34, 58 (except the words "and those of the indicators proposed by the Observatoire de la pauvreté et de l'exclusion sociale retained by the Minister"), 59 (except the words " , taking into account in particular the indicators proposed by the observatory,"), 60, 62 (to the extent that it concerns ss. 58 and 60), 63, 65 (1st par.), 68</p>
2002, c. 62	<p>An Act to amend the Highway Safety Code and the Act respecting the Ministère du Revenu</p> <p>2003-03-05 s. 4 (to the extent that it replaces s. 359.1 (2nd par.) of the Highway Safety Code (R.S.Q., chapter C-24.2))</p> <p>2003-04-13 s. 4 (to the extent that it replaces s. 359.1 (1st par.) of the Highway Safety Code (R.S.Q., chapter C-24.2))</p>

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	<p>An Act to amend the Highway Safety Code and other legislative provisions</p> <p>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</p>
2004, c. 3	<p>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</p> <p>2004-09-01 ss. 26, 27 (par. 1), 28-30 2006-02-01 ss. 1-25, 27 (par. 2), 31-35</p>
2004, c. 6	<p>An Act to amend the Forest Act</p> <p>2006-05-01 s. 6</p>
2004, c. 11	<p>An Act to repeal the Act respecting the Société de la faune et des parcs du Québec and to amend other legislative provisions</p> <p>2004-06-30 ss. 1-80</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>2007-02-21 ss. 1 (ss. 175-177, 178 (2nd par.), 179 of the Courts of Justice Act (R.S.Q., chapter T-16)), 2-8</p>
2004, c. 25	<p>An Act to amend the Act respecting the Bibliothèque nationale du Québec, the Archives Act and other legislative provisions</p> <p>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)</p>
2004, c. 30	<p>An Act respecting Services Québec</p> <p>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</p>
2004, c. 31	<p>An Act to amend the Act to secure the handicapped in the exercise of their rights and other legislative provisions</p> <p>2006-04-01 ss. 3 (par. 1), 29, 33</p>
2004, c. 32	<p>An Act respecting the Agence des partenariats public-privé du Québec</p> <p>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</p>
2004, c. 37	<p>An Act to amend the Securities Act and other legislative provisions</p> <p>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))</p>

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

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Reference	Title Date of coming into force
2005, c. 18	An Act respecting the Health and Welfare Commissioner – <i>Cont'd</i> 2008-06-01 ss. 22, 45 2008-09-30 s. 16
2005, c. 19	An Act to amend the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs and other legislative provisions 2005-08-31 s. 2 (to the extent that it introduces s. 17.1.1 (2 nd par.) of the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs (R.S.Q., chapter M-25.2)) 2005-12-08 s. 2 (other than the provisions introducing s. 17.1.1 (2 nd par.) of the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs (R.S.Q., chapter M-25.2))
2005, c. 22	An Act to amend the Building Act and other legislative provisions 2005-12-01 ss. 10 (par. 2, 3), 11, 12 (par. 1), 15-28, 30-38, 40, 41, 45 (par. 5, 6), 46-49, 54, 55 2008-06-25 ss. 1-9, 10 (par. 1, 4), 12 (par. 2), 13, 14, 29, 39, 42-44, 45 (par. 1-4), 50-53
2005, c. 27	An Act to amend the Code of Penal Procedure and the Courts of Justice Act 2006-10-02 ss. 1-21, 23
2005, c. 32	An Act to amend the Act respecting health services and social services and other legislative provisions 2007-02-01 ss. 139, 140 (par. 2), 141 2007-02-14 ss. 244-246, 339 2009-02-01 s. 220 2010-01-01 s. 240 (the words “or a health professional”, “or professional” and “or person to whom the health professional provides health services” in the paragraph introduced by paragraph 2)
2005, c. 33	An Act to amend the Environment Quality Act 2006-01-19 ss. 1-5
2005, c. 34	An Act respecting the Director of Criminal and Penal Prosecutions 2006-02-01 ss. 5 (solely for the purpose of permitting the application of the rules that relate to the selection and appointment of a Deputy Director), 89 (solely for the purpose of permitting the application of the rules that relate to the selection and appointment of a Deputy Director), 90 (1 st par., solely for the purpose of permitting the application of the rules that relate to the selection and appointment of a Deputy Director) 2006-04-01 ss. 2, 3 (except for “During the year that precedes the end of the Director’s term or as soon as the office becomes vacant.”) 2007-03-05 ss. 1 (1 st par.), 4, 6-8, 10-12, 18, 22, 57 (par. 2) 2007-03-15 ss. 5 (for all matters other than those contemplated by Order in Council 53-2006 dated 1 February 2006), 90 (1 st par.) (for all matters other than those contemplated by Order in Council 53-2006 dated 1 February 2006) 2007-03-15 ss. 1 (2 nd par., 3 rd par.), 3 (the words “During the year that precedes the end of the Director’s term or as soon as the office becomes vacant.”), 9, 13-17, 19-21, 23-56, 57 (par. 1), 58-88, 90 (2 nd par., 3 rd par.), 91-94
2005, c. 39	An Act to amend the Act respecting owners and operators of heavy vehicles and other legislative provisions 2011-01-01 s. 3 (insofar as it replaces s. 2 (1 st par. (subpar. 3 (subpar. a))) of the Act respecting owners, operators and drivers of heavy vehicles (R.S.Q., chapter P-30.3) and insofar as it enacts s. 2 (1 st par. (subpar. 4))) 2016-11-20 ss. 4 (par. 2), 30-47

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Reference	Title Date of coming into force
2005, c. 40	An Act to amend the Act respecting prescription drug insurance and other legislative provisions 2006-04-12 ss. 1, 2, 19, 22 (par. 1), 27 (par. 2), 30, 33-37 2006-08-30 ss. 3-7, 12, 13, 18, 21, 25 (to the extent that it enacts the title of Division III.1 and section 70.3 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01)), 26, 29, 32, 39-41, 46, 47 2007-01-01 s. 14 2007-04-11 ss. 9, 15-17, 20, 22 (par. 3), 23 (to the extent that it enacts ss. 60.1-60.3 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01)), 28 (to the extent that it enacts ss. 84.1, 84.2, 84.4 of the Act respecting prescription drug insurance), 38, 42, 44, 45 2007-10-01 s. 8 2008-04-21 ss. 10, 22 (par. 2), 24, 27 (par. 1) 2009-01-01 ss. 25 (to the extent that it enacts ss. 70.1 and 70.2 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01)), 28 (to the extent that it enacts ss. 84.3 and 84.5 of the Act respecting prescription drug insurance)
2005, c. 41	An Act to amend the Courts of Justice Act and the Act respecting municipal courts 2008-02-13 s. 20
2005, c. 44	An Act to abolish certain public bodies and transfer administrative responsibilities 2007-02-05 ss. 28-34
2006, c. 4	An Act respecting reserved designations and added-value claims 2006-11-06 ss. 7, 8, 12-14, 16-29, 71, 79 2007-12-31 ss. 9 (par. 1, 2, 5 (to the extent that it concerns reserved designations)), 58, 74 2008-06-15 ss. 1-6, 9 (par. 3, 4, 5 (to the extent that it concerns added-value claims)), 10, 11, 15, 30-57, 59-70, 72, 73, 75-78
2006, c. 17	An Act to amend the Election Act to encourage and facilitate voting 2007-02-15 s. 15 (insofar as it enacts ss. 301.19-301.22) 2007-02-15 ss. 13 (insofar as it enacts s. 204 (only for the purposes of the implementation of s. 301.19 (par. 3))), 15 (insofar as it enacts s. 263 (only for the purposes of the implementation of s. 301.21)) 2011-10-26 s. 15 (insofar as it enacts s. 297) 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

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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

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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

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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

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Reference	Title Date of coming into force
2008, c. 14	<p>An Act to again amend the Highway Safety Code and other legislative provisions – <i>Cont'd</i></p> <p>2010-12-01 ss. 15, 16, 17, 103-110 2011-01-01 ss. 25, 44, 72¹ (par. 2) 2011-05-01 s. 37 2013-04-07 ss. 2 (par. 1), 18, 19, 21, 22, 91, 95 2019-02-11 s. 54 (par. 1, 2, 4)</p>
2008, c. 18	<p>An Act to amend various legislative provisions respecting municipal affairs</p> <p>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</p>
2008, c. 24	<p>Derivatives Act</p> <p>2009-02-01 ss. 1-54, 56, 57, 60-81, 82 (except 2nd par.), 86-174, 175 (except 1st par. (subpar. 21, 22)), 176-179, 182-222, 224-239 2009-09-28 ss. 55, 58, 59 2012-04-13 ss. 82 (2nd par.), 83-85, 175 (1st par. (subpar. 21, 22))</p>
2008, c. 25	<p>An Act to amend the Act respecting the Government and Public Employees Retirement Plan and other legislation concerning pension plans in the public sector</p> <p>2010-06-07 ss. 22, 96</p>
2008, c. 29	<p>An Act to amend the Education Act and other legislative provisions</p> <p>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</p>
2009, c. 6	<p>An Act respecting the Institut national des mines</p> <p>2010-06-28 ss. 1-36</p>
2009, c. 8	<p>An Act to amend the Courts of Justice Act and the Act respecting the Ministère de la Justice</p> <p>2011-04-14 ss. 4, 13</p>
2009, c. 19	<p>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</p> <p>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</p>
2009, c. 21	<p>An Act to affirm the collective nature of water resources and provide for increased water resource protection</p> <p>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</p>

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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 ^a 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

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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.) 2019-02-28 ss. 11 (1st par. (subpar. 6)), 24, 25 (par. 2, 3), 43-45, 75 (the words “and any other person for whom an entry is requested”), 79 (par. 10), 83 (2nd par.), 123 (“43,”), 161 (par. 4)</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. 11	<p>An Act to amend the Act respecting Héma-Québec and the haemovigilance committee</p> <p>2019-04-24 s. 8</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) 2018-06-20 s. 165
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 2019-04-01 ss. 25, 27 (where it enacts s. 116.5)
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 2019-05-31 ss. 1-4, 8-10, 17-25, 40, 47-54

