

Part

No. 10 6 March 2013

Laws and Regulations

Volume 145

## **Summary**

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(2) proclamations of Acts;

(3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semipublic agencies described by the Charter of the French language (chapter 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 quasijudicial tribunals;

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Bill 2 (2012, chapter 26)

An Act to amend the Election Act in order to reduce the elector contribution limit, lower the ceiling on election expenses and increase public financing of Québec political parties

Introduced 6 November 2012 Passed in principle 15 November 2012 Passed 6 December 2012 Assented to 7 December 2012

#### **EXPLANATORY NOTES**

This Act reduces from \$1,000 to \$100 the total contributions that an elector may make under the Election Act during the same calendar year to each authorized political party, independent Member and independent candidate. Additional contributions of \$100 may be made for every general election or by-election.

In addition, the amount of the annual allowance that may be paid to authorized political parties is raised from \$0.82 to \$1.50 per elector entered on the list of electors used at the last general election. An additional allowance is to be paid when a general election is held. Moreover, under certain conditions, amounts may be paid to authorized entities under the Election Act based on the amounts they receive in contributions.

The ceiling on election expenses is lowered.

Certain other rules respecting financing are revised, particularly with respect to cash contributions, to the maximum amount that can be required as membership dues by authorized political parties and to the leadership campaigns of authorized political parties.

Lastly, the Taxation Act is amended in order to abolish the tax credit to which an individual is entitled for making contributions to authorized political parties, independent Members, independent candidates and political party leadership candidates referred to in the Election Act.

#### LEGISLATION AMENDED BY THIS ACT:

- Election Act (chapter E-3.3);
- Taxation Act (chapter I-3).

## Bill 2

#### AN ACT TO AMEND THE ELECTION ACT IN ORDER TO REDUCE THE ELECTOR CONTRIBUTION LIMIT, LOWER THE CEILING ON ELECTION EXPENSES AND INCREASE PUBLIC FINANCING OF QUÉBEC POLITICAL PARTIES

#### THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### ELECTION ACT

**1.** Section 81 of the Election Act (chapter E-3.3) is replaced by the following section:

**"81.** The Chief Electoral Officer shall determine, after each general election, the annual allowance that may be paid to the authorized parties under section 82. The allowance is revised annually.

The allowance is paid on a monthly or quarterly basis after consultation with the authorized party concerned."

**2.** Section 82 of the Act is amended by replacing "\$0.82" in the first paragraph by "\$1.50".

**3.** The Act is amended by inserting the following sections after section 82:

**"82.1.** Within 10 days of the order instituting the holding of a general election, the Chief Electoral Officer shall pay an additional allowance to the authorized parties referred to in section 82.

This additional allowance is calculated following the modalities provided in the first paragraph of section 82 by replacing the amount therein by \$1.00.

**"82.2.** The Chief Electoral Officer shall pay, in the manner and at the frequency the Chief Electoral Officer determines,

(1) \$2.50 for each dollar contributed to an authorized party up to an annual amount of \$20,000 paid in contributions to each party;

(2) in addition to the contributions referred to in subparagraph 1 of this paragraph, \$1.00 for each dollar contributed to an authorized party up to an annual amount of \$200,000 paid in contributions to each party.

During a general election, in addition to the amounts provided for in the first paragraph, the Chief Electoral Officer shall pay, in the manner and at the frequency the Chief Electoral Officer determines,

(1) \$2.50 for each additional dollar contributed to an authorized party for that election, up to \$20,000 paid in contributions to each party;

(2) in addition to the contributions referred to in subparagraph 1 of this paragraph, \$1.00 for each additional dollar contributed to an authorized party for that election, up to \$200,000 paid in contributions to each party.

**"82.3.** To be entitled to receive the amounts provided for in section 82.2, a party that has been authorized since the last general election and that is not entitled to receive the allowance provided for in section 81 must submit to the Chief Electoral Officer, in the manner the Chief Electoral Officer determines,

(1) a list of the name and address of at least 1,000 members who meet the conditions set out in section 51.1; or

(2) a list of the name and address of at least 500 members who meet the conditions set out in section 51.1 and come from at least 10 administrative regions having at least 25 members each.

