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DU Québec

Part

2

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Laws and Regulations

Volume 146

Summary

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Contents

Part 2 contains:

- (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 (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 quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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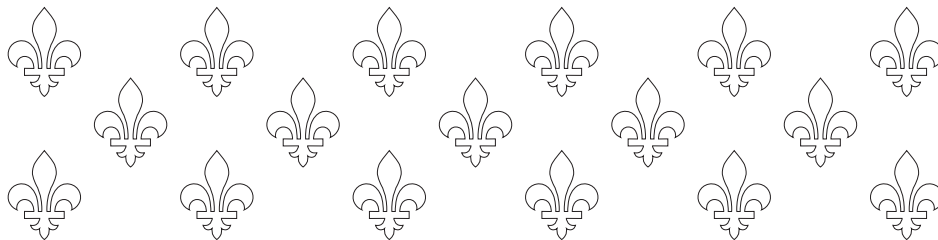
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NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Bill 64
(2013, chapter 30)

An Act to amend various legislative provisions concerning municipal affairs

Introduced 14 November 2013
Passed in principle 26 November 2013
Passed 5 December 2013
Assented to 6 December 2013

Québec Official Publisher
2013

EXPLANATORY NOTES

This Act amends the Cities and Towns Act, the Municipal Code of Québec and the Charter of Ville de Montréal in order to provide that the approval of plan participants is not required for a change to a municipal employee pension plan for the purpose of enhancing benefits, which enhancement is paid out of a stabilization fund, or refunding contributions paid into such a fund.

The Municipal Powers Act is amended to allow local municipalities, on certain conditions, to build, own or operate a dam or to carry out work on one.

The Act respecting municipal taxation is amended to simplify the process for filing, with the Minister of Municipal Affairs, Regions and Land Occupancy, a demand for payment of compensation in lieu of taxes following an alteration to the property assessment roll. The Act is also amended to provide that only the land area of the territory of a municipality, as shown in the Répertoire des municipalités, is to be considered in computing the property value of the road bed of a railway.

The Act respecting the Société d'habitation du Québec is amended to allow the Government to designate a person who will be in charge of administering and distributing, according to the rules it establishes, the contributions provided for in the Société's various programs. The Act is also amended to provide for a legal hypothec in favour of the Société on the immovables it subsidizes, in order to guarantee mainly their social housing vocation.

The Act respecting Northern villages and the Kativik Regional Government is amended to allow a member of the council of a northern village, on certain conditions, to participate, deliberate and vote at a sitting of the council by telephone or another means of communication, and to allow a member of the executive committee of the Kativik Regional Government to participate, deliberate and vote at a meeting of the council by telephone or another means of communication when only the committee secretary is present at the place where the meeting is held. The Act is also amended to harmonize certain provisions regarding the ineligibility of persons to be nominated or elected members of council with provisions applicable in the other municipalities of Québec.

Finally, the period of application of an intermunicipal agreement regarding fire protection is extended, and municipalities are temporarily authorized to borrow, on certain conditions, part of the sums related to the refund of the Québec sales tax by the Gouvernement du Québec.

LEGISLATION AMENDED BY THIS ACT:

- Charter of Ville de Montréal (chapter C-11.4);
- Cities and Towns Act (chapter C-19);
- Municipal Code of Québec (chapter C-27.1);
- Municipal Powers Act (chapter C-47.1);
- Act respecting municipal taxation (chapter F-2.1);
- Act respecting the Société d’habitation du Québec (chapter S-8);
- Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1).

Bill 64

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MUNICIPAL AFFAIRS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHARTER OF VILLE DE MONTRÉAL

1. Section 37 of Schedule C to the Charter of Ville de Montréal (chapter C-11.4) is amended by adding the following sentence at the end of the first paragraph: “However, the formalities provided for in those paragraphs do not apply in the case of an amendment to such a by-law for the purpose of enhancing benefits, which enhancement is paid out of a stabilization fund established under the Supplemental Pension Plans Act (chapter R-15.1), or refunding contributions paid into such a fund.”

CITIES AND TOWNS ACT

2. Section 464 of the Cities and Towns Act (chapter C-19) is amended by adding the following sentence at the end of the fourth paragraph of subparagraph 8 of the first paragraph: “However, no approval is required in the case of an amendment to the by-law for the purpose of enhancing benefits, which enhancement is paid out of a stabilization fund established under the Supplemental Pension Plans Act (chapter R-15.1), or refunding contributions paid into such a fund.”

MUNICIPAL CODE OF QUÉBEC

3. Article 706 of the Municipal Code of Québec (chapter C-27.1) is amended by adding the following sentence at the end of the first paragraph: “However, no approval is required in the case of an amendment to the by-law for the purpose of enhancing benefits, which enhancement is paid out of a stabilization fund established under the Supplemental Pension Plans Act (chapter R-15.1), or refunding contributions paid into such a fund.”

MUNICIPAL POWERS ACT

4. The Municipal Powers Act (chapter C-47.1) is amended by inserting the following section after section 95:

“95.1. A local municipality may, for the exercise of any of its powers, own and operate a dam.

A local municipality whose territory is included in that of a regional county municipality must, before building a dam or carrying out work on a dam that could affect its impounding capacity or alter the water flow, obtain the authorization of the regional county municipality. If the dam is located in a lake or watercourse under the joint jurisdiction of two or more regional county municipalities, the local municipality must obtain the authorization of both or all of those regional county municipalities or of the board of delegates, as applicable.

Such authorization may be made subject to the local municipality entering into an agreement concerning the operation of the dam.”

ACT RESPECTING MUNICIPAL TAXATION

5. Section 48 of the Act respecting municipal taxation (chapter F-2.1) is amended by replacing “total area of the territory of the local municipality on that date” by “land area of the territory of the local municipality on that date, as shown in the Répertoire des municipalités published on the website of the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire”.

6. Section 254.1 of the Act is amended by adding the following sentences at the end of the second paragraph: “In such a case, sending a copy of the certificate of alteration concerning the immovable, as provided for in subparagraph 3 of the second paragraph of section 179, stands in lieu of filing such a demand for payment. The substitution is only valid if the certificate includes every entry contained on the roll and needed to calculate the amount and if the extract is received not later than 31 December of the fiscal year following the fiscal year in which the alteration is made.”

ACT RESPECTING THE SOCIÉTÉ D’HABITATION DU QUÉBEC

7. The Act respecting the Société d’habitation du Québec (chapter S-8) is amended by inserting the following after section 68.10:

“§7.—*Legal hypothecs*

“**68.11.** The obligations of an owner of a housing immovable under an operating agreement are guaranteed by a legal hypothec in favour of the Société on the immovable for the amount of the financial assistance granted by the Société.

Despite article 2725 of the Civil Code, notice of a legal hypothec need not be served on the debtor if the operating agreement mentions the hypothec and this provision.

“§8. — *Management of contributions paid under housing programs*

“**68.12.** If the Société specifies, in its housing programs, that contributions must be paid by the bodies receiving financial assistance under those programs, the Government designates the person in charge of receiving, administering and distributing those contributions, according to the rules it establishes.”

ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK REGIONAL GOVERNMENT

8. Section 20 of the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1) is amended

(1) by inserting “where a position as officer is in question,” before “any” in subparagraph 6 of the first paragraph;

(2) by inserting “where a position as officer is in question,” before “any” in subparagraph 7 of the first paragraph;

(3) by inserting the following subparagraph after subparagraph *d* of subparagraph 8 of the first paragraph:

“(e) any person found guilty of an act punishable under a law of Canada or Québec by imprisonment for two years or more and sentenced to a term of 30 days or more, whether or not the sentence has been served; the disqualification lasts for a period equal to twice the term of imprisonment, and starts on the day the judgment convicting the person becomes final or the day the final sentence is pronounced, whichever is later.”

9. The Act is amended by inserting the following section after section 117:

“**117.1.** If the circumstances so justify, a member of the council may participate, deliberate and vote at a sitting of the council by telephone or other means of communication if the following conditions are met:

(1) the telephone or other means of communication used enables all persons participating or present at the sitting to hear one another;

(2) the majority of the council members physically present at the place determined for the sitting give their consent;

(3) at the time the sitting is held, the mayor, the acting mayor or the member appointed to preside over the sitting and the secretary-treasurer are physically present at the place determined for the sitting. In addition, for general or regular sittings of the council, the members in sufficient number to constitute the quorum are also physically present.

The minutes of the sitting must mention any consent given to allow a member of the council to avail himself of the right described in the first paragraph, the

name of any member of the council who availed himself of that right and the means of communication used by the member.

A member of the council who participates, deliberates and votes at a sitting in accordance with this section is deemed to be present at that sitting.”

10. Section 294 of the Act is amended

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

“However, a member may only avail himself of that right if the secretary of the executive committee is physically present at the time the meeting is to be held at the place determined, in accordance with section 292, for meetings of the executive committee.”;

(2) by striking out the third paragraph.

MISCELLANEOUS AND FINAL PROVISIONS

11. A municipality may, during each of the fiscal years mentioned in the second paragraph and by a by-law requiring only the approval of the Minister of Municipal Affairs, Regions and Land Occupancy, order a loan that cannot exceed the amount that, for each such fiscal year, corresponds to the percentages, set out in that paragraph, of the compensation prescribed for the municipality for 2013 in Schedule II.1.1 to the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2).

The maximum amount of such a loan is

(1) 50% of the amount of the compensation for a loan ordered during the 2014 fiscal year;

(2) 37.5% of the amount of the compensation for a loan ordered during the 2015 fiscal year;

(3) 25% of the amount of the compensation for a loan ordered during the 2016 fiscal year;

(4) 12.5% of the amount of the compensation for a loan ordered during the 2017 fiscal year.

The term of repayment of the loan may not exceed 10 years and the expenses incurred for the interest and for the establishment of a sinking fund must be provided by means of a special tax imposed by the by-law and levied annually, until the expiry of the term of the loan, on all the taxable immovable property in the territory of the municipality or by an appropriation out of the general revenues of the municipality.

To obtain all or part of the amounts referred to in the second paragraph, a municipality may, by by-law, authorize the borrowing of available monies from the general fund or the working fund. The by-law must specify the amount and the source of the monies borrowed and provide for the repayment of the loan, over a maximum term of 10 years, from the general revenues of the municipality.

The total of the amounts borrowed by a municipality under the by-laws referred to in the first and fourth paragraphs cannot exceed, for a single fiscal year, the maximum amount provided for in the second paragraph for that fiscal year.

12. Section 5 has effect in respect of any property assessment roll or roll of rental values as of the 2014 municipal fiscal year.

As necessary, the assessor alters the property assessment roll and, if applicable, the roll of rental values to reflect the change in value of any land referred to in section 47 of the Act respecting municipal taxation (chapter F-2.1) as a result of the amendment made to section 48 of that Act by section 5 of this Act.

The alteration made by the assessor is deemed to be made under section 174 or 174.2 of the Act respecting municipal taxation and has effect from

(1) 1 January 2014, in the case of an alteration made not later than 31 December 2015; or

(2) the first day of the fiscal year preceding the fiscal year during which it is made, in all other cases.

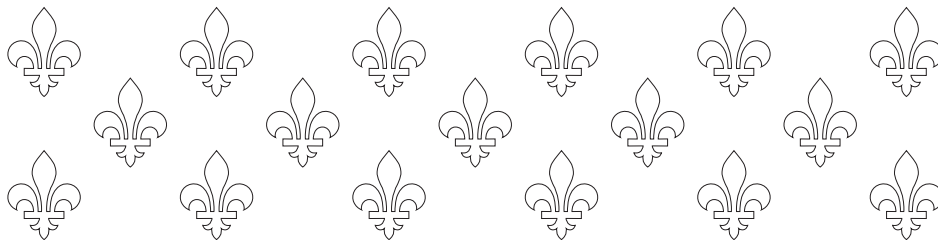
13. Despite Resolution 2012-12-852 passed by the council of Ville de Chambly on 4 December 2012, by which the city avails itself of the non-renewal clause provided in section 16 of the Entente intermunicipale relative à la fourniture d'un service de sécurité incendie entered into by that city and Ville de Carignan on 22 January 2009, the agreement continues to apply beyond 21 January 2014, subject to the conditions it specifies, which apply with the necessary modifications. Among those modifications, the percentages set out in the first paragraph of section 12 of the agreement apply according to the budget adopted, in accordance with section 11 of the agreement, for the 2103 fiscal year.

The first paragraph also applies, with the necessary modifications, to the Lettre d'entente relative à l'utilisation d'un camion auto-pompe citerne homologated by Resolution 2012-04-293 passed by the council of Ville de Chambly on 3 April 2012 and by Resolution 2012-09-382 passed by the council of Ville de Carignan on 4 September 2012.

The first two paragraphs cease to apply on the date the council of Ville de Carignan passes a resolution to that effect; however, they cease to apply on 31 August 2014 if the town has not passed a resolution by that date.

The first three paragraphs do not apply if, not later than 21 January 2014, Ville de Chambly and Ville de Carignan enter into a new agreement or an agreement extending the period of application of the agreement referred to in the first paragraph.

14. This Act comes into force on 6 December 2013, except section 13, which comes into force on the date to be set by the Government.



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Bill 65
(2013, chapter 31)

**An Act to replace and reconstitute the
notarial deeds *en minute* destroyed in
the 6 July 2013 railway disaster in Ville
de Lac-Mégantic**

**Introduced 19 November 2013
Passed in principle 27 November 2013
Passed 6 December 2013
Assented to 6 December 2013**

**Québec Official Publisher
2013**

EXPLANATORY NOTES

This Act establishes a special procedure for reconstituting the notarial records destroyed in the 6 July 2013 railway disaster in Ville de Lac-Mégantic.

The role of the notaries, holders or legal depositaries of these records is defined with respect to the recovery of the information entered in the repertory or index of notarial deeds en minute relating to any destroyed records. In addition, the replacement and reconstitution of destroyed original notarial deeds en minute are facilitated.

To that end, a simplified and non-judicial replacement procedure is established for the deeds concerned: it is proposed that destroyed deeds may be replaced by inserting into the record an authentic copy of such deeds, delivered by any person who holds such a copy.

In addition, in cases where replacing a deed is not possible, it is proposed that the notary reconstitute the deed at the request of a party to the deed or of an interested third person.

*The Minister of Justice is also given the power to establish any rule governing an alternate reconstitution procedure and to determine, after consulting the *Chambre des notaires du Québec*, certain cases in which reconstitution is not compulsory.*

*Lastly, notaries must report to the *Chambre des notaires du Québec* on the replacements and reconstitutions made.*

Bill 65

AN ACT TO REPLACE AND RECONSTITUTE THE NOTARIAL DEEDS *EN MINUTE* DESTROYED IN THE 6 JULY 2013 RAILWAY DISASTER IN VILLE DE LAC-MÉGANTIC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

PURPOSE

1. The purpose of this Act is to establish measures to enable the effective and rapid reconstitution of the notarial records destroyed in the 6 July 2013 railway disaster in Ville de Lac-Mégantic.

For that purpose, the Act defines the role of the notaries, holders or legal depositaries of such destroyed records and introduces, among other measures, a special procedure to simplify the replacement of notarial deeds *en minute* the originals of which were preserved in those records.

DIVISION II

REPLACEMENT OF DESTROYED DEEDS

2. Articles 870 and 871 of the Code of Civil Procedure (chapter C-25) do not apply to the deeds referred to in this Act.

3. The original of a destroyed notarial deed *en minute* is replaced by inserting into the record an authentic copy, delivered to the notary, of the deed concerned.

The notary enters on the copy a declaration under oath of office stating that the original was destroyed and is replaced by the copy. The replacement copy stands in lieu of the original.

4. The notary provides, on request and free of charge, a new authentic copy of a destroyed deed to the person who delivered the authentic copy of that deed to the notary.

DIVISION III

RECONSTITUTION OF DEEDS

5. Despite the first paragraph of article 871.1 of the Code of Civil Procedure, a request for reconstitution must be made to the notary by a party to the deed or by an interested third person in order for the notary to be required to establish and carry out a procedure for that purpose, subject to the rules adopted under section 6 of this Act.