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
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 2017-12-15 ss. 10-17
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) 2017-04-19 s. 1 (s. 50 (par. 3), to the extent that it concerns the implementation by the Board of a system designed to allow every insured person to make an appointment with a general practitioner who is subject to an agreement entered into under s. 19 of the Health Insurance Act (chapter A-29))
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 2018-02-01 ss. 2, 4, 19, 20, 21, 24, 25, 27
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. 1	Funeral Operations Act 2018-08-15 ss. 1-3, 7, 8, 9, 11, 12, 15 (1 st par.), 16 (2 nd par.), 17 (2 nd par.), 21, 27, 30, 33, 36, 38, 46, 48 (2 nd par.), 61, 63, 65 (1 st par.), 66 (1 st par. (subpar. 3), 2 nd par., 3 rd par.), 69, 70 (2 nd par.), 79 (3 rd par.), 81, 82 (2 nd par.), 88, 97 (2 nd par.) 2019-01-01 ss. 4-6, 10, 13, 14, 15 (except 1 st par.), 16 (except 2 nd par.), 17 (except 2 nd par.), 18-20, 22-26, 28, 29, 31, 32, 34, 35, 37, 39-45, 47, 48 (except 2 nd par.), 49-60, 62, 64, 65 (except 1 st par.), 66 (except 1 st par. (subpar. 3), 2 nd par., 3 rd par.), 67, 68, 70 (except 2 nd par.), 71-78, 79 (except 3 rd par.), 80, 82 (except 2 nd par.), 83-87, 89-96, 97 (except 2 nd par.), 98-142, 144-149

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Reference	Title Date of coming into force
2016, c. 3	Québec Immigration Act 2018-08-02 ss. 1-71, 72 (except par. 2), 73-129
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 2017-10-01 ss. 21-56, 58-82
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
2016, c. 12	An Act to amend various legislative provisions to better protect persons 2017-11-27 ss. 1, 2 2018-01-01 ss. 3, 6 (par. 1), 8, 11
2016, c. 15	Firearms Registration Act 2018-01-29 ss. 1-27
2016, c. 25	An Act to allow a better match between training and jobs and to facilitate labour market entry 2017-12-01 ss. 29, 33, 34 (as regards decisions under a provision of Chapter IV of Title II of the Individual and Family Assistance Act (chapter A-13.1.1) or under the program provided for in s. 106.1 of that Act), 37, 39, 44 2018-04-01 ss. 23, 24, 26-28, 30-32, 34 (except as regards decisions under a provision of Chapter IV of Title II of the Individual and Family Assistance Act (chapter A-13.1.1) or under the program provided for in s. 106.1 of that Act), 35, 36, 38, 40-43 2018-07-01 s. 25
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 2018-10-31 ss. 39 (to the extent that it concerns s. 8.1.2 of the Act respecting prescription drug insurance (chapter A-29.01)), 50 (to the extent that it concerns s. 8.1.2 of the Act respecting prescription drug insurance)
2016, c. 35	An Act to implement the 2030 Energy Policy and to amend various legislative provisions 2017-04-01 s. 23 (s. 250 (except as regards s. 17.12.22 (par. 1, 2) of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2))) 2018-09-20 s. 23 (except s. 250, as regards s. 17.12.22 (par. 1, 2) of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2))
2017, c. 11	An Act to amend various legislation mainly with respect to admission to professions and the governance of the professional system 2019-10-01 s. 146
2017, c. 18	An Act to amend the Youth Protection Act and other provisions 2018-05-15 ss. 39, 114 2019-01-28 ss. 1 (par. 1 (to the extent that it enacts s. 1 (1 st par., subpar. c. 2) of the Youth Protection Act (chapter P-34.1)), par. 2-4), 2-8, 14-20, 22, 24-31, 33-38, 41-46, 51, 68-70, 88, 94-96, 98-100, 103-113, 115-117

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2017, c. 20	An Act to make wearing of the uniform by police officers and special constables mandatory in the performance of their duties and respecting the exclusivity of duties of police officers who hold a managerial position 2018-06-20 ss. 2-5, 10
2017, c. 22	An Act to group the Office Québec/Wallonie-Bruxelles pour la jeunesse, the Office Québec-Amériques pour la jeunesse and the Office Québec-Monde pour la jeunesse 2017-12-20 s. 2 (to the extent that it concerns the mobility of young people in Québec and elsewhere in Canada) 2018-04-01 ss. 1, 2 (any other part of the section), 3-24
2017, c. 24	An Act mainly to modernize rules relating to consumer credit and to regulate debt settlement service contracts, high-cost credit contracts and loyalty programs 2018-08-01 ss. 9, 23 (to the extent that it enacts s. 115.1 (1 st par.) of the Consumer Protection Act (chapter P-40.1)), 43, 44 (to the extent that it enacts ss. 187.6, 187.8 of the Consumer Protection Act), 49-52, 55 (to the extent that it enacts s. 244.1 of the Consumer Protection Act), 57, 58, 59 (to the extent that it enacts s. 251.2 of the Consumer Protection Act), 64-66, 70, 71-74, 79, 81 (2 nd par.) (to the extent that it concerns s. 187.8 of the Consumer Protection Act), 84 2019-02-01 ss. 4, 48, 53, 55 (to the extent that it enacts ss. 244.2-244.6 of the Consumer Protection Act (chapter P-40.1)), 63 (to the extent that it enacts s. 321 (1 st par. (subpar. <i>h</i>), 2 nd par.) of the Consumer Protection Act), 75 2019-08-01 ss. 2, 3, 6-8, 10-22, 23 (except to the extent that it enacts s. 115.1 (1 st par.) of the Consumer Protection Act (chapter P-40.1)), 24-42, 44 (except to the extent that it enacts ss. 187.6, 187.8 of the Consumer Protection Act), 45-47, 54, 56, 59 (except to the extent that it enacts s. 251.2 of the Consumer Protection Act), 60, 61, 63 (except to the extent that it enacts s. 321 (1 st par. (subpar. <i>h</i>), 2 nd par.) of the Consumer Protection Act), 67, 68, 76-78, 80, 81 (2 nd par.) (except to the extent that it concerns s. 187.8 of the Consumer Protection Act), 82
2018, c. 1	An Act to increase the jurisdiction and independence of the Anti-Corruption Commissioner and the Bureau des enquêtes indépendantes and expand the power of the Director of Criminal and Penal Prosecutions to grant certain benefits to cooperating witnesses 2018-06-20 s. 27
2018, c. 4	An Act respecting the implementation of recommendations of the pension committee of certain public sector pension plans and amending various legislative provisions 2019-01-01 ss. 3, 4, 11, 13, 17, 18, 22, 25, 27, 29 (par. 4, 5), 33-36, 39-42, 57, 66, 68 (par. 4, 5), 70, 73-75
2018, c. 7	An Act to amend the Highway Safety Code and other provisions 2019-07-03 ss. 126, 143 (to the extent that it enacts s. 509.2.1 of the Highway Safety Code), 145 2019-11-07 s. 174 (par. 2, 3) 2019-11-25 ss. 9, 13-20, 162 2020-02-01 s. 149
2018, c. 12	An Act to amend various labour-related legislative provisions mainly to give effect to certain Charbonneau Commission recommendations 2018-06-20 ss. 1-28
2018, c. 13	An Act to amend the Building Act and other legislative provisions mainly to give effect to certain Charbonneau Commission recommendations 2018-09-04 ss. 1-45

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2018, c. 14	An Act to amend various legislative provisions concerning consumer protection 2020-05-06 ss. 1, 2 (par. 3), 3-6, 25
2018, c. 18	An Act to improve the performance of the Société de l'assurance automobile du Québec, to better regulate the digital economy as regards e-commerce, remunerated passenger transportation and tourist accommodation and to amend various legislative provisions 2020-12-01 s. 60 (par. 2) 2021-06-01 ss. 54-57, 59, 87 (to the extent that it amends s. 60.4 of the Tax Administration Act (chapter A-6.002) to refer to s. 350.62 (par. 2) of the Act respecting the Québec sales tax (chapter T-0.1))
2018, c. 19	An Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions 2018-08-07 ss. 1-5, 6 (to the extent that it enacts s. 23.2 (except 1 st par. (subpar. 2, 3)) of the Act respecting the Société des alcools du Québec (chapter S-13), 7, 19 (to the extent that it enacts ss. 23-26, 44-47, 49, 56, 67-82, 112, 113 of the Cannabis Regulation Act (2018, chapter 19, s. 19)), 23, 43 (to the extent that it enacts s. 202.3.1 of the Highway Safety Code (chapter C-24.2), 58 (to the extent that it enacts the Government's power to provide exceptions by regulation), 59 (to the extent that it enacts the Government's power to provide exceptions by regulation), 61, 65 (to the extent that it enacts the Government's power to provide exceptions by regulation) 2018-10-17 ss. 6 (to the extent that it enacts s. 23.2 (1 st par. (subpar. 2, 3)) of the Act respecting the Société des alcools du Québec (chapter S-13)), 19 (except to the extent that it enacts ss. 22-26, 44-47, 49, 56, 58-60, 63-82, 112, 113 of the Cannabis Regulation Act (2018, chapter 19, s. 19)), 63, 64, 74 (with regard to the adjustments related to the Cannabis Act (Statutes of Canada, 2018, chapter 16)) 2018-12-18 ss. 20, 21, 24-26, 30, 32, 33, 35-41, 44, 45 (except to the extent that it enacts s. 202.4.1 (1 st par. (subpar. 2)) of the Highway Safety Code (chapter C-24.2)), 46-49, 50 (except par. 1), 51, 54-57, 60, 62, 68-73, 74 (with regard to the adjustments related to the Act to amend the Criminal Code (offences relating to conveyance) and to make consequential amendments to other Acts (Statutes of Canada, 2018, chapter 21)) 2019-07-03 ss. 58 (any portion not yet in force), 59 (any portion not yet in force), 65 (any portion not yet in force)
2019, c. 11	An Act to increase Québec's socio-economic prosperity and adequately meet labour market needs through successful immigrant integration 2019-11-01 s. 9
2019, c. 28	An Act mainly to regulate building inspections and divided co-ownership, to replace the name and improve the rules of operation of the Régie du logement and to amend the Act respecting the Société d'habitation du Québec and various legislative provisions concerning municipal affairs 2020-08-31 ss. 74-109, 158, 159
2020, c. 4	An Act to amend mainly the Pharmacy Act to facilitate access to certain services 2021-01-25 ss. 1 (par. 1), 2 (par. 1 (subpar. b)) insofar as it replaces s. 17 (2 nd par. (subpar. 6-8, 10)) of the Pharmacy Act (chapter P-10), 2 (par. 2) insofar as it enacts s. 17 (3 rd par. (subpar. 3)) of the Pharmacy Act
2020, c. 5	An Act respecting mainly the implementation of certain provisions of the Budget Speeches of 17 March 2016, 28 March 2017, 27 March 2018 and 21 March 2019 2021-01-01 ss. 15-18 2021-01-01 ss. 22-34