The Chief Electoral Officer may take any measures necessary to verify the information provided under the first paragraph.

**"82.4.** The Chief Electoral Officer shall pay, in the manner and at the frequency the Chief Electoral Officer determines, \$2.50 for each dollar contributed to an independent Member or independent candidate, up to an annual amount of \$800 paid in contributions, to each Member or candidate."

**4.** Section 83 of the Act is replaced by the following section:

**"83.** The sums provided for in sections 82 to 82.2 and 82.4 are used to defray expenses related in particular to day-to-day operations, the propagation of a political program, the coordination of the political activities of the members or supporters of a party and election expenses. They are also used to reimburse the principal of loans."

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

**"84.** The sums provided for in sections 82 to 82.2 and 82.4 are paid by cheque made to the order of the official representative of the party, the independent Member or the independent candidate. These sums may also be paid by means of a transfer of funds to an account held by the official representative."

**6.** Section 86 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing "of every party contemplated in" in the second paragraph by "of a political party, an independent Member or an independent candidate under".

7. Section 88 of the Act is amended

(1) by replacing subparagraph 3 of the second paragraph by the following subparagraph:

"(3) amounts paid to an authorized entity under any legislative provision;";

(2) by replacing "\$50" in subparagraph 5 of the second paragraph by "\$25";

(3) by replacing subparagraph 6 of the second paragraph by the following subparagraph:

"(6) an entrance fee to a political activity, where the fee does not exceed the real cost of this activity by more than 5%, up to one admission per person. The sums that exceed the real cost of the activity by more than 5% must be remitted to the Chief Electoral Officer, within 30 days of the Chief Electoral Officer's request, who then remits the sums to the Minister of Finance;";

(4) by replacing "activity or rally" in subparagraph 6.1 of the second paragraph by "or fundraising activity";

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

"A political activity is an activity held by an authorized entity that is not aimed at raising funds for the entity."

**8.** Section 91 of the Act is amended

(1) by replacing "\$1,000" in the first paragraph by "\$100";

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

"In addition to the contributions referred to in the first paragraph, an elector from an electoral division for which an order was issued under section 128 may make contributions for a total amount not exceeding \$100 for the benefit of each of the parties, independent Members and independent candidates.

During a general election, the contributions referred to in the second paragraph may be made as of the day following the issue of the order instituting the election up to the 90th day after polling day. During a by-election, these contributions may be made as of the vacancy of the seat up to the 30th day after polling day." **9.** Section 93 of the Act is amended

(1) by replacing "less than \$100" in the second paragraph by "\$50 or less";

(2) by replacing "second or third" in the second paragraph by "fourth or fifth".

**10.** Section 95 of the Act is amended by replacing "\$100 or more shall be" by "more than \$50 is".

**11.** The Act is amended by inserting the following section after section 98:

**"98.1.** Despite section 98, a contribution made to the Chief Electoral Officer within 20 days following 31 December is deemed to have been made by the elector and received by the authorized entity for which it is intended before 1 January, if it is accompanied by a contribution slip and a cheque dated before 1 January."

**12.** Section 100 of the Act is amended by inserting the following subparagraph after subparagraph 1 of the second paragraph:

"(1.1) the amount of the contribution or part of the contribution to be returned is \$10 or less; or".

**13.** Section 100.1 of the Act is repealed.

**14.** Section 114 of the Act is amended by replacing paragraphs 3 and 3.1 by the following paragraphs:

"(3) the total sum of amounts collected under subparagraph 6 of the second paragraph of section 88, and the nature, place and date of the activity;

"(3.1) the total sum of amounts collected under subparagraph 6.1 of the second paragraph of section 88, how those amounts break down, and the nature, place and date of the activity;".