6. The Minister of Justice may, after consulting the Chambre des notaires du Québec, establish any rule applicable to the reconstitution of destroyed deeds and any annexes to those deeds that cannot be replaced.

The Minister may also, after such consultation, establish criteria aimed at excluding certain deeds or annexes from the reconstitution obligation.

DIVISION IV

INFORMATION RELATING TO REPLACED OR RECONSTITUTED DEEDS

7. If the repertory or index of deeds executed *en minute* was destroyed, the notary must, in accordance with the rules established by resolution of the board of directors of the Chambre des notaires du Québec, compile the information relating to the deeds the notary replaces or reconstitutes. In particular, the notary must compile the date, number and nature or character of such deeds, and the names of the parties.

DIVISION V

REPORT TO THE CHAMBRE DES NOTAIRES DU QUÉBEC

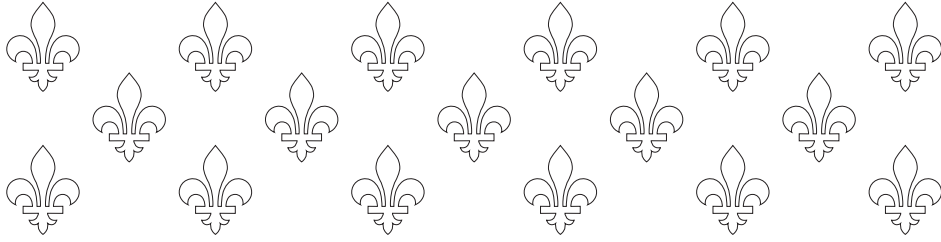
8. The notary reports to the Chambre des notaires du Québec on the replacements and reconstitutions made. The content and form of the report are established by resolution of the board of directors.

DIVISION VI

FINAL PROVISIONS

9. The Minister of Justice is responsible for the administration of this Act.

10. This Act comes into force on 6 December 2013.



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Bill 207
(Private)

An Act respecting Ville de Windsor

Introduced 5 November 2013
Passed in principle 5 December 2013
Passed 5 December 2013
Assented to 6 December 2013

Québec Official Publisher
2013

Bill 207

(Private)

AN ACT RESPECTING VILLE DE WINDSOR

AS Ville de Windsor wishes to hold an immovable in divided co-ownership in order to establish the offices of its town hall in it;

AS it is in the interest of Ville de Windsor that it be granted certain powers;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Ville de Windsor may hold an immovable situated on lot 5 272 002 of the cadastre of Québec in divided co-ownership in order to establish the offices of its town hall in it.

2. The declaration of co-ownership must provide, in the by-laws of the immovable, that the town must be represented on the board of directors of the syndicate for as long as the town holds a fraction of the immovable described in section 1.

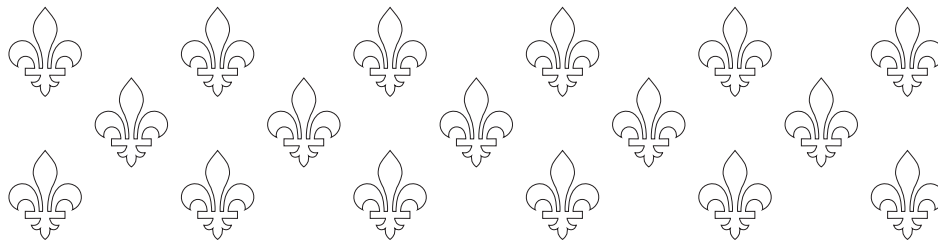
The director representing the town is appointed by the town council from among its members.

3. Sections 477.4 to 477.6 and 573 to 573.4 of the Cities and Towns Act (chapter C-19) apply to the awarding of contracts by the directors or the general meeting of the co-owners of the immovable, for as long as Ville de Windsor holds a fraction of the immovable described in section 1, to the extent that the portion of the proposed expenditures chargeable to the town, taking into account the fraction it holds, attains or exceeds the amounts specified in those sections.

For the purposes of the sections mentioned in the first paragraph, any contract referred to in that paragraph is deemed to be a contract entered into by Ville de Windsor.

4. Any decision made by the directors or the general meeting of the co-owners that involves an expenditure of \$25,000 or more for Ville de Windsor must be approved by the town council to be binding on the town.

5. This Act comes into force on 6 December 2013.



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Bill 211
(Private)

An Act respecting Ville de Sherbrooke

Introduced 14 November 2013
Passed in principle 5 December 2013
Passed 5 December 2013
Assented to 6 December 2013

Québec Official Publisher
2013

Bill 211

(Private)

AN ACT RESPECTING VILLE DE SHERBROOKE

AS Ville de Sherbrooke wishes to adopt an RCM plan that includes planning program content so as to maintain only one planning document in force in its territory;

AS Ville de Sherbrooke must be dispensed from the obligation imposed under section 110.10.1 of the Act respecting land use planning and development (chapter A-19.1) to adopt on the same day the by-law revising the planning program and the by-laws that replace the zoning and subdivision by-laws;

AS it is necessary to prescribe that a by-law adopted by Ville de Sherbrooke to replace all the zoning and subdivision by-laws applicable in its territory following the amalgamation of Ville de Sherbrooke, Ville de Rock Forest, Ville de Lennoxville, Ville de Fleurimont and Ville de Bromptonville and the municipalities of Ascot and Deauville by new zoning and subdivision by-laws applicable to the entire territory of Ville de Sherbrooke must be approved by the qualified voters of the entire territory;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. When Ville de Sherbrooke maintains in force a single document that includes provisions specific to the content of both an RCM plan and a planning program, sections 47 to 53.11, 53.11.5, 53.11.6, 53.12 to 56.12, 56.12.3 to 56.12.5, 56.12.8 to 57, 57.3, 58, 59 to 61.1, 61.3 to 71 and 71.0.3 to 72 of the Act respecting land use planning and development (chapter A-19.1) apply, instead of sections 88 to 100 and 102 to 112.8 of that Act, with the necessary modifications, to the provisions specific to the content of a planning program.

2. Section 110.10.1, the second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134, and sections 135 to 137 of the Act respecting land use planning and development do not apply to a by-law adopted by Ville de Sherbrooke to replace all the zoning by-laws and all the subdivision by-laws applicable in its territory following the amalgamation of Ville de Sherbrooke, Ville de Rock Forest, Ville de Lennoxville, Ville de Fleurimont and Ville de Bromptonville and the municipalities of Ascot and Deauville by, respectively, a new zoning by-law and a new subdivision by-law applicable to the entire territory of the city, on the condition that the by-law come into force not later than the day that is three

years after the date of coming into force of the document referred to in section 1 or of the RCM plan.

Such a by-law must be approved in accordance with the Act respecting elections and referendums in municipalities (chapter E-2.2) by the qualified voters of the entire territory of Ville de Sherbrooke.

3. This Act comes into force on 6 December 2013.

Regulations and other Acts

Gouvernement du Québec

O.C. 253-2014, 5 March 2014

An Act respecting collective agreement decrees
(chapter D-2)

Building materials industry — Amendment

Decree to amend the Decree respecting the building materials industry

WHEREAS, under section 2 of the Act respecting collective agreement decrees (chapter D-2), the Government made the Decree respecting the building materials industry (chapter D-2, r. 13);

WHEREAS the contracting parties designated in the Decree have applied, under sections 4 and 6.1 of the Act, to the Minister of Labour for amendments to be made to the Decree;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and sections 5 and 8 of the Act respecting collective agreement decrees, a draft of the Decree to amend the Decree respecting the building materials industry was published in Part 2 of the *Gazette officielle du Québec* of 30 October 2013, 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, under section 7 of the Act, notwithstanding the provisions of section 17 of the Regulations Act, a decree comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Decree to amend the Decree respecting the building materials industry, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the building materials industry

An Act respecting collective agreement decrees
(chapter D-2, ss. 2 and 6.1)

1. The Decree respecting the building materials industry (chapter D-2, r. 13) is amended by replacing section 16.01 by the following:

“**16.01.** Employees receive at least the following hourly rates for each job classification indicated below and for the wage scale applicable thereto:

Classification	As of 12 March 2014	As of 1 May 2014	As of 1 May 2015	As of 1 May 2016	As of 1 May 2017
1. Cutter all categories (sawer)	\$25.61	\$26.12	\$26.65	\$27.18	\$27.72
Wage scale:					
0 to 12 months	\$15.40	\$15.71	\$16.02	\$16.34	\$16.67
12 to 24 months	\$17.93	\$18.29	\$18.66	\$19.03	\$19.41
24 to 36 months	\$21.79	\$22.22	\$22.67	\$23.12	\$23.58
36 to 48 months	\$23.72	\$24.19	\$24.67	\$25.17	\$25.67

Classification	As of 12 March 2014	As of 1 May 2014	As of 1 May 2015	As of 1 May 2016	As of 1 May 2017
2. Polisher all categories	\$25.61	\$26.12	\$26.65	\$27.18	\$27.72
Wage scale:					
0 to 12 months	\$15.40	\$15.71	\$16.02	\$16.34	\$16.67
12 to 24 months	\$17.93	\$18.29	\$18.66	\$19.03	\$19.41
24 to 36 months	\$21.79	\$22.22	\$22.67	\$23.12	\$23.58
36 to 48 months	\$23.72	\$24.19	\$24.67	\$25.17	\$25.67
3. Terrazzo cutter (granite)	\$25.61	\$26.12	\$26.65	\$27.18	\$27.72
Wage scale:					
0 to 12 months	\$15.40	\$15.71	\$16.02	\$16.34	\$16.67
12 to 24 months	\$17.93	\$18.29	\$18.66	\$19.03	\$19.41
24 to 36 months	\$21.79	\$22.22	\$22.67	\$23.12	\$23.58
36 to 48 months	\$23.72	\$24.19	\$24.67	\$25.17	\$25.67
4. CNC Operator	\$25.61	\$26.12	\$26.65	\$27.18	\$27.72
Wage scale:					
0 to 12 months	\$15.40	\$15.71	\$16.02	\$16.34	\$16.67
12 to 24 months	\$17.93	\$18.29	\$18.66	\$19.03	\$19.41
24 to 36 months	\$21.79	\$22.22	\$22.67	\$23.12	\$23.58
36 to 48 months	\$23.72	\$24.19	\$24.67	\$25.17	\$25.67
5. Shop labourer	\$16.54	\$16.88	\$17.21	\$17.56	\$17.91”.

2. Section 17.03 is replaced by the following:

“**17.03.** An employee is entitled to at least 45 minutes off to take his or her meal, including 15 minutes that are paid.”

3. The heading of Division 19.00 is replaced by the following:

“EVENING AND NIGHT SHIFTS”

4. Section 19.01 is replaced by the following:

“**19.01.** Evening shift: the workday of an employee working the evening shift begins at 3:30 p.m. and ends at 11:30 p.m. However, that period may vary in each shop if there is an agreement between the employees and the employers.

An hourly premium of \$1.00 is paid to an employee working the evening shift.

19.01.1. Night shift: the workday of an employee working the night shift begins at 11:30 p.m. and ends at 7:30 a.m. However, that period may vary in each shop if there is an agreement between the employees and the employers.

An hourly premium of \$1.50 is paid to an employee working the night shift.”

5. Section 29.01 is amended by replacing “30 April 2013” and “year 2012” by “30 April 2018” and “year 2017”, respectively.

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

3278

M.O., 2014**Order number AM 2014-001 of the Minister of Labour dated 25 February 2014**

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)

Regulation respecting the declaration of employers' and union associations in the construction industry

THE MINISTER OF LABOUR,

CONSIDERING section 93.1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), which provides that an association representing employees or employers in the construction industry must send to the Minister a copy of its financial statements with a declaration whose content is determined by order of the Minister;

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting the declaration of employers' and union associations in the construction industry was published in Part 2 of the *Gazette officielle du Québec* of 30 October 2013 with a notice that it could be made by an order of the Minister on the expiry of 45 days following that publication;

CONSIDERING that the 45-day period has expired;

CONSIDERING that it is expedient to make the Regulation without amendment;

ORDERS AS FOLLOWS:

The Regulation respecting the declaration of employers' and union associations in the construction industry, attached to this Order, is hereby made.

Québec, 25 February 2014

AGNÈS MALTAIS
Minister of Labour

Regulation respecting the declaration of employers' and union associations in the construction industry

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20, s. 93.1, 2nd par.)

1. The declaration that every association referred to in the first paragraph of section 93.1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) must submit must contain

(1) the association's name and the address of any place of business;

(2) the year in which it was founded;

(3) the trades and occupations carried on by the employees represented by the association, in the case of a union association;

(4) the name of any association to which it is affiliated or that is affiliated to it;

(5) the names of the members of the board of directors and managing committee and their functions, including those who have quit their functions during the fiscal year;

(6) the number of employees and the type of functions they carry on;

(7) the date on which its fiscal year ends;

(8) the name of the auditor who has approved the financial statements;

(9) an attestation that a free copy of the financial statements has been sent to all the members;

(10) an indication of any change in the association's constitution or by-laws during the fiscal year; and

(11) the date of the next regular election.

2. The declaration must be submitted using the form prescribed by the department and be signed by the chair of the association or its chief executive officer.

3. This Regulation comes into force on 27 March 2014.

M.O., 2014

Order number V-1.1-2014-01 of the Minister of Finance and the Economy, 28 February 2014

Securities Act
(chapter V-1.1)

CONCERNING the Regulation 45-513 respecting prospectus exemption for distribution to existing security holders

WHEREAS subparagraphs 1, 3, 8, 11, 14, 32.1 and 34 of section 331.1 of the Securities Act (chapter V-1.1) stipulate that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act stipulate that a draft regulation shall be published in the Bulletin of the Authority, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section stipulate that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date specified in the regulation;

WHEREAS the draft Regulation 45-513 respecting prospectus exemption for distribution to existing security holders was published in the *Bulletin de l'Autorité des marchés financiers*, volume 10, no. 46 of November 21, 2013;

WHEREAS the Authority made, on February 10, 2014, by the decision no. 2014-PDG-0010, Regulation 45-513 respecting prospectus exemption for distribution to existing security holders;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance and the Economy approves without amendment Regulation 45-513 respecting prospectus exemption for distribution to existing security holders appended hereto.

28 February 2014

NICOLAS MARCEAU,
Minister of Finance and the Economy

Regulation 45-513 respecting prospectus exemption for distribution to existing security holders

Securities Act
(chapter V-1.1, s. 331.1, par. (1), (3), (8), (11), (14), (32.1) and (34))

CHAPTER 1
DEFINITIONS

1. Terms defined in Regulation 14-101 respecting Definitions (chapter V-1.1, r. 3) have the same meaning in this Regulation.

2. In this Regulation:

“announcement date” is the day that an issuer issues an offering news release;

“investment dealer” has the same meaning as in section 1.1 of Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations (chapter V-1.1, r. 10);

“listed security” means a security of an issuer of a class of equity security listed on the TSX Venture Exchange, the Toronto Stock Exchange, or the Canadian Securities Exchange;

“offering material” means a document purporting to describe the business and affairs of an issuer that has been prepared primarily for delivery to and review by a prospective purchaser so as to assist the prospective purchaser to make an investment decision in respect of securities being sold in a distribution under this Instrument;

“offering news release” means a news release of an issuer announcing its intention to conduct a distribution under this Regulation;

“record date” is the date that is at least one day prior to the announcement date;

“warrant” means a purchase warrant issued by an issuer that entitles the holder to acquire a listed security or a fraction of a listed security of the same issuer.

