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Part

2

No. 21

23 May 2012

Laws and Regulations

Volume 144

Summary

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Contents

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- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (R.S.Q., c. C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
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- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
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PROVINCE OF QUÉBEC

2ND SESSION

39TH LEGISLATURE

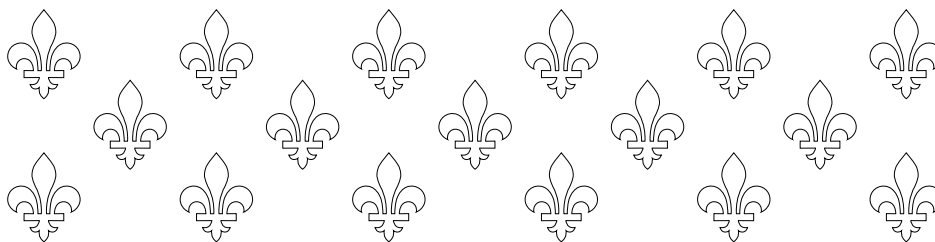
QUÉBEC, 3 MAY 2012

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 3 May 2012*

This day, at forty-four minutes past eleven o'clock in the morning, His Excellency the Lieutenant-Governor was pleased to sanction the following bills:

- 34 An Act to ensure the occupancy and vitality of territories
- 58 An Act to amend the Act respecting the Pension Plan of Management Personnel and other legislative provisions
- 66 Appropriation Act No. 2, 2012-2013

To these bills the Royal assent was affixed by His Excellency the Lieutenant-Governor.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-NINTH LEGISLATURE

Bill 34
(2012, chapter 5)

An Act to ensure the occupancy and vitality of territories

Introduced 10 November 2011
Passed in principle 21 February 2012
Passed 5 April 2012
Assented to 3 May 2012

**Québec Official Publisher
2012**

EXPLANATORY NOTES

The purpose of this Act is to contribute to the occupancy and vitality of territories throughout Québec by adapting the management framework within the Administration and by inviting elected municipal officers to promote the occupancy and vitality of territories in the performance of their duties.

The Act provides that the contribution of the Administration to the occupancy and vitality of territories is to be based on a strategy which specifies the objectives and states the principles that are to guide the actions of the Administration.

The Act also proposes measures aimed at strengthening the efficiency and coherence of government actions relating to the occupancy and vitality of territories as well as to ensure the accountability of the Administration in this area by means of planning, monitoring and reporting procedures, including, in particular, the adoption of indicators and the publication of assessments and reports on the implementation of the strategy.

The Act specifies the functions of the Minister of Municipal Affairs, Regions and Land Occupancy with respect to the occupancy and vitality of territories.

Lastly, the Act proposes the establishment of coordination mechanisms specifically for the occupancy and vitality of territories, including the Table Québec-Montréal métropolitain pour l'aménagement et le développement, the Table Québec-Québec métropolitain pour l'aménagement et le développement, the Table gouvernementale aux affaires territoriales and regional administrative conferences.

LEGISLATION AMENDED BY THIS ACT:

- Executive Power Act (R.S.Q., chapter E-18);
- Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (R.S.Q., chapter M-22.1).

ORDER IN COUNCIL REPEALED BY THIS ACT:

- Order in Council 107-2000 (2000, G.O. 2, 1480, French only), respecting the recognition of regional administrative conferences.

Bill 34

AN ACT TO ENSURE THE OCCUPANCY AND VITALITY OF TERRITORIES

AS Québec is composed of territories that have their own particular challenges and potentials;

AS the occupancy and vitality of these territories, which is the result of the efforts of aboriginal peoples, the first European settlers and newcomers from neighbouring territories and elsewhere, as well as their descendents, must continue in a sustainable manner;

AS it is expedient to make the occupancy and vitality of territories a national priority and a full-fledged societal project;

AS this new objective for territories calls for a fresh approach in order to provide coherent support for the dynamism and aspirations of communities and is underpinned by the pride and the sense of identity and belonging that communities have toward their territories;

AS it is important for the Administration to better adapt its plans and actions to the realities of the territories and communities in them;

AS elected municipal officers are key players in matters relating to the occupancy and vitality of territories;

AS the occupancy and vitality of territories concerns the population and all socio-economic actors of a community;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PURPOSE AND SCOPE

1. The purpose of this Act is to contribute to the occupancy and vitality of territories throughout Québec by adapting the management framework within the Administration and by inviting elected municipal officers to promote the occupancy and vitality of territories in the performance of their duties.

2. The measures introduced by this Act are intended, more specifically, to strengthen the efficiency and coherence of government actions benefiting communities in matters relating to the occupancy and vitality of territories and

to ensure the accountability of the Administration in such matters by means of monitoring and reporting procedures.

3. Within the scope of the proposed measures, “the occupancy and vitality of territories” means the development of the potential of each territory, in keeping with the principles of sustainable development, resulting from the commitment and actions of citizens, elected officers and socio-economic actors.

4. In this Act, unless the context indicates otherwise, “the Administration” means

(1) the secretariat of the Conseil du trésor and government departments, with the exception of the Ministère des Finances, the Ministère des Relations internationales and the Ministère du Travail;

(2) the Agence métropolitaine de transport, the Centre de services partagés du Québec, Hydro-Québec, Investissement Québec, the Société des établissements de plein air du Québec, the Société d’habitation du Québec and the Société des Traversiers du Québec; and

(3) any other government agency or enterprise designated by the Government and to which the Auditor General Act (R.S.Q., chapter V-5.01) applies.

CHAPTER II

STRATEGY TO ENSURE THE OCCUPANCY AND VITALITY OF TERRITORIES, IMPLEMENTATION AND REPORTING

DIVISION I

STRATEGY

5. The Administration’s contribution to the occupancy and vitality of territories is to be based on a strategy to ensure the occupancy and vitality of territories adopted by the Government and any revision of that strategy.

Any revision of the strategy must specify the objectives set for the Administration, including objectives regarding decentralization, delegation and regionalization of jurisdictions, powers, functions, responsibilities and resources agreed on. It must also state the principles which, in addition to sustainable development principles including subsidiarity, must guide the actions of the Administration.

The following must be included among these principles:

(1) “*Respect for the specificities of aboriginal nations and their contribution to the Québec culture*”: aboriginal nations constitute distinct nations, having their own specific cultures, languages, customs and traditions, as well as

recognized or claimed rights. Because of its inclusive nature, the occupancy and vitality of territories also concerns aboriginal peoples;

(2) “*Commitment of elected officers*”: the occupancy and vitality of territories is to be supported by elected members of the National Assembly, the council of a municipality, a band council, the council of a northern village, the Cree Regional Authority or the council of a school board;

(3) “*Concerted approach*”: a concerted approach by the elected officers and socio-economic actors of a community, supported by the aspirations and mobilization of citizens, constitutes an important contribution to the occupancy and vitality of territories;

(4) “*Territorial complementarity*”: the elected officers and socio-economic actors of neighbouring communities or communities sharing common interests are invited to form associations and join forces to collaborate, plan and act in a manner that is complementary and beneficial to those communities;

(5) “*Adaptable government action*”: government action is to be adapted to take into account the diversity and specificity of different territories, and to strive for equity between territories and communities; and

(6) “*Coherence and efficiency of planning and interventions in the territories*”: the best possible coherence is to be sought in the planning required of the municipalities, the regional conferences of elected officers and the metropolitan communities to ensure the optimal efficiency of decisions and interventions.

6. The Government is required, after consultation, to revise the strategy to ensure the occupancy and vitality of territories every five years. However, it may defer a revision for a period not exceeding two years.

In the intervals between revisions, the Government may also, after consultation, make any amendment to the strategy that allows the occupancy and vitality of territories to be better promoted.

Any revision of the strategy takes effect on the date it is adopted by the Government.

7. Any revision of the strategy is to be published and made accessible in the manner and under the conditions the Government considers appropriate. It must be tabled before the National Assembly by the Minister of Municipal Affairs, Regions and Land Occupancy.

8. Not later than one year after the end of the year in which any revision of the strategy is adopted, the Minister of Municipal Affairs, Regions and Land Occupancy must submit, after consultation, a list of the occupancy and vitality indicators that the Minister recommends for adoption by the Government. Once adopted, the indicators are made public by the Minister.

DIVISION II

IMPLEMENTATION OF STRATEGY AND REPORTING

9. Each department, agency or enterprise included within the Administration must, as part of its multi-year planning, present and make public its contribution to attaining the objectives of the strategy within its jurisdiction, in keeping with the principles stated in the strategy.

10. The Government may specify the conditions and procedures for the performance of the obligation set out in section 9. It may, in particular, issue directives concerning the form and content of the planning operation as well as the frequency of, or interval between, the required updates.

11. Each minister responsible for an administrative region of Québec

(1) assists the Minister of Municipal Affairs, Regions and Land Occupancy in promoting the occupancy and vitality of territories in the administrative region for which the minister is responsible by fostering a concerted approach and cohesive action by all stakeholders in order to encourage interventions in this area;

(2) participates in the proceedings of the Table Québec-Montréal métropolitain pour l'aménagement et le développement or the Table Québec-Québec métropolitain pour l'aménagement et le développement if the region the minister is responsible for is situated, in whole or in part, within the territory of the Communauté métropolitaine de Montréal or of the Communauté métropolitaine de Québec; and

(3) cooperates with the Minister of Municipal Affairs, Regions and Land Occupancy by communicating to the Minister any useful information concerning the occupancy and vitality of territories in the region the minister is responsible for.

12. The chair of each regional administrative conference lends support to the minister responsible for the region for which the conference is established.

13. Within the jurisdiction of any municipal body on whose council they sit, elected municipal officers

(1) exercise their functions, guided by the principles set out in this Act and in the strategy to ensure the occupancy and vitality of territories, more specifically those relating to a concerted approach and territorial complementarity; and

(2) work to achieve the objectives of the strategy.

For the purposes of this section, “municipal body” means a municipal body within the meaning of section 5 of the Act respecting Access to documents

held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1).

14. Each department, agency and enterprise that is subject to section 9 must state in its annual management report the results obtained in relation to the planning referred to in that section and to the indicators adopted by the Government.

15. Each year, the Minister of Municipal Affairs, Regions and Land Occupancy presents to the Government an assessment of the strategy's implementation within the Administration, and each time the strategy is revised, an implementation report based on the indicators and any other means set out in the strategy. The assessment and the report are made public by the Minister and tabled before the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption.