**15.** Section 118 of the Act is amended by replacing "section 90" by "sections 83 and 90".

**16.** Section 127.7 of the Act is amended

(1) by inserting the following sentence at the end of the second paragraph: "However, an elector may make a contribution to the Chief Electoral Officer by means of a credit card.";

(2) by replacing "\$1,000" in the third paragraph by "\$500".

**17.** Section 127.8 of the Act is amended

(1) by replacing "second and third" in the first paragraph by "fourth and fifth";

(2) by striking out the second paragraph.

**18.** Section 127.18 of the Act is amended

(1) by replacing "official representative of the party" in the first paragraph by "Chief Electoral Officer";

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

"The Chief Electoral Officer must remit that sum to the Minister of Finance."

**19.** Section 404 of the Act is amended by replacing "à caractère politique" in the French text of paragraph 8.1 by "politique".

**20.** Section 426 of the Act is amended

- (1) by replacing "\$0.71" in the first paragraph by "\$0.65";
- (2) by replacing "\$1.23" in the second paragraph by "\$0.70";
- (3) by replacing "\$0.30" in the second paragraph by "\$0.20";
- (4) by replacing "\$0.71" in the third paragraph by "\$0.65".

**21.** Section 441 of the Act is amended by replacing the second paragraph by the following paragraph:

"The official agent of an independent candidate who was not elected shall remit the sums to the Chief Electoral Officer who must then remit them to the Minister of Finance."

#### TAXATION ACT

**22.** Section 776 of the Taxation Act (chapter I-3) is amended

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

**"776.** An individual who is an elector may deduct from the tax otherwise payable by the individual for a taxation year under this Part, in relation to any contribution of money made by the individual in the taxation year to the official representative of a party or independent candidate or to the financial representative of a party leadership candidate authorized to receive such a contribution under the Act respecting elections and referendums in municipalities (chapter E-2.2), an amount equal to the aggregate of

(a) 85% of the lesser of \$50 and the aggregate of all amounts each of which is such a contribution, and

(b) 75% of the amount by which \$50 is exceeded by the lesser of \$200 and the aggregate described in subparagraph a.";

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

"In this section, the expression "elector" has the meaning assigned to it by the Act respecting elections and referendums in municipalities."

#### TRANSITIONAL AND FINAL PROVISIONS

**23.** Except for paragraph 1 of section 16 and section 18, the amendments to the Election Act (chapter E-3.3) and to the Taxation Act (chapter I-3) enacted by this Act do not apply to a political party leadership campaign taking place on 1 January 2013. The provisions applicable to such a campaign are the provisions in those Acts as they read prior to that date.

**24.** The provisions of this Act come into force on 1 January 2013, except for paragraph 1 of section 16, which comes into force on 7 January 2013, and paragraph 2 of section 8, which comes into force on 1 May 2013.



Bill 4 (2012, chapter 27)

An Act to amend the Act to regularize and provide for the development of local slaughterhouses

Introduced 14 November 2012 Passed in principle 21 November 2012 Passed 7 December 2012 Assented to 7 December 2012

> Québec Official Publisher 2012

#### **EXPLANATORY NOTES**

This Act amends the Act to regularize and provide for the development of local slaughterhouses in order to replace the annual renewal of transitional slaughterhouse permits with a fixed period of validity ending on 30 June 2015. Holders of a transitional slaughterhouse permit issued by the Minister of Agriculture, Fisheries and Food on 1 July 2010 are thus given until that time to bring their slaughterhouses into conformity with the law.

Furthermore, the Minister may authorize the holder of a local slaughterhouse permit to operate a second plant where meat or meat products are prepared.

#### **LEGISLATION AMENDED BY THIS ACT:**

– Act to regularize and provide for the development of local slaughterhouses (chapter R-19.1).

## Bill 4

#### AN ACT TO AMEND THE ACT TO REGULARIZE AND PROVIDE FOR THE DEVELOPMENT OF LOCAL SLAUGHTERHOUSES

#### THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Section 2 of the Act to regularize and provide for the development of local slaughterhouses (chapter R-19.1) is amended

(1) by replacing "prepared exclusively to be sold at retail" by "prepared for the exclusive purpose of retail sale";

(2) by inserting ", if applicable," after "for remuneration and".