CHAPTER 2 EXEMPTION FOR DISTRIBUTION TO EXISTING SECURITY HOLDERS

Exemption

3. The prospectus requirement does not apply to a distribution by an issuer of a security of its own issue to a security holder of the issuer if all of the following conditions apply:

(a) the issuer is a reporting issuer in at least one jurisdiction of Canada;

(b) the issuer's equity securities are listed for trading on the TSX Venture Exchange, the Toronto Stock Exchange, or the Canadian Securities Exchange;

(c) the issuer has filed in each jurisdiction of Canada in which it is a reporting issuer all periodic and timely disclosure documents that it is required to have filed in that jurisdiction as required by each of the following:

(i) applicable securities legislation;

(ii) an order issued by the regulator or securities regulatory authority;

(iii) an undertaking to the regulator or securities regulatory authority;

(d) the issuer has issued and filed an offering news release;

(e) the distribution is of a listed security or a unit consisting of a listed security and a warrant;

(f) the issuer makes the offer available to all persons who, as of the record date, held a listed security of the issuer of the same class and series as the listed security to be distributed under this exemption;

(g) the purchaser purchases the security as principal;

(h) the purchaser represents in writing to the issuer that, on or before the record date, the purchaser acquired and continues to hold, a listed security of the issuer of the same class and series as the listed security to be distributed under this exemption;

(i) one of the following applies:

(i) the purchaser is a person that has obtained advice regarding the suitability of the investment and, if the person is resident in a jurisdiction of Canada, that advice has been obtained from a person that is registered as an investment dealer in the jurisdiction;

(ii) the aggregate acquisition cost to the purchaser for the securities purchased under this Regulation, when combined with the acquisition cost to the purchaser for the purchase of any other security from the issuer under this Regulation in the last 12 months, does not exceed \$15,000.

Offering news release

4. The offering news release must include reasonable detail of the proposed distribution and proposed use of gross proceeds including:

(a) the minimum and maximum number of securities proposed to be distributed and the minimum and maximum aggregate gross proceeds of the distribution;

(b) a description of the principal purposes with approximate amounts, for which the issuer will use the gross proceeds, assuming both the minimum and maximum offering; and

(c) a description of how the issuer intends to allocate securities if aggregate subscriptions for securities under the proposed distribution exceed the maximum number of securities proposed to be distributed.

Representations by issuer

5. The issuer must represent each of the following to the purchaser in the subscription agreement:

(a) the issuer's documents and core documents, each as defined in section 225.3 of the Securities Act (chapter V-1.1), do not contain a misrepresentation;

(b) there is no material fact or material change related to the issuer which has not been generally disclosed.

Offering material

6. Other than the subscription agreement, any offering material provided to a purchaser in connection with a distribution under this Regulation must be filed with the regulator, except in Québec, or securities regulatory authority no later than the day that the material is first provided to a purchaser.

Resale restrictions

7. The first trade of a security acquired under section 3 of this Regulation is subject to section 2.5 of Regulation 45-102 respecting Resale of Securities (chapter V-1.1, r. 20).

Report of exempt distribution

8. An issuer that distributes a security under this Regulation must file to the Authority a report of the distribution that complies with Form 45-106F1 no later than 10 days after the distribution.

Application of statutory secondary market civil liability provisions to a purchaser under this Regulation

9. Division II of Chapter II of Title VIII of the Securities Act applies to a security distributed under section 3 of this Regulation.

CHAPTER 3**COMING INTO FORCE****Coming into force**

10. This Regulation comes into force on March 14, 2014.

Draft Regulations

Draft Regulation

Building Act
(chapter B-1.1)

Safety Code — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Safety Code, appearing below, may be approved by the Government, with or without amendment, on the expiry of 45 days following this publication.

The amendments proposed in the draft Regulation are to replace the provisions respecting the maintenance of water cooling tower facilities that came into force in May 2013, particularly to minimize the risk of water contamination by *Legionella*.

The most significant changes are intended to require owners of water cooling tower facilities, including those used in industrial establishments, to take a sample of water from the facility and to have it analyzed by an accredited laboratory to determine its concentration in *Legionella pneumophila* by a method using culture mediums. In case of significant contamination, the owner will have to apply the necessary measures and inform the designated authorities without delay. Owners will also have to send information on their water cooling tower facility to the Board each year so that the Québec register is kept up-to-date.

The addition of new provisions respecting *Legionella pneumophila* concentration in the provisions respecting the maintenance of a water cooling tower facility could entail costs for enterprises owning water cooling tower facilities.

Further information may be obtained by contacting Suzel Bourdeau, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 7^e étage, Montréal (Québec) H2M 2V2; telephone: 514 873-3716; fax: 514 873-9929.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Stéphane Labrie, President and Chief Executive Officer, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3^e étage, Montréal (Québec) H2M 2V2.

AGNÈS MALTAIS,
Minister of Labour

Regulation to amend the Safety Code

Building Act
(chapter B-1.1, ss. 175, 176, 176.1, 178, 179, 185,
pars. 33, 37 and 38, and 192)

1. The Safety Code (chapter B-1.1, r. 3) is amended in the first paragraph of section 337 by inserting the following after the definition of “single-family type residential occupancy for the elderly”:

““**water cooling tower facility**” means the water network of one or more water cooling towers that are interconnected, including their components such as pumps, tanks and compressors; (*installation de tour de refroidissement à l’eau*)”.

2. The second paragraph of section 340 is replaced by the following:

“Despite the exemption provided for in the first paragraph and in section 341, the requirements respecting a water cooling tower facility provided for in Division VII apply to every water cooling tower facility.”

3. Section 370 is amended in the first paragraph by replacing “facilities” by “equipment”.

4. Division VII of Chapter VIII is replaced by the following:

“DIVISION VII PROVISIONS RESPECTING THE MAINTENANCE OF WATER COOLING TOWER FACILITIES

§1. Maintenance

401. A water cooling tower facility must be maintained according to a maintenance program.

402. The maintenance program must be drawn up and signed by one or more members of a professional order according to their field of practice and whose activities are related to the field of water cooling tower facilities. The program must contain

(1) the procedure for winterizing and re-starting, if applicable;

(2) the procedure for stopping and re-starting during the operation period;

(3) the cleaning procedure;

(4) the procedure for maintaining the quality of the water in order to minimize the development of bacteria and to permanently limit the *Legionella pneumophila* concentration to a level below 10,000 CFU/L (colony-forming units per litre of water). That procedure must include

(a) the place where the samples must be taken for the analysis of the *Legionella pneumophila* in the water; and

(b) the corrective measures to be applied when the result of a sample analysis indicates a *Legionella pneumophila* concentration in excess of 10,000 CFU/L but less than 1,000,000 CFU/L, in order to bring the *Legionella pneumophila* to a level below 10,000 CFU/L;

(5) the decontamination procedure to be applied when the result of a sample analysis indicates a *Legionella pneumophila* concentration of 1,000,000 CFU/L or more;

(6) the measures for reducing corrosion, scaling and the accumulation of organic matter;

(7) a schematic plan of the water network of the water cooling tower facility;

(8) the list of the chemical products and substances to be used and their description, if applicable; and

(9) the measures for verifying the mechanical components of the water cooling tower facility.

The maintenance program must be drawn up by taking into account the documents indicated in Schedule III.

403. The maintenance program must take into account the history of the water cooling tower facility, including

- (1) a major breakdown;
- (2) the repairs made following the breakdown;
- (3) the use of the decontamination procedure; and
- (4) the replacement of a device or equipment.

404. The program must be revised, by one or more members of a professional order according to their field of practice and whose activities are related to the field of water cooling tower facilities, ever 5 years or following one of the following events:

(1) an alteration of the water cooling tower facility affecting the maintenance program;

(2) a change in the procedure for maintaining the quality of water;

(3) the use of the decontamination procedure.

§2. Declaration of the water cooling tower facility

405. Owners of water cooling tower facilities must send to the Board, within 30 days of the facility's initial start-up and on 1 March of each year,

(1) the address where the water cooling tower facility is located;

(2) the name and contact information of the owner of the water cooling tower facility;

(3) the name of the member or members of a professional order who drew up the maintenance program;

(4) a brief description of the type of water cooling tower facility;

(5) the operation period of the water cooling tower facility; and

(6) the name of the person in charge of maintenance and that person's telephone number.

The declaration may be made on the form provided for that purpose by the Board or on any other document containing the same information clearly and legibly drawn up for that purpose.

Owners of water cooling tower facilities must immediately inform the Board of any change to the information provided under this section.

§3. Register

406. The following information and documents relating to a water cooling tower facility must be entered in a register, available on the premises for consultation by the Board, during the existence of the facility:

(1) the name and contact information of the owner of the water cooling tower facility;

(2) if available, the copy of the plans for the design and installation of the water cooling tower facility as executed, and any technical document or information related to the alterations made to the plans;

(3) the manufacturer's operation and maintenance manual;

- (4) the maintenance programs;
- (5) the results of the water analyses for the past 2 years, namely:
 - (a) the forms for sending samples to the laboratory and the results of the *Legionella pneumophila* concentration analyses;
 - (b) the analysis results or the readings of the physical, chemical or microbiological indicators identified by the professional who drew up the procedure for maintaining the quality of water;
- (6) the history and description of the maintenance, repairs, replacements and alterations made;
- (7) the name of the person responsible for and of the personnel assigned to the maintenance and their telephone number.

§4. Taking and analysis of samples to determine the *Legionella pneumophila* concentration

407. The owner must take samples or cause them to be taken and have them analysed to determine the *Legionella pneumophila* concentration in CFU/L:

- (1) at the time of re-starting, after winterizing;
- (2) at least once every 30 days, during the operation period;
- (3) between 2 and 7 days, following the application of the decontamination procedure.

408. The sample must be taken at a point in the circuit that is the most representative of the water that will be dispersed by aerosol and out of the direct influence of the make-up water and of the addition of treatment products.

409. The sample must be taken and kept in accordance with Standard DR-09-11, Protocole d'échantillonnage de l'eau du circuit des tours de refroidissement pour la recherche des légionnelles, published by the Centre d'expertise en analyse environnementale du Québec.

410. The sample must be sent for analysis to a laboratory accredited by the Centre d'expertise en analyse environnementale du Québec for the determination of *Legionella pneumophila* concentration.

411. The sample analysis to determine the *Legionella pneumophila* concentration must be made by a method using culture mediums.

412. Each sample taken sent to an accredited laboratory must be accompanied by a sending form duly completed. The form must include the following information:

- (1) the address where the water cooling tower facility is located;
- (2) the name and contact information of the owner of the water cooling tower facility;
- (3) the identification number of the water cooling tower facility assigned by the Board;
- (4) the date and time of sampling and the water temperature;
- (5) the name and signature of the sampler;
- (6) the reference and location of the point of sampling;
- (7) the nature and concentration of treatment products; and
- (8) the date and time of the last injection of treatment products in the network of the water cooling tower facility, if such injection is not continuous.

§5. Results of the analysis for *Legionella pneumophila* concentration

413. The owner must make sure to obtain all the results of the analysis made by the accredited laboratory to determine *Legionella pneumophila* concentration.

414. The owner must make sure that the Board receives all the results of the analysis made by the accredited laboratory within 30 days of the sample taking, using an information technology medium furnished by the Board.

415. The owner must make sure to obtain the result of the accredited laboratory on the business day following the result of the analyses where a result

- (1) indicates a *Legionella pneumophila* concentration above 10,000 CFU/L but below 1,000,000 CFU/L;
- (2) makes impossible to quantify the *Legionella pneumophila* concentration by reason of the presence of interfering flora.

416. The owner must make sure to obtain the result of the accredited laboratory without delay when an analysis result indicates a *Legionella pneumophila* concentration of 1,000,000 CFU/L or more. In that case, the owner must make sure that the Board and the public health director of

the region where the water cooling tower facility is located receive the result without delay. In that case, the owner must also make sure that the accredited laboratory keeps the sample and analysis result for 3 months.

417. Where the analysis result indicates a *Legionella pneumophila* concentration above 10,000 CFU/L but below 1,000,000 CFU/L, the owner of the water cooling tower facility must

- (1) identify the causes of the increase in the *Legionella pneumophila* concentration;
- (2) apply corrective measures; and
- (3) verify the effectiveness of the corrective measures.

418. Where the analysis result makes it impossible to quantify the *Legionella pneumophila* concentration by reason of the presence of an interfering flora, the owner of the water cooling tower facility must

- (1) identify the causes of the presence of interfering flora;
- (2) apply corrective measures; and
- (3) verify the effectiveness of the corrective measures.

419. Where the analysis result indicates a *Legionella pneumophila* concentration of 1,000,000 CFU/L or more, the owner of the water cooling tower facility must

- (1) implement measures that will eliminate any water dispersion by aerosol, such as stopping the ventilators;
- (2) immediately apply the decontamination procedure;
- (3) identify the causes of the concentration above 1,000,000 CFU/L with the member or members of a professional order who drew up the maintenance program;
- (4) apply corrective measures;
- (5) verify the effectiveness of the corrective measures; and
- (6) take a new sample in accordance with the third paragraph of section 407 and send it to the accredited laboratory for a new analysis of the *Legionella pneumophila* concentration.”.

5. Schedule III is replaced by the following:

“**SCHEDULE III:** Maintenance of a water cooling tower facility

The documents to be taken into account for the maintenance program provided for in section 402 are

(1) the manufacturer’s operation and maintenance manual;

(2) the guides recognized for the maintenance of water cooling tower facilities such as

(a) Guideline-WTB-148(08)-Best Practices for Control of Legionella published by the Cooling Technology Institute (CTI);

(b) the manuals of the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), particularly Guideline-12-2000-Minimizing the Risk of Legionellosis Associated with Building Water Systems;

(c) Legionella 2003: An Update and Statement by the Association of Water Technologies (AWT).”.

6. This Regulation comes into force on the 45th day following the date of its publication in the *Gazette officielle du Québec*.

Despite the foregoing, section 414 comes into force on 1 April 2016.

3271

Draft regulation

Health Insurance Act
(chapter A-29)

Hearing devices — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting hearing devices and insured services, the text of which appears hereafter, may be made by the government on the expiry of the 45-day deadline following this publication.

The object of this draft regulation is to delete the provision of the Regulation respecting hearing devices and insured services (chapter A-29, r. 2) that excludes, as an insured service, those hearing aids including any electronic device for eliminating head noise.

For further information, please contact:

Tommie Hamel
Service de l'évolution des programmes hors du Québec,
des aides techniques et financières
Direction des programmes hors du Québec, des aides
techniques et financières
Régie de l'assurance maladie du Québec
1125, Grande-Allée Ouest, 3^e étage
Québec (Québec) G1S 1E5

Telephone: 418 682-5187
Fax: 418 528-1388
Email: tommie.hamel@ramq.gouv.qc.ca

Persons wishing to comment on this draft regulation may write, before the deadline, to the undersigned, the Minister of Health and Social Services and Minister responsible for Seniors, at 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

RÉJEAN HÉBERT,
*Minister of Health and Social Services
and Minister responsible for Seniors*

Regulation to amend the Regulation respecting hearing devices and insured services

Health Insurance Act
(chapter A-29, s. 69, 1st par., subpar. (h.2))

1. The Regulation respecting hearing devices and insured services (chapter A-29, r. 2) is amended by deleting subparagraph (b) of the second paragraph of section 2.

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

3273

Draft Regulation

Police Act
(chapter P-13.1)

Bureau des enquêtes indépendantes — Selection procedure and training of investigators

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the selection procedure and the training of investigators of the Bureau des enquêtes indépendantes, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation establishes the selection process of investigators of the Bureau des enquêtes indépendantes. It also determines the training to be completed by the investigators of the Bureau.

To date, study of the matter has shown no impact on the public and on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Jérôme Gagnon, Acting Director, Direction de la sécurité de l'État, Direction générale des affaires policières, Ministère de la Sécurité publique; telephone: 418 646-6777, extension 60002; email: jerome.gagnon@msp.gouv.qc.ca

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

STÉPHANE BERGERON,
Minister of Public Security

Regulation respecting the selection procedure and the training of investigators of the Bureau des enquêtes indépendantes

Police Act
(chapter P-13.1, ss. 289.11 and 289.14)

CHAPTER I PURPOSE

1. The purpose of this Regulation is to establish the recruiting and selection procedure of investigators of the Bureau des enquêtes indépendantes, and to determine the training to be completed by the investigators of the Bureau.