COMING INTO FORCE DETERMINED

Reference	Title
	Date of coming into force
2020, c. 6	An Act to amend the Nurses Act and other provisions in order to facilitate access to health services
	2020-05-13 ss. 21, 22, 70, 89-93
	2020-07-08 ss. 23-28, 71-73
	2021-01-25 ss. 1-20, 29-69, 74-88, 94-96



**LIST OF LEGISLATIVE PROVISIONS WHOSE COMING INTO FORCE
HAS YET TO BE DETERMINED BY PROCLAMATION OR ORDER
IN COUNCIL AS OF 31 DECEMBER 2020**

Provisions not in force on 31 December 2020 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 pressure vessels (chapter A-20.01) 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 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

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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</i> , <i>h</i>)) of the Labour Code (R.S.Q., chapter C-27)), 135

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2001, c. 29	An Act to amend the Highway Safety Code as regards alcohol-impaired driving ss. 14, 16
2001, c. 35	An Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions s. 29 (par. 1)
2001, c. 38	An Act to amend the Securities Act ss. 5 (par. 3), 12, 13, 23, 58, 64
2001, c. 57	An Act to amend the Act respecting off-highway vehicles ss. 1-3
2001, c. 58	An Act to amend the Act respecting immigration to Québec ss. 1-4
2001, c. 60	Public Health Act ss. 61-68
2002, c. 5	An Act to amend the Act respecting the Ministère du Revenu and other legislative provisions as regards the protection of confidential information ss. 12 (s. 69.1 (2 nd par, subpar. <i>n</i> (the words “or the Act respecting parental insurance (2001, chapter 9)”))), 13 (s. 69.4 (the words “or the Act respecting parental insurance (2001, chapter 9)”))
2002, c. 6	An Act instituting civil unions and establishing new rules of filiation ss. 228 (on the date of coming into force of 1993, c. 54, s. 76), 229 (on the date of coming into force of 1993, c. 54, s. 197)
2002, c. 22	An Act to amend the Act respecting administrative justice and other legislative provisions ss. 8, 10 (to the extent that it enacts s. 119.4 of the Act respecting administrative justice (R.S.Q., chapter J-3)), 24, 35
2002, c. 24	An Act respecting the Québec correctional system s. 16
2002, c. 25	An Act to ensure the implementation of the Agreement Concerning a New Relationship Between le Gouvernement du Québec and the Crees of Québec ss. 1-15
2002, c. 27	An Act to amend the Act respecting prescription drug insurance and other legislative provisions s. 19
2002, c. 28	An Act to amend the Charter of the French language s. 1
2002, c. 29	An Act to amend the Highway Safety Code and other legislative provisions ss. 18, 19, 20 (1 st par. (subpar. 1 (regarding the reference to s. 202.2.1)), 2 nd par.), 25 (par. 2), 29
2002, c. 30	An Act to amend the pension plans of the public and parapublic sectors ss. 6 (to the extent that it enacts s. 17.2 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2)) with regard to the category of employees comprised of employees on leave without pay, 10 (par. 3) with regard to the category of employees comprised of employees on leave without pay, 18 with regard to the category of employees comprised of employees on leave without pay

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2002, c. 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), 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, 5)), 22, 26 (par. 4 (the words "and, in the case of a collective prescription, the date it was filled"), par. 13 (the words "and, in the case of a collective prescription, of the health professional who filled it"), par. 14 (the words "and, in the case of a collective prescription, where it was filled")), 39-42, 50, 55 (except 1 st par.), 59 ("or fill a collective prescription for medication"), 106-108, 123 ("40 or" and "the second paragraph of section 50"), 124 ("or 108"), 131 ("40,")
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. 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), 158-164, 166
2013, c. 18	An Act to amend various legislative provisions mainly concerning the financial sector ss. 92, 97 (par. 3)
2013, c. 30	An Act to amend various legislative provisions concerning municipal affairs s. 13
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

COMING INTO FORCE TO BE DETERMINED

Reference	Title
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, 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. 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 s. 143
2016, c. 3	Québec Immigration Act s. 72 (par. 2)
2016, c. 7	An Act respecting mainly the implementation of certain provisions of the Budget Speech of 26 March 2015 ss. 12 (on the date or dates to be set by the Government according to the classes it determines), 13-20, 57
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 s. 22
2016, c. 26	An Act to amend the Education Act ss. 8, 47
2017, c. 4	An Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund s. 188 (s. 118.5 of the Environment Quality Act (chapter Q-2))
2017, c. 21	An Act to amend certain provisions regarding the clinical organization and management of health and social services institutions ss. 48, 65-75, 90 (par. 1)
2017, c. 23	An Act to amend the Education Act and other legislative provisions concerning mainly free educational services and compulsory school attendance Sections 1, 2, 5, 6, 7, 9, 11, 13 and 16 come into force on 1 July 2018 or any earlier date set by the Government.
2017, c. 27	An Act to facilitate oversight of public bodies' contracts and to establish the Autorité des marchés publics ss. 19 (1 st par. (subpar. 4)), 21 (1 st par. (subpar. 6)), to the extent that it concerns the exercise of functions conferred on the Autorité des marchés publics under Chapter V.3 of the Act respecting contracting by public bodies (chapter C-65.1)), 129, 130 (par. 2), to the extent that it concerns the enactment of s. 23 (par. 13.2) of the Act respecting contracting by public bodies

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2018, c. 7	<p>An Act to amend the Highway Safety Code and other provisions</p> <p>ss. 5 (to the extent that it enacts s. 202.5.1 of the Highway Safety Code (chapter C-24.2)), 29, 31 (par. 2), 32 (par. 1), 39, 48 (to the extent that it enacts s. 239.1.1 of the Highway Safety Code), 62, 152, 164 (par. 4, 5), 178</p> <p>NOTE: ss. 106, 110 and 187 come into force on 19 April 2020, unless the Government sets an earlier date for their coming into force</p>
2018, c. 11	<p>An Act mainly to introduce a basic income for persons with a severely limited capacity for employment</p> <p>ss. 1-6, 8, 12-16, 19 (except where it enacts s. 133.3 of the Individual and Family Assistance Act (chapter A-13.1.1), insofar as the latter section concerns the Social Solidarity Program), 20-31</p>
2018, c. 18	<p>An Act to improve the performance of the Société de l'assurance automobile du Québec, to better regulate the digital economy as regards e-commerce, remunerated passenger transportation and tourist accommodation and to amend various legislative provisions</p> <p>ss. 2, 4, 5, 7, 8, 9 (par. 1), 10-12, 14-27, 28 (par. 4-6), 29 (par. 2-4), 30, 31 (par. 2, 4, 5), 32</p>
2018, c. 19	<p>An Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions</p> <p>ss. 19 (s. 22 of the Cannabis Regulation Act (2018, chapter 19, s. 19)), 31, 34, 42, 43 (except to the extent that it enacts s. 202.3.1 of the Highway Safety Code (chapter C-24.2)), 45 (to the extent that it enacts s. 202.4.1 (par. 2) of the Highway Safety Code), 50 (par. 1), 52, 53</p> <p>NOTE: ss. 27, 28 and 29 come into force on the date of coming into force of ss. 13, 15 and 18 of the Act to amend the Highway Safety Code and other provisions (2018, chapter 7), respectively</p>
2018, c. 20	<p>An Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages</p> <p>ss. 1-9, 11-17, 20, 23, 24, 26-32, 34 (except to the extent that it enacts s. 77.4 of the Act respecting liquor permits (chapter P-9.1)), 35-38, 40-45, 46 (except par. 2 (subpar. c)), 47, 48, 50-55, 56 (except par. 7), 57-59, 64 (except par. 2), 66-69, 70 (except par. 1, 4), 71-73, 85, 88, 89 (except par. 3), 90 (except par. 4), 91, 92 (except par. 1, 2), 94-98, 100-102, 104, 110, 115, 117, 119, 120, 128-137, 139, 140</p>
2018, c. 23	<p>An Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions</p> <p>ss. 570, 571, 598, 657, 661-665, 667 (par. 2), 669, 675</p>
2019, c. 11	<p>An Act to increase Québec's socio-economic prosperity and adequately meet labour market needs through successful immigrant integration</p> <p>s. 25</p>
2019, c. 13	<p>An Act to transfer responsibility for the registry of lobbyists to the Lobbyists Commissioner and to implement the Charbonneau Commission recommendation on the prescription period for bringing penal proceedings</p> <p>NOTE: ss. 1-17, 19-23, 27 come into force on 19 December 2021 or on an earlier date that may be set by the Government on the Commissioner's recommendation</p>
2019, c. 24	<p>An Act to amend the Education Act and other provisions regarding preschool education services for students 4 years of age</p> <p>ss. 1, 2, 4, 5, 6 (except par. 2), 8 (except par. 1), 11-16</p>
2019, c. 28	<p>An Act mainly to regulate building inspections and divided co-ownership, to replace the name and improve the rules of operation of the Régie du logement and to amend the Act respecting the Société d'habitation du Québec and various legislative provisions concerning municipal affairs</p> <p>s. 148</p>