**2.** Section 4 of the Act is amended

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

**"4.** "Transitional slaughterhouse" means a slaughterhouse for which the Minister issued a permit on 1 July 2010 and that is operated under the conditions of this chapter.

On or before 30 June 2015, such a slaughterhouse must be brought into conformity with the requirements of this section. It must have";

(2) by replacing "impermeable, washable and in good condition" in the second paragraph by "repaired and made impermeable and washable";

(3) by striking out "At the time the permit is issued," in the third paragraph;

(4) by replacing "The applicant's meat preparation plant must" in the fourth paragraph by "On or before 30 June 2015, the meat preparation plant must".

**3.** Section 5 of the Act is amended

(1) by replacing the introductory clause of the first paragraph by "On or before 30 June 2015, a transitional slaughterhouse must also have";

(2) by replacing "At the time of renewal of the permit, the rooms and areas of the slaughterhouse must" in the second paragraph by "The rooms and areas of the slaughterhouse must also";

- (3) by striking out the fourth paragraph.
- 4. Section 7 of the Act is amended

(1) by replacing the introductory clause of the first paragraph by "On or before 30 June 2015, a transitional slaughterhouse must also have";

(2) by striking out the last paragraph.

**5.** Section 10 of the Act is amended by striking out "with the permit or permit renewal application".

**6.** Section 13 of the Act is amended by striking out "sections 6.3.5.2 and 6.3.5.5 and" in the first paragraph.

**7.** Section 15 of the Act is replaced by the following section:

**"15.** The operation of a transitional slaughterhouse and of a meat preparation plant is permitted provided all the prescribed fees are paid by 30 June 2013."

**8.** Section 16 of the Act is repealed.

**9.** Section 17 of the Act is replaced by the following section:

**"17.** To maintain a permit in force, the permit holder must pay the annual fee prescribed by section 23. The fee, made payable to the Minister of Finance, must be sent to the Minister on or before 1 June and be submitted with the information required under the first paragraph of section 3.

However, all transitional slaughterhouse permits expire on 30 June 2015."

**10.** Section 19 of the Act is amended by striking out "with the permit or permit renewal application" in the second paragraph.

**11.** Section 21 of the Act is amended by striking out the third paragraph.

**12.** Section 23 of the Act is amended by replacing the first paragraph by the following paragraph:

**"23.** The annual fee payable to maintain a permit in force is \$298."

**13.** Section 27 of the Act is repealed.

**14.** Sections 41 and 42 of the Act are replaced by the following sections:

"41. The local slaughterhouse permit required under subparagraph a.1 of the first paragraph of section 9 of the Food Products Act (chapter P-29)

authorizes the permit holder to operate a slaughterhouse and a plant where meat or meat products are prepared for the exclusive purpose of retail sale in that plant, or a slaughterhouse where slaughter services are provided for remuneration and, if applicable, a plant where meat or meat products may be prepared for remuneration for the personal consumption of a customer to whom slaughter services have been provided.

However, the Minister may, on the conditions the Minister determines, authorize the holder of a local slaughterhouse permit to operate a second plant where meat or meat products are prepared for the exclusive purpose of retail sale in that plant or the slaughterhouse customers' personal consumption.

**"42.** The conditions for the issue or renewal of a local slaughterhouse permit and the operational standards that apply are those provided for in this chapter until they are replaced by a government regulation made under section 40 of the Food Products Act (chapter P-29); such a regulation may also repeal conditions or standards set in this chapter."

- **15.** Section 49 of the Act is amended
  - (1) by striking out "16 or" in paragraph 2;
  - (2) by striking out paragraph 3.
- **16.** Section 54 of the Act is repealed.
- **17.** This Act comes into force on 7 December 2012.