CHAPTER II
SELECTION CRITERIA AND PROCESS
APPLICABLE TO INVESTIGATORS

DIVISION I
RECRUITMENT NOTICE AND CANDIDACY

2. When a list of persons qualified for appointment as investigator is to be prepared, the director of the Bureau publishes a recruitment notice in one or a number of publications circulating or broadcast throughout Québec, inviting interested persons to submit their candidacy.

3. The recruitment notice contains

(1) the minimum requirements for the position of investigator provided for in section 289.11 of the Police Act (chapter P-13.1);

(2) a description of the duties of an investigator;

(3) the main place of work of the investigator;

(4) in substance, the selection criteria prescribed by this Regulation and, where applicable, the eligibility requirements, qualifications, training and professional experience required for the Bureau;

(5) in substance, the system of confidentiality applicable to the selection procedure and an indication that the selection committee may hold consultations about the candidacies; and

(6) the deadline and address for submitting a candidacy.

4. A copy of the recruitment notice is sent to the Minister of Public Security.

5. Persons who wish to submit their candidacy forward their résumé containing the following information:

(1) their name, address, home telephone number and, if applicable, office address and telephone number;

(2) their date of birth;

(3) the college and university diplomas they hold;

(4) whether they have been a peace officer;

(5) if they are a member of a professional order, the year of admission to the order, proof of membership and the number of years of practice, along with the main sectors of activity in which they have worked;

(6) a description of the activities exercised and the experience relevant to the position of investigator;

(7) where applicable, any conviction, in any place, for an act or omission defined in the Criminal Code (R.S.C. 1985, c. C-46) as an offence, or any conviction for an offence referred to in section 183 of the Code contrary to one of the Acts listed therein, and a description of the act, omission or offence concerned and the imposed sentence;

(8) where applicable, any conviction for a penal offence, together with a description of the offence concerned and the penalty imposed, if there is reasonable cause to believe that such an offence is likely to call into question the integrity or impartiality of the Bureau or the candidate;

(9) where applicable, any disciplinary or ethics decision made in their regard, together with a description of the breach concerned and the penalty or disciplinary measure imposed;

(10) the names and contact information of their employers or partners over the last 10 years;

(11) the reasons for their interest in the position of investigator.

The persons must agree to being the subject of inquiries, in particular with the persons referred to in section 16.

Paper documents sent by mail are presumed received by the Bureau on the date of mailing. Technology-based documents are presumed received by the Bureau when they become accessible at the address of the Bureau, as provided in section 31 of the Act to establish a legal framework for information technology (chapter C-1.1).

6. Where a candidacy is received after the closing date indicated in the recruitment notice, the director returns the file to the person and indicates that the person's candidacy is rejected.

DIVISION II
TRAINING AND OPERATION OF
A SELECTION COMMITTEE

7. Following the publication of a recruitment notice, a selection committee consisting of the director of the Bureau, a representative from the Ministère de la Sécurité publique designated by the Deputy Minister of Public Security and the director of police training of the École nationale de police du Québec is formed. If the director of police training is unable to act, a representative from the École nationale de police du Québec is designated by the executive director of the school.

8. The mandate of the committee is to determine whether a candidate is qualified for the position of investigator of the Bureau and to make a report.

9. The committee analyses the candidates' files and short-lists the candidates who, in its opinion, meet the requirements mentioned in the recruitment notice, taking into account in particular the number of vacant positions, the number of candidates and the requirement to encourage parity between investigators who have never been peace officers and those who have.

10. A committee member whose impartiality could be questioned must withdraw with respect to a candidate, including in the following situations:

- (1) the member is or was the candidate's spouse;
- (2) the member is related to the candidate by birth, marriage or civil union, up to the degree of first cousin inclusively;
- (3) the member is a partner, employer or employee of the candidate or was such a partner, employer or employee in the last 2 years;
- (4) the member is or was under the direct supervision of the candidate or is or was the candidate's immediate superior in the last 2 years.

11. If a committee member has withdrawn or is absent or unable to act, the decision is made by the other members.

12. Committee decisions are made by a majority of its members. In the event of a tie, the director has a casting vote.

13. The committee may, given the vacant positions or the number of candidates, apply evaluative measures that it determines, in particular, in collaboration with the École nationale de police du Québec, to selected candidates.

14. The committee informs the short-listed persons at this stage of the date and place of their meeting with the committee and informs the other persons that their candidacy was turned down and, as a result, they will not be called to a meeting.

DIVISION III SELECTION CRITERIA AND CONSULTATIONS

15. The selection criteria that the committee must take into account in determining a candidate's aptitude are

- (1) the candidate's interpersonal, intrapersonal and operational skills;
- (2) the candidate's personal and intellectual qualities;
- (3) the candidate's experience and the relevancy of that experience in relation to the duties of an investigator of the Bureau;
- (4) the extent of the candidate's knowledge or skills in view of the required qualifications, training or professional experience stated in the recruitment notice;
- (5) the candidate's ability to carry out the duties of an investigator; and
- (6) the candidate's conception of the duties of an investigator.

16. The committee may, on any matter in a candidate's file or any aspect of a candidacy or of the candidacies as a whole, consult with

- (1) any person who has been, in the last 10 years, an employer, partner, immediate superior or first-line supervisor of the candidate;
- (2) any person who is or was the candidate's spouse or related by birth, marriage or civil union to the candidate;
- (3) any legal person, partnership or professional association of which the candidate is or was a member;
- (4) any educational institution where the candidate has attended or any professional order of which the candidate is or was a member;
- (5) the École nationale de police du Québec;
- (6) any disciplinary body, police authority or credit bureau.

DIVISION IV REPORT OF THE SELECTION COMMITTEE

17. The committee promptly submits a report containing

- (1) the name of all the persons the committee met and the name of the persons considered qualified for the position of investigator of the Bureau, and indicating whether the persons have been peace officers or not;
- (2) any comments that the committee considers appropriate, especially with respect to the particular characteristics or qualifications of the qualified candidates.

18. A committee member may register his or her dissent with respect to all or part of the report.

19. The name of the persons considered qualified, the name of the persons whose candidacy was turned down, the reports of the selection committee and any information or document related to a consultation or decision by the committee are confidential.

20. The selection committee informs the persons of whether they are considered qualified or not, as the case may be.

DIVISION V

LIST OF DECLARATION OF APTITUDE

21. The director of the Bureau keeps the list of declaration of aptitude up-to-date and enters therein the name of the persons considered qualified for the position of investigator of the Bureau and indicates whether the persons have been peace officers or not.

The declaration of aptitude is valid for a period of 5 years from the date it is entered on the list.

The director strikes out an entry upon the expiry of the validity period of the declaration of aptitude or when the person is appointed as investigator of the Bureau, dies or asks to be withdrawn from the list.

22. Where a position of investigator is to be filled, the director of the Bureau recommends to the Government, from the up-to-date list of persons considered qualified for the position of investigator of the Bureau, the appointment of a person entered on the list while promoting parity between investigators who have never been peace officers and those who have.

23. If the director is of the opinion that he or she cannot, considering the list of persons qualified to be appointed as investigators and in the interests of, and to best carry out the duties of the Bureau, recommend an appointment, the director must have a recruitment notice published, in accordance with Division I.

CHAPTER III

TRAINING OF THE INVESTIGATORS

24. An investigator of the Bureau must have completed the Programme de formation des enquêteurs of the Bureau des enquêtes indépendantes of the École nationale de police du Québec.

The purpose of the program is to allow an investigator of the Bureau acquire the required investigating skills by preparing the investigator to intervene adequately and efficiently within a context specifically related to independent police investigations.

25. An investigator who is in the process of completing the required training may exercise his or her duties as a investigator of the Bureau under the supervision of another investigator who completed the training, provided the investigator began the training within 12 months after the date on which the investigator is appointed and completes the training not later than 24 months after that date. The director of the Bureau may authorize an extension of these periods.

26. An equivalence for a training activity under the Programme de formation des enquêteurs of the Bureau des enquêtes indépendantes may exceptionally be granted when an investigator can show that his or her school training or work experience has enabled the investigator to acquire the skills of the professional training activity concerned.

The École nationale de police du Québec determines whether the investigator has the skills of the training activity for which an equivalence is requested.

27. All equivalence requests must be submitted to the School Registrar in writing on the form provided for that purpose, together with the relevant documents. The investigator must pay any fees required by the School.

28. The School Registrar must, within 30 days of the request, notify the investigator in writing of the Registrar's decision to grant the requested equivalence or not. The Registrar must also inform the director of the Bureau of the decision.

CHAPTER IV

FINAL

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

Draft Regulation

Professional Code
(chapter C-26)

Sexologists

— Diplomas which give access to permits

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), 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, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (chapter C-26, r. 2) in order to introduce diplomas which give access to the permit of the Ordre professionnel des sexologues du Québec, constituted by letters patent issued under Order in Council 941-2013 dated 11 September 2013.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

The draft Regulation will be submitted to the Office des professions du Québec and the Ordre professionnel des sexologues du Québec for their opinion. The Office will seek the opinion of the Order and forward it with its own opinion to the Minister of Justice after consultation with educational institutions and other bodies concerned.

Further information may be obtained by contacting Isabelle Beaulieu, Director General and Secretary, Ordre professionnel des sexologues du Québec, 4126, rue Saint-Denis, bureau 300, Montréal (Québec) H2W 2M5; telephone: 438 386-6777 or 1-855-386-6777, extension 222; email: isabelle.beaulieu@opsq.org.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jean Paul Dutrisac, Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the Ordre professionnel des sexologues du Québec and to interested persons, departments and bodies.

BERTRAND ST-ARNAUD,
Minister of Justice

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
(chapter C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (chapter C-26, r. 2) is amended by inserting the following after section 1.34:

“**1.35.** The Baccalauréat en sexologie (B.A.), the Maîtrise en sexologie (concentration clinique) (M.A.) and the Maîtrise en sexologie (concentration recherche-intervention) (M.A.) from the Université du Québec à Montréal give access to the permit issued by the Ordre professionnel des sexologues du Québec.»

2. Section 7 of the Letters patent constituting the Ordre professionnel des sexologues du Québec (chapter C-26, r. 222.2) remains applicable to persons who, on (insert the date of coming into force of this Regulation), hold one of the diplomas referred to therein or are registered in a program enabling them to obtain one of those diplomas.

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

3274

Draft Regulation

Public Service Act
(chapter F-3.1.1)

Qualification process and qualified persons

Notice is hereby given, in accordance with the second paragraph of section 50.1 of the Public Service Act (chapter F-3.1.1), that the Regulation respecting the qualification process and qualified persons, appearing below, may be made by the Conseil du trésor with or without amendment on the expiry of 30 days following this publication.

The draft Regulation determines the rules applicable to a qualification process in the public service and to qualified persons. A qualification process will result in the constitution of banks of qualified persons that will replace the lists of candidates declared qualified (LDA)

issued following competitions. The stages of a qualification process are the same as those for a competition. The qualification process is different from a competition in that it offers the possibility to proceed on a continuous basis through all the stages of the process. It will be possible to post an invitation for applications, to register candidates, to verify eligibility, to evaluate candidates, to register them in a bank of qualified persons and to appoint them in a continuous manner without waiting for the end of the qualification process for all candidates.

Further information may be obtained by contacting Catherine Asselin, Secrétariat du Conseil du trésor, édifice H, 875, Grande-Allée Est, Québec (Québec) G1R 5R8; telephone: 418 643-0875, extension 4678; fax: 418 644-4938; email: catherine.asselin@sct.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 30-day period to Dominique Gauthier, Associate Secretary, Politiques de ressources humaines et relations de travail, Secrétariat du Conseil du trésor, édifice H, 875, Grande Allée Est Québec (Québec) G1R 5R8.

STÉPHANE BÉDARD,
*Minister responsible for Government Administration
and Chair of the Conseil du trésor*

Regulation respecting the qualification process and qualified persons

Public Service Act
(chapter F-3.1.1, ss. 50.1 and 53; 2013, chapter 25,
ss.14, 15 and 37)

CHAPTER I OBJECT

1. This Regulation prescribes, for recruitment and promotion, rules applicable to a qualification process held under the Public Service Act (chapter F-3.1.1).

It also prescribes rules applicable to persons whose eligibility is established by a qualification process, hereinafter called qualified persons.

CHAPTER II QUALIFICATION PROCESS

DIVISION I GENERAL

2. A qualification process includes, from the publication of an invitation for applications to the qualification of a person, all the stages at the end of which a person becomes qualified.

3. The duties related to the holding of a qualification process may be performed in whole or in part by an evaluation committee or a resource person. An evaluation committee or a resource person makes recommendations in writing.

A person who is a member of an evaluation committee or a resource person is selected on the basis of the person's knowledge of the position for which the qualification process is held, experience in personnel management or selection of personnel or professional competence.

4. The following may not act as members of an evaluation committee or as resource persons:

- (1) staff of the Lieutenant-Governor's office;
- (2) staff of a minister's office;
- (3) staff of the office of a person covered by the first paragraph of section 124.1 of the Act respecting the National Assembly (chapter A-23.1);
- (4) Members of the National Assembly and their staff.

DIVISION II FILING OF APPLICATIONS

5. The application period for a qualification process is indicated in the invitation for applications.

The period may be of a limited duration or an unspecified duration. Where the duration is limited, it is at least 8 days. Where the duration is unspecified, a notice indicating the date of the end of the application period must be published at least 8 days before that date.

6. An application must be filed in writing and must contain the information required in the invitation for applications.

7. An application received after the application period is not considered unless an unforeseeable event has had the effect of delaying the reception.

8. A person registered in a bank of qualified persons is not accepted at a qualification process for increasing the number of persons registered in that bank.

DIVISION III ELIGIBILITY

9. A person must, at the time of the application, meet the conditions of eligibility set forth in the invitation for applications including, where applicable, belonging to a geographical area, an administrative unit or a group of administrative units.

§1. *Geographical areas and administrative units*

10. In a qualification process for promotion, eligibility may be restricted to persons belonging to a geographical area for which the process is held.

The following areas constitute geographical areas for the purposes of this Regulation:

(1) a regional area corresponding to a region described in the Décret concernant la révision des limites des régions administratives du Québec (chapter D-11, r. 1);

(2) a local area corresponding to a municipality governed by any Act, an unorganized territory or an Indian reserve;

(3) a regional area to which is added another local or regional area;

(4) a local area to which is added another local area.

A person is considered to belong to a geographical area when the person's principal residence or base is located in that area.

11. Where a qualification process for promotion is held, eligibility may be restricted to persons belonging to the administrative unit for which the process is held and to persons placed on reserve who would belong to that administrative unit had they not been placed on reserve.

Eligibility may also be restricted to persons belonging to a group of administrative units and to persons placed on reserve who would belong to those administrative units had they not been placed on reserve.

For the purposes of this Regulation, an administrative unit is a department and the bodies under the responsibility of the minister of that same department or the National Assembly and the bodies under its responsibility.

Despite the third paragraph, the following are separate administrative units:

(1) the Commission de la santé et de la sécurité du travail;

(2) the Société de l'assurance automobile du Québec;

(3) the Régie de l'assurance maladie du Québec;

(4) the Régie des rentes du Québec;

(5) the Sûreté du Québec.

12. Eligibility to a qualification process for promotion may be restricted to a geographical area, an administrative unit or a group of administrative units in consideration of the following criteria:

(1) the mobility of the available labour force;

(2) a sufficient number of persons likely to meet the eligibility conditions;

(3) the characteristics of the position to be filled.

13. Despite sections 10 and 11, and under the circumstances provided for in an affirmative action program or in a program designed to ensure the hiring of handicapped persons, the eligibility of a person covered by the program may not be restricted because the person belongs to a geographical area, an administrative unit or a group of administrative units other than that set forth in the conditions of eligibility.

§2. *Determination of eligibility*

14. Eligibility of a person is determined by studying the person's application form and the determination must be made before the person may be called to an evaluation.