CHAPTER III

ROLE AND FUNCTIONS OF THE MINISTER

16. To ensure the carrying out of this Act, the functions of the Minister of Municipal Affairs, Regions and Land Occupancy consist more specifically in

(1) promoting the occupancy and vitality of territories within the Administration and among the general public, and fostering a concerted approach and cohesive action to encourage interventions in this area;

(2) coordinating efforts by the Administration to develop indicators and revise the components of the strategy, and recommending the adoption of the resulting revision and indicators by the Government;

(3) coordinating efforts to prepare the annual assessment of the strategy's implementation within the Administration and the implementation report each time the strategy is revised;

(4) enhancing knowledge in the area of the occupancy and vitality of territories and analyzing experiences elsewhere, in particular with respect to the policy directions set out in the strategies and action plans and their implementation, as well as the development of indicators or other methods to measure any progress made in relation to the occupancy and vitality of territories; and

(5) advising and providing expertise and assistance to the Government and third persons as regards the occupancy and vitality of territories to help achieve the objectives of the strategy.

CHAPTER IV

AMENDING PROVISIONS

17. Section 4 of the Executive Power Act (R.S.Q., chapter E-18) is amended by adding the following subparagraph after subparagraph 37 of the first paragraph:

“(38) the ministers responsible for administrative regions.”

18. The Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (R.S.Q., chapter M-22.1) is amended by inserting the following divisions after section 21.4:

“DIVISION IV.2.1

“TABLE QUÉBEC-MONTRÉAL MÉTROPOLITAIN POUR L’AMÉNAGEMENT ET LE DÉVELOPPEMENT

“**21.4.1.** The mandate of the Table Québec-Montréal métropolitain pour l’aménagement et le développement is to foster a concerted approach with a view to ensuring the efficiency of government action toward the sustainable development of the metropolitan region of Montréal.

“**21.4.2.** The Table Québec-Montréal métropolitain pour l’aménagement et le développement is composed of the Minister, who is the chair, the ministers responsible for the administrative regions situated in whole or in part in the metropolitan region of Montréal, the mayor of Ville de Montréal, the mayor of Ville de Laval, the mayor of Ville de Longueuil and the two mayors designated to sit on the executive committee of the Communauté métropolitaine de Montréal under subparagraphs 5 and 6 of the second paragraph of section 34 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01).

The Minister invites any other minister as well as any officer of a government agency or enterprise to which the Auditor General Act (chapter V-5.01) applies to participate in the proceedings of the Table when the matters dealt with concern them directly.

“DIVISION IV.2.2

“TABLE QUÉBEC-QUÉBEC MÉTROPOLITAIN POUR L’AMÉNAGEMENT ET LE DÉVELOPPEMENT

“**21.4.3.** The mandate of the Table Québec-Québec métropolitain pour l’aménagement et le développement is to foster a concerted approach with a view to ensuring the efficiency of government action toward the sustainable development of the metropolitan region of Québec.

“21.4.4. The Table Québec-Québec métropolitain pour l’aménagement et le développement is composed of the Minister, who is the chair, the ministers responsible for the administrative regions of the Capitale-Nationale and Chaudière-Appalaches, the chair of the Communauté métropolitaine de Québec, the mayor of Ville de Lévis and the wardens of the regional county municipalities of La Jacques-Cartier, La Côte-de-Beaupré and L’Île-d’Orléans.

The Minister invites any other minister as well as any officer of a government agency or enterprise to which the Auditor General Act (chapter V-5.01) applies to participate in the proceedings of the Table when the matters dealt with concern them directly.

“DIVISION IV.2.3

“TABLE GOUVERNEMENTALE AUX AFFAIRES TERRITORIALES

“21.4.5. The mandate of the Table gouvernementale aux affaires territoriales is to foster a concerted approach and coherence of action between the government departments and agencies or enterprises to which the Auditor General Act (chapter V-5.01) applies, particularly in matters relating to the occupancy and vitality of territories.

“21.4.6. The Table gouvernementale aux affaires territoriales is chaired by the assistant deputy minister or associate deputy minister responsible for the occupancy and vitality of territories at the department. It is composed of the following persons:

- (1) the assistant deputy minister or associate deputy minister responsible for Greater Montréal at the department;
- (2) an assistant deputy minister or associate deputy minister of each department that is subject to the Act to ensure the occupancy and vitality of territories (2012, chapter 5); and
- (3) an officer of each government agency or enterprise that is subject to that Act.

The chair of the Table may solicit the participation, on an ad hoc or permanent basis, of chairs of the regional administrative conferences, deputy ministers, assistant deputy ministers or associate deputy ministers of other government departments or officers of other agencies whose actions could have an impact on the occupancy and vitality of territories.

“DIVISION IV.2.4

“REGIONAL ADMINISTRATIVE CONFERENCES

“21.4.7. A “regional administrative conference” is established for each administrative region of Québec.

“21.4.8. The mandate of each regional administrative conference is to foster a concerted approach and coherence of action at the regional level between the government departments and agencies or enterprises to which the Auditor General Act (chapter V-5.01) applies, particularly in matters relating to the occupancy and vitality of territories.

“21.4.9. Each regional administrative conference is chaired by the regional director of the department responsible for the region. However, the Montréal and Laval conferences are chaired by the assistant deputy minister or associate deputy minister responsible for Greater Montréal at the department, or a designated representative, and the conference for the Capitale-Nationale region is chaired by the assistant deputy minister or associate deputy minister responsible for the Bureau de la Capitale-Nationale or a designated representative.

“21.4.10. Each regional administrative conference is composed of a person who is responsible for the region, or a designated representative, from each government department and agency or enterprise that is subject to the Act to ensure the occupancy and vitality of territories (2012, chapter 5).

The chair of each regional administrative conference invites the director general of any regional conference of elected officers to participate in conference meetings when the matters dealt with concern the regional conference directly. The representatives of any other body whose actions have an effect on the occupancy and vitality of territories in the region may also be invited to participate in these meetings.

“21.4.11. The Government specifies the responsibilities and the mode of operation of the regional administrative conferences.”

19. Order in Council 107-2000 (2000, G.O. 2, 1480, French only), respecting the recognition of regional administrative conferences, is repealed.

CHAPTER V

TRANSITIONAL AND FINAL PROVISIONS

20. A regional administrative conference recognized under Order in Council 107-2000 (2000, G.O. 2, 1480, French only), respecting the recognition of regional administrative conferences, is deemed to be established under section 21.4.7 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (R.S.Q., chapter M-22.1), enacted by section 18.

21. Despite section 19 and until the Government specifies the responsibilities of regional administrative conferences in accordance with section 21.4.11 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire enacted by section 18, the responsibilities determined

in Order in Council 107-2000 (2000, G.O. 2, 1480, French only) continue to apply to regional administrative conferences.

22. Each government department, agency and enterprise that is subject to section 9 has until 31 March 2013 to comply for the first time.

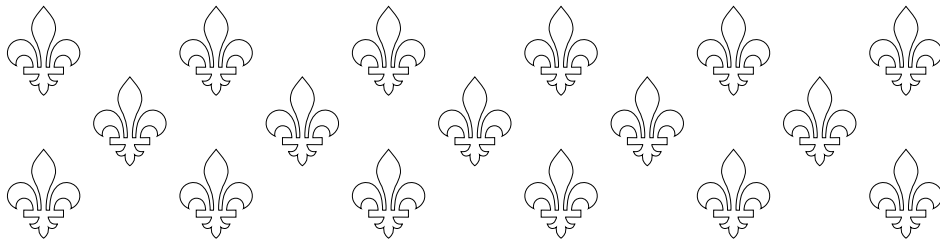
23. The Minister of Municipal Affairs, Regions and Land Occupancy is responsible for the administration of this Act.

24. No later than 3 January 2013, the Minister must submit a list of the occupancy and vitality indicators that the Minister recommends for adoption by the Government. Once adopted, the indicators are made public by the Minister.

25. No later than 31 March 2018, and thereafter every 10 years, the Minister must report to the Government on the carrying out of this Act.

The report must be tabled before the National Assembly within 30 days or, if the Assembly is not sitting, within 30 days of resumption.

26. This Act comes into force on 3 May 2012.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-NINTH LEGISLATURE

Bill 58
(2012, chapter 6)

**An Act to amend the Act respecting the
Pension Plan of Management Personnel
and other legislative provisions**

**Introduced 22 February 2012
Passed in principle 29 March 2012
Passed 2 May 2012
Assented to 3 May 2012**

**Québec Official Publisher
2012**

EXPLANATORY NOTES

This Act amends the Act respecting the Pension Plan of Management Personnel to provide that new employees who begin their qualification period after 31 December 2012 must complete an additional 60-month membership period after qualifying for membership to benefit from the pension eligibility criteria and the provisions respecting the computation of the pension set out in the plan. Qualified employees who do not complete the additional membership period will be governed, with respect to those criteria and those provisions, by provisions similar to those set out in the Act respecting the Government and Public Employees Retirement Plan.

The Act respecting the Pension Plan of Management Personnel is also amended to provide adequate funding for the plan through the payment of certain amounts into the employees' contribution fund. Amendments to the Act also enable employees to retire without actuarial reduction if they are at least 55 years of age and if their age and their years of service total 90 or more. As amended, the Act withdraws the 35 years of service criterion for a pension without an actuarial reduction, increases the actuarial reduction that applies to the pension of an employee who anticipates the payment of his or her benefits, standardizes the provisions on a return to work and makes it possible for an employee to continue to be a member of the Pension Plan of Management Personnel until 31 December of the year during which he or she reaches the age of 71.

The Act respecting the Pension Plan of Management Personnel and the Act respecting the Government and Public Employees Retirement Plan are also amended to allow employees to redeem certain periods of absence from work without pay for parental or family reasons at a more advantageous cost than that currently provided for in the plans.

Lastly, various technical, consequential and transitional amendments are introduced.

LEGISLATION AMENDED BY THIS ACT:

- Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10);
- Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1).

Bill 58

AN ACT TO AMEND THE ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

1. Section 3 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1) is amended by replacing “69” in subparagraph 2 of the first paragraph by “71”.

2. Section 5 of the Act is amended by replacing “69” by “71”.

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

“Furthermore, the employee whose qualification period began after 31 December 2012 must complete an additional 60-month period of membership in the plan for the employee’s pension to be established in accordance with the first paragraph of section 49. Periods of absence without pay of more than 30 consecutive days are not taken into account for that additional period.”

4. Section 13 of the Act is replaced by the following section:

“13. An employee who dies before qualifying for membership in this plan or, if applicable, before completing the additional 60-month period of membership in this plan and who, at the time of death, was holding employment referred to in the first paragraph of section 7 is deemed to have qualified and, if applicable, to have completed the additional period, as the case may be, on the date of his or her death.