## **Regulations and other Acts**

Gouvernement du Québec

#### O.C. 131-2013, 20 February 2013

Environment Quality Act (chapter Q-2)

#### Protection of waters from pleasure craft discharges —Amendment

Regulation to amend the Regulation respecting the protection of waters from pleasure craft discharges

WHEREAS subparagraphs c and e of the first paragraph of section 31 and paragraph j of section 46 of the Environment Quality Act (chapter Q-2) confer on the Government the power to make regulations on the matters set forth therein;

WHEREAS section 86 of the Act enables the Government to specify that the provisions of a regulation it makes are applied by all the municipalities, by a certain category of municipalities or by one or several municipalities;

WHEREAS the Government made the Regulation respecting the protection of waters from pleasure craft discharges (chapter Q-2, r. 36);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the protection of waters from pleasure craft discharges was published in Part 2 of the *Gazette officielle du Québec* of 27 June 2012 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment, Wildlife and Parks: THAT the Regulation to amend the Regulation respecting the protection of waters from pleasure craft discharges, attached to this Order in Council, be made.

JEAN ST-GELAIS, Clerk of the Conseil exécutif

#### Regulation to amend the Regulation respecting the protection of waters from pleasure craft discharges

Environment Quality Act (chapter Q-2, s. 31, 1st par., subpars. c and e, s. 46, par. j and s. 86)

**1.** The Regulation respecting the protection of waters from pleasure craft discharges (chapter Q-2, r. 36) is amended by adding the Schedules in the Schedule to this Regulation after Schedule II.

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

SCHEDULE

(s. 1)

## "SCHEDULE III

(ss. 1 and 7)

#### WATERS OF LAC KIPAWA

#### DESIGNATED WATERS

(1) The waters of lac Kipawa

The waters are shown on the 1:20 000 scale maps at the Ministère des Ressources naturelles bearing numbers 31L 10 201, 31L 14 102, 31L 14 201, 31L 14 202, 31L 15 101, 31L 15 102, 31L 15 201, 31 L15 202, 31M 02 101, 31M 02 201, 31M 03 101, 31M 03 102 and 31M 03 202.

# MUNICIPALITY RESPONSIBLE FOR THE ENFORCEMENT OF THE REGULATION

Municipalité régionale de comté de Témiscamingue.

#### SCHEDULE IV

(ss. 1 and 7)

#### WATERS OF GRAND LAC SAINT-FRANÇOIS

#### DESIGNATED WATERS

(1) The waters of Grand lac Saint-François;

(2) The waters of the bays of Grand lac Saint-François, including Baie aux Rats Musqués, Baie des Beaulieu, Baie Giguère, Baie des Sables, Baie Sauvage and the marsh situated at the south end of that bay and Marais des Ours situated at the northwest end of that bay;

(3) The waters of the tributaries of Grand lac Saint-François, which comprise the part of Rivière aux Bluets situated in Municipalité de Lambton, the part of Rivière Muskrat situated in Municipalité d'Adstock, the part of Rivière Ashberham situated in Municipalité de Saint-Joseph-de-Coleraine, the part of Rivière de l'Or situated in the municipalities of Adstock and Saint-Josephde-Coleraine, the part of Rivière Felton situated in the municipalities of Saint-Romain and Stornoway, the part of Rivière Sauvage situated in Municipalité de Saint-Romain, and the lakes and streams situated within the limits of Parc national de Frontenac.

The waters are shown on the 1:20 000 scale maps at the Ministère des Ressources naturelles bearing numbers 21E-14-200-0102 (Lambton), 21E-14-200-0201 (Disraeli) and 21E-14-200-0202 (Lac Saint-François).

## MUNICIPALITIES RESPONSIBLE FOR THE ENFORCEMENT OF THE REGULATION

- 1. Municipalité d'Adstock;
- 2. Municipalité de Saint-Joseph-de-Coleraine;
- 3. Municipalité de paroisse de Sainte-Praxède;
- 4. Municipalité de Saint-Romain;
- 5. Municipalité de Lambton;
- 6. Municipalité de Stornoway.".