15. A person who meets the conditions of eligibility is only presumed eligible until the person provides the documents required by the invitation for applications.

16. The documents enabling to confirm eligibility may be requested at any time provided they are verified before the appointment of a person, failing which there cannot be an appointment.

Failure to provide the documents within the period allowed results in the rejection of the candidacy.

DIVISION IV EVALUATION

17. The evaluation procedure is comprised of one or more evaluation tools.

An evaluation tool may be comprised of one or more examinations.

18. A qualification process must be comprised of examinations the content of which is identical or equivalent.

The content of the examinations is equivalent when the following 4 conditions are met:

(1) the criteria evaluated and the attributes measured are the same for each examination;

(2) the same type of questions is used;

(3) the same task is required of the person evaluated;

(4) the level of difficulty of the examinations is similar.

19. Knowledge of a language other than French may be a criterion for disqualifying applicants in a qualification process only where such knowledge is considered essential to the carrying out of certain duties of the position.

20. Except in the case of the evaluation of the knowledge of a language other than French, an evaluation tool may be disqualifying only if it meets any of the following conditions:

(1) it counts for at least 25% of the value of the evaluation procedure;

(2) it allows the evaluation of at least one-quarter of the criteria selected for the evaluation procedure.

21. The pass mark for an evaluation tool used in a qualification process is set at the first evaluation of persons.

22. In setting the pass mark for an evaluation tool, the following criteria are considered:

(1) the recommendation submitted concerning the pass mark prior to the application of the tool;

(2) an analysis of the results available;

(3) the value of the tool with respect to the value of the evaluation procedure;

(4) the estimate of the number of positions to be filled.

23. A person who fails to obtain a pass mark is eliminated from the qualification process.

24. The result a person obtains in an examination or part of an examination during a qualification process or an assessment of qualifications may be transferred to any qualification process where the following 2 conditions are met:

(1) the content of the examinations or parts of examination is identical or equivalent;

(2) the period between the dates of those examinations or parts of examination does not exceed 12 months.

25. For a same bank of qualified persons, the qualification processes must be comprised of the evaluation tools evaluating the same criteria.

CHAPTER III BANKS OF QUALIFIED PERSONS

26. A bank of qualified persons is constituted as soon as a person declared qualified is registered therein.

The registration of a person in a bank of qualified persons must be approved by a person authorized to do so.

27. A bank of qualified persons may only be used for the purposes set forth in the invitation for applications.

28. The addition of persons, by a new qualification process, to a bank of qualified persons is possible provided that the following conditions are met:

(1) the positions concerned belong to the same class of positions;

(2) the duties are similar;

(3) the conditions of eligibility are of the same level and no more restrictive than those previously published;

(4) the other declared uses of the bank are identical.

29. A bank of qualified persons terminates when one of the following circumstances is ascertained:

(1) the minimum conditions of a class of positions are revised upwards;

(2) there is no longer any appropriateness of the evaluation procedure used in relation to the nature of the position;

(3) a class of positions is abolished.

30. A bank of qualified persons may terminate when one of the following circumstances is ascertained:

(1) there are no longer any persons registered in that bank;

(2) manpower is no longer needed.

CHAPTER IV QUALIFIED PERSONS

DIVISION I GENERAL

31. Subject to the termination of the bank in which the qualified person is registered and subject to section 34, the qualification of a person is for a period of 5 years.

32. A person may be the subject of only 1 appointment from the same qualification.

However, the person may be the subject of a new appointment from the same qualification if the person has not acquired permanent employment and if the person is laid off because of a lack of work or a person placed on reserve is assigned or transferred to the person's position.

33. A qualified person must provide, within the period allowed, any of the following information:

(1) the documents required to confirm the person's eligibility to a qualification process, not later than 30 days after an application to that effect is sent, or, if the application immediately precedes the appointment, not later than before the appointment;

(2) the initial information concerning the person's profile and professional interests or the update of the information, using the prescribed form and not later than 30 days after an application to that effect is sent;

(3) the confirmation of the person's interest to be considered for an appointment, not later than 30 days after an application to that effect is sent.

If a person fails to provide the information, the person remains registered in the bank of qualified persons, but may not be appointed until the situation is remedied.

A qualified person who ceases to meet the conditions of eligibility may not be appointed until the person meets again the conditions.

34. A qualified person is removed from a bank

(1) at the end of a 5-year period as of the person's registration in the bank;

(2) where it is ascertained that the person could not, at the time of registration, meet the conditions of eligibility of the qualification process leading to the person's registration in the bank;

(3) where the person was admitted as candidate under the Directive concerning certain aspects of the admission to the classes of jobs of the public function and the person cannot provide within the period prescribed the documents certifying that the person has successfully completed the studies required;

(4) where the person has not successfully completed the probationary period;

(5) where the person has acquired the status of permanent employee after having been appointed to a position from the bank;

(6) where the person so requests or where the person confirms no longer being interested in being considered for an appointment;

(7) where the person died, after reception of proof of death.

DIVISION II SPECIFIC PROVISIONS

35. The qualification of a person that would have terminated because the bank in which the person was registered terminates or because the person was removed from the bank under paragraph 1 of section 34 may be maintained.

However, it is possible to maintain the qualification only for an appointment in the department or body in which the person held the last position related to that qualification and provided that the following conditions are met:

(1) the person must have held for at least 1 year, on a continuous basis or not, one or more positions related to that qualification in one or more departments or bodies;

(2) not more than 1 year must have elapsed since the end of the person's last position related to that qualification;

(3) the person's last position related to that qualification must have ended otherwise than by resignation.

36. Despite section 35, the qualification of a person laid off under the circumstances provided for in section 32 may also be maintained provided that not more than 3 years have elapsed since the end of the person's last position related to that qualification.

37. Despite section 35, the qualification of a person with a right of recall under the person's employment conditions is maintained for as long as the person has the right of recall.

38. A person is considered qualified for a class of positions in which the person was placed following a change to the classification of positions provided that the following conditions are met:

(1) the person must have held for at least 1 year, on a continuous basis or not, one or more positions related to the placement in one or a number of departments or bodies;

(2) not more than 1 year must have elapsed since the person's last position in the class of positions to which the person has been placed;

(3) the last position in the class of positions in which the person has been placed must have ended otherwise than by resignation.

39. Where there is only 1 position to be filled by a qualification process, no appointment may be made before all the persons participating to the process have completed the process.

40. A person registered in a bank of qualified persons for the class or rank of trainee related to a class of positions requiring to be a member of a professional order may be transferred to a bank of qualified persons for that class of positions.

The transfer is carried out only for the remaining duration of the qualification of the person and is possible only if the following conditions are met:

(1) the person has become a member in good standing of the professional order as a member other than a junior member, a trainee member or a candidate to the practice of the profession;

(2) the evaluation tools used for the constitution of the banks evaluate the same criteria.

41. The persons qualified at the end of specific qualification processes established by the Conseil du trésor may be registered in a bank of qualified persons provided that the following conditions are met:

(1) the positions concerned belong to the same class of positions;

(2) the duties are similar;

(3) the conditions of eligibility are of the same level;

(4) the other declared uses of the bank are identical;

(5) the evaluation tools evaluate the same criteria.

CHAPTER V TRANSITIONAL AND FINAL

42. This Regulation replaces the Regulation respecting the holding of competitions (chapter F-3.1.1, r. 6).

43. The result obtained by a person in an examination or a part of an examination in a competition may be transferred to any qualification process where both conditions in section 24 are met.

44. Despite the end of the validity of the list of candidates declared qualified that allowed the appointment of a person to a position, the certification of the qualification of the person is maintained provided that all the conditions in the second paragraph of section 35 are met.

45. Despite the end of the validity of the list of candidates declared qualified that allowed the appointment of a person to a position, the certification of the qualification of a person laid off under the circumstances provided for in section 32 may be maintained provided that not more than 3 years have elapsed since the end of the person's last position related to the certification of qualification.

46. Despite the end of the validity of the list of candidates declared qualified that allowed the appointment of a person to a position, the certification of the qualification of a person with a right of recall under the person's employment conditions is maintained as long as the person has the right of recall.

47. A person placed in a class of positions following a change to the classification of positions is considered declared qualified for an appointment to the class of positions in which the person has been placed provided that the conditions in section 38 are met.

48. This Regulation comes into force on *(insert the date of coming into force of the provisions of section 14 of chapter 25 of the Statutes of 2013 that are not yet in force)*.

Draft Regulations

Voluntary Retirement Savings Plans Act
(2013, chapter 26)

Supplemental Pension Plans Act
(chapter R-15.1)

Voluntary retirement savings plans — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that:

— the Regulation respecting voluntary retirement savings plans, appearing below, may be made by the Government on the expiry of 45 days following this publication;

— the Regulation to amend the Regulation respecting supplemental pension plans, appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The purpose of the draft Regulation respecting voluntary retirement savings plans is to implement measures applicable to the administrator of a voluntary retirement savings plan, particularly with regard to registration of the plan with the Régie des rentes du Québec and to plan administration, including the investment options and the criteria for determining whether the plan is low-cost. The purpose of the draft Regulation is also to set the rules applicable to plan members, including those that apply to the default contribution rate, to variable payments, and to transfers and refunds of amounts in these plans, as well as to transfers between spouses.

Furthermore, consequential amendments are being made to the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6) to take into account the new plans.

Further information may be obtained by contacting Ms. Nathalie Paquet, Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, Québec (Québec) G1V 4T3 (telephone: 418 643-8282; fax: 418 643-7421; email: nathalie.paquet@rrq.gouv.qc.ca).

Any person wishing to comment on the draft Regulation is asked to send their comments in writing before the expiry of the 45-day period mentioned above to Mr. Denys Jean, President and Chief Executive Officer of the Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, 5^e étage, Québec (Québec) G1V 4T3. Comments

will be forwarded by the Régie to the Minister of Employment and Social Solidarity, who is responsible for the administration of the Supplemental Pension Plans Act.

AGNÈS MALTAIS,
*Minister of Employment
and Social Solidarity*

Regulation respecting voluntary retirement savings plans

Voluntary Retirement Savings Plans Act
(2013, c. 26, s. 113)

CHAPTER I REGISTRATION OF THE PLAN AND ITS AMENDMENTS

1. The application for registration of a voluntary retirement savings plan must, in addition to the documents and information required under section 3 of the Voluntary Retirement Savings Plan Act (2013, chapter 26), contain the following information:

- (1) the name of the plan;
- (2) the name of the plan administrator, the address of its head office and, where applicable, the address of its principal establishment in Québec;
- (3) the registration number issued by the Canada Revenue Agency, if available at the time the application for registration is filed;
- (4) the name of the representative of the plan administrator, and the address and telephone number of his office;
- (5) the name of the individual who signed the application, and the address and telephone number of his office.

The signatory of the application must certify

- (1) that he is authorized to prepare and sign the application for registration of the plan on behalf of the plan administrator;
- (2) that the person who certified the copy of the plan that accompanies the application to be a true copy is qualified to do so;
- (3) that the information contained in the application is exact to the best of his knowledge.

2. The application for registration of an amendment to a pension plan must, in addition to the documents and information required under section 3 of the Act, contain the following information:

- (1) the name of the plan and the number assigned to it by the Régie des rentes du Québec;
- (2) the purpose of the amendment and its effective date;
- (3) the name of the individual who signed the application, and the address and telephone number of his office;
- (4) a copy of the notice provided for in the third paragraph of section 3 of the Act, and the date the notice was sent.

The signatory of the application must certify

- (1) that he is the administrator of the plan or that he is authorized to act on the administrator's behalf;
- (2) that the person who certified the copy of the amendment that accompanies the application to be a true copy is qualified to do so;
- (3) that the information contained in the application is exact to the best of his knowledge.

3. With the application for the registration of a pension plan, the administrator must send fees in the amount of \$1,500 to the Régie.

4. For the purposes of section 4 of the Act, the plan text must contain the following information:

- (1) the rights and obligations of the administrator, the employer and the plan members provided for under the Act;
- (2) a description of the default investment option as well as the other investment options being offered;
- (3) for each investment option, the percentage of the fees, referred to in paragraph 1 of section 17, that are charged directly or indirectly to members;
- (4) each of the fees referred to in paragraphs 1, 2 and 5 of section 18.
- (5) the frequency at which the investment options chosen by a plan member can be changed;
- (6) where the administrator provides a statement showing changes in the account more often than the frequency provided for in paragraph 1 of section 95 of the Act, the frequency at which the statement is issued;

(7) the requirements a member must meet to be entitled to a transfer or refund of his account, and the frequency at which he may make such a request;

(8) where applicable, the conditions whereby and time limits within which the member or his spouse can receive variable payments.

5. For the purposes of section 8 of the Act, an amendment to a plan may become effective before the date on which it is registered with the Régie where

- (1) the amendment is made for the purpose of complying with a legal requirement. In such case, it must have effect on the date provided for by law;
- (2) the purpose of the amendment is to reflect a change in the name of the administrator. In such case, it must have effect on the date on which the change of name occurs;
- (3) the amendment is to the advantage of the plan members. In such case, it must have effect on the date determined by the administrator.

CHAPTER II ADMINISTRATION OF THE PLAN

DIVISION I CONTRACT AND SUMMARY

6. For the purposes of section 17 of the Act, the contract between the administrator of a plan and an employer or plan member, as the case may be, must contain, in addition to that referred to in section 4, the following information:

- (1) the number assigned to it by the Régie;
- (2) in the case of a contract between the administrator and an employer:
 - a) the frequency at which plan members may change their rate of contribution;
 - b) any contribution that the employer agrees to pay into the plan.

7. In addition to the information prescribed by subparagraph 2 of the first paragraph and the third paragraph of section 19 of the Act, the summary that the administrator transmits to each employee who is a member of the plan shall contain the following information:

- (1) the consequences of the employer's failure to pay his employees' contributions into the plan within the time frame provided for in section 59 of the Act;

(2) any contribution that the employer agrees to pay into the plan;

(3) the conditions whereby and the frequency at which investment options may be changed;

(4) for each investment option, the percentage of the fees, referred to in paragraph 1 of section 17, that are charged directly or indirectly to members;

(5) each of the fees referred to in paragraphs 1, 2 and 5 of section 18;

(6) for each of the fees referred to in paragraphs 4 and 5, the fact that they will be levied, either by deduction from the return on assets or another method;

(7) the conditions whereby a member or the member's spouse may receive variable payments, if applicable;

(8) where the administrator provides a statement showing changes in the account more often than the frequency provided for in paragraph 1 of section 95 of the Act, the frequency at which the statement is issued;

(9) the terms for changing the designated beneficiary in case of the death of the member.

DIVISION II REFUSALS

8. For the purposes of section 21 of the Act, an administrator may refuse an employer's or an individual's application to join the plan where, in the last seven years, the employer or individual has been found guilty of an offence against financial services providers under section 380 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46).

DIVISION III AUTHORIZED INCENTIVES

9. For the purposes of sections 23 and 54 of the Act, the cases where the administrator of a plan may offer, give or agree to offer or give an employer an incentive to induce the employer to enter into a contract with the administrator for the purpose of offering a plan and the cases where an employer may demand, accept or agree to accept an incentive from the administrator of a plan or offer or agree to offer the administrator an incentive to induce the administrator to enter into a contract with the employer for the purpose of offering his employees a plan are as follows:

(1) where an incentive, whether it be a product or service, is to the benefit of the members and the benefit is the same for each member connected to the employer;

(2) where a monetary incentive that is not more than the employer's costs is offered for the transfer of assets from one plan to another.

DIVISION IV ANNUAL INFORMATION RETURNS AND FINANCIAL STATEMENTS

10. The annual statement provided for in section 24 of the Act shall, when transmitted to the Régie, be accompanied with fees determined as follows: \$1,000 plus \$5.00 for each plan member on the ending date of the fiscal year to which the statement pertains.