An employee referred to in the second paragraph of section 80 who applies for the amount referred to in the first paragraph of that section before qualifying for membership in this plan or, if applicable, before completing the additional 60-month period of membership in this plan and who, at the time the Commission receives the employee’s application, is holding employment referred to in the first paragraph of section 7 is deemed to have qualified or to have completed the additional period, as the case may be, on the date of receipt of the application.”

5. Section 18 of the Act is amended by replacing “qualification under this plan” by “qualification under this plan or of the additional 60-month period of membership in this plan”.

6. Section 18.1 of the Act is amended by inserting “under the plan and, if applicable, to have completed the additional 60-month period of membership in the plan” after “to be qualified”.

7. Section 39.1 of the Act is amended by inserting “or a period of absence without pay, referred to in sections 79.8 to 79.12 of the Act respecting labour standards (chapter N-1.1), taken, or that would have been taken had it not been for the employee’s conditions of employment, under those sections and in progress on 1 January 2012 or beginning after that date” after “adoption leave”.

8. Section 44 of the Act is amended by adding the following sentence at the end of the first paragraph: “If applicable, they must also pay to the Commission, at the same time as they pay the compensatory amount established under section 177.1, a contributory amount equal to that compensatory amount.”

9. Section 49 of the Act is amended

(1) by striking out subparagraph 2 of the first paragraph;

(2) by replacing “88” in subparagraph 3 of the first paragraph by “90”;

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

“Despite the first paragraph, the employee referred to in the fourth paragraph of section 10 who has not completed the additional 60-month period of membership in this plan is entitled to a pension when he or she ceases to be a member of the plan if the employee

(1) has attained 60 years of age;

(2) has at least 35 years of service; or

(3) has attained 55 years of age, subject to section 56.”

10. Section 50.3 of the Act is amended by replacing “to 3 or, if the aggregate is less than 3, selecting all the salaries” at the end of paragraph 1 by “, in the case where the employee is entitled to a pension under the first paragraph of section 49, to 3 or, if the aggregate is less than 3, selecting all the salaries, or, in the case where the employee is entitled to a pension under the second paragraph of that section, to 5 or, if the aggregate is less than 5, selecting all the salaries;”.

11. Section 56 of the Act is amended by replacing the first paragraph by the following paragraph:

“56. Where an employee is entitled to a pension under subparagraph 4 of the first paragraph of section 49 or under subparagraph 3 of the second paragraph of that section, the employee’s pension is reduced for its duration by 1/3 of 1% per month, computed for each month comprised between the date on which the pension is granted and the nearest date on which the pension would have otherwise been granted to the employee without actuarial reduction, at the time the employee ceased to be a member of the plan, under the first or the second of those paragraphs, as the case may be.”

12. Section 57 of the Act is amended by replacing “69” in the last paragraph by “71”.

13. Section 59 of the Act is amended by replacing “69” in the second paragraph by “71”.

14. Section 89 of the Act is amended by replacing “69” in the last paragraph by “71”.

15. Section 103 of the Act is amended by replacing “69” by “71”.

16. Section 118 of the Act is amended by replacing the second sentence of the third paragraph by the following sentence: “However, in the case of a period of absence without pay relating to a maternity, paternity or adoption leave in progress on 1 January 1991 or beginning after that date, or a period of absence without pay referred to in sections 79.8 to 79.12 of the Act respecting labour standards (chapter N-1.1), taken, or that would have been taken had it not been for the employee’s conditions of employment, under those sections and in progress on 1 January 2012 or beginning after that date, the amount required of the employee is determined in accordance with section 39.1.”

17. Section 154 of the Act is amended by striking out the third paragraph.

18. Section 155 of the Act is amended by adding the following sentence at the end: “The pension of a pensioner is recomputed by using the same provisions as those used to establish and compute his or her original pension.”

19. The Act is amended by inserting the following section after section 177:

“177.1. The Commission must establish, not later than the date and for the years determined by government regulation, the amount the employers must pay into the employees’ contribution fund at the Caisse de dépôt et placement du Québec to cover the difference between the sum of the contributions that would have been paid if the contribution rate determined by the most recent actuarial valuation prepared under the first paragraph of section 171, established with an exemption of 35% of the maximum pensionable earnings within the meaning of the Act respecting the Québec Pension Plan (chapter R-9), had applied to the plan for the year concerned, and the sum of the contributions that were paid for that year.

This compensatory amount is established and paid according to the rules, terms and conditions prescribed in the regulation.

In the case of the employers referred to in Schedule IV, the Commission must transfer this compensatory amount from the employers' contributory fund at the Caisse de dépôt et placement du Québec to the employees' contribution fund at the Caisse. If the employers' contributory fund is exhausted, the sums needed for the transfer are to be taken, first, out of the funds capitalized under section 48 and, thereafter, out of the Consolidated Revenue Fund. In the case of employers not referred to in that Schedule, the Commission must pay into the employees' contribution fund at the Caisse the compensatory amount received from those employers."

20. Section 196 of the Act is amended

(1) by replacing "qualification under the plan" in subparagraph 3 of the first paragraph by "qualification under the plan or the additional 60-month period of membership in the plan";

(2) by inserting the following subparagraph after subparagraph 18 of the first paragraph:

"(18.1) prescribe, for the purposes of section 177.1, the rules, terms and conditions for establishing and paying the compensatory amount in respect of the years determined under this regulation and the latest date on which that amount must be established;"

21. Section 198 of the Act is amended by replacing "69" in the last paragraph by "71".

22. Schedule II to the Act is amended by adding "or who were hired after that date" after "Investissement Québec, in respect of employees who were members of this plan on 31 March 2011" in paragraph 1.

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES
RETIREMENT PLAN

23. Section 25.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) is amended by replacing "date" by "date or a period of absence without pay, referred to in sections 79.8 to 79.12 of the Act respecting labour standards (chapter N-1.1), taken, or that would have been taken had it not been for the employee's conditions of employment, under those sections and in progress on 1 January 2012 or beginning after that date".

24. Section 215.13 of the Act is amended by inserting ", 79.16" after "79.3" in subparagraph 1 of the first paragraph.

25. Schedule I to the Act is amended by adding “or who were hired after that date” after “Investissement Québec, in respect of employees who were members of this plan on 31 March 2011” in paragraph 1.

FINAL PROVISIONS

26. Sections 49 and 56 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1), as they read on 31 December 2012, continue to apply to an employee who ceased to be a member of the Pension Plan of Management Personnel before 1 January 2013.

They will also continue to apply to an employee who entered into a retirement agreement under his or her conditions of employment

(1) before 22 February 2012; or

(2) within 90 days following 21 February 2012, if the agreement begins no later than 1 September 2012 and if the employee retires no later than two years following the date on which the agreement began.

Sections 49 and 56 also continue to apply to presiding justices of the peace until the date preceding the date on which paragraphs 1 and 2 of section 9 and section 11 apply in their respect.

27. The third paragraph of section 154 of the Act respecting the Pension Plan of Management Personnel, as it reads on 31 December 2012, continues to apply in respect of a pensioner under the Pension Plan of Management Personnel who, on that date, holds pensionable employment under that plan, the Government and Public Employees Retirement Plan or the Pension Plan of Peace Officers in Correctional Services, for as long as the pensioner has not ceased to hold that employment.

The third paragraph also continues to apply to presiding justices of the peace until the date preceding the date section 17 applies in their respect.

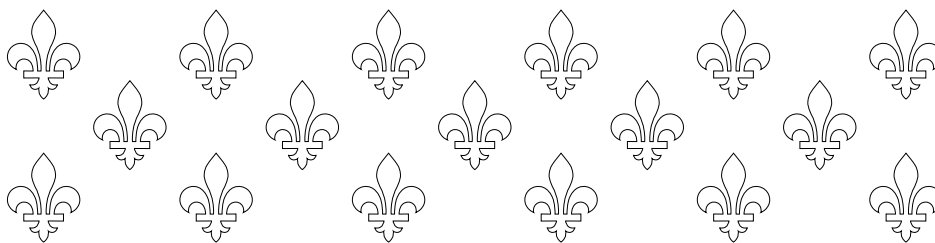
28. Despite the first paragraph of section 177.1 of the Act respecting the Pension Plan of Management Personnel, the first regulation made under that section may, for the years 2012 and 2013, provide for a contribution rate other than the rate referred to in that paragraph but without exceeding it.

29. Sections 22 and 25 have effect from 1 April 2011.

30. Sections 7, 16, 23 and 24 have effect from 1 January 2012.

31. Paragraphs 1 and 2 of section 9 and sections 11 and 17 apply to presiding justices of the peace only from the date or dates to be set by the Government.

32. This Act comes into force on 3 May 2012 except sections 1 to 6, 9 to 15, 17, 18, 21, 26 and 27, which come into force on 1 January 2013.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-NINTH LEGISLATURE

Bill 66
(2012, chapter 7)

Appropriation Act No. 2, 2012-2013

Introduced 2 May 2012
Passed in principle 2 May 2012
Passed 2 May 2012
Assented to 3 May 2012

Québec Official Publisher
2012

EXPLANATORY NOTES

This Act authorizes the Government to pay out of the general fund of the Consolidated Revenue Fund, for the 2012-2013 fiscal year, a sum not exceeding \$37,220,468,296.00, including \$479,000,000.00 for the payment of expenditures chargeable to the 2013-2014 fiscal year, representing the appropriations to be voted in respect of each of the programs in the portfolios less the appropriations already authorized.

Moreover, the Act indicates which programs are covered by a net voted appropriation and specifies the amount of appropriations not entirely expended that may be carried over to 2013-2014. Finally, it determines to what extent the Conseil du trésor may authorize the transfer of appropriations between programs or portfolios.

Lastly, the Act approves the balance of the expenditure and investment estimates for the special funds for the 2012-2013 fiscal year.