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#### Notice

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

#### Financing —Amendment

Notice is hereby given that the Commission de la santé et de la sécurité du travail, at its meeting of 21 February 2013, adopted the Regulation to amend the Regulation respecting financing.

In accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft regulation was published on page 43 in the *Gazette officielle du Québec* of 3 January 2013 with a notice that it could be adopted by the Commission, with or without amendments, upon the expiry of 45 days following the publication of that notice.

MICHEL DESPRÉS, Chairman of the board and chief executive officer of the Commission de la santé et de la sécurité du travail

# Regulation to amend the Regulation respecting financing

An Act respecting industrial accidents and occupational diseases (chapter A-3.001, s. 454, 1st par., subpars. 9, 10, 11 and 13)

**1.** The Regulation respecting financing (chapter A-3.001, r. 7) is amended in section 118 by replacing the definition of "parent company or partnership" by the following:

"parent company or partnership" means a legal person established under Part III of the Companies Act (chapter C-38), a cooperative established under the Cooperatives Act (chapter C-67.2), a cooperative of financial services established under the Act respecting financial services cooperatives (chapter C-67.3), a corporation incorporated or continued under the Canada Not-for-profit Corporations Act (S.C. 2009, c. 23) or a company or partnership that is not a subsidiary and that directly or through its subsidiaries, controls each of the companies or partnerships forming a group.". **2.** The definition of "parent company or partnership" in section 118 of the Regulation also includes a corporation incorporated under Part II of the Canada Corporations Act (R.S.C. 1970, c. C-32) until it is continued under the Canada Not-for-profit Corporations Act (S.C. 2009, c. 23).

**3.** For the 2013 assessment year, an application made under section 119 of the Regulation by a group whose parent company or partnership is a person covered by sections 1 and 2 of this Regulation must be filed not later than the tenth day after the coming into force of this Regulation.

The group must send within the same period to the Commission de la santé et de la sécurité du travail the election of limit provided for in the first paragraph of section 101 of the Regulation, failing which it is deemed to have elected the limit of 1 ½ times the maximum yearly insurable earnings for that same year.

As soon as they are filed, the application and election of limit made by the group for the 2013 assessment year become irrevocable.

**4.** This Regulation has effect for the 2013 assessment year and the subsequent years.

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## **Parliamentary Committees**

#### **Committee on Institutions**

#### **General consultation**

# Five-year report of the Commission d'accès à l'information: Technologies et vie privée à l'heure des choix de société

The Committee on Institutions will be holding public hearings beginning April 9, 2013, as part of its general consultation on the five-year report of the Commission d'accès à l'information: Technologies et vie privée à l'heure des choix de société. This report on technology and privacy in a time of societal choices is available on the Committee's web page at www.assnat.qc.ca; it may also be obtained by contacting the committee clerk.

Individuals and organizations wishing to express their views on this subject must submit a brief to the Committees Service no later than March 30, 2013. Briefs must be on letter-size paper and include a summary of their contents. They may be sent by email (Word or unprotected PDF) or regular mail, or be hand delivered at the reception desk of the Committees Service.

Individuals wishing to voice their views during public hearings without submitting a brief must file a request to that effect with the committee clerk no later than March 30, 2013. The request must include a short statement summarizing the nature of the presentation to be made.

On the basis of these briefs and requests, the Committee decides which individuals and organizations it will hear.

Unless the Committee decides otherwise, briefs will be made public and posted on the Committee's web page, along with any personal information they contain.

Deadlines for submitting briefs and requests are subject to change, as is the opening date for public hearings. If changes are made, the information will be made public via the National Assembly's website without further notice being published in the newspapers. Briefs, requests, correspondence and inquiries should be addressed to Ms. Anik Laplante, Clerk of the Committee on Institutions, Édifice Pamphile-Le May, 1035, rue des Parlementaires, 3<sup>e</sup> étage, Québec (Québec) G1A 1A3.

Telephone: 418-643-2722 Fax: 418-643-0248 Email: ci@assnat.qc.ca Toll-free number: 1-866-337-8837

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

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