11. The fees payable per a plan member pursuant to section 10 shall be indexed on 31 December of each year by multiplying the amount payable before that date by the ratio that the average, for the 12-month period ending on 30 June of the current year, of the average weekly salaries and wages for the Industrial Composite in Canada for each of the months comprised in that period, as published by Statistics Canada pursuant to the Statistics Act (Revised Statutes of Canada, 1985, chapter S-19), bears to the average, for the 12-month period ending at the end of June of the year immediately preceding the current year, of the average weekly salaries and wages for the Industrial Composite in Canada for each of the months comprised in that period, as published by Statistics Canada pursuant to the Statistics Act. The result of indexation shall be rounded up to the nearest multiple of \$0.05.

The amount thus determined may not be less than the amount that was payable before indexation.

The Régie shall publish in the *Gazette officielle du Québec* the result of indexation and, if it deems it to be expedient, by way of any other medium.

12. For the purposes of section 24 of the Act, in addition to the information required in section 4600 of the Chartered Professional Accountant Canada Handbook (CPA Canada), the statement of changes in the net assets for the payment of benefits shall present the elements referred to in section 17 separately, either within the body of the financial statement, or in the notes.

DIVISION V INVESTMENT OPTIONS

13. For the purposes of section 25 of the Act, the default investment option is based on a "lifecycle" approach where the degree of risk, based on the member's age, is adjusted as he approaches retirement age. It is composed of one or more investment options referred to in subparagraph 2 of the second paragraph.

Furthermore, the conditions whereby the plan administrator offers other investment options from which the member may choose are as follows:

(1) the same investment options shall be offered to all plan members;

(2) the other investment options shall be selected from the following:

a) an insurance product or annuity;

b) a money deposit in Canadian funds at an institution that holds a license under the Deposit Insurance Act (chapter A-26) or at a bank listed in Schedule I or II of the Bank Act (Statutes of Canada, 1991, chapter 46), or a debt security issued by such an institution or bank, provided a document certifying the institution's or bank's obligation to pay or refund specifically mentions the name of the individual who, on the date the document was issued, is entitled to the payment or refund of the amounts received;

c) investment fund securities;

d) a bond or other debt security issued or guaranteed by a government in Canada, by one of its agencies, or by a municipality in Canada.

14. For each investment option offered under the plan that is not governed by the guidelines adopted in accordance with the Act respecting insurance (chapter A-32) or for an investment fund that is not a reporting issuer in accordance with Québec securities legislation, the administrator shall, in the notice provided for in subparagraph 1 of the first paragraph of section 19 of the Act, send each employee registered for the plan the following information, according to the type of option:

(1) the objective of the investment;

(2) the type of investment and the degree of risk the option entails;

(3) the ten largest investments in the option, distributed according to their fair value;

(4) the prior return on investments for the option;

(5) the fact that the prior return on investments for the option is not necessarily indicative of future performance;

(6) the return on investments set;

(7) the benchmark index that best reflects the makeup of the investment option;

(8) the fees related to the option, expressed as a percentage or as a set amount;

(9) the targets for the distribution of the option's assets;

(10) the possibility of buy-backs and the conditions that apply thereto.

In the case of an individual, the administrator must provide the information before the contract is signed.

15. No later than 10 days after a plan is registered, the administrator shall make available on its Web site or provide in writing on receipt of a request from the member, the information referred to in section 14 or any other equivalent information that it must divulge in accordance with the legislation applicable to it.

16. For the purposes of section 26 of the Act, where the administrator ceases to offer an investment option, the administrator shall notify the affected members as soon as possible.

The notice sent to the affected members must contain the following information:

(1) a description of the investment options offered;

(2) a mention that further information on the investment options is available on a Web site or, where requested by the member, provided in writing;

(3) a mention that the member has 60 days following receipt of the notice to choose another option and, if he fails to do so within the time allotted, a mention of the option that the administrator will retain.

Where, upon the expiry of that 60-day time period, the member has made no choice, the administrator shall place the member's funds in an option similar to the initial option or in the default investment option.

The transfer of the member's funds to a new investment option may not be subject to any fees, deductions or other expenses.

DIVISION VI **LOW COST OF THE PLAN**

17. For the purposes of section 27 of the Act, a plan is low cost where the following criteria are met:

(1) the total of the fees charged directly or indirectly to members, including management and administration fees for each investment option and trailer fees, but excluding the fees provided for under section 18, expressed as a percentage of the average assets, is less than or equal to:

- a) 1.25% for the default investment option;
- b) 1.5% for any other option.

(2) the total of the fees referred to in paragraph 1 is less than or equal to the total fees for the pooled registered pension plan, within the meaning of the Pooled Registered Pension Plans Act (Statutes of Canada, 2012, chapter 16), offered by the administrator.

18. For the purposes of section 27 of the Act, the fees an administrator may charge to members are as follows:

- (1) a maximum of \$50 relating to the transfer of funds to another pension plan;
- (2) those related to the reimbursement of funds;
- (3) those related to financial planning;
- (4) those related to a request for financial advice;
- (5) a maximum of \$100 for carrying out the transfer of benefits between spouses and \$150 for producing the statement of benefits referred to in section 76 of the Act.

DIVISION VII AGREEMENTS

19. For the purposes of section 46 of the Act, the agreement reached between an employer and a professional order, an association or group must contain the following information:

- (1) the employer's name and contact information;
- (2) the frequency at which plan members may change their rate of contribution;
- (3) any contribution that the employer agrees to pay into the plan;
- (4) a mention that contributions will be collected by the employer and remitted to the administrator;
- (5) a mention that the professional order, association or other group, as the case may be, will send a copy of the agreement to the administrator without delay.

DIVISION VIII PERSONAL INFORMATION

20. For the purposes of paragraph 4 of section 47 of the Act, the employer shall provide the administrator with the following personal information concerning each affected employee and each employee who applies to join the plan:

- (1) his name;
- (2) his address;
- (3) his date of birth;
- (4) his social insurance number;
- (5) his gross salary, as defined in the second paragraph of section 22.

DIVISION IX CHANGING PLANS

21. For the purposes of section 50 of the Act, where the employer changes voluntary retirement savings plans, the plan member may elect to leave the amounts he has accrued in the plan or transfer the amounts to the new plan.

The employer may choose to transfer funds from a fixed-term guaranteed investment when the investment matures or prior to its maturity. In the latter case, the employer absorbs any resulting losses.

CHAPTER III CONTRIBUTIONS

DIVISION I CONTRIBUTION RATE

22. For the purposes of section 55 of the Act, the default contribution rate is set at:

- (1) 2% of gross salary, from 1 July 2014 to 31 December 2017;
- (2) 3% of gross salary, from 1 January 2018 to 31 December 2018;
- (3) 4% of gross salary, as of 1 January 2019.

“Gross salary” means any type of remuneration from the employer that is part of the base wages, within the meaning of section 1159.1 of the Taxation Act (chapter I-3), excluding bonuses and remuneration for work carried out in addition to the usual work hours.

23. For the purposes of section 56 of the Act, the member who contributes to a voluntary retirement savings plan for more than 12 months, or before that time period where his employer contributes on his behalf, may set his contribution rate at 0% by sending a signed written notice to the administrator of the plan or to his employer, if applicable. The notice must contain the following information:

- (1) the member's name, address and telephone number;
- (2) the name of his employer.

24. For the purposes of section 60 of the Act, contributions due shall bear interest at the rate set in accordance with section 28 of the Tax Administration Act (chapter A-6.002).

DIVISION II MEMBER ACCOUNTS

25. For the purposes of section 65 of the Act:

(1) the following are also credited to the member's locked-in account:

a) the dividends, refunds or other advantages granted by the administrator with respect to the account;

b) where their transfer into the plan is permitted by the administrator, amounts from a pension plan referred to in section 27 and that provides that the amounts must be locked-in;

(2) the following are also credited to the member's not locked-in account:

a) the dividends, refunds or other advantages granted by the administrator with respect to the account;

b) where their transfer into the plan is permitted by the administrator, amounts transferred other than those referred to in subparagraph *b* of paragraph 1.

26. Where, on 31 December of the year, the balance of the member's accounts for a period of 12 consecutive months is zero and no transactions related to the accounts have been made, the administrator may close the accounts at that date.

Furthermore, where the amounts to be paid to an untraceable member are transferred to the Minister of Revenue pursuant to section 92 of the Act, the administrator may close the accounts of that member.

DIVISION III REFUNDS AND TRANSFERS

27. For the purposes of section 67 of the Act, the pension plans to which amounts from a locked-in account can be transferred where the member's employment is terminated, the member reaches age 55, the member's employer establishes a pension plan or an account referred to in the

third paragraph of section 45 of the Act, or in the case of a member for whom no employer has joined the plan, are as follows:

(1) a supplemental pension plan governed by the Supplemental Pension Plans Act (chapter R-15.1) or governed by an Act emanating from a legislative authority other than the Parliament of Québec and granting entitlement to a deferred pension;

(2) a supplemental pension plan established by an Act emanating from the Parliament of Québec or from another legislative authority;

(3) a life income fund referred to in section 18 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6);

(4) a locked-in retirement account referred to in section 29 of the Regulation respecting supplemental pension plans;

(5) an annuity contract referred to in section 30 of the Regulation respecting supplemental pension plans;

(6) the locked-in account of another voluntary retirement savings plan governed by the Act;

(7) the locked-in account of an equivalent voluntary retirement savings plan emanating from a legislative authority other than the Parliament of Québec, provided the member joins that plan as part of his employment.

28. In the cases provided for in section 68 of the Act and for the purposes of sections 69 and 72 of the Act, the pension plans to which amounts may be transferred are as follows:

(1) a supplemental pension plan governed by the Supplemental Pension Plans Act or by an Act of a legislative authority other than the Parliament of Québec and granting entitlement to a deferred pension;

(2) a supplemental pension plan established by an Act emanating from the Parliament of Québec or from another legislative authority;

(3) a registered retirement income fund defined in section 1 of the Taxation Act;

(4) a registered retirement savings plan defined in section 1 of the Taxation Act;

(5) an annuity contract referred to in section 30 of the Regulation respecting supplemental pension plans;

(6) the not locked-in account of another voluntary retirement savings plan governed by the Act;

(7) the not locked-in account of an equivalent voluntary retirement savings plan emanating from a legislative authority other than the Parliament of Québec, provided the member joins that plan as part of his employment.

29. For the purposes of subparagraph 3 of the first paragraph of section 68 of the Act, the member may withdraw the funds in his locked-in account by applying to the administrator with a declaration in conformity to the one prescribed in Schedule A, where:

(1) the member is at least 65 years of age;

(2) the total of the sums credited to his account in the pension plans referred to in Schedule A do not exceed 40% of the Maximum Pensionable Earnings determined in accordance with the Act respecting the Québec Pension Plan (chapter R-9) for the year in which he applies for the payment.

DIVISION IV VARIABLE PAYMENTS

30. The variable payments that a member or his spouse may receive under section 70 of the Act are subject, for any calendar year, to the minimum provided for in section 31 and, with respect to amounts from the locked-in account, the maximum provided for in section 32.

31. The minimum applicable is the minimum prescribed under paragraph 5 of section 8506 of the Income Tax Regulations enacted under the Income Tax Act (C.R.C. c. 945).

32. The maximum applicable for variable payments is determined in accordance with the rules provided for in sections 19.1, 20, 20.1, 20.3, 20.4, 21 and 22.2 and schedules 0.4, 0.6, 0.7, 0.8 and 0.9 of the Regulation respecting supplemental pension plans, with the following modifications:

(1) by replacing “income” with “variable payment” wherever it appears in the provisions;

(2) by replacing “C” in the formula provided for in sections 20 and 20.3 of that Regulation with the following:

““C” is the balance of the locked-in account at the beginning of the calendar year, increased by any sums transferred to the balance of the locked-in account after that date and reduced by any sums originating directly or

not during the same year from another locked-in account in a voluntary retirement savings plan and a life income fund of the member;”.

33. In the calendar year during which the member reaches age 55, the sum to be paid is multiplied by the quotient of the number of months remaining in the year divided by 12, where a part of a month is considered a month.

34. For the purposes of section 73 of the Act, on the death of a member who was receiving variable payments, the member’s spouse or, if there is no spouse, the member’s successors, shall be entitled to a benefit the amount of which is equal to the balance of the member’s accounts, including interest accrued to the date of payment, or to a transfer of all or part of the amount to a pension plan provided for in section 28 and chosen by the spouse or, if there is no spouse, the member’s successors, to the extent permitted by tax rules.

CHAPTER IV TRANSFER OF BENEFITS BETWEEN SPOUSES

DIVISION I DEFINITIONS AND INTERPRETATION

35. For the purposes of this Chapter:

“date of the valuation” means:

(1) for the purpose of preparing the statement under section 76 of the Act:

a) the date of institution of proceedings, where the statement is requested after the proceedings provided for under the first paragraph of that section have been instituted;

b) the date on which the member and his spouse ceased to live together, where the statement is requested for the purposes of pre-hearing mediation concerning a family matter;

c) the date set for determining the net value of family patrimony, where the statement is requested during a joint procedure before a notary for the dissolution of a civil union;

d) the date on which the spouses’ conjugal relationship ended, where the statement is requested further to the cessation of conjugal relationship between spouses who were not married or in a civil union;

(2) for any other purpose, the date set for the valuation of the member's benefits in the voluntary retirement savings plan by the judgment, transaction contract or agreement giving rise to the partition or transfer of the benefits or, if there is no provision in the judgment, contract or agreement, the date provided for by the act governing the partition of the spouses' property;

“date of institution of the action” means the date of the application for separation from bed and board, for divorce, for annulment of marriage, for the dissolution or annulment of a civil union or for the payment of a compensatory allowance, according to the procedure at the origin of the partition or transfer of benefits.

36. For the purposes of sections 37 to 41 regarding married spouses whose marriage entailed the dissolution of their civil union:

(1) the date of the marriage is replaced with the date of the civil union;

(2) the period of the marriage begins on the date of the civil union.

DIVISION II

STATEMENT OF THE MEMBER'S BENEFITS

37. The application for the statement provided for in section 76 of the Act shall contain the following documents and information:

(1) the name and address of the member and his spouse;

(2) in the case of married spouses, proof of the date of their marriage and either proof of the date on which proceedings were instituted or, where the application is made on the occasion of mediation, a joint declaration of the date on which the spouses ceased to live together;

(3) in the case of spouses in a civil union:

a) proof of the date of their civil union;

b) one of the following documents, as applicable:

i. proof of the date on which proceedings were instituted;

ii. where the application is made on the occasion of mediation, a joint declaration of the date on which the spouses ceased to live together;

iii. where the application is made during a joint procedure before a notary for the dissolution of a civil union, a joint declaration of the date set for determining the net value of family patrimony;

(4) in the case of spouses who were neither married nor in a civil union, an attestation from the member as to his spousal status as well as an attestation from the member and his spouse of the dates on which their conjugal relationship began and ended and, if they lived in a conjugal relationship for at least one year but less than three years, proof of one or the other of the cases referred to in subparagraph 2 of the first paragraph of section 71 of the Act.

The application made on the occasion of mediation shall also contain the written confirmation of an accredited mediator to the effect that he received a mandate within the context of family mediation. The application made on the occasion of a joint procedure before a notary for the dissolution of a civil union must also include written confirmation from a notary to the effect that he received a mandate as part of that procedure.

38. The administrator must, within 60 days of receiving the application, provide the applicant and his spouse with the statement referred to in section 76 of the Act.

That statement is divided into two parts, the first of which must contain the following information:

(1) the value of the total benefits referred to in Division III that have been credited to the locked-in and not locked-in accounts as at the valuation date, broken down by account;

(2) in the case of spouses who are married or in a civil union:

a) the value of the benefits accrued during the marriage or civil union referred to in Division IV, broken down by account;

b) where the administrator does not have information relative to the balance of one of the accounts on the date of the marriage or civil union:

i. the information it has relative to the balance of the account on the date that is the closest to the date of the marriage or civil union;

ii. the interest rate, referred to in the second paragraph of section 40, that applies between the date of the marriage or civil union and the date of the valuation.