Bill 66

APPROPRIATION ACT NO. 2, 2012-2013

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** The Government may draw out of the general fund of the Consolidated Revenue Fund a sum not exceeding \$37,220,468,296.00 to defray a part of the Expenditure Budget of Québec tabled in the National Assembly for the 2012-2013 fiscal year, for which provision has not otherwise been made, including an amount of \$479,000,000.00 for the payment of expenditures chargeable to the 2013-2014 fiscal year, being the amount of the appropriations to be voted for each of the programs listed in Schedules 1 and 2, less the amounts totalling \$15,137,216,204.00 of the appropriations voted pursuant to the Appropriation Act No. 1, 2012-2013 (2012, chapter 2).
- 2.** The balance of any appropriation allocated for the 2012-2013 fiscal year that is not entirely used may, subject to the conditions stipulated in the Expenditure Budget, be carried over to 2013-2014, up to the equivalent of \$140,468,100.00. Moreover, the Conseil du trésor may authorize the carryover of an additional \$93,290,800.00 subject to the conditions and procedures stipulated in the Expenditure Budget.
- 3.** In the case of programs in respect of which a net voted appropriation appears in the Expenditure Budget, the amount of the appropriation pertaining to the programs concerned may be increased, subject to the stipulated conditions, when the revenues associated with this net voted appropriation exceed revenue forecasts.
- 4.** In the case of programs in respect of which a provision has been made to this effect, the Conseil du trésor may authorize the transfer of a portion of an appropriation between programs or portfolios, for the purposes and, if need be, under the conditions described in the Expenditure Budget.
- 5.** Except for the programs covered by section 4, the Conseil du trésor may authorize the transfer of a portion of an appropriation between programs in a given portfolio, provided that such a transfer does not increase or reduce by more than 10% the amount of the appropriation authorized by statute.
- 6.** The balance of the expenditure and investment estimates for the special funds listed in Schedule 3 is approved for the 2012-2013 fiscal year.

The balance represents 73.7% of the expenditure estimates in the 2012-2013 Special Funds Budget and 75.0% of the investment estimates in the 2012-2013 Special Funds Budget.

- 7.** This Act comes into force on 3 May 2012.

SCHEDULE 1

GENERAL FUND

AFFAIRES MUNICIPALES, RÉGIONS ET OCCUPATION
DU TERRITOIRE

PROGRAM 1

Greater Montréal Promotion and Development	79,852,503.00
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PROGRAM 2

Municipal Infrastructure Modernization	249,745,350.00
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PROGRAM 3

Compensation in lieu of Taxes and Financial Assistance to Municipalities	232,396,030.00
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PROGRAM 4

General Administration	53,648,175.00
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PROGRAM 5

Regional Development and Rurality	71,307,780.00
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PROGRAM 6

Commission municipale du Québec	1,937,100.00
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PROGRAM 7

Housing	904,187,625.00
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PROGRAM 8

Régie du logement	14,092,525.00
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1,607,167,088.00

AGRICULTURE, PÊCHERIES ET ALIMENTATION

PROGRAM 1

Bio-food Business Development, Training and Food Quality	253,878,400.00
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PROGRAM 2

Government Agencies	459,826,875.00
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713,705,275.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

PROGRAM 1

Secrétariat du Conseil du trésor	74,310,525.00
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PROGRAM 2

Government Operations	699,952,425.00
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PROGRAM 3

Commission de la fonction publique	3,342,375.00
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PROGRAM 4

Retirement and Insurance Plans	3,313,350.00
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PROGRAM 5

Contingency Fund	815,713,200.00
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	1,596,631,875.00
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CONSEIL EXÉCUTIF

PROGRAM 1

Lieutenant-Governor's Office	561,675.00
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PROGRAM 2

Support Services for the Premier and the Conseil exécutif	46,207,800.00
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PROGRAM 3

Canadian Intergovernmental Affairs	10,403,025.00
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PROGRAM 4

Aboriginal Affairs	181,289,475.00
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PROGRAM 5

Youth	40,158,075.00
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PROGRAM 6

Reform of Democratic Institutions and Access to Information	5,704,125.00
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	284,324,175.00
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CULTURE, COMMUNICATIONS ET CONDITION FÉMININE

PROGRAM 1

Internal Management, Centre de conservation du Québec and Commission des biens culturels du Québec	44,445,375.00
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PROGRAM 2

Support for Culture, Communications and Government Corporations	413,551,445.00
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PROGRAM 3

Charter of the French Language	20,869,950.00
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PROGRAM 4

Status of Women	7,876,050.00
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486,742,820.00

DÉVELOPPEMENT DURABLE, ENVIRONNEMENT ET PARCS

PROGRAM 1

Environmental Protection and Parks Management	166,929,600.00
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PROGRAM 2

Bureau d'audiences publiques sur l'environnement	3,859,475.00
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	170,789,075.00

DÉVELOPPEMENT ÉCONOMIQUE, INNOVATION ET EXPORTATION

PROGRAM 1

Financial and Technical Support for Economic Development, Research, Innovation and Exports	297,208,675.00
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PROGRAM 2

Economic Development Fund Interventions	182,331,525.00
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PROGRAM 3

Research and Innovation Agencies	136,239,975.00
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PROGRAM 4

Promotion and Development of the Capitale-Nationale	36,113,750.00
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	651,893,925.00

ÉDUCATION, LOISIR ET SPORT

PROGRAM 1

Administration and Consulting	132,425,850.00
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PROGRAM 2

Organizations involved with Specialized Training Programs	19,515,000.00
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PROGRAM 3

Financial Assistance for Education	525,956,475.00
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PROGRAM 4

Preschool, Primary and Secondary Education	6,428,938,613.00
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PROGRAM 5

Higher Education	3,248,913,225.00
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PROGRAM 6

Development of Recreation and Sports	40,036,300.00
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	10,395,785,463.00
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EMPLOI ET SOLIDARITÉ SOCIALE

PROGRAM 1

Employment Assistance Measures	557,601,100.00
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PROGRAM 2

Financial Assistance Measures	1,907,632,250.00
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PROGRAM 3

Administration	317,040,950.00
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	2,782,274,300.00
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FAMILLE ET AÎNÉS

PROGRAM 1

Planning, Research and Administration	48,073,725.00
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PROGRAM 2

Assistance Measures for Families	1,526,057,400.00
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PROGRAM 3

Condition of Seniors	20,830,125.00
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PROGRAM 4

Public Curator	35,976,300.00
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	1,630,937,550.00
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FINANCES

PROGRAM 1

Department Administration	564,126,900.00
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PROGRAM 2

Budget and Taxation Policies, Economic Analysis and Administration of Government Financial and Accounting Activities	78,946,725.00
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PROGRAM 3

Debt Service	1,500,000.00
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	644,573,625.00

IMMIGRATION ET COMMUNAUTÉS CULTURELLES

PROGRAM 1

Immigration, Integration and Cultural Communities	231,478,575.00
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	231,478,575.00

JUSTICE

PROGRAM 1

Judicial Activity	22,385,625.00
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PROGRAM 2

Administration of Justice	193,472,650.00
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PROGRAM 3

Administrative Justice	8,989,650.00
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PROGRAM 4

Justice Accessibility	105,409,875.00
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PROGRAM 5

Agencies Reporting to the Minister	17,911,275.00
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PROGRAM 6

Criminal and Penal Prosecutions	77,455,550.00
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	425,624,625.00
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PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

PROGRAM 1

The Public Protector	10,618,425.00
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PROGRAM 2

The Auditor General	19,578,000.00
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PROGRAM 4

The Lobbyists Commissioner	2,249,100.00
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	32,445,525.00
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RELATIONS INTERNATIONALES

PROGRAM 1

International Affairs

92,878,800.00

92,878,800.00

RESSOURCES NATURELLES ET FAUNE**PROGRAM 1**

Management of Natural Resources	319,028,350.00
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PROGRAM 2

Protection and Development of Wildlife Resources	46,765,700.00
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	365,794,050.00
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SANTÉ ET SERVICES SOCIAUX

PROGRAM 1

Québec-wide Operations	406,233,525.00
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PROGRAM 2

Regional Operations	13,177,970,700.00
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PROGRAM 3

Office des personnes handicapées du Québec	9,766,950.00
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	13,593,971,175.00
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SÉCURITÉ PUBLIQUE

PROGRAM 1

Security, Prevention and Internal Management	429,901,600.00
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PROGRAM 2

Sûreté du Québec	330,686,225.00
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PROGRAM 3

Agencies Reporting to the Minister	26,754,150.00
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787,341,975.00

TOURISME

PROGRAM 1

Promotion and Development of
Tourism99,336,600.00

99,336,600.00

TRANSPORTS

PROGRAM 1

Infrastructures and Transportation Systems	532,892,025.00
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PROGRAM 2

Administration and Corporate Services	69,835,800.00
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602,727,825.00

TRAVAIL

PROGRAM 1

Labour

24,043,975.00

24,043,975.00

37,220,468,296.00

SCHEDULE 2

GENERAL FUND

APPROPRIATIONS TO BE VOTED FOR EXPENDITURES
CHARGEABLE TO THE 2013-2014 FISCAL YEAR

EMPLOI ET SOLIDARITÉ SOCIALE

PROGRAM 2

Financial Assistance Measures	279,000,000.00
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	279,000,000.00

FAMILLE ET ÂÎNÉS

PROGRAM 2

Assistance Measures for Families	<u>200,000,000.00</u>	
	200,000,000.00	<u>479,000,000.00</u>

SCHEDULE 3

SPECIAL FUNDS

AFFAIRES MUNICIPALES, RÉGIONS ET OCCUPATION
DU TERRITOIRE

REGIONAL DEVELOPMENT FUND

Expenditure budget	43,481,775.00
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SUBTOTAL

Expenditure budget	43,481,775.00
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CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

NATURAL DISASTER ASSISTANCE FUND

Expenditure budget	9,506,250.00
Investment budget	7,420,500.00
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SUBTOTALS	
Expenditure budget	9,506,250.00
Investment budget	7,420,500.00

CULTURE, COMMUNICATIONS ET CONDITION FÉMININE

QUÉBEC CULTURAL HERITAGE FUND

Expenditure budget	<u>19,851,675.00</u>
SUBTOTAL	
Expenditure budget	19,851,675.00

DÉVELOPPEMENT DURABLE, ENVIRONNEMENT ET PARCS

GREEN FUND

Expenditure budget	373,103,925.00
Investment budget	3,877,500.00

SUBTOTALS

Expenditure budget	373,103,925.00
Investment budget	3,877,500.00

DÉVELOPPEMENT ÉCONOMIQUE, INNOVATION ET EXPORTATION

ECONOMIC DEVELOPMENT FUND

Expenditure budget	<u>261,374,775.00</u>
SUBTOTAL	
Expenditure budget	261,374,775.00

ÉDUCATION, LOISIR ET SPORT

SPORTS AND PHYSICAL ACTIVITY
DEVELOPMENT FUND

Expenditure budget 53,911,575.00

UNIVERSITY EXCELLENCE AND
PERFORMANCE FUND

Expenditure budget 12,930,000.00

SUBTOTAL

Expenditure budget 66,841,575.00

EMPLOI ET SOLIDARITÉ SOCIALE

ASSISTANCE FUND FOR INDEPENDENT
COMMUNITY ACTION

Expenditure budget	11,496,850.00
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LABOUR MARKET DEVELOPMENT
FUND