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2020, c. 2	An Act mainly to establish the Centre d'acquisitions gouvernementales and Infrastructures technologiques Québec ss. 28, 29
2020, c. 5	An Act respecting mainly the implementation of certain provisions of the Budget Speeches of 17 March 2016, 28 March 2017, 27 March 2018 and 21 March 2019 ss. 19-21, 35-91
2020, c. 11	An Act to amend the Civil Code, the Code of Civil Procedure, the Public Curator Act and various provisions as regards the protection of persons ss. 1-256
2020, c. 12	An Act mainly to promote the efficiency of penal justice and to establish the terms governing the intervention of the Court of Québec with respect to applications for appeal ss. 2-12, 36, 40-42, 59, 61, 62, 71, 74 (par. 2), 75 (par. 5), 76-82, 85-116, 124-128, 138-142, 144 (par. 1-4), 145 (par. 1-4, 6-8), 146 (par. 2, 5), 148, 149, 154-159 NOTE: Those articles come into force on the date or dates to be set by the Government, which dates, except for section 71, may not be later than 1 January 2021, or on that latter date for the provisions not yet in force on that date.
2020, c. 20	An Act concerning mainly the appointment and the terms of office of coroners and of the Chief Coroner ss. 1-48
2020, c. 21	Credit Assessment Agents Act ss. 8 (insofar as it concerns security freezes), 13 (insofar as it concerns security freezes), 15 (insofar as it concerns security freezes), 9, 18, 108, 111
2020, c. 24	An Act to strengthen the complaint examination process of the health and social services network, in particular for users receiving services from private institutions ss. 1-19
2020, c. 26	An Act respecting off-highway vehicles ss. 20, 24, 136 (par. 34 of Sched. IV to the Act respecting administrative justice (chapter J-3))

INFORMATION REQUIRED BY LAW TO BE PUBLISHED

None in 2020.



2020, chapter 32
AN ACT RESPECTING SSQ MUTUAL

Bill 211

Introduced by Madam Joëlle Boutin, Member for Jean-Talon

Introduced 26 May 2020

Passed in principle 2 June 2020

Passed 2 June 2020

Assented to 5 June 2020

Coming into force: 1 July 2020

Legislation amended: None

Legislation replaced:

Act respecting “Québec Health Services” “Les Services de Santé du Québec” (1991, chapter 102)



Chapter 32

AN ACT RESPECTING SSQ MUTUAL

[Assented to 5 June 2020]

AS Québec Health Services was formed on 24 April 1944 under the Québec Cooperative Syndicates Act (Revised Statutes of Québec, 1941, chapter 290) under the name of “La Coopérative de Santé de Québec”;

AS, on 20 December 1945, the name of the company was changed to that of “Les Services de Santé de Québec” and on 12 December 1949 to that of “Les Services de Santé du Québec” in accordance with the provisions of that Act;

AS, under chapter 155 of the statutes of 1955–1956, Les Services de Santé du Québec was converted into a mutual benefit society under the French name “Les Services de Santé du Québec” and the English name “Quebec Health Services”;

AS, according to the terms of chapter 105 of the statutes of 1964, the powers of Quebec Health Services were broadened;

AS, according to the terms of chapter 70 of the statutes of 1974, Quebec Health Services became a mutual life-insurance company;

AS, according to chapter 100 of the statutes of 1977, Québec Health Services was granted additional powers;

AS, under the Act respecting “Québec Health Services” “Les Services de Santé du Québec” (1991, chapter 102), on 5 December 1991, Québec Health Services was converted into a capital stock insurance company under the name of “SSQ, Life Insurance Company Inc.”, committed to pursuing its activities, and into a mutual management corporation under the name of “SSQ, Mutuelle de gestion”, grouping together the policyholders and the participants to control at all times the capital stock insurance company resulting from the conversion;

AS the Act respecting “Québec Health Services” “Les Services de Santé du Québec” replaced the Act respecting “Quebec Health Services — “Les Services de Santé du Québec” (1955–1956, chapter 155);

AS, under chapter 107 of the statutes of 1993, amendments were made to the corporate organization of the mutual management corporation and the capital stock insurance company;

AS the Act respecting insurance (chapter A-32) was replaced by the Insurers Act (chapter A-32.1) on 13 June 2019 and as the expression “compagnie d’assurance” used in French in the former Act was replaced by the expression “société d’assurance” in the latter Act and the expression “mutual management corporation” used in the former Act was replaced by the expression “mutual legal person” in the latter Act;

AS, under the articles of continuance and a certificate of continuance issued by the Registraire des entreprises du Québec on 31 December 2019, SSQ, Life Insurance Company Inc., authorized insurer constituted under a private Act of Québec, became on that date an insurance business corporation regulated by Title III of the Insurers Act;

AS, under the articles of amalgamation and a certificate of amalgamation issued by the Registraire des entreprises du Québec on 1 January 2020, SSQ, Life Insurance Company Inc. and SSQ, Insurance Company Inc. amalgamated under the Insurers Act and the Business Corporations Act (chapter S-31.1), the corporation resulting from the amalgamation having taken the name of SSQ, Life Insurance Company Inc.;

AS SSQ, Life Insurance Company Inc. and SSQ, Mutuelle de gestion wish SSQ, Life Insurance Company Inc. to consolidate with La Capitale Civil Service Insurer Inc. to ensure that they continue their activities together and that SSQ, Mutuelle de gestion holds an indirect interest in each of them and in any other insurance business corporation through the intermediary of one or more other legal persons, which must include a common holding company;

AS the proposed consolidation requires that the Act respecting “Québec Health Services” “Les Services de Santé du Québec” be replaced by a new Act that will be better suited to the reality of SSQ, Mutuelle de gestion and SSQ, Life Insurance Company Inc. after the consolidation, that is to say, a new Act more in line with the Insurers Act and more suitable for the continuance of SSQ, Life Insurance Company Inc. as a regulated business corporation within the meaning of the Insurers Act;

AS the directors of SSQ, Life Insurance Company Inc. unanimously passed a resolution approving the replacement of the Act respecting “Québec Health Services” “Les Services de Santé du Québec” by this Act;

AS the shareholders of SSQ, Life insurance Company Inc. unanimously ratified the replacement of the Act respecting “Québec Health Services” “Les Services de Santé du Québec” by this Act;

AS the directors of SSQ, Mutuelle de gestion unanimously passed a resolution approving the replacement of the Act respecting “Québec Health Services” “Les Services de Santé du Québec” by this Act;

AS the members of SSQ, Mutuelle de gestion unanimously approved, on 3 March 2020, at a special general meeting called for such purpose, the replacement of the Act respecting “Québec Health Services” “Les Services de Santé du Québec” by this Act;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

DEFINITIONS

I. In this Act, unless the context indicates otherwise,

(1) “relevant shareholder” means the holding company or any person who directly, or indirectly through the intermediary of one or more legal persons, holds shares of the capital stock of one of the patrimonial insurers, as well as that person’s successors, assignees and right-holders;

(2) “patrimonial insurers” means the SSQ insurance business corporation, the LC insurance business corporation, La Capitale General Insurance Inc., La Capitale Financial Security Insurance Company, L’Unique General Insurance Inc. and Unica Insurance Inc., and “patrimonial insurer” means any of the patrimonial insurers;

(3) “controlled management rights” means rights granted to a relevant shareholder by an agreement to which a patrimonial insurer or the holding company is a party and under which certain actions or certain decisions of the patrimonial insurer or its board of directors are subject to the approval of the relevant shareholder;

(4) “Minister” means the minister responsible for the carrying out of the Insurers Act (chapter A-32.1);

(5) “mutual legal persons” means the SSQ mutual legal person and the LC mutual legal person, collectively;

(6) “LC mutual legal person” means La Capitale Civil Service Mutual, a legal person without capital stock governed by the Act respecting La Capitale Civil Service Mutual;

(7) “SSQ mutual legal person” means SSQ, Mutuelle de gestion, a legal person without capital stock governed by this Act whose corporate name is changed to “SSQ Mutuelle” in French and to “SSQ Mutual” in English under this Act;

(8) “equity percentage” means, with respect to a person who holds equity in a legal person, the percentage that the number of voting rights attached to the voting shares of the capital stock held by the person as a shareholder is of the total number of voting rights attached to issued and outstanding voting shares of the legal person’s capital stock;

(9) “equity percentage of the SSQ mutual legal person” means the equity percentage held indirectly, through one or more legal persons, which must include the holding company, by the SSQ mutual legal person in any patrimonial insurer that is equal to the result obtained by multiplying all the equity percentages, from the mutual legal person to the relevant patrimonial insurer;

(10) “LC insurance business corporation” means La Capitale Civil Service Insurer Inc.;

(11) “SSQ insurance business corporation” means SSQ, Life Insurance Company Inc.; and

(12) “holding company” means 9410-2589 Québec Inc., a business corporation constituted under the Business Corporations Act (chapter S-31.1).

CHAPTER II

CONTINUATION OF SSQ, MUTUELLE DE GESTION

2. The SSQ mutual legal person continues the existence of SSQ, Mutuelle de gestion, including, if applicable, its rights and privileges, for the purpose of enabling the continuation of the rights of insurance contract owners and group insurance contract participants as members, their rights being exercised within the SSQ mutual legal person.

CHAPTER III

PATRIMONIAL INSURERS

DIVISION I

HEAD OFFICES OF PATRIMONIAL INSURERS

3. The head offices of the patrimonial insurers are situated in the judicial district of Québec.

DIVISION II

ADMINISTRATION OF PATRIMONIAL INSURERS

4. The board of directors of each patrimonial insurer and of the holding company must be composed of a number of directors designated by the SSQ mutual legal person that is equal to or greater than the equity percentage of the SSQ mutual legal person multiplied by the total number of directors of the patrimonial insurer or the holding company rounded up to the nearest whole number.

5. A director of a patrimonial insurer or of the holding company designated by the SSQ mutual legal person may be removed only by the latter.