The first part of the statement shall be signed by the person who prepared it. Unless the Court is shown that the benefits and periods appearing on the statement must be corrected or that the values appearing on the statement were not determined according to the rules provided for in this Chapter, the statement shall constitute proof of its content.

The second part of the statement must contain the following information:

- (1) the name of the voluntary retirement savings plan and the number assigned to it by the Régie;
- (2) in the case of spouses who are married or in a civil union, the date of the marriage or civil union and the date of the valuation;
- (3) in the case of spouses who were neither married nor in a civil union, the dates of the beginning and end of the conjugal relationship of the member and his spouse;
- (4) the date on which the member joined the plan;
- (5) the name and address of the person to be contacted for any information concerning the plan;
- (6) the rules governing the calculation of the interest that is added to the amount granted to the spouse.

DIVISION III

TOTAL BENEFITS ACCRUED BY THE MEMBER

39. The aggregate benefits of the member correspond to the sums credited to his accounts as at the date of the valuation. The sums must be broken down by locked-in and not locked-in account.

DIVISION IV

VALUE OF THE BENEFITS ACCRUED DURING THE MARRIAGE OR CIVIL UNION

40. The value of the benefits accrued during the marriage or civil union corresponds to the difference between the value of the benefits accrued as at the date of the valuation and the date of the marriage or civil union, increased by interest for the period included between the date of the marriage or civil union and the date of the valuation.

The interest referred to in the first paragraph is calculated at the rates of return used for the account during the period in question. Where that rate is not available, interest is calculated at the average annual rates of return on five-year personal term deposits with chartered banks.

The average annual rates of return referred to in the second paragraph are determined by taking the average of the rates of return on those term deposits, as compiled monthly by Statistics Canada and published in the Bank of Canada's Banking and Financial Statistics in CANSIM series V122515. However, where the annual rates of return published monthly and available for the current year are fewer than six in number, that average is calculated on the basis of the last six rates of return available.

Where the result of the calculation made in accordance with the third paragraph is not a multiple of one-quarter of one percent, the average is rounded down to the nearest one-quarter.

41. The total value of the benefits accrued by the member during his marriage or civil union is equal to the sum of the value of the benefits accrued in each of his accounts during his marriage or civil union.

DIVISION V

EXECUTION OF PARTITION OR OF TRANSFER OF BENEFITS

42. The application for partition or transfer of the member's benefits must be accompanied with a copy of the following documents:

(1) where the application is made further to a judgment of separation from bed and board, of divorce, of annulment of marriage or of the dissolution or annulment of a civil union, or a judgment ordering the payment of a compensatory allowance:

a) the judgment and any other judgment relative to the partition or transfer of the member's benefits;

b) the certificate of non-appeal;

c) any agreement entered into by the spouses relative to the partition or transfer of the member's benefits;

(2) where the application is made further to the dissolution of a civil union by joint declaration before notary, the declaration and the transaction contract;

(3) where the application is made further to the cessation of the conjugal relationship in the case of spouses who were neither married nor in a civil union, the agreement entered into by the spouses relative to the partition of the member's benefits.

43. Unless the application for partition or for execution of the transfer is a joint application, the administrator must, upon receipt, send the applicant's spouse a written notice informing him of that application and of the amount requested by his spouse.

The administrator may not execute the partition or transfer before the expiry of a 60-day period following the sending of that notice to the applicant's spouse, nor may the administrator do so if it is advised that the member's spouse has duly waived his entitlement or that the member has filed a judicial application in order to oppose the partition or transfer.

44. Interest calculated at the rates provided for in the second paragraph of section 40 must be added to the amount payable to the spouse.

Interest accrues from the date of the valuation.

45. Unless the Court indicates otherwise, the administrator may partition the member's benefits or execute the transfer of part of those benefits only to the extent that that partition or that transfer does not have the effect of depriving the member of more than half of the total value of the benefits that he accumulated before and during his marriage or civil union.

Where the judgment, the agreement entered into by spouses who are married or in a civil union or the notarized transaction contract does not provide for the partition of the value of the member's benefits or the amount allocated to the spouse, the value of the benefits that the member accrued during his marriage or civil union is divided equally between the spouses.

46. For the purposes of section 78 of the Act, within 60 days following either receipt of a joint application concerning partition or an execution of a transfer, or the expiry of the period provided for in the second paragraph of section 43 and, except in the latter case, unless it has been notified of the spouse's waiver or of a judicial opposition to the partition or transfer of the member's benefits, the administrator shall, with respect to the sum granted to the spouse, including interest, take one of the following measures:

(1) except in the cases referred to in the second paragraph, transfer the sum deducted from the locked-in account to one of the following pension plans:

a) a pension plan referred to in paragraph 1 or 2 of section 27 of which the spouse is a member, on the understanding that the sum must, in the case of a simplified pension plan referred to in Division IV of the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act (chapter R-15.1, r. 7), be credited to his locked-in account;

b) the locked-in account of the voluntary retirement savings plan in the spouse's name; and as such, the spouse becomes a member of the voluntary retirement savings plan;

c) the locked-in account of another voluntary retirement savings plan;

d) a locked-in retirement account referred to in section 29 of the Regulation respecting supplemental pension plans;

e) a life income fund referred to in section 18 of the Regulation respecting supplemental pension plans;

f) an annuity contract referred to in section 30 of the Regulation respecting supplemental pension plans;

(2) pay or transfer the sum deducted from the not locked-in account or, in the cases referred to in the second paragraph, pay or transfer the sum deducted from the locked-in account to one of the following pension plans:

a) another pension plan of which the spouse is a member, on the understanding that the sum must, in the case of a simplified pension plan, be credited to his not locked-in account;

b) the not locked-in account of the voluntary retirement savings plan in the spouse's name; and as such, the spouse becomes a member of the voluntary retirement savings plan;

c) the not locked-in account of another voluntary retirement savings plan;

d) the not locked-in account of an equivalent voluntary retirement savings plan emanating from a legislative authority other than the Parliament of Québec, provided the member joins that plan as part of his employment;

e) a registered retirement savings plan;

f) a registered retirement income fund defined in section 1 of the Taxation Act;

g) an annuity contract referred to in section 30 of the Regulation respecting supplemental pension plans.

The cases mentioned in subparagraph 2 of the first paragraph are as follows:

(1) the sum to be remitted to the spouse is less than 20% of the Maximum Pensionable Earnings determined under the Act respecting the Québec Pension Plan for the year in which the application regarding transfer or partition is filed;

(2) the spouse is considered not to have resided in Canada for the purposes of the Taxation Act, for at least two years.

Where the spouse fails to inform the administrator of the payment method selected, the administrator may, on its own initiative and on the expiry of that time period, transfer the sum to be paid to the spouse to one of the plans referred to in subparagraphs 1 or 2 of the first paragraph.

47. The partition or transfer of a member's benefits executed in the year of a judgment of separation from bed and board, of divorce, of annulment of marriage or the dissolution or annulment of civil union, or a judgment ordering the payment of a compensatory allowance may be revoked or annulled only for one of the causes provided for in article 424 of the Civil Code of Québec.

48. The sums paid to the spouse must be deducted from each of the member's locked-in and not locked-in accounts by the proportion the sum represents of the value of the accounts on the date of partition.

DIVISION VI **SEIZURE OF THE MEMBER'S BENEFITS**

49. The benefits allocated to the spouse may be paid without taking into account the conditions or time periods that affect the member's benefits.

50. The benefits awarded to the spouse following a seizure referred to in the third paragraph of section 78 of the Act are first deducted from the member's not locked-in account.

CHAPTER V **WINDING-UP AND TERMINATION**

51. The options that a member may exercise for the settlement of his benefits in accordance with subparagraph *b* of subparagraph 2 of the second paragraph of section 84 of the Act are as follows:

(1) the locked-in account may be transferred to one of the pension plans referred to in section 27;

(2) the not locked-in account may be paid or transferred to one of the pension plans referred to in section 28.

52. In addition to the information provided for in the second paragraph of section 84 of the Act, the statement sent to members by the administrator following a decision rendered by the Régie concerning the liquidation of the plan assets must contain the following information:

- (1) the member's name;
- (2) the date on which the member joined the plan;
- (3) the name of the voluntary retirement savings plan and the number assigned to it by the Régie;
- (4) the name of the administrator;
- (5) the name, address and telephone number of the person to be contacted for any information concerning the plan;

(6) the name of any person entered in the records of the plan as the spouse or beneficiary of the member or, where necessary, a mention of the absence of an entry related to either of those capacities;

(7) the date on which the statement was established;

(8) for the period elapsed since the end of the fiscal year covered by the last annual statement sent to the member affected until the date on which the statement was established:

- a)* the contributions made to each account;
 - b)* the dividends, refunds or other benefits granted with respect to each account;
 - c)* the refunds, transfers or variable payments made with respect to each account;
 - d)* the interest accrued since the last statement;
- (9) the fees deducted from the account since the last statement;
- (10) the investments.

Where the administrator provides more than one statement showing changes in the member's accounts during a single fiscal year, the information provided for in the first paragraph must pertain to the period elapsed since the last statement was sent to the member.

CHAPTER VI **OBLIGATION TO INFORM**

53. The statement that the administrator of a plan must send to each member pursuant to paragraph 1 of section 95 of the Act must contain

- (1) the member's name;
- (2) the date on which the member joined the plan;
- (3) the name of the voluntary retirement savings plan and the number assigned to it by the Régie;
- (4) the name of the administrator;
- (5) the name, address and telephone number of the person to be contacted for any information concerning the plan;
- (6) the name of any person entered in the records of the plan as the spouse or beneficiary of the member or, where necessary, a mention of the absence of an entry related to either of those capacities;

- (7) the date on which the statement was established;
- (8) for each account:
 - a)* the contributions made during the fiscal year;
 - b)* the refunds, transfers or variable payments made during the fiscal year;
 - c)* the interest accrued during the fiscal year;
 - d)* the dividends, refunds or other advantages granted;
 - e)* the fees deducted during the fiscal year;
- (9) the balance of each of the accounts at the end of the fiscal year;
- (10) the investments;
- (11) the summary of the transactions during the period in question with regard to investments;
- (12) the benchmark index that reflects the makeup of each of the member's investment options;
- (13) the past return on investments for the member's investment option for one, 3, 5 and 10 years, compared with those of the benchmark;
- (14) the degree of risk for each of the member's investment options, including a statement that the prior return on investments for each option is not necessarily indicative of future performance;
- (15) the fees other than those referred to in subparagraph *e* of subparagraph 8, expressed as a percentage or as a set amount;
- (16) where the member has chosen to receive variable payments:
 - a)* the maximum amount that may be paid to the member or his spouse as variable payments during the current year;
 - b)* the minimum amount that must be paid to a member or his spouse as variable payments during the current year;
 - c)* where the member or his spouse is entitled to a temporary variable payment:
 - i. the conditions he must meet in order to be entitled;
 - ii. the reference temporary variable payment for the current year;

iii. under what conditions the member or his spouse may obtain a temporary variable payment greater than the reference temporary variable payment;

iv. the effect of payment of an amount greater than the amount referred to in subparagraph *a*, for each year until the end of the year in which the member or his spouse reaches 65 years of age, on the amounts that may be paid to him after that date;

d) that the transfer to the locked-in account of sums originating directly or not from a life income fund of the purchaser or a locked-in account of another voluntary retirement savings plan of a member during the same year may not result in a revision of the maximum amount that may be paid to the member from the locked-in account during the fiscal year;

e) that if the member wishes to transfer, in whole or in part, the balance of his locked-in account and still receive from the account the amount that he determined for the year, he must ensure that the balance of the account after the transfer is at least equal to the difference between the amount determined for the year and the amount he has already received since the beginning of the year.

Where the administrator provides more than one statement showing changes in the member's accounts during a single fiscal year, the information provided for in subparagraphs 8, 9 and 11 of the first paragraph must pertain to the period elapsed since the last statement was sent to the member.

54. The statement that the plan administrator must send to the affected member, for the purpose of paragraph 2 of section 95 of the Act, must contain

(1) the date on which the member's employment ended or the date on which the member reaches age 55, as the case may be;

(2) for the period elapsed since the last statement received in accordance with paragraph 1 of section 95 of the Act until the date referred to in paragraph 1 above, the information provided for in subparagraphs 1 to 10 and 14 of the first paragraph of section 53;

(3) the terms for payment in full for each of the accounts;

(4) the fees for refunds or transfers;

(5) the cases provided for in section 68 of the Act entitling the member to a refund of the funds in his locked-in account.

55. The statement that the administrator of a plan must send to the spouse of a deceased member or to his successors, in accordance with paragraph 3 of section 95 of the Act, must contain:

(1) the name of the deceased member and his date of death;

(2) for the period elapsed since the last statement received in accordance with paragraph 1 of section 95 of the Act until the date of the member's death, the information provided for in subparagraphs 1 to 10 and 14 of the first paragraph of section 53;

(3) the individual who, based on the information at the administrator's disposal, is entitled to the amounts credited to each of the member's accounts and in what capacity;

(4) the terms for payment;

(5) the fees for refunds or transfers.

CHAPTER VII PUBLICATION OF INFORMATION

56. In addition to that which is provided for in section 101 of the Act, the Régie publishes the following information on its Web site:

(1) the names and contact information of administrators that have a voluntary retirement savings plan registered with the Régie;

(2) the fees referred to in paragraph 1 of section 17 and in paragraphs 1, 2 and 5 of section 18.

57. This Regulation comes into force on 1 July 2014.

(SCHEDULE A)

(s. 29)

DECLARATION OF THE MEMBER

I declare:

(1) that the total of the sums credited to my account in the following pension plans:

a) defined contribution pension plans;

b) defined benefit or defined benefit-defined contribution pension plans in application of provisions similar to those of a defined contribution plan;

c) life income funds;

d) locked-in retirement accounts;

e) the locked-in accounts of voluntary retirement savings plans governed by the Voluntary Retirement Savings Plans Act (2013, chapter 26),

is \$ _____;

(2) that the total is based on the most recent information that I have;

(3) that the said information is less than 18 months old.

(Signature) _____ (Date) _____

Regulation to amend the Regulation respecting supplemental pension plans

Supplemental Pension Plans Act
(chapter R-15.1, s. 244, 1st par., subpar. 4 and 14)

1. Section 13 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6) is amended by replacing, in paragraph 2, "\$1,000 to which is added \$5.95 for each active plan member on the date of the application" with "\$1,500".

2. Section 13.0.1 of the Regulation is amended by replacing, in the second paragraph, "\$4.50" with "\$5.00".

3. Section 13.0.2 of the Regulation is amended

(1) by striking out "2," in the first paragraph after "under paragraph";

(2) by striking out "the first paragraph of" in the first paragraph after "of section 13 or pursuant to".

4. Section 16.2 of the Regulation is amended by inserting, after "created by law" in element W of the formula provided for in the first paragraph, "from the locked-in account of a voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act (2013, chapter 26) or the locked-in account of an equivalent voluntary retirement savings plan emanating from a legislative authority other than the Parliament of Québec and offering temporary variable payments".

5. Section 19 of the Regulation is amended

(1) by inserting after "2," "2.1, 2.2," in subparagraph 0.1;

(2) by inserting after "2," "2.1, 2.2," in subparagraph 7.

6. Section 20 of the Regulation is amended by inserting after “life income fund” in element C of the formula provided for in the first paragraph, “or the locked-in account of a voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act and offering variable payments”.

7. Section 20.3 of the Regulation is amended by inserting, after “life income fund of the purchaser” in element C of the formula provided for in subparagraph 2 of the first paragraph, “, or from a locked-in account in his voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act and offering variable payments”.

8. Section 20.4 of the Regulation is amended

(1) by adding, in element T of the formula provided for in subparagraph 2 of the first paragraph, the following subparagraph:

“(c) the total of the amounts that the member has determined or that he must determine for the locked-in account of his voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act for the maximum temporary variable payments for the current fiscal year.”;

(2) by adding, after “life income fund of the purchaser” in subparagraph 2 of the second paragraph, “, or from a locked-in account of his voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act and offering variable payments”.