Expenditure budget	833,136,450.00
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FONDS DE FOURNITURE DE BIENS
OU DE SERVICES DU MINISTÈRE
DE L'EMPLOI ET DE LA SOLIDARITÉ
SOCIALE

Expenditure budget	1,881,225.00
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INFORMATION TECHNOLOGY FUND
OF THE MINISTÈRE DE L'EMPLOI
ET DE LA SOLIDARITÉ SOCIALE

Expenditure budget	15,319,125.00
Investment budget	10,654,725.00

FONDS QUÉBÉCOIS D'INITIATIVES
SOCIALES

Expenditure budget	17,852,200.00
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SUBTOTALS

Expenditure budget	879,685,850.00
Investment budget	10,654,725.00

FAMILLE ET AÎNÉS

CAREGIVER SUPPORT FUND

Expenditure budget	11,160,000.00
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EARLY CHILDHOOD DEVELOPMENT
FUND

Expenditure budget	11,250,000.00
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SUBTOTAL

Expenditure budget	22,410,000.00
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FINANCES

FINANCING FUND

Expenditure budget	1,287,925.00
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FUND OF THE BUREAU DE DÉCISION
ET DE RÉVISION

Expenditure budget	1,417,800.00
Investment budget	37,500.00

FONDS DU CENTRE FINANCIER
DE MONTRÉAL

Expenditure budget	825,000.00
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NORTHERN PLAN FUND

Expenditure budget	38,661,975.00
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TAX ADMINISTRATION FUND

Expenditure budget	546,603,600.00
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SUBTOTALS

Expenditure budget	588,796,300.00
Investment budget	37,500.00

JUSTICE

FONDS D'AIDE AUX VICTIMES
D'ACTES CRIMINELS

Expenditure budget	14,821,800.00
Investment budget	56,250.00

REGISTER FUND OF THE MINISTÈRE
DE LA JUSTICE

Expenditure budget	15,028,150.00
Investment budget	7,806,000.00

FUND OF THE ADMINISTRATIVE
TRIBUNAL OF QUÉBEC

Expenditure budget	24,274,575.00
Investment budget	874,275.00

SUBTOTALS

Expenditure budget	54,124,525.00
Investment budget	8,736,525.00

RESSOURCES NATURELLES ET FAUNE**NATURAL RESOURCES FUND**

Expenditure budget	339,830,950.00
Investment budget	11,437,500.00

TERRITORIAL INFORMATION FUND

Expenditure budget	78,837,450.00
Investment budget	35,162,625.00

SUBTOTALS

Expenditure budget	418,668,400.00
Investment budget	46,600,125.00

SANTÉ ET SERVICES SOCIAUX

FUND TO FINANCE HEALTH AND
SOCIAL SERVICES INSTITUTIONS

Expenditure budget	753,750,000.00
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FUND FOR THE PROMOTION
OF A HEALTHY LIFESTYLE

Expenditure budget	15,000,000.00
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SUBTOTAL

Expenditure budget	768,750,000.00
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SÉCURITÉ PUBLIQUE

POLICE SERVICES FUND

Expenditure budget	400,309,575.00
Investment budget	16,514,700.00

SUBTOTALS

Expenditure budget	400,309,575.00
Investment budget	16,514,700.00

TOURISME

TOURISM PARTNERSHIP FUND

Expenditure budget	101,370,225.00
Investment budget	825,000.00

SUBTOTALS

Expenditure budget	101,370,225.00
Investment budget	825,000.00

TRANSPORTS

ROLLING STOCK MANAGEMENT FUND

Expenditure budget	81,832,050.00
Investment budget	28,260,225.00

HIGHWAY SAFETY FUND

Expenditure budget	6,111,675.00
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LAND TRANSPORTATION NETWORK
FUND

Expenditure budget	2,022,001,400.00
Investment budget	2,834,262,975.00

SUBTOTALS

Expenditure budget	2,109,945,125.00
Investment budget	2,862,523,200.00

TRAVAIL

FUND OF THE COMMISSION
DES LÉSIONS PROFESSIONNELLES

Expenditure budget	46,605,750.00
Investment budget	1,737,000.00

FUND OF THE COMMISSION
DES RELATIONS DU TRAVAIL

Expenditure budget	13,373,625.00
Investment budget	525,000.00

SUBTOTALS

Expenditure budget	59,979,375.00
Investment budget	2,262,000.00

TOTALS

Expenditure budget	6,178,199,350.00
Investment budget	2,959,451,775.00

Regulations and other Acts

Gouvernement du Québec

O.C. 477-2012, 9 May 2012

Professional Code
(R.S.Q., c. C 26)

**Specialist's certificates of professional orders
— Diplomas issued by designated educational
institutions which give access to permits or
specialist's certificates of professional orders
— Amendment**

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

WHEREAS, under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), after obtaining the advice of the Office des professions du Québec in accordance with subparagraph 7 of the third paragraph of section 12 of the Code, and of the order concerned, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist's certificate;

WHEREAS, under subparagraph 7 of the third paragraph of section 12 of the Professional Code, the Office must, before advising the Government, consult the educational institutions and the order concerned, the Conference of Rectors and Principals of Québec Universities in the case of a university-level diploma, and the Minister of Education, Recreation and Sports;

WHEREAS the Office carried out the required consultation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R 18.1), a draft of the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders was published in Part 2 of the *Gazette officielle du Québec* of 28 December 2011 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Government obtained the advice of the Office and that of the Ordre des administrateurs agréés du Québec;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

Professional Code
(R.S.Q., c. C-26, s. 184)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (c. C-26, r. 2) is amended by replacing section 1.27 by the following:

“**1.27.** The following diplomas awarded by the educational institutions listed below give access to the permit issued by the Ordre des administrateurs agréés du Québec:

(a) Bachelor of Business Administration (B.B.A.) and Bachelor of Arts (B.A.) with a Major in business from Bishop's University;

(b) Bachelor of Administration (B.Admin.), Bachelor of Commerce (B.Comm.), Master of Science (M.Sc.) in Administration, Master of Business Administration (M.B.A.) and Doctor of Philosophy (Ph.D.) in Business Administration from Concordia University;

(c) Baccalauréat en administration des affaires (B.A.A.), Baccalauréat ès sciences de la gestion (B.Sc.G.), Baccalauréat ès arts (B.A.) en gestion publique, Maîtrise ès sciences (M.Sc.) de la gestion, Maîtrise ès sciences (M.Sc.) en finance appliquée, Maîtrise ès sciences (M.Sc.)

en comptabilité, contrôle, audit, Maîtrise ès sciences (M.Sc.) en technologies de l'information, Maîtrise ès sciences (M.Sc.) en développement du tourisme, Maîtrise ès sciences (M.Sc.) en gestion de projet, Maîtrise en gestion de projet (M.G.P.), Maîtrise en gestion de projet (M.G.P.), cheminement coopératif, Maîtrise en administration des affaires (M.B.A.) and Philosophiae Doctor (Ph.D.) en administration from the Université du Québec à Montréal;

(d) Baccalauréat en administration des affaires (B.A.A.), Maîtrise en administration des affaires (M.B.A.) and Doctorat en administration (D.B.A.) from the Université du Québec à Trois-Rivières;

(e) Baccalauréat en administration des affaires (B.A.A.), Maîtrise en administration des affaires (M.B.A.), Maîtrise en gestion de projet (M.G.P.) and Maîtrise ès sciences (M.Sc.) en gestion des organisations from the Université du Québec à Chicoutimi;

(f) Baccalauréat en administration des affaires (B.A.A.), Maîtrise en administration des affaires (M.B.A.), Maîtrise ès sciences (M.Sc.) en gestion de projet, Maîtrise en gestion de projet (M.G.P.), Maîtrise ès sciences (M.Sc.) en gestion des personnes en milieu de travail and Maîtrise ès sciences (M.Sc.) en gestion des ressources maritimes from the Université du Québec à Rimouski;

(g) Baccalauréat en administration des affaires (B.A.A.), Maîtrise en administration des affaires (M.B.A.), Maîtrise ès sciences (M.Sc.) en gestion de projet, Maîtrise ès sciences (M.Sc.) en relations industrielles et en ressources humaines and Maîtrise en gestion de projet (M.G.P.) from the Université du Québec en Outaouais;

(h) Baccalauréat en administration des affaires (B.A.A.), Maîtrise en gestion de projet (M.G.P.) and Maîtrise ès sciences (M.Sc.) en gestion de projet from the Université du Québec en Abitibi-Témiscamingue;

(i) Bachelor of Commerce (B.Comm.), Master of Business Administration (M.B.A.) and Doctor of Philosophy (Ph.D.) in Management from McGill University;

(j) Baccalauréat ès sciences (B.Sc.) en relations industrielles, Maîtrise en droit (LL.M.), option fiscalité, Maîtrise ès sciences (M.Sc.) en commerce électronique and Maîtrise ès sciences (M.Sc.) en relations industrielles from the Université de Montréal;

(k) Baccalauréat en administration des affaires (B.A.A.), Baccalauréat en gestion (B.Gest.), Baccalauréat ès sciences (B.Sc.) en administration, Maîtrise ès sciences (M.Sc.) de la gestion, Maîtrise ès sciences (M.Sc.) en commerce électronique, Maîtrise en administration des affaires

(M.B.A.) and Philosophiae Doctor (Ph.D.) en administration from the École des Hautes Études commerciales de Montréal;

(l) Baccalauréat en administration des affaires (B.A.A.), Maîtrise en administration des affaires (M.B.A.), Maîtrise en administration (M.Adm.), Maîtrise en fiscalité (M.Fisc.), Maîtrise ès sciences (M.Sc.) en administration and Doctorat en administration (D.B.A.) from the Université de Sherbrooke;

(m) Maîtrise en administration publique (M.A.P.), Maîtrise ès sciences (M.Sc.) en administration internationale, Maîtrise ès sciences (M.Sc.) en analyse et développement des organisations, Maîtrise ès sciences (M.Sc.) en évaluation de programmes, Maîtrise ès sciences (M.Sc.) en gestion des ressources humaines and Philosophiae Doctor (Ph.D.) en administration publique from the École nationale d'administration publique;

(n) Baccalauréat en administration des affaires (B.A.A.), Baccalauréat ès Arts (B.A.) en relations industrielles, Maîtrise en administration des affaires (M.B.A.), Maîtrise ès Arts (M.A.) en relations industrielles, Maîtrise ès Sciences (M.Sc.) de l'administration, Maîtrise ès sciences (M.Sc.) en développement des organisations and Philosophiae doctor (Ph.D.) en administration from Université Laval.”