DIVISION III**NAME AND OBJECTS OF THE SSQ INSURANCE BUSINESS CORPORATION**

- 6.** The name of the SSQ insurance business corporation is that given to it in its articles.
- 7.** The objects of the SSQ insurance business corporation are those given to it in its articles.

DIVISION IV**MISCELLANEOUS PROVISIONS**

- 8.** Despite section 198 of the Insurers Act (chapter A-32.1), a relevant shareholder may hold and exercise controlled management rights relating to one of the patrimonial insurers, without the holding or exercise of such rights contravening any other applicable provision of the Insurers Act.
- 9.** Section 540 of the Insurers Act does not apply to the patrimonial insurers.
- 10.** The SSQ insurance business corporation retains the rights and privileges it enjoyed under former Acts, as applicable.

CHAPTER IV**SSQ MUTUAL LEGAL PERSON****DIVISION I****NAME, HEAD OFFICE, OBJECTS AND POWERS**

- 11.** The name of the SSQ mutual legal person is “SSQ Mutuelle” and its English version, “SSQ Mutual”.
- 12.** The head office of the SSQ mutual legal person is situated in the judicial district of Québec.
- 13.** The SSQ mutual legal person is a legal person without share capital operating in accordance with the form of representative governance provided for in Divisions II and III of this chapter.

Its principal object is to hold indirectly, through the intermediary of one or more legal persons, which must include the holding company, equity in the capital stock of the SSQ insurance business corporation or the LC insurance business corporation.

The SSQ mutual legal person may indirectly hold equity in the capital stock of any other insurance business corporation to the extent that the equity is held directly or indirectly by the holding company or any of the patrimonial insurers.

The SSQ mutual legal person may encourage economic, social or educational activities, including through foundations.

14. The SSQ mutual legal person may make the investments it considers appropriate, as a prudent and reasonable person would do in similar circumstances, acting with honesty and loyalty in the best interests of the members.

DIVISION II

MEMBERS OF THE SSQ MUTUAL LEGAL PERSON

15. The members of the SSQ mutual legal person are,

(1) with respect to damage insurance or individual insurance of persons, a natural person who is the owner of an insurance or annuity contract underwritten by a patrimonial insurer or by any of its predecessors or, if there is more than one owner, the person designated from among them in accordance with the by-laws of the SSQ mutual legal person; and

(2) with respect to group insurance of persons, the participant in a group insurance contract or group annuity contract of which the insurer or debtor is a patrimonial insurer or any of its predecessors.

A person retains the status of member as long as

(1) the contract referred to in the first paragraph of which the person is an owner or in which the person is a participant is in force; and

(2) the SSQ mutual legal person holds indirectly, through the intermediary of one or more legal persons, equity in the patrimonial insurer who underwrote or whose predecessor underwrote the contract referred to in the first paragraph.

16. In no case is a subrogated holder a member.

17. A member has the right to only one vote, regardless of the number or amount of the contracts owned or participated in. No member may vote by proxy.

18. The SSQ mutual legal person must, within 24 months after the coming into force of this Act or before any other time limit approved by the Minister, adopt the by-law provided for in section 27, which by-law must be submitted for approval at the annual meeting following its adoption.

Despite section 15, in the interval between the coming into force of this Act and the approval of the by-law provided for in the first paragraph, only the members whose insurance contract, group insurance contract, annuity contract or group annuity contract is underwritten by the SSQ insurance business corporation or its predecessors may exercise a voting right under the by-laws of the SSQ mutual legal person in force immediately before the coming into force of this Act.

19. Any person who is a member of the SSQ mutual legal person, immediately before the coming into force of this Act, is deemed to be a member of the SSQ mutual legal person as long as the insurance or annuity contract the person owns or participates in is in force and the SSQ mutual legal person holds indirectly, through the intermediary of one or more legal persons, equity in the patrimonial insurer who underwrote the contract or whose predecessor underwrote the contract.

DIVISION III

ADMINISTRATION OF THE SSQ MUTUAL LEGAL PERSON

20. The general meeting of the members elects the directors of the SSQ mutual legal person from among its members in the manner provided for in its by-laws.

21. The SSQ mutual legal person may, by by-law, determine the minimum and maximum number of directors. However, in no case may the minimum number of directors be less than seven.

22. The majority of the directors of the SSQ mutual legal person must reside in Québec.

23. The directors of the SSQ mutual legal person in office immediately before the coming into force of this Act remain in office for the unexpired portion of their term of office, unless they resign or their office otherwise becomes vacant.

24. No more than one-third of the board of directors of the SSQ mutual legal person may be composed of remunerated officers and employees of legal persons affiliated with the SSQ mutual legal person within the meaning of the Insurers Act.

25. The by-laws of the SSQ mutual legal person in force immediately before the coming into force of this Act continue to have effect.

26. The board of directors of the SSQ mutual legal person may adopt, repeal or amend any by-law for the management of its affairs. To remain in force, all such by-laws must be ratified at the next annual general meeting or, in the meantime, at an extraordinary meeting.

27. The board of directors of the SSQ mutual legal person may adopt a by-law prescribing the mechanisms and procedures by which certain members are designated as delegates and, in such a case, the delegates and the directors of the SSQ mutual legal person are the only persons who may vote at the annual general meeting or at any extraordinary meeting of the SSQ mutual legal person to the extent permitted by the by-law.

Despite section 26, such by-law may not come into force before being ratified by the meeting of the members.

DIVISION IV

MISCELLANEOUS PROVISIONS

28. The expenses inherent in the operation of the SSQ mutual legal person may be assumed by a patrimonial insurer.

29. In the absence of a corresponding provision in this chapter and subject to section 31 of this Act, section 88, paragraph 3 of section 89 and sections 89.1 to 89.4 of Part I and the provisions of Part II of the Companies Act (chapter C-38) apply, with the necessary modifications, to the SSQ mutual legal person, except sections 126, 136.1, 139 to 141, 143 to 165, 171 to 181, paragraph 3 of section 182, subparagraphs *a* and *b* of paragraph 2 of section 185, sections 187 and 190, subparagraphs *j* and *k* of paragraph 3 of section 191, section 192, sections 195 and 196, and subparagraphs *d* and *e* of paragraph 1 and paragraph 2 of section 197.

The Government may render a provision of the Companies Act or the Business Corporations Act (chapter S-31.1) applicable to the SSQ mutual legal person.

30. For the purposes of the Companies Act and the Winding-up Act (chapter L-4), “company” means the SSQ mutual legal person and “shareholder” means a member of the SSQ mutual legal person.

Where a provision of those Acts refers to a specified proportion in value of the capital stock of a corporation, the provision is construed as meaning the number of persons present and qualified to vote that corresponds to the specified proportion in value.

However, if a by-law prescribes a delegate system such as that permitted under section 27 of this Act, the provision is construed as meaning the number of directors and delegates present and qualified to vote.

31. Sections 9 to 17 of the Act respecting the regulation of the financial sector (chapter E-6.1) and sections 9 to 19, 48, 74, 93, 97, 108, 109 to 112, 115, 117, 130 to 133, 137, 138, 146 to 148, 242, 243, 248 to 254, 269 to 272, 349, 351, 462, the second paragraph of section 464, sections 465 to 468 and Chapter II of Title VI of the Insurers Act (chapter A-32.1) apply, with the necessary modifications, to the SSQ mutual legal person and to any legal person through the intermediary of which the SSQ mutual legal person holds equity in the patrimonial insurers.

For the purpose of applying the Insurers Act to the SSQ mutual legal person or to any legal person through the intermediary of which the SSQ mutual legal person holds equity in the patrimonial insurers, the references to the actuary are deemed not written.

In addition to the provisions referred to in the first paragraph, sections 291 to 295 and 298 to 301 of the Insurers Act apply to the holding company.

CHAPTER V

MAINTENANCE OF THE MUTUAL LEGAL PERSONS' EQUITY PERCENTAGE

32. On pain of absolute nullity, the SSQ insurance business corporation, the LC insurance business corporation, the holding company and any other legal person through the intermediary of which the mutual legal persons hold a combined equity percentage in the SSQ insurance business corporation or the LC insurance business corporation may not allot shares of their capital stock or authorize and register a transfer of such shares in either of the following cases:

(1) the members of each of the mutual legal persons have not approved that the combined equity percentage of the mutual legal persons in the LC insurance business corporation or the SSQ insurance business corporation, as the case may be, through the intermediary of the holding company, be less than 26% but equal to or greater than 13%; once the threshold has been reached, such approval must be given each time the combined equity percentage of the mutual legal persons drops below the new authorized minimum threshold, without being less than 13%; or

(2) the members of each of the mutual legal persons and the Minister have not approved that the combined equity percentage of the mutual legal persons in the LC insurance business corporation or the SSQ insurance business corporation, as the case may be, through the intermediary of the holding company, be less than 13%; once the threshold has been reached, such approval must be given each time the combined equity percentage of the mutual legal persons drops below the new authorized minimum threshold.

For the purposes of the first paragraph, the approval required from the members of each of the mutual legal persons is deemed to have been received if the total number of those who voted in favour of the change in the proposed minimum threshold represents at least two-thirds of the members of the SSQ mutual legal person and of the LC mutual legal person present and qualified to vote during meetings.

CHAPTER VI

DISSOLUTION, LIQUIDATION AND SALE

33. The Winding-up Act (chapter L-4) applies to the SSQ mutual legal person, with the necessary modifications.

The SSQ mutual legal person must make a by-law establishing the members' rights and interests for the purposes of the distribution of the balance of the assets after its winding-up, once its debts and the costs, charges and expenses of its winding-up have been paid, not later than 24 months as of 1 July 2020 or before any other time limit approved by the Minister.

The by-law of the SSQ mutual legal person establishing the members' rights and interests for the purposes of the distribution of the balance of the assets upon its winding-up, and any amendment to the by-law, must be submitted to the Minister for approval before they are adopted.