9. Section 22.2 of the Regulation is amended by inserting, after “in their entirety from a life income fund of a given purchaser”, “, or from the locked-in account of his voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act and offering variable payments”.

10. Section 24 of the Regulation is amended

(1) by adding, in subparagraph 2 of the first paragraph, “, or from the locked-in account of his voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act and offering variable payments”;

(2) by inserting, after “life income fund of the purchaser” in subparagraph 7, “, or from the locked-in account of his voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act and offering variable payments”.

11. Section 24.1 of the Regulation is amended

(1) by inserting in the part preceding paragraph 1, after “life income fund of the purchaser”, “, or from the locked-in account of his voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act and offering variable payments”;

(2) by inserting, after “life income fund of the purchaser” in paragraph 1, “, or from the locked-in account of his voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act and offering variable payments”.

12. Section 28 of the Regulation is amended by inserting, after paragraph 2, the following:

“(2.1) the locked-in account of a voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act;

“(2.2) the locked-in account of an equivalent voluntary retirement savings plan emanating from a legislative authority other than the Parliament of Québec, provided the member joins that plan as part of his employment.”.

13. Section 29 of the Regulation is amended

(1) by inserting “2.1, 2.2,” after “2,” in subparagraph 1 of the second paragraph;

(2) by inserting “2.1, 2.2,” after “2,” in subparagraph 8 of the second paragraph.

14. Section 30 of the Regulation is amended by inserting “2.1, 2.2,” after “2,” in paragraph 1;

15. Section 31 of the Regulation is amended by inserting “2.1, 2.2,” after “2,” in paragraph 1.

16. Section 31.1 of the Regulation is amended by inserting “2.1, 2.2,” after “2,” in the first paragraph.

17. Section 50 of the Regulation is amended:

(1) by inserting “2.1, 2.2,” after “paragraph” in subparagraph 1 of the first paragraph;

(2) by inserting, after “section 28” in subparagraph 3, “or the not locked-in account of a voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act”;

(3) by inserting “2.1, 2.2,” after “2,” in subparagraph 2 of the second paragraph.

18. Schedule 0.2 of the Regulation is amended by adding, after subparagraph *e* of paragraph 1, the following subparagraph:

“(f) the locked-in account of a voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act (2013, chapter 26).”

19. Schedule 0.3 of the Regulation is amended by inserting, before “is \$_____”, the following:

“(3) that the total of the temporary variable payments that I will receive under a voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act (2013, chapter 26) or under an equivalent voluntary retirement savings plan emanating from a legislative authority other than the Parliament of Québec.”

20. Schedule 0.4 of the Regulation is amended by adding, after paragraph 3, the following:

“(4) that the overall total maximum temporary variable payments that I have determined for the locked-in accounts of my voluntary retirement savings plans governed by the Voluntary Retirement Savings Plans Act (2013, chapter 26), excluding the one for which I am making this declaration, is \$_____”.

21. Schedule 0.8 of the Regulation is amended by inserting, after “of my life income funds” in paragraph 2, “and the locked-in accounts of my voluntary retirement savings plans governed by the Voluntary Retirement Savings Plans Act (2013, chapter 26) and offering temporary variable payments”.

22. Schedule 0.9 of the Regulation is amended by inserting, after “or indirectly from a life income fund established by a contract”, “, or from the locked-in account of a voluntary retirement savings plan governed by the Voluntary Retirement Savings Plans Act (2013, chapter 26) and offering variable payments”.

23. This Regulation comes into force on 1 July 2014. However, paragraph 2 of section 3 of this Regulation applies to a fiscal year ending after 30 December 2016.

Municipal Affairs

Gouvernement du Québec

O.C. 165-2014, 26 February 2014

An Act respecting municipal territorial organization
(chapter O-9)

Rectification of the territorial boundaries of Canton de Hatley and Ville de Sherbrooke and validation of acts performed by those municipalities

WHEREAS Canton de Hatley annexed, on 4 January 1997, part of the territory of Municipalité d'Ascot;

WHEREAS that part of the territory was adjacent to the territory of Ville de Rock Forest;

WHEREAS an inaccuracy occurred in the description of the boundary of the territory annexed by Canton de Hatley formed by chemin Dunant;

WHEREAS the inaccuracy results from the change of the site of chemin Dunant in 1985;

WHEREAS, on 1 January 2002, Municipalité d'Ascot was amalgamated with Ville de Rock Forest and five other municipalities to form Ville de Sherbrooke;

WHEREAS it is expedient to include the territory described in the Schedule in the territorial boundaries of Ville de Sherbrooke and to validate the acts it performed in its regard;

WHEREAS it is expedient to exclude that territory from the territorial boundaries of Canton de Hatley and to validate the acts it performed in its regard;

WHEREAS the Minister of Municipal Affairs, Regions and Land Occupancy, in accordance with section 179 of the Act respecting municipal territorial organization (chapter O-9), transmitted to Canton de Hatley, Ville de Sherbrooke and Municipalité régionale de comté de Memphrémagog a notice containing the proposed rectification, termination of administration of a part of the territory and validation of acts that the Minister intends to submit to the Government;

WHEREAS Canton de Hatley, Ville de Sherbrooke and Municipalité régionale de comté de Memphrémagog have notified the Minister that they agree with the proposed rectification;

WHEREAS the Government may, under sections 178 and 192 of the Act, rectify the territorial boundaries of a municipality and validate the acts the municipality performed without right in a territory not subject to its jurisdiction;

WHEREAS the Government may, under sections 192 and 193 of the Act, terminate the administration of a territory under a rectification;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs, Regions and Land Occupancy:

THAT the territorial boundaries of Canton de Hatley and Ville de Sherbrooke be rectified and that the acts performed be validated as follows:

1. The territorial boundaries of the former Ville de Rock Forest included, for the period between 28 September 1985 and 1 January 2002, the territory described by the Minister of Natural Resources on 7 November 2013. That description is attached as a schedule;

2. The territorial boundaries of the former Canton d'Ascot or the former Municipalité d'Ascot did not include, for the period between 28 September 1985 and 4 January 1997, the territory described in the Schedule;

3. The territorial boundaries of Canton de Hatley do not include, since 4 January 1997, the territory described in the Schedule;

4. The territorial boundaries of Ville de Sherbrooke include, since 1 January 2002, the territory described in the Schedule;

5. Canton de Hatley must, as of the coming into force of this Rectification of the territorial boundaries, cease the administration of the territory described in the Schedule;

6. No allegation of illegality may be raised against acts performed by the former Canton d'Ascot or the former Municipalité d'Ascot, the former Ville de Rock Forest, Ville de Sherbrooke or Canton de Hatley with respect to the territory described in the Schedule on the grounds that they had no jurisdiction in respect of the territory.

THAT this Order in Council come into force on the date of its publication in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION PREPARED FOR
THE PURPOSE OF RECTIFYING A PART OF THE
TERRITORIAL BOUNDARIES OF CANTON DE
HATLEY, IN MUNICIPALITÉ RÉGIONALE DE
COMTÉ DE MEMPHRÉMAGOG AND VILLE
DE SHERBROOKE (OUTSIDE THE RCM)

The territory to be rectified, including with reference to the cadastre of Québec, lots or parts of lots and their successor lots, is included in the perimeter starting at the apex of the northeast angle of lot 2 131 942 that follows the following lines and demarcations: southwesterly, the south-east boundary of lot 2 131 942; southerly, part of the east boundary of lot 2 131 945 to its meeting with the central axis of rue Dunant; southwesterly, the said central axis of rue Dunant in lots 2 131 945 and 2 340 836 to its meeting point with the extension southerly of the west boundary of lot 2 340 841; lastly, northerly and northeasterly, the said extension, the west boundary of lot 2 340 841, the west and northwest boundary of lot 2 131 937, then the northwest boundary of lot 2 131 942, up to the starting point.

The perimeter defines the territory to be rectified in favour of Ville de Sherbrooke

Ministère des Ressources naturelles
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Prepared in Québec, on 7 November 2013

By: _____
GENEVIÈVE TÉTREault,
Land Surveyor

Record: 518688

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Notices

Notice

An Act respecting prescription drug insurance
(chapter A-29.01)

List of Medications

— Change made during the year 2013

In accordance with section 60.3 of the Act respecting prescription drug insurance, the Régie de l'assurance maladie du Québec hereby gives notice of the amendments made, during the 2013 calendar year, to the List of Medications attached to the Regulation respecting the list of Medications covered by the basic prescription drug insurance plan, made by Order 2007-005, dated 1 June 2007, of the Minister of Health and Social Services.

List of Medications covered by the basic prescription drug insurance plan

Website: <http://www.ramq.gouv.qc.ca/en/regie/legal-publications/Pages/list-medications.aspx>

Amendments	Date of coming into force	Date of publication
New List (replacement of APPENDIX I)	14 January 2013	11 January 2013
End of replacement pursuant to section 60.1	2 January 2013	29 January 2013
End of replacement pursuant to section 60.1	8 January 2013	29 January 2013
End of replacement pursuant to section 60.1 (three notices)	9 January 2013	29 January 2013
Replacement pursuant to section 60.1	9 January 2013	5 February 2013
Replacement pursuant to section 60.1	14 February 2013	26 February 2013
End of replacement pursuant to section 60.1	26 February 2013	26 February 2013
End of replacement pursuant to section 60.1	5 March 2013	6 March 2013
New List (replacement of APPENDIX I)	15 March 2013	13 March 2013
End of replacement pursuant to section 60.1	2 March 2013	14 March 2013
End of replacement pursuant to section 60.1	17 April 2013	17 April 2013
New List (replacement of APPENDIX I)	19 April 2013	17 April 2013
End of replacement pursuant to section 60.1	30 April 2013	29 April 2013
Correction pursuant to section 60.2 (English version)	19 April 2013	8 May 2013
Replacement pursuant to section 60.1	30 April 2013	22 May 2013
End of replacement pursuant to section 60.1	3 June 2013	22 May 2013

Amendments	Date of coming into force	Date of publication
End of replacement pursuant to section 60.1	17 May 2013	24 May 2013
New List (replacement of APPENDIX I)	3 June 2013	31 May 2013
Replacement pursuant to section 60.1	21 May 2013	5 June 2013
Replacement pursuant to section 60.1	1 May 2013	12 June 2013
End of replacement pursuant to section 60.1	3 June 2013	12 June 2013
Replacement pursuant to section 60.1	3 June 2013	12 June 2013
End of replacement pursuant to section 60.1	25 July 2013	3 July 2013
New List (replacement of APPENDIX I)	15 July 2013	12 July 2013
Replacement pursuant to section 60.1 (two notices)	12 July 2013	22 July 2013
Replacement pursuant to section 60.1	11 July 2013	30 July 2013
Correction pursuant to section 60.2 (correction No.1)	15 July 2013	31 July 2013
Correction pursuant to section 60.2 (correction No.2)	15 July 2013	31 July 2013
Replacement pursuant to section 60.1	29 July 2013	10 September 2013
Replacement pursuant to section 60.1	6 August 2013	10 September 2013
Replacement pursuant to section 60.1	19 July 2013	18 September 2013
End of replacement pursuant to section 60.1	23 September 2013	20 September 2013
End of replacement pursuant to section 60.1	27 September 2013	20 September 2013
New List (replacement of APPENDIX I)	1 October 2013	27 September 2013
End of replacement pursuant to section 60.1	11 September 2013	30 September 2013
Correction pursuant to section 60.2	1 October 2013	1 October 2013
End of replacement pursuant to section 60.1 (two notices)	1 October 2013	10 October 2013
Replacement pursuant to section 60.1	16 October 2013	1 November 2013
End of replacement pursuant to section 60.1	13 November 2013	12 November 2013
New List (replacement of APPENDIX I)	15 November 2013	13 November 2013
Replacement pursuant to section 60.1	5 November 2013	15 November 2013
Replacement pursuant to section 60.1	8 November 2013	26 November 2013
Amendment No.1	18 December 2013	16 December 2013
Replacement pursuant to section 60.1 (two notices)	18 November 2013	13 January 2014
Replacement pursuant to section 60.1 (two notices)	19 November 2013	13 January 2014
Replacement pursuant to section 60.1	25 November 2013	13 January 2014
Replacement pursuant to section 60.1	6 December 2013	13 January 2014
End of replacement pursuant to section 60.1	18 December 2013	13 January 2014

Amendments	Date of coming into force	Date of publication
Replacement pursuant to section 60.1	30 October 2013	17 January 2014
Replacement pursuant to section 60.1	18 December 2013	17 January 2014
Replacement pursuant to section 60.1	20 December 2013	17 January 2014
Replacement pursuant to section 60.1	30 December 2013	17 January 2014
Replacement pursuant to section 60.1	20 December 2013	27 January 2014
Replacement pursuant to section 60.1 (two notices)	18 November 2013	19 February 2014
Replacement pursuant to section 60.1	20 December 2013	19 February 2014

CHANTAL GARCIA,
*Secretary General of the
 Régie de l'assurance maladie du Québec*

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Notice

Health Insurance Act
 (chapter A-29)

Tariff regulations with respect to the property and services specified in the fifth, sixth and seventh paragraphs of section 3 — Replacements and amendments

In accordance with section 72.1 of the Health Insurance Act, the Régie de l'assurance maladie du Québec hereby gives notice of the replacements and amendments made in the 2013 calendar year to the tariff regulations with respect to the property and services specified in the fifth, sixth and seventh paragraphs of section 3 of the Health Insurance Act. Those replacements and amendments, respectively directed to insured devices which compensate for a motor deficiency, visual aids and hearing aids, were published on the website of the Régie de l'assurance maladie du Québec.

Tariff for insured devices which compensate for a motor deficiency and related services (A-29, r. 9)

Website: <http://www.ramq.gouv.qc.ca/en/publications/citizens/legal-publications/Pages/tariff-insured-devices-compensate-motor-deficiency.aspx>

Replacements or amendments	Date of coming into force	Date of publication
Amendment to the schedule to the Regulation (tariff)		
Replacement of SCHEDULE I	1 July 2013	17 June 2013

Tariff for insured hearing aids and related services (A-29, r. 8)Website: <http://www.ramq.gouv.qc.ca/en/regie/legal-publications/Pages/tariff-insured-hearing-aids.aspx>

Replacements or amendments	Date of coming into force	Date of publication
Amendment to the schedule to the Regulation (tariff)		
Amendments to PART I, PART II and PART III	1 July 2013	17 June 2013

Tariff for insured visual aids and related services (A-29, r. 8.1)Website: <http://www.ramq.gouv.qc.ca/en/publications/citizens/legal-publications/Pages/tariff-insured-visual-aids.aspx>

Replacements or amendments	Date of coming into force	Date of publication
Amendment to the schedule to the Regulation (tariff)		
Amendments to PART IV	15 February 2013	15 February 2013
Amendment to the schedule to the Regulation (tariff)		
Amendments to PART IV	1 July 2013	17 June 2013
Amendment to the schedule to the Regulation (tariff)		
Replacement of SCHEDULE I	16 December 2013	16 December 2013

Original signed by

CHANTAL GARCIA,
*Secretary General of the
 Régie de l'assurance maladie du Québec*

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Notice

Natural Heritage Conservation Act
 (chapter C-61.01)

**Rivière-du-Diable Nature Reserve
 (Station Mont Tremblant)
 — Recognition**

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (chapter C-61.01), that the Minister of Sustainable Development, Environment, Wildlife and Parks has recognized as a nature reserve, a private property of the area of 73,82 hectares, situated on the territory of the Ville de Mont-Tremblant, Regional

County Municipality des Laurentides, known and designated as a part of lot number 2 803 530, the lot number 2 803 769 and a part of lot number 2 803 770 of the Quebec Land Register, Terrebonne Registry division.

This recognition, for perpetuity, takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

PATRICK BEAUCHESNE,
Director of Ecological Heritage and Parks

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

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