2. Section 1.27, replaced by section 1 of this Regulation, remains applicable to persons who, on 7 June 2012, hold the diplomas referred to in the replaced section or are registered in a program leading to those diplomas.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

2068

Gouvernement du Québec

O.C. 479-2012, 9 May 2012

An Act respecting safety in sports
(R.S.Q., c. S-3.1)

Combat sports licensing — Amendment

Regulation to amend the Regulation respecting combat sports licensing

WHEREAS, under subparagraphs 2 and 13 of the first paragraph of section 55.3 of the Act respecting safety in sports (R.S.Q., c. S-3.1), the Régie des alcools, des

courses et des jeux may, by regulation approved by the Government, determine the conditions a person applying for a permit relating to a sports event must fulfil and exempt classes of persons from a regulation respecting combat sports events, or of any provision thereof;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting combat sports licensing was published in Part 2 of the *Gazette officielle du Québec* of 1 February 2012 with a notice that it could be made by the Régie des alcools, des courses et des jeux and approved by the Government on the expiry of 45 days following that publication;

WHEREAS the Régie des alcools, des courses et des jeux made the Regulation to amend the Regulation respecting combat sports licensing in plenary session on 18 April 2012;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting combat sports licensing, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting combat sports licensing

An Act respecting safety in sports
(R.S.Q., c. S-3.1, s. 55.3, 1st par., subpars. 2 and 13)

1. The Regulation respecting combat sports licensing (c. S-3.1, r. 7) is amended by adding the following after section 24:

“**24.1.** A person who is domiciled in Canada without being domiciled in Québec who is applying for an official’s annual licence must

(1) fulfill the requirements of section 24 except paragraph 5;

(2) submit a document from an athletic commission or a similar government-established agency certifying the person’s competency.”.

2. Section 25 is amended by replacing “Québec” by “Canada”.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

2069

Gouvernement du Québec

O.C. 484-2012, 9 May 2012

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

Automotive services industry – Montréal — Amendment

Decree to amend the Decree respecting the automotive services industry in the Montréal region

WHEREAS, under section 2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government made the Decree respecting the automotive services industry in the Montréal region (c. D-2, r. 10);

WHEREAS the contracting parties designated in the Decree have, under section 6.1 of the Act, applied to the Minister of Labour to have amendments made to the Decree;

WHEREAS sections 2 and 6.1 of the Act authorize the Government to amend a collective agreement decree;

WHEREAS, under section 7 of the Act, notwithstanding section 17 of the Regulations Act (R.S.Q., c. R-18.1), a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act and sections 5 and 6.1 of the Act respecting collective agreement decrees, a draft of the amending decree was published in Part 2 of the *Gazette officielle du Québec* of 28 December 2011 and, on the same date, in a French language newspaper and in an English language newspaper with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS no comment was made in respect of the draft Decree;

WHEREAS it is expedient to make the draft Decree without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Decree to amend the Decree respecting the automotive services industry in the Montréal region, attached hereto, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the automotive services industry in the Montréal region

An Act respecting collective agreement decrees (R.S.Q., c. D-2, ss. 2 and 6.1)

1. The Decree respecting the automotive services industry in the Montréal region (c. D-2, r. 10) is amended in section 1.02

(1) by replacing “Association des spécialistes du pneu du Québec inc.” in paragraph 1 by “Association des spécialistes de pneu et mécanique du Québec (ASPMQ)”;

(2) by replacing “Association des carrossiers professionnels du Québec” in paragraph 1 by “Corporation des carrossiers professionnels du Québec”.

2. Section 6.01 is amended by striking out “, regardless of the day of the week with which they coincide” in the portion preceding paragraph 1.

3. Section 6.03 is amended by adding the following after the second paragraph:

“A statutory general holiday that coincides with a non-working day may be deferred within 15 days preceding or following the holiday to the working day agreed upon between the employee and the employer.”.

4. Section 7.06 is amended by replacing “or accident” in the third paragraph by “, an organ or tissue donation for transplant, an accident or a criminal offence”.

5. Section 8.05 is amended by striking out the fourth paragraph.

6. Section 8.10 is amended by replacing “of the sickness or accident” in the second paragraph by “of the sickness, accident or criminal offence”.

7. The following is added after section 8.13:

“**8.14.** An employee is entitled to an extension of the period of absence under the first paragraph of section 8.13, which ends not later than 104 weeks after the beginning of that period, if the employee must stay with the employee’s minor child who suffered serious bodily injury during or resulting directly from a criminal offence that renders the child unable to carry on regular activities.

8.15. In accordance with the provisions of the Act respecting labour standards (R.S.Q., c. N-1.1), an employee may be absent from work

(1) if the employee suffers serious bodily injury during or resulting directly from a criminal offence that renders the employee unable to hold the employee’s regular position;

(2) if the employee’s minor child has disappeared;

(3) if the employee’s spouse or child commits suicide;

(4) if the death of the employee’s spouse or child occurs during or results directly from a criminal offence; or

(5) if the employee is also a reservist of the Canadian Forces.

8.16. An employee who is required to appear as a witness before a court or a quasi-judicial body in a case concerning his or her employer, other than a grievance or penal proceedings instituted by the parity committee, where the employee is not one of the interested parties has no reduction in wages for the period during which the employee’s presence is required in court.

8.17. In accordance with the provisions of the Act respecting labour standards (R.S.Q., c. N-1.1), a pregnant employee is entitled to a maternity leave, an employee is entitled to a paternity leave and the father and the mother of a newborn child, and a person who adopts a child, are entitled to parental leave.

An employee may be absent from work without pay for a medical examination related to her pregnancy or for an examination related to her pregnancy carried out by a midwife.

The employee must advise her employer as soon as possible of the time at which she will be absent.”.

8. Section 9.01 is replaced by the following:

“**9.01.** The minimum hourly wage rates are as follows:

Trades	As of 23 May 2012	As of 23 May 2013	As of 23 May 2014	As of 23 May 2015
Apprentice				
1st year	\$11.59	\$11.88	\$12.18	\$12.48
2nd year	\$12.55	\$12.86	\$13.19	\$13.52
3rd year	\$13.69	\$14.03	\$14.38	\$14.74
Journeyman				
First class	\$20.35	\$20.85	\$21.38	\$21.91
Second class	\$17.65	\$18.09	\$18.54	\$19.01
Third class	\$16.34	\$16.75	\$17.17	\$17.60
Parts Clerk				
Level A	\$15.48	\$15.86	\$16.26	\$16.67
Level B	\$14.59	\$14.95	\$15.33	\$15.71
Level C	\$13.04	\$13.37	\$13.70	\$14.04
Level D	\$12.55	\$12.86	\$13.19	\$13.52
Messenger				
Level A*				
Level B**				
Dismantler				
1st grade	\$10.87	\$11.14	\$11.42	\$11.70
2nd grade	\$11.59	\$11.88	\$12.18	\$12.48
3rd grade	\$12.57	\$12.89	\$13.21	\$13.54
Washer**				
Brake mechanic	\$12.57	\$12.89	\$13.21	\$13.54
Semiskilled worker				
1st grade	\$10.87	\$11.14	\$11.42	\$11.70
2nd grade	\$11.59	\$11.88	\$12.18	\$12.48
3rd grade	\$12.57	\$12.89	\$13.21	\$13.54
Pump attendant**				
Service attendant				
1st grade	\$10.37	\$10.63	\$10.89	\$11.16
2nd grade	\$11.67	\$11.96	\$12.26	\$12.57
3rd grade	\$13.30	\$13.64	\$13.98	\$14.33
Alignment and suspension specialist, trim man and automatic and transmission mechanic				
first class	\$20.35	\$20.85	\$21.38	\$21.91
second class	\$17.65	\$18.09	\$18.54	\$19.01
third class	\$16.34	\$16.75	\$17.17	\$17.60

* On the date of coming into force of the minimum hourly rates, the wage is equal to the minimum wage provided for in section 3 of the Regulation respecting labour standards (c. N-1.1, r. 3) increased by \$0.75.

** On the date of coming into force of the minimum hourly rates, the wage is equal to the minimum wage provided for in section 3 of the Regulation respecting labour standards increased by \$0.25.”.

9. Section 9.10 is revoked.

10. Section 9.11 is amended by striking out “(R.S.Q., c. N-1.1)”.

11. Section 10.07 is amended by adding the following after the third paragraph:

“For the purposes of the second paragraph, the 3rd class certificate issued under the third paragraph is equivalent to the journeyman qualification certificate Class C mentioned in Schedule I of the Decree.”.

12. Section 14.01 is replaced by the following:

“**14.01.** The Decree remains in force until 23 May 2016. It is automatically renewed from year to year, unless the group comprising the employer contracting party or the union contracting party opposes it by sending a written notice to the Minister of Labour and to all the contracting parties in the other group, during the 6th month preceding the date of expiry of the Decree or during the same month of any subsequent year.”.

13. This Decree comes into force on the date of its publication in the *Gazette officielle du Québec*.

2070

M.O., 2012

Order of the Minister of Sustainable Development, Environment and Parks dated 11 May 2012

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Extension of the setting aside of three areas as proposed aquatic reserves and twenty-nine areas as proposed biodiversity reserves

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT AND PARKS,

CONSIDERING the Minister’s Order dated 17 June 2004 (2004, *G.O.* 2, 2301), made in accordance with the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), by which the following land has been set aside for a period of four years beginning on 14 July 2004:

Proposed aquatic reserve:

— Upper Harricana;

Proposed biodiversity reserves:

— Taibi lake;
— Decelles reservoir;
— Parent lake marshlands;
— Waskaganish;
— Piché-Lemoine forest;
— Opasatica lake;
— Des Quinze lake;

CONSIDERING the Minister’s Order dated 19 June 2008 (2008, *G.O.* 2, 2940), made in accordance with the Natural Heritage Conservation Act, by which the term of setting aside of the aforementioned proposed aquatic and biodiversity reserves was the subject of an extension of four additional years;

CONSIDERING the Minister’s Order dated 29 May 2008 (2008, *G.O.* 2, 2131), made in accordance with the Natural Heritage Conservation Act, by which the following land has been set aside for a period of four years beginning on 11 June 2008:

Proposed aquatic reserves:

— Rivière-Dumoine;
— Vallée-de-la-Haute-Rouge;

Proposed biodiversity reserves:

— Paakumshumwaa-Maatuskaau;
— Lac-Dana;
— Tourbières-Boisées-du-Chiwakamu;
— Montagnes-Blanches;
— Basses-Collines-du-Ruisseau-Serpent;
— Vallée-de-la-Rivière-Maganasipi;
— Wanaki;
— Mont-O’Brien;
— Montagne-du-Diable;
— Îles-du-Kiamika;
— Lac-Némiscachingue;
— Basses-Collines-du-Lac-au-Sorcier;
— Canyon-de-la-Rivière-aux-Rats;
— Basses-Collines-du-Lac-Coucou;
— Brûlis-du-Lac-Oskélanéo;
— Sikitakan Sipi;
— Plateau-de-la-Pierriche;
— Buttes-et-Buttons-du-Lac-Panache;
— Forêt-Montmorency;
— Vallée-Tousignant;

CONSIDERING the Minister’s Order dated 3 October 2008 (2008, *G.O.* 2, 4969), made in accordance with the Natural Heritage Conservation Act, by which the following land has been set aside for a period of four years beginning on 15 October 2008:

Proposed biodiversity reserves:

- Mont-Sainte-Marie;
- Buttes-du-Lac-Montjoie;

CONSIDERING the ecological value of the land and the necessity of extending the setting aside of the land for a term of eight years to complete the steps leading to the assignment of permanent protection status to all that land;

CONSIDERING section 28 of the Natural Heritage Conservation Act, which provides that the renewals or extensions of the setting aside of land may not, unless authorized by the Government, be such that the term of the setting aside exceeds six years;

CONSIDERING Order in Council 107-2012 dated 22 February 2012 by which the Government authorized the Minister of Sustainable Development, Environment and Parks to extend the setting aside of the land for a term of eight years;

ORDERS AS FOLLOWS:

The setting aside of the following land is hereby extended for a term of eight years beginning on 14 July 2012:

Proposed aquatic reserve:

- Upper Harricana;

Proposed biodiversity reserves:

- Taibi lake;
- Decelles reservoir;
- Parent lake marshlands;
- Waskaganish;
- Piché-Lemoine forest;
- Opasatica lake;
- Des Quinze lake;

The setting aside of the following land is hereby extended for a term of eight years beginning on 11 June 2012:

Proposed aquatic reserves:

- Rivière-Dumoine;
- Vallée-de-la-Haute-Rouge;

Proposed biodiversity reserves:

- Paakumshumwaaou-Maatuskaau;
- Lac-Dana;
- Tourbières-Boisées-du-Chiwakamu;
- Montagnes-Blanches;
- Basses-Collines-du-Ruisseau-Serpent;
- Vallée-de-la-Rivière-Maganasipi;
- Wanaki;
- Mont-O'Brien;
- Montagne-du-Diable;
- Îles-du-Kiamika;
- Lac-Némiscachingue;
- Basses-Collines-du-Lac-au-Sorcier;
- Canyon-de-la-Rivière-aux-Rats;
- Basses-Collines-du-Lac-Coucou;
- Brûlis-du-Lac-Oskélanéo;
- Sikitakan Sipi;
- Plateau-de-la-Pierriche;
- Buttes-et-Buttons-du-Lac-Panache;
- Forêt-Montmorency;
- Vallée-Tousignant;

The setting aside of the following land is hereby extended for a term of eight years beginning on 15 October 2012:

Proposed biodiversity reserves:

- Mont-Sainte-Marie;
- Buttes-du-Lac-Montjoie.

Québec, 11 May 2012

PIERRE ARCAND,
*Minister of Sustainable Development,
Environment and Parks*

2072

Draft Regulations

Notice

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

Maintenance of public buildings – Québec — Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour has received an application from the contracting parties to amend the Decree respecting building service employees in the Québec region (c. D-2, r. 16) and that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Decree to amend the Decree respecting building service employees in the Québec region, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree harmonizes certain provisions of the Decree with the collective agreement as renewed. In addition, it provides for new minimum hourly rates.

The consultation period will specify the extent of the impact of the amendments applied for. According to the 2010 annual report of the Comité paritaire de l'entretien d'édifices publics de la région de Québec, 681 employers and 6,526 employees are subject to the Decree.

Further information may be obtained by contacting:

Patrick Bourassa
Direction des politiques du travail
Ministère du Travail, 200, chemin Sainte-Foy, 5^e étage
Québec (Québec) G1R 5S1
Telephone: 418 528-9738
Fax: 418 643-9454
Email: patrick.bourassa@travail.gouv.qc.ca

Any person wishing to comment on the draft Decree is requested to submit written comments within the 45-day period to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

JOCELIN DUMAS,
Deputy Minister of Labour

Decree to amend the Decree respecting building service employees in the Québec region

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, ss. 2 and 6.1)

1. The Decree respecting building service employees in the Québec region (c. D-2, r. 16) is amended by replacing section 1.01 by the following:

“**1.01.** In this Decree, unless the context requires otherwise, the following expressions mean:

(a) “crew leader”: the employee who, in addition to doing building service work, sees to the training and supervision of at least 3 employees;

(b) “spouses”: persons who

i. are married or in a civil union and cohabiting:

ii. being of opposite sex or the same sex, are living together in a *de facto* union and are the father and mother of the same child; or

iii. are of opposite sex or the same sex and have been living together in a *de facto* union for 1 year or more;

(c) “public building”: a school, a vocational training centre and an adult education centre established by a school board, a college established under the General and Vocational Colleges Act (R.S.Q., c. C-29), an educational institution at the university level within the meaning of the Act respecting educational institutions at the university level (R.S.Q., c. E-14.1), a private educational establishment governed by the Act respecting private education (R.S.Q., c. E-9.1), an establishment within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2), an establishment housing a non-profit social and community organization, a day care centre, kindergarten, stop-over centre or a childcare centre within the meaning of the Act respecting childcare centres and other childcare services (R.S.Q., c. C-8.2), a clinic, convalescent home, shelter or other establishments for the needy, a public library, cultural centre, museum, an exhibition hall, a heritage interpretation centre, a cinema, theatre, church, chapel, convent, club, bar, restaurant, cafeteria, a tavern, brasserie, hotel, motel, inn, conference hall, municipal hall, an exhibition, a fair, stands on race-courses or used for public or sporting

amusements or other events, an arena, plant, industry, an office building, an office, a bank, a credit union, a store, a shopping centre, tunnel, station, airport, ship berth, railway terminal or car terminal, a house with several apartments or dwelling units, the common spaces in a condominium building, a public bath, a mall, a cabaret, a place where sporting events are held, a fun fair, a public meeting hall and any other place similar to one of the buildings mentioned in this paragraph or used as such;

(d) “probationary employee”: an employee who has not completed 320 hours of work in the service of his or her employer;

(e) “regular employee”: an employee who has completed 320 hours of work in the service of his or her employer;

(f) “maintenance work”: any work involving cleaning inside or outside of a public building;

(g) “Class A work”: heavy maintenance work such as washing walls, windows, ceilings, light fixtures, chalkboards, sweeping floors with a dust mop one metre or more in width, stripping, washing or treating floors, hose cleaning or cleaning with a pressure system or any other cleaning system, removing spots on floors with a wet mop that is more than 340.2 g (12 ounces) and a bucket that is more than 12 litres (2.6 imp. gallons), cleaning carpets and surfaces including equipment fixed to the ground, removing waste and the contents of recycling bins larger than 11.34 kg (25.15 lbs) and dusting areas not accessible from floor level;

(h) “Class B work”: any light maintenance work in areas accessible from floor level exclusively, such as dusting, cleaning offices, tables, chairs and other furniture, cleaning ashtrays and wastepaper baskets of 11.34 kg (25.15 lbs) or less, washing light fixtures and cleaning marks on walls and floors with a wet mop

that is 340.2 g (12 ounces) or less and a bucket that is 12 litres (2.6 imp. gallons) or less, sweeping floors with a broom, a dust mop or a vacuum cleaner, washing glass partitions and doing light maintenance of washrooms;

(i) “Class C work: the washing of windows and interior and exterior surfaces requiring the employee to work above ground on a scaffold, bosun’s chair or to be held by safety belts inside or outside buildings;

(j) “continuous service”: an uninterrupted period during which an employee is bound to the employer by a work contract, even if the carrying out of the work has been interrupted without the contract being cancelled, and the period during which fixed-duration contracts follow one another without an interruption that would allow, given the circumstances, to conclude that the contract has been cancelled.”.

2. Section 3.01 is replaced by the following:

“3.01. The standard workweek is 40 hours excluding lunch time.”.

3. Section 3.02 is revoked.

4. Section 4.01 is replaced by the following:

“4.01. Hours worked in excess of the standard workweek constitute overtime hours and such hours are paid at time and a half.

For the purpose of computing overtime hours, the annual leave and statutory holidays are deemed to be work days.”.

5. Section 5.01 is replaced by the following:

“5.01. An employee receives at least the following hourly rate depending on the class of employment:

Class of employment	01/11/2012	01/11/2013	01/11/2014	01/11/2015	01/11/2016	01/11/2017	01/11/2018
A	\$15.04	\$15.53	\$16.04	\$16.56	\$17.10	\$17.61	\$18.14
B	\$14.73	\$15.21	\$15.71	\$16.22	\$16.74	\$17.25	\$17.76
C	\$15.46	\$15.96	\$16.48	\$17.02	\$17.57	\$18.10	\$18.64

.”.

6. Section 5.02 is replaced by the following:

“**5.02.** In addition to the hourly wage provided for the class of work to which he or she is assigned, the crew leader receives an hourly premium determined according to the number of employees under the crew leader’s responsibility on the same shift:

Number of employees	01/11/2012	01/11/2013	01/11/2014	01/11/2015	01/11/2016	01/11/2017	01/11/2018
3 to 5	\$0.51	\$0.52	\$0.53	\$0.54	\$0.55	\$0.56	\$0.57
From 6 to 11	\$0.77	\$0.78	\$0.80	\$0.81	\$0.83	\$0.84	\$0.86
12 or more	\$1.02	\$1.04	\$1.06	\$1.08	\$1.10	\$1.13	\$1.15

7. Section 5.04 is replaced by the following:

“**5.04.** Where the employee is paid by bank transfer, the pay slip referred to in section 5.05 is sent on the employee’s request by electronic mail. Failing that, the pay slip is mailed to the employee’s home or distributed on the work premises, provided that the pay slip is given to the employee in a sealed envelope so that the employee’s personal information is protected.”

8. Section 6.02 is amended by replacing “completed 60 days of continuous service” by “worked 320 hours”.

9. Section 6.05 is replaced by the following:

“**6.05.** The indemnity for each general holiday with pay provided for in sections 6.02 and 6.03 is paid as follows:

(a) if the employee works more than 4 days a week: the indemnity is equal to the amount to which the employee would have been entitled had the employee worked on that day, or equal to 1/20 of the wages earned during the 4 complete weeks of pay preceding the week of the holiday excluding overtime hours, using the method that is the more advantageous to the employee;

(b) if the employee works 4 days a week or less: the indemnity is equal to 1/20 of the wages earned during the 4 complete weeks of pay preceding the week of the holiday excluding overtime hours.