On the date the entry provided for in the second paragraph of section 17 of the Winding-up Act is made in the enterprise register, the provisions of this Act become without effect, except section 9, which continues to apply to the SSQ insurance business corporation.

34. If the SSQ mutual legal person disposes of the equity it holds indirectly in the SSQ insurance business corporation and of the equity it holds in the LC insurance business corporation, it must dissolve itself and wind itself up.

35. The voluntary dissolution of the SSQ insurance business corporation and of the LC insurance corporation, their liquidation or the sale of all or substantially all of their property or their enterprise outside of the ordinary course of their operations entails the dissolution and winding-up of SSQ mutual legal person.

CHAPTER VII

FINAL PROVISIONS

36. This Act replaces the Act respecting “Québec Health Services” “Les Services de Santé du Québec” (1991, chapter 102).

37. This Act comes into force on 1 July 2020.

2020, chapter 33
AN ACT RESPECTING LA CAPITALE CIVIL SERVICE MUTUAL

Bill 212

Introduced by Madam Joëlle Boutin, Member for Jean-Talon

Introduced 26 May 2020

Passed in principle 2 June 2020

Passed 2 June 2020

Assented to 5 June 2020

Coming into force: 1 July 2020

Legislation amended: None

Legislation replaced:

Act respecting Mutuelle des Fonctionnaires du Québec (1991, chapter 103)



Chapter 33

AN ACT RESPECTING LA CAPITALE CIVIL SERVICE MUTUAL

[Assented to 5 June 2020]

AS Mutuelle des Fonctionnaires du Québec was incorporated as a mutual life assurance company by the Act to incorporate La Mutuelle des Employés Civils, a mutual life assurance company (1956-57, chapter 166);

AS, under the Insurance Act (Revised Statutes of Québec, 1964, chapter 295), its corporate name was changed on 6 April 1965 to “La Mutuelle-Vie des Fonctionnaires du Québec”;

AS, under the Special Corporate Powers Act (chapter P-16), its corporate name was changed on 24 January 1983 to “Mutuelle des Fonctionnaires du Québec”;

AS, under the Act respecting Mutuelle des Fonctionnaires du Québec (1991, chapter 103), on 1 January 1992, Mutuelle des Fonctionnaires du Québec was converted into a capital stock insurance company under the name of “Québec Civil Servants’ Insurance Corporation”, committed to pursuing its activities, and into a mutual management corporation under the name of “Québec Civil Servants’ Mutual Management Corporation”, grouping together the policyholders to control at all times the capital stock insurance company resulting from the conversion;

AS the Act respecting Mutuelle des Fonctionnaires du Québec replaced the Act to incorporate La Mutuelle des Employés Civils, a mutual life assurance company;

AS, under the Special Corporate Powers Act, on 1 January 1992, the name of the mutual management corporation was changed to “Mutuelle des Fonctionnaires du Québec, corporation de gestion” and the name of the capital stock insurance company was changed to “MFQ-Vie, corporation d’assurance”;

AS, under the Act respecting the special powers of legal persons, on 11 September 2000, the name of the capital stock insurance company was changed to “La Capitale MFQ Insurance Inc.”;

AS, under the Act respecting the special powers of legal persons, on 1 October 2004, the name of the mutual management company was changed to “La Capitale Civil Service Mutual” and the name of the capital stock insurance company was changed to “La Capitale Civil Service Insurer Inc.”;

AS, under the articles of amalgamation and a certificate of amalgamation issued by the Registraire des entreprises du Québec in force on 1 January 2018, La Capitale Civil Service Insurer Inc. and La Capitale Insurance and Financial Services Inc. amalgamated under the Act respecting insurance (chapter A-32) and the Business Corporations Act (chapter S-31.1), and the corporation resulting from the amalgamation took the name of La Capitale Civil Service Insurer Inc.;

AS the Act respecting insurance was replaced by the Insurers Act (chapter A-32.1) on 13 June 2019 and as the expression “compagnie d’assurance” used in French in the former Act was replaced by the expression “société d’assurance” in the latter Act and the expression “mutual management corporation” used in the former Act was replaced by the expression “mutual legal person” in the latter Act;

AS La Capitale Civil Service Insurer Inc. became, on 13 June 2019, a business corporation regulated by Title III of the Insurers Act;

AS La Capitale Civil Service Insurer Inc. and La Capitale Civil Service Mutual wish La Capitale Civil Service Insurer Inc. to consolidate with SSQ, Life Insurance Company Inc. to ensure that they continue their activities together and that La Capitale Civil Service Mutual holds an indirect interest in each of them and in any other insurance business corporation through the intermediary of one or more legal persons, which must include a common holding company;

AS the proposed consolidation requires that the Act respecting *Mutuelle des Fonctionnaires du Québec* be replaced by a new Act that will be better suited to the reality of La Capitale Civil Service Mutual and La Capitale Civil Service Insurer Inc. after the consolidation, that is to say, a new Act more in line with the Insurers Act and more suitable for the continuance of La Capitale Civil Service Insurer Inc. as a regulated business corporation within the meaning of the Insurers Act;

AS the directors of La Capitale Civil Service Insurer Inc. unanimously passed a resolution approving the replacement of the Act respecting *Mutuelle des Fonctionnaires du Québec* by this Act;

AS the shareholders of La Capitale Civil Service Insurer Inc. unanimously ratified the replacement of the Act respecting *Mutuelle des Fonctionnaires du Québec* by this Act;

AS the directors of La Capitale Civil Service Mutual unanimously passed a resolution approving the replacement of the Act respecting *Mutuelle des Fonctionnaires du Québec* by this Act;

AS the members of La Capitale Civil Service Mutual unanimously approved, on 3 March 2020, at a special general meeting called for such purpose, the replacement of the Act respecting *Mutuelle des Fonctionnaires du Québec* by this Act;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I**DEFINITIONS**

1. In this Act, unless the context indicates otherwise,

(1) “relevant shareholder” means the holding company or any person who directly, or indirectly through the intermediary of one or more legal persons, holds shares of the capital stock of one of the patrimonial insurers, as well as that person’s successors, assignees and right-holders;

(2) “patrimonial insurers” means the LC insurance business corporation, the SSQ insurance business corporation, La Capitale General Insurance Inc., La Capitale Financial Security Insurance Company, L’Unique General Insurance Inc. and Unica Insurance Inc., and “patrimonial insurer” means any of the patrimonial insurers;

(3) “controlled management rights” means rights granted to a relevant shareholder by an agreement to which a patrimonial insurer or the holding company is a party and under which certain actions or certain decisions of the patrimonial insurer or its board of directors are subject to the approval of the relevant shareholder;

(4) “Minister” means the minister responsible for the carrying out of the Insurers Act (chapter A-32.1);

(5) “mutual legal persons” means the LC mutual legal person and the SSQ mutual legal person, collectively;

(6) “LC mutual legal person” means La Capitale Civil Service Mutual, a legal person without capital stock governed by this Act;

(7) “SSQ mutual legal person” means SSQ Mutual, a legal person without capital stock governed by the Act respecting SSQ Mutual;

(8) “equity percentage” means, with respect to a person who holds equity in a legal person, the percentage that the number of voting rights attached to the voting shares of the capital stock held by the person as a shareholder is of the total number of voting rights attached to issued and outstanding voting shares of the legal person’s capital stock;

(9) “equity percentage of the LC mutual legal person” means the equity percentage held indirectly, through one or more legal persons, which must include the holding company, by the LC mutual legal person in any patrimonial insurer that is equal to the result obtained by multiplying all the equity percentages, from the mutual legal person to the relevant patrimonial insurer;

(10) “LC insurance business corporation” means La Capitale Civil Service Insurer Inc.;

(11) “SSQ insurance business corporation” means SSQ, Life Insurance Company Inc.; and

(12) “holding company” means 9410-2589 Québec Inc., a business corporation constituted under the Business Corporations Act (chapter S-31.1).

CHAPTER II

CONTINUATION OF THE LC MUTUAL LEGAL PERSON

2. The LC mutual legal person continues to exist and retains its rights and privileges for the purpose of enabling the continuation of the rights of insurance contract owners as members, their rights being exercised within the LC mutual legal person.

CHAPTER III

PATRIMONIAL INSURERS

DIVISION I

HEAD OFFICES OF PATRIMONIAL INSURERS

3. The head offices of the patrimonial insurers are situated in the judicial district of Québec.

DIVISION II

ADMINISTRATION OF PATRIMONIAL INSURERS

4. The board of directors of each patrimonial insurer and of the holding company must be composed of a number of directors designated by the LC mutual legal person that is equal to or greater than the equity percentage of the LC mutual legal person multiplied by the total number of directors of the patrimonial insurer or the holding company rounded up to the nearest whole number.

5. A director of a patrimonial insurer or of the holding company designated by the LC mutual legal person may be removed only by the latter.

DIVISION III

NAME AND OBJECTS OF THE LC INSURANCE BUSINESS CORPORATION

6. The name of the LC insurance business corporation is that given to it in its articles.

7. The objects of the LC insurance business corporation are those given to it in its articles.

DIVISION IV

MISCELLANEOUS PROVISIONS

8. Despite section 198 of the Insurers Act (chapter A-32.1), a relevant shareholder may hold and exercise controlled management rights relating to one of the patrimonial insurers, without the holding or exercise of such rights contravening any other applicable provision of the Insurers Act.

9. Section 540 of the Insurers Act does not apply to the patrimonial insurers.

10. The LC insurance business corporation retains the rights and privileges it enjoyed under former Acts.

CHAPTER IV

LC MUTUAL LEGAL PERSON

DIVISION I

NAME, HEAD OFFICE, OBJECTS AND POWERS

11. The name of the LC mutual legal person is “La Capitale mutuelle de l’administration publique” and its English version, “La Capitale Civil Service Mutual”.

12. The head office of the LC mutual legal person is situated in the judicial district of Québec.

13. The LC mutual legal person is a legal person without share capital operating in accordance with the form of representative governance provided for in Divisions II and III of this chapter.

Its principal object is to hold indirectly, through the intermediary of one or more legal persons, which must include the holding company, equity in the capital stock of the SSQ insurance business corporation or the LC insurance business corporation.

The LC mutual legal person may indirectly hold equity in the capital stock of any other insurance business corporation to the extent that the equity is held directly or indirectly by the holding company or any of the patrimonial insurers.

The LC mutual legal person may encourage economic, social or educational activities, including through foundations.

14. The LC mutual legal person may make the investments it considers appropriate, as a prudent and reasonable person would do in similar circumstances, acting with honesty and loyalty in the best interests of the members.

DIVISION II

MEMBERS OF THE LC MUTUAL LEGAL PERSON

15. The members of the LC mutual legal person are,

(1) with respect to damage insurance or individual insurance of persons, a natural person who is the owner of an insurance or annuity contract underwritten by a patrimonial insurer or by any of its predecessors or, if there is more than one owner, the person designated from among the owners in accordance with the by-laws of the LC mutual legal person; and

(2) with respect to group insurance of persons, the participant in a group insurance contract or group annuity contract of which the insurer or debtor is a patrimonial insurer or any of its predecessors.

A person retains the status of member as long as

(1) the contract referred to in the first paragraph of which the person is an owner or in which the person is a participant is in force; and

(2) the LC mutual legal person holds indirectly, through the intermediary of one or more legal persons, equity in the patrimonial insurer who underwrote or whose predecessor underwrote the contract referred to in the first paragraph.

16. In no case is a subrogated holder a member.

17. A member has the right to only one vote, regardless of the number or amount of the contracts owned or participated in. No member may vote by proxy.

18. The LC mutual legal person must, within 24 months after the coming into force of this Act or before any other time limit approved by the Minister, adopt the by-law provided for in section 27, which by-law must be submitted for approval at the annual meeting following its adoption.

Despite section 15, in the interval between the coming into force of this Act and the approval of the by-law provided for in the first paragraph, only the members having the right to vote under the by-laws of the LC mutual legal person that are in force immediately before the coming into force of this Act may exercise a voting right.

19. Any person who is a member of the LC mutual legal person, immediately before the coming into force of this Act, is deemed to be a member of the LC mutual legal person as long as the insurance or annuity contract the person owns is in force and the LC mutual legal person holds indirectly, through the intermediary of one or more other legal persons, equity in the patrimonial insurer who underwrote the contract or whose predecessor underwrote the contract.

DIVISION III

ADMINISTRATION OF THE LC MUTUAL LEGAL PERSON

20. The general meeting of the members elects the directors of the LC mutual legal person from among its members in the manner provided for in its by-laws.

21. The LC mutual legal person may, by by-law, determine the minimum and maximum number of directors. However, in no case may the minimum number of directors be less than seven.

22. The majority of the directors of the LC mutual legal person must reside in Québec.

23. The directors of the LC mutual legal person in office immediately before the coming into force of this Act remain in office for the unexpired portion of their term of office, unless they resign or their office otherwise becomes vacant.

24. No more than one-third of the board of directors of the LC mutual legal person may be composed of remunerated officers and employees of legal persons affiliated with the LC mutual legal person within the meaning of the Insurers Act.

25. The by-laws of the LC mutual legal person in force immediately before the coming into force of this Act continue to have effect.

26. The board of directors of the LC mutual legal person may adopt, repeal or amend any by-law for the management of its affairs. To remain in force, all such by-laws must be ratified at the next annual general meeting or, in the meantime, at an extraordinary meeting.

27. The board of directors of the LC mutual legal person may adopt a by-law prescribing the mechanisms and procedures by which certain members are designated as delegates and, in such a case, the delegates and the directors of the LC mutual legal person are the only persons who may vote at the annual general meeting or at any extraordinary meeting of the LC mutual legal person, to the extent permitted by the by-law.

Despite section 26, such by-law may not come into force before being ratified by the meeting of the members.

DIVISION IV**MISCELLANEOUS PROVISIONS**

28. The expenses inherent in the operation of the LC mutual legal person may be assumed by a patrimonial insurer.

29. In the absence of a corresponding provision in this chapter and subject to section 31 of this Act, section 88, paragraph 3 of section 89 and sections 89.1 to 89.4 of Part I and the provisions of Part II of the Companies Act (chapter C-38) apply, with the necessary modifications, to the LC mutual legal person, except sections 126, 136.1, 139 to 141, 143 to 165, 171 to 181, paragraph 3 of section 182, subparagraphs *a* and *b* of paragraph 2 of section 185, sections 187 and 190, subparagraphs *j* and *k* of paragraph 3 of section 191, section 192, sections 195 and 196, and subparagraphs *d* and *e* of paragraph 1 and paragraph 2 of section 197.

The Government may render a provision of the Companies Act or the Business Corporations Act (chapter S-31.1) applicable to the LC mutual legal person.

30. For the purposes of the Companies Act and the Winding-up Act (chapter L-4), “company” means the LC mutual legal person and “shareholder” means a member of the LC mutual legal person.

Where a provision of those Acts refers to a specified proportion in value of the capital stock of a corporation, the provision is construed as meaning the number of persons present and qualified to vote that corresponds to the specified proportion in value.

However, if a by-law prescribes a delegate system such as that permitted under section 27 of this Act, the provision is construed as meaning the number of directors and delegates present and qualified to vote.

31. Sections 9 to 17 of the Act respecting the regulation of the financial sector (chapter E-6.1) and sections 9 to 19, 48, 74, 93, 97, 108, 109 to 112, 115, 117, 130 to 133, 137, 138, 146 to 148, 242, 243, 248 to 254, 269 to 272, 349, 351, 462, the second paragraph of section 464, sections 465 to 468 and Chapter II of Title VI of the Insurers Act (chapter A-32.1) apply, with the necessary modifications, to the LC mutual legal person and to any legal person through the intermediary of which the LC mutual legal person holds equity in the patrimonial insurers.

For the purpose of applying the Insurers Act to the LC mutual legal person or to any legal person through the intermediary of which the LC mutual legal person holds equity in the patrimonial insurers, the references to the actuary are deemed not written.

In addition to the provisions referred to in the first paragraph, sections 291 to 295 and 298 to 301 of the Insurers Act apply to the holding company.

CHAPTER V**MAINTENANCE OF THE MUTUAL LEGAL PERSONS' EQUITY PERCENTAGE**

32. On pain of absolute nullity, the LC insurance business corporation, the SSQ insurance business corporation, the holding company and any other legal person through the intermediary of which the mutual legal persons hold a combined equity percentage in the LC insurance business corporation or the SSQ insurance business corporation may not allot shares of their capital stock or authorize and register a transfer of such shares in either of the following cases:

(1) the members of each of the mutual legal persons have not approved that the combined equity percentage of the mutual legal persons in the LC insurance business corporation or the SSQ insurance business corporation, as the case may be, through the intermediary of the holding company, be less than 26% but equal to or greater than 13%; once the threshold has been reached, such approval must be given each time the combined equity percentage of the mutual legal persons drops below the new authorized minimum threshold, without being less than 13%; or

(2) the members of each of the mutual legal persons and the Minister have not approved that the combined equity percentage of the mutual legal persons in the LC insurance business corporation or the SSQ insurance business corporation, as the case may be, through the intermediary of the holding company, be less than 13%; once the threshold has been reached, such approval must be given each time the combined equity percentage of the mutual legal persons drops below the new authorized minimum threshold.

For the purposes of the first paragraph, the approval required from the members of each of the mutual legal persons is deemed to have been received if the total number of those who voted in favour of the change in the proposed minimum threshold represents at least two-thirds of the members of the LC mutual legal person and of the SSQ mutual legal person present and qualified to vote during meetings.

CHAPTER VI**DISSOLUTION, LIQUIDATION AND SALE**

33. The Winding-up Act (chapter L-4) applies to the LC mutual legal person, with the necessary modifications.

The LC mutual legal person must make a by-law establishing the members' rights and interests for the purposes of the distribution of the balance of the assets after its winding-up, once its debts and the costs, charges and expenses of its winding-up have been paid, not later than 24 months as of 1 July 2020 or before any other time limit approved by the Minister.

The by-law of the LC mutual legal person establishing the members' rights and interests for the purposes of the distribution of the balance of the assets upon its winding-up, and any amendment to the by-law, must be submitted to the Minister for approval before they are adopted.

On the date the entry provided for in the second paragraph of section 17 of the Winding-up Act is made in the enterprise register, the provisions of this Act become without effect, except section 9, which continues to apply to the LC insurance business corporation.

34. If the LC mutual legal person disposes of the equity it holds indirectly in the LC insurance business corporation and of the equity it holds in the SSQ insurance business corporation, it must dissolve itself and wind itself up.

35. The voluntary dissolution of the LC insurance business corporation and the SSQ insurance business corporation, their liquidation or the sale of all or substantially all of their property or their enterprise outside of the ordinary course of their operations entails the dissolution and winding-up of the LC mutual legal person.

CHAPTER VII

FINAL PROVISIONS

36. This Act replaces the Act respecting *Mutuelle des Fonctionnaires du Québec* (1991, chapter 103).

37. This Act comes into force on 1 July 2020.

2020, chapter 34
**AN ACT RESPECTING MUNICIPALITÉ DES ÎLES-DE-LA-
MADELEINE**

Bill 213

Introduced by Mr. Joël Arseneau, Member for Îles-de-la-Madeleine

Introduced 27 May 2020

Passed in principle 4 June 2020

Passed 4 June 2020

Assented to 5 June 2020

Coming into force: 5 June 2020

Legislation amended: None



Chapter 34

AN ACT RESPECTING MUNICIPALITÉ DES ÎLES-DE-LA-MADELEINE

[Assented to 5 June 2020]

AS it is in the interest of Municipalité des Îles-de-la-Madeleine that it be granted certain powers to enable it to promote the construction, renovation and annual leasing of rental dwellings in order to alleviate the housing shortage in its territory;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Despite the Municipal Aid Prohibition Act (chapter I-15), Municipalité des Îles-de-la-Madeleine may, by by-law, adopt a program to promote the construction, renovation and annual leasing of rental dwellings used for residential purposes.