An employee may renounce to take a general holiday if working on that general holiday does not entail a 50% increase in wages. Such renunciation must be in writing.”

10. Section 6.06 is amended by replacing

(1) “60 days of continuous service” in the introductory paragraph by “worked 320 hours”;

(2) paragraph *c* by the following:

“(c) the employee is absent for a valid reason.”

11. Section 6.10 is amended by replacing “completed 60 days of continuous service” by “worked 320 hours”.

12. Section 6.12 is amended by replacing “completed 60 days of continuous service” by “worked 320 hours”.

13. Section 6.13 is amended by replacing “completed 60 days of continuous service” by “worked 320 hours”.

14. Section 6.14 is amended by replacing “completed 60 days of continuous service” by “worked 320 hours”.

15. Section 7.02 is amended by replacing “40 days of work with his employer” by “320 hours worked in the enterprise”.

16. Section 7.02.1 is amended by replacing “40 days or more of work with his employer” by “320 hours or more worked in the enterprise”.

17. Section 7.06 is replaced by the following:

“**7.06.** An employee entitled to more than 2 weeks of annual leave may, after having made a request in writing to the employer, give up that part of his or her leave

which exceeds 2 weeks. In such case, the employee must receive his or her entire annual leave indemnity before leaving on vacation.”.

18. Section 7.07 is replaced by the following:

“**7.07.** Should an employee be absent owing to sickness, an accident or on maternity, paternity or parental leave during the qualifying period and should that absence result in the reduction of that employee’s annual leave indemnity, the employee is then entitled to an indemnity equal, as the case may be, to 2, 3 or 4 times the weekly average of the wage earned during the period worked. The employee referred to in section 7.02 whose annual leave is less than 2 weeks is entitled to that amount in proportion to the days of leave credited to the employee’s account.

Despite the first paragraph, the annual leave indemnity may not exceed the indemnity to which the employee would have been entitled if the employee had not been absent or on leave owing to a reason set out in the first paragraph.”.

19. Section 7.08 is replaced by the following:

“**7.08.** The annual leave indemnity is paid to an employee by bank transfer or by means of a separate cheque during the pay period before leaving on vacation.

An employee who divides his or her annual leave may, if he or she so wishes, receive by bank transfer or by means of a separate cheque, at the time of each elected period of leave, the remuneration to which the employee is entitled for the duration of each of those periods.”.

20. Section 8.01 is replaced by the following:

“**8.01.** The regular employee acquires a sick leave credit equal to 2.31% of the hours paid, including annual leave, holidays, sick leave and overtime hours, for each month of service with the employer. The sick leave hour credit is computed as a number of hours at the end of each month of service.”.

21. Section 8.03 is replaced by the following:

“**8.03.** On 31 October of each year, the employer determines the total sick leave hour credits of each employee.

The employer pays to the employee the amount in excess of 2% of the accumulated sick leave hour credits, not later than 10 December of each year, at the employee’s current hourly rate.

Sick leave hour credits that are not paid under the second paragraph are accumulated from year to year.”.

22. The following is inserted after section 8.03:

“**8.03.1.** The employer pays all the sick leave hour credits accumulated by an employee whose employment is terminated, except in the case of a resignation or dismissal.

Retirement may not be considered as a resignation.”.

23. Paragraph 3 of section 9.01 is replaced by the following:

“(3) The employer grants employees a paid 15-minute rest period after a period of work of 3 hours and 45 minutes and a second paid 15-minute rest period after a period of work of 6 hours and 45 minutes.

Periods of work are computed by day or by shift, using the method that is more advantageous to the employee.”.

24. Section 9.02 is replaced by the following:

“**9.02.** In the event of the death of the employee’s spouse, child or the child of the employee’s spouse, the employee may be absent from work for 5 working days with pay. The employee may also be absent for an additional period not exceeding one week on such occasion, but without pay.

If the death results from suicide or a criminal offence, the employee may benefit from the provisions of sections 79.11, 79.12 and 79.15 of the Act respecting labour standards (R.S.Q., c. N-1.1).”.

25. Section 9.03 is replaced by the following:

“**9.03.** In the event of the death of the following family members: mother, father, brother, sister; the employee may be absent from work for 3 days without reduction of wages. The employee may also be absent for 3 additional days on such occasion, but without pay.”.

26. Section 9.04 is replaced by the following:

“**9.04.** In the event of the death of the following family members: father-in-law, mother-in-law, sister-in-law, brother-in-law, grandfather, grandmother; the employee may be absent from work for 1 day without reduction of wages. The employee may also be absent for 3 additional days on such occasion, but without pay.”.

27. Section 9.05 is replaced by the following:

“**9.05.** An employee may be absent from work for 1 day without reduction of wages in the event of the death of a grandchild, a son-in-law or a daughter-in-law. The employee may also be absent for an additional day on such occasion, but without pay.”

28. Section 9.06 is revoked:**29.** Section 12.03 is replaced by the following:

“**12.03.** The employer pays the cost of safety shoes where the employer’s client requires that they be worn on the work premises, up to \$85 per year.

As of 1 November 2012, that amount is increased by \$2 on 1 November of each year until the expiry of the Decree.

Employees must store their shoes on the work premises.”

30. Section 13.01 is replaced by the following:

“**13.01.** The Decree remains in force until 1 November 2018. It is then automatically renewed from year to year thereafter, unless the employer party or the union party opposes it by a written notice sent to the Minister of Labour and to any other contracting party during the month of July of the year 2018 or during the month of July of any subsequent year.”

31. This Decree comes into force on the date of its publication in the *Gazette officielle du Québec*.

2065

Draft Regulation

Private Security Act
(R.S.Q., c. S-3.5)

Standards of conduct of agent licence holders carrying on a private security activity
— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting standards of conduct of agent licence holders carrying on a private security activity, made by the Bureau de la sécurité privée and appearing below, may be approved by the Government, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation provides that agent licence holders do not have to identify themselves if the Bureau de la sécurité privée decides that the information the register of licence holders contains about them is confidential because disclosure of the information would be likely to hinder their activities and pose a serious threat to their safety.

To date, study of the matter has shown no impact on the public and businesses.

Further information on the draft Regulation may be obtained by contacting Sylvain Ayotte, Director, Direction de la vérification interne, des enquêtes et de l’inspection, Ministère de la Sécurité publique; telephone: 418 646-6777, extension 60023.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Katia Petit, Secretary General, Ministère de la Sécurité publique, Tour du Saint-Laurent, 5^e étage, 2525, boulevard Laurier, Québec (Québec) G1V 2L2.

ROBERT DUTIL,
Minister of Public Security

Regulation to amend the Regulation respecting standards of conduct of agent licence holders carrying on a private security activity

Private Security Act
(R.S.Q., c. S-3.5, s. 107, par. 6)

1. The Regulation respecting standards of conduct of agent licence holders carrying on a private security activity (R.R.Q., c. S-3.5, r. 3) is amended in section 2 by adding “, except if the information relating to them contained in the register of licence holders is confidential in accordance with the second paragraph of section 81 of the Act” after “Private Security Act (R.S.Q., c. S-3.5)”.

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

2066

Draft Regulation

Real Estate Brokerage Act
(R.S.Q., c. C-73.2)

Brokerage requirements, professional conduct of brokers and advertising — Amendment

Issue of broker's and agency licences — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the draft Regulations, appearing below, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication:

— Regulation to amend the Regulation respecting brokerage requirements, professional conduct of brokers and advertising;

— Regulation to amend the Regulation respecting the issue of broker's and agency licences.

The purpose of the amendments is to ensure that, in residential matters, mortgage agencies and real estate brokers are not paid by consumers but rather by lenders.

The purpose of the amendments is also to require the successful completion of mandatory training in real estate brokerage as a condition of admission to the broker's licence to better protect the public.

Further information may be obtained by contacting Jean-François Savoie, Vice-President, Affaires juridiques et Greffe, Organisme d'autoréglementation du courtage immobilier du Québec, 4905, boulevard Lapinière, bureau 2200, Brossard (Québec) J4Z 0G2; telephone: 1 800 440-7170; fax: 450 676-7801; email: jfsavoie@oaciq.com

Any person wishing to comment on the draft Regulations is requested to submit written comments within the 45-day period to the Minister for Finance, 8, rue Cook, 4^e étage, Québec (Québec) G1R 0A4.

RAYMOND BACHAND,
Minister of Finance

ALAIN PAQUET,
Minister for Finance

Regulation to amend the Regulation respecting brokerage requirements, professional conduct of brokers and advertising

Real Estate Brokerage Act
(R.S.Q., c. C-73.2, s. 46, pars. 5 and 8)

1. The Regulation respecting brokerage requirements, professional conduct of brokers and advertising (R.R.Q., c. C-73.2, r. 1) is amended by adding “Subject to section 48.1,” at the beginning of section 47.

2. The following is inserted after section 48:

“**48.1.** No broker or agency may require or collect remuneration from a natural person for services rendered or to be rendered so that the person may obtain a loan secured by immovable hypothec to encumber an immovable referred to in section 23 of the Real Estate Brokerage Act.”.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

Regulation to amend the Regulation respecting the issue of broker's and agency licences

Real Estate Brokerage Act
(R.S.Q., c. C-73.2, ss. 5, 46, pars. 1, 3 and 6, and s. 49)

1. The Regulation respecting the issue of broker's and agency licences (R.R.Q., c. C-73.2, r. 3) is amended in section 1

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

“(1.1) as of 1 September 2013, has passed one of the training programs recognized in an agreement between the Organization and an educational institution and that deals with the skills a broker must have, provided for in the system of reference available on the Organization's official website, according to the licence applied for or licence restrictions;”;

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

“A person who is qualified and authorized to engage in brokerage transactions within the meaning of section 1 of the Real Estate Brokerage Act, in a province, State or territory for which an agreement of mutual recognition of professional qualifications was entered into between the Gouvernement du Québec and another government is exempted from the requirements of subparagraph 1.1 of the first paragraph.”;

(3) by inserting “1.1,” in the second and third paragraphs after “subparagraphs”.

2. Section 5 is amended by inserting the following after paragraph 4:

“(4.1) an attestation, a diploma or a transcript showing that the prospective broker meets the requirement of paragraph 1.1 of section 1;”.

3. Section 37 is amended by inserting “, 4.1” after “4”.

4. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

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