The assistance under the program may not be used for dwellings that are leased in whole or in part for tourism purposes.

2. The financial assistance granted under the program referred to in section 1 may, in particular, take the form of a tax credit, subsidy or loan.

Subject to sections 3 to 6, the terms and conditions of the program are set by a by-law adopted by the municipal council.

3. The eligibility period for the program referred to in section 1 may not extend beyond 31 December 2026.

4. The total amount of financial assistance granted in the form of a subsidy or tax credit may not exceed \$2,000,000 for the program referred to in section 1. The municipality may, by a by-law approved by the Minister of Municipal Affairs and Housing, increase that amount and extend the period of eligibility for the program.

The financial assistance granted to a beneficiary under the program may not exceed \$500,000 and a period of 10 years.

5. To secure the performance of the obligations of beneficiaries under the program referred to in section 1, and to protect the value and ensure the conservation of an immovable, the municipality may, among other things, acquire a hypothec or another real right, obtain revenues from the immovable or receive part of the appreciation in its value since the work was done.

- 6.** The program mentioned in section 1 must provide that a beneficiary of assistance for the construction or renovation of a dwelling must, except for a serious reason, preserve the rental and residential vocation of the dwelling for a minimum period of five years. The program must provide that the municipality may require the beneficiary to repay all or part of the financial assistance if that obligation is not met.
- 7.** This Act comes into force on 5 June 2020.

2020, chapter 35

**AN ACT RESPECTING THE SUBDIVISION OF A LOT
LOCATED IN THE MAISON ROUSSIL PROTECTION AREA
IN TERREBONNE AND PARTLY IN THE MAISON BÉLISLE
PROTECTION AREA IN TERREBONNE**

Bill 210

Introduced by Mr. Mathieu Lemay, Member for Masson

Introduced 4 December 2019

Passed in principle 12 November 2020

Passed 12 November 2020

Assented to 12 November 2020

Coming into force: 12 November 2020

Legislation amended: None



Chapter 35

AN ACT RESPECTING THE SUBDIVISION OF A LOT LOCATED IN THE MAISON ROUSSIL PROTECTION AREA IN TERREBONNE AND PARTLY IN THE MAISON BÉLISLE PROTECTION AREA IN TERREBONNE

[Assented to 12 November 2020]

AS, on 6 June 1972, by resolution of the Commission des monuments historiques du Québec and with the owner’s consent, the following immovable was classified as a historic monument and site:

“A stone house dating from around 1823, the “Maison ROUSSIL”, corresponding to numbers 870-872 Rue Saint-Louis in Terrebonne and located on a part of original lot number two hundred seventy (Pt. 270) of the official cadastre of Ville de Terrebonne, registration division of Terrebonne”;

AS section 61 of the Cultural Property Act (1972, chapter 19) states that classified property and historic localities declared as such under the Historic Monuments Act (Revised Statutes, 1964, chapter 62) are deemed classified cultural property and declared historic districts under the Cultural Property Act;

AS the classification was approved under Order in Council 1832-72 dated 28 June 1972, a copy of which was registered at the registry office of Terrebonne on 8 August 1972 under number 406 220;

AS shown by a notation, in French, in the register of cultural property, the “Maison Roussil” has had a protection area since 23 July 1975 (the notation stating that the protection area, formerly called “protected area” in the Cultural Property Act, is defined in that Act as an area whose perimeter is five hundred feet (500') from a classified historic monument or archaeological site):

“Que cette aire de protection est définie à la Loi sur les biens culturels comme une aire dont le périmètre est à cinq cents pieds (500 ') d’un monument historique ou d’un site archéologique classé;”;

AS, on 25 August 1973, by decision of the Minister of Cultural Affairs of Québec, on the advice of the Commission des biens culturels and by virtue of the powers vested by the Cultural Property Act, the following immovable was classified as a historic monument and site:

“A stone house, owned by Wilfrid Bélisle, the “Maison Bélisle”, corresponding to number 844 Rue Saint-François in Terrebonne and located on lot two hundred ninety-three (293) and part of lot two hundred ninety-four (Pt. 294) of the official cadastre of Ville de Terrebonne, registration division of Terrebonne”;

AS paragraph *j* of section 1 of the Cultural Property Act defines the protected area as being an area whose perimeter is five hundred feet (500') from a classified historic monument or archaeological site;

AS the entry in the register of cultural property was made on 30 October 1973 under file number 111-010, a copy of which was registered at the registry office of Terrebonne on 2 November 1973 under number 429 883;

AS the notices of classification for “Maison Roussil” and “Maison Bélisle” were registered against original lot 269 of the official cadastre of Ville de Terrebonne, registration division of Terrebonne, under numbers 467 123 and 544 545, respectively, since original lot 269 of the official cadastre of Ville de Terrebonne is totally and partially located in the protection area of the said historic monuments and sites;

AS, on 15 November 2012, the Syndicat de la copropriété Les berges de l'étang acquired lot 5 001 932 of the cadastre of Québec, registration division of Terrebonne, from Conrad Therrien to install a community garden there for the benefit of the co-owners of Les berges de l'étang co-ownership, thus establishing a real and perpetual non-construction servitude on the said lot to maintain the current state of the premises;

AS, after the acquisition of lot 5 001 932 of the cadastre of Québec, registration division of Terrebonne, the declaration of Les berges de l'étang co-ownership was amended to include, for each of the 18 private portions, a right of use of the community garden;

AS the sale, the servitude of non-construction and the amendment to the declaration of co-ownership were registered at the registry office of the registration division of Terrebonne under numbers 19 566 873 and 19 651 425, respectively;

AS lot 5 001 932 of the cadastre of Québec, registration division of Terrebonne, is located in the “Maison Roussil” protection area and partly in the “Maison Bélisle” protection area;

AS, on 3 October 2012, prior to the acquisition of lot 5 001 932 by the Syndicat de la copropriété Les berges de l'étang, a cadastral operation that subdivided lot 2 438 361 of the cadastre of Québec, registration division of Terrebonne (formerly original lot 269), to create lots 5 001 931 and 5 001 932, both of the cadastre of Québec, registration division of Terrebonne, was carried out;

AS, prior to the subdivision of lot 2 438 361 of the cadastre of Québec, registration division of Terrebonne, the Minister's authorization required under section 48 of the Cultural Property Act (chapter B-4) was not obtained;

AS section 48 of the Cultural Property Act states that no person may, in any historic or natural district or on any classified historic site divide or subdivide, redivide or parcel out any lot without authorization of the Minister of Culture and Communications;

AS section 50 of the Cultural Property Act states that the first paragraph of section 48 of that Act applies also in relation to all immovables or parts of immovables situated in a protected area upon each owner's being sent a notice from the Minister informing him that the whole or part of his immovable is situated in the protected area of a classified historic monument and that the notice has been registered in the land register;

AS section 57.1 of the Cultural Property Act prescribes that no division or subdivision plan or any other form of parcelling out of land situated in historic or natural districts, classified historic sites or protected areas may be registered in the land register if the conditions of an authorization given under that Act have not been met or if such an authorization has not been given;

AS it is important to the owners that the failure to obtain the required authorization prior to the cadastral operation that created the lots henceforth known and designated as lots 5 001 931 and 5 001 932, both of the cadastre of Québec, registration division of Terrebonne, as well as the registration of the subdivision plans in the land register be remedied;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** The subdivision of lot 2 438 361 of the cadastre of Québec, registration division of Terrebonne, and, consequently, the creation of lots 5 001 931 and 5 001 932, both of the cadastre of Québec, registration division of Terrebonne, as well as the registration of the plans in the land register cannot be annulled on the ground that the authorization required under sections 48 and 50 of the Cultural Property Act (chapter B-4) was not obtained, despite section 57.1 of that Act.
- 2.** This Act must be registered at the registry office of the registration division of Terrebonne and the appropriate entries registered against lots 5 001 931 and 5 001 932, both of the cadastre of Québec, registration division of Terrebonne.
- 3.** This Act comes into force on 12 November 2020.

2020, chapter 36
**AN ACT RESPECTING MUNICIPALITÉ DES ÎLES-DE-LA-
MADELEINE**

Bill 218

Introduced by Mr. Joël Arseneau, Member for Îles-de-la-Madeleine

Introduced 12 November 2020

Passed in principle 10 December 2020

Passed 10 December 2020

Assented to 11 December 2020

Coming into force: 11 December 2020

Legislation amended: None



Chapter 36

AN ACT RESPECTING MUNICIPALITÉ DES ÎLES-DE-LA-MADELEINE

[Assented to 11 December 2020]

AS Municipalité des Îles-de-la-Madeleine was constituted by Order in Council 1043-2001 (2001, G.O. 2, 5111);

AS section 78 of the Order in Council requires the municipality to divide its territory into eight electoral districts for the purposes of the first three general elections and any by-election held before the fourth general election following the constitution of the municipality;

AS section 2 of Order in Council 1109-2004 (2004, G.O. 2, 3447) nullified this division of the territory of the municipality;

AS, in accordance with section 4 of the Order in Council, the Minister of Municipal Affairs, Sports and Recreation approved a proposal by the municipality relating to the division of its territory into electoral districts for the purposes of the 2005 general election and any by-election before the 2009 general election;

AS section 118 of the Act to amend various legislative provisions respecting municipal affairs (2009, chapter 26), section 42 of the Act to amend various legislative provisions concerning municipal affairs (2012, chapter 30) and section 151 of the Act to amend various municipal-related legislative provisions concerning such matters as political financing (2016, chapter 17) successively maintained, until the 2017 general election and for the purposes of any by-election held before the 2021 general election, the division of the territory into electoral districts that applied for the 2005 general election;

AS there is reason to maintain the same division of the territory for the purposes of the 2021 general election and any by-election held before the 2025 general election;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The division of the territory of Municipalité des Îles-de-la-Madeleine into electoral districts, for the purposes of the 2021 general election and any by-election held before the 2025 general election, is that which applied for the purposes of the 2017 general election.

2. This Act comes into force on 11 December 2020.

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