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Part

2

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Laws and Regulations

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Summary

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Contents

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PROVINCE OF QUÉBEC

1ST SESSION

41ST LEGISLATURE

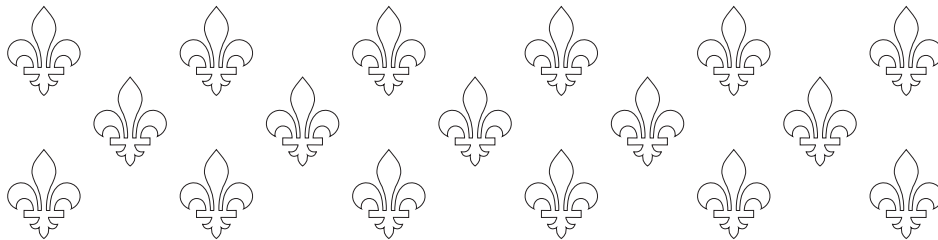
QUÉBEC, 22 OCTOBER 2014

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 22 October 2014*

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

- 2 An Act to amend the Educational Childcare Act
- 8 An Act to amend the Labour Code with respect to certain employees of farming businesses

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



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 2
(2014, chapter 8)

An Act to amend the Educational Childcare Act

Introduced 22 May 2014
Passed in principle 12 June 2014
Passed 21 October 2014
Assented to 22 October 2014

**Québec Official Publisher
2014**

EXPLANATORY NOTES

The purpose of this Act is to clarify the concept of related person in the Educational Childcare Act as regards certain ties between persons governed by that Act, including family members and relatives.

The Act authorizes the Minister responsible for the Educational Childcare Act to require from a day care permit holder the information or documents necessary to ascertain the existence or absence of ties described in that Act, and introduces a mechanism for reviewing decisions with regard to the concept of related person.

Lastly, it specifies additional circumstances in which the Minister may cancel or reduce the subsidy granted to a recipient or suspend its payment, including when a recipient refuses or neglects to provide the information required by the Minister.

LEGISLATION AMENDED BY THIS ACT:

- Educational Childcare Act (chapter S-4.1.1).

Bill 2

AN ACT TO AMEND THE EDUCATIONAL CHILDCARE ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 3 of the Educational Childcare Act (chapter S-4.1.1) is amended

(1) by replacing subparagraph *a* of paragraph 2 by the following subparagraph:

“(a) subject to section 93.3, the person’s spouse or child, the child of the person’s spouse, or the person’s mother, father, aunt, uncle, brother or sister or their spouse;”;

(2) by adding the following subparagraph after subparagraph *e* of paragraph 2:

“(f) a person, other than a financial institution, who directly or indirectly grants the person a security, a loan or any other economic benefit in relation to the establishment of a day care centre delivering subsidized childcare or the funding of its activities.”

2. The Act is amended by inserting the following sections after section 93.2:

“**93.3.** For the purposes of sections 93.1 and 93.2, the persons referred to in subparagraph *a* of paragraph 2 of section 3 are considered related to one another if one directly or indirectly participates with the other in the operation or management of a day care centre delivering subsidized childcare.

“**93.4.** A day care permit applicant or holder who files an application with the Minister to obtain subsidized childcare spaces or to enter into a subsidy agreement must send the Minister, in the form determined by the Minister, the name and contact information of any permit applicant or holder with whom the day care permit applicant or holder is related within the meaning of paragraph 2 of section 3 or a declaration attesting to the absence of ties described in that paragraph.

“**93.5.** A day care permit applicant or holder to whom subsidized childcare spaces have been granted must inform the Minister without delay of any change in the applicant’s or holder’s circumstances that could call into question the applicant’s or holder’s entitlement to a subsidy under the law or the subsidy agreement entered into with the Minister.

“**93.6.** The Minister may require from the persons described in section 93.4 or a person with whom the Minister has entered into a subsidy agreement any

document or information necessary to ascertain the existence or absence of ties described in paragraph 2 of section 3.

“93.7. For the purposes of sections 93.1 and 93.2, a day care permit applicant or holder who is dissatisfied with a decision with regard to the concept of related person may, within seven days after notification of the decision, apply in writing for its review.

“93.8. The Minister designates the persons responsible for reviewing decisions with regard to the concept of related person. The persons designated must not come under the same administrative authority as the person who rendered the decision under review.

“93.9. After giving the person concerned an opportunity to submit observations and produce documents to complete the record, the person responsible for reviewing the decision renders a decision on the basis of the record. The person may confirm, quash or vary the decision under review.

“93.10. The application for review must be dealt with promptly. The review decision must be rendered within 15 days after receipt of the application or, as applicable, after the expiry of the time requested by the applicant to submit observations or produce documents.

“93.11. The review decision must be written in clear and concise terms, with reasons given, and be notified to the applicant.”

3. Section 97 of the Act is amended, in the first paragraph,

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

“(1.1) makes a false declaration or distorts a material fact when applying for subsidized childcare spaces or entering into a subsidy agreement;”;

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

“(2.1) refuses or neglects to inform the Minister of any change in the recipient’s circumstances that could call into question the recipient’s entitlement to a subsidy under the law or under the subsidy agreement entered into with the Minister;

“(2.2) refuses or neglects to provide any document or information required by the Minister under section 93.6;”.

4. This Act comes into force on 11 September 2014.

Regulations and other Acts

Notice of adoption

An Act respecting transportation services by taxi (chapter S-6.01)

Taxi owners

— Maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation

Notice is given, pursuant to section 10.1 of the Act respecting transportation services by taxi (chapter S-6.01), that the Commission des transports du Québec has adopted the Regulation amending the Regulation respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation of which the text is reproduced below.

Firstly, this draft replaces the names of the Saint-Marc-Des-Carières and Deschambault areas by the single name Saint-Marc-Des-Carières. This name change results from the Commission des transports du Québec's decision 2014 QCCTQ 2005 dated August 7, 2014, in which the territories of both taxi servicing areas were merged.

In addition, it replaces the administrative numbers of the two areas 203411 for Saint-Marc-Des-Carières and 203410 for Deschambault by the single number 213415 for the new name Saint-Marc-Des-Carières.

Finally, it adds together the number of taxi owner's permits issuable in each of the taxi servicing areas whose territories were merged 7 for Saint-Marc-Des-Carières and 2 for Deschambault and assigns the sum, in this case 9, to the new name Saint-Marc-Des-Carières. This calculation does not modify the total number of taxi permits that can be issued in the territory of the taxi servicing area resulting from the merger.

Secondly, it replaces the administrative number 206307 for the Saint-Roch-de-l'Achigan area by the number 206308 in accordance with the Commission des transports du Québec's decision 2013 QCCTQ 1995 dated July 25, 2013.

Thirdly, it replaces the names of the Latulipe-et-Gaboury and Laforce areas by the single name Nord-Est-Témiscamingue. This name change results from the Commission des transports du Québec's decision QPTC07-00279 dated November 1, 2007, in which the territories of both taxi servicing areas were merged.

In addition, it replaces the administrative number of the two areas 208501 for Latulipe-et-Gaboury and 208505 for Laforce by the single number 208508 for the new name Nord-Est-Témiscamingue.

Finally, it adds together the number of taxi owner's permits issuable in each of the taxi servicing areas whose territories were merged 2 for Latulipe-et-Gaboury and 2 for Laforce and assigns the sum, in this case 4, to the new name Nord-Est-Témiscamingue. This calculation does not modify the total number of taxi permits that can be issued in the territory of the taxi servicing area resulting from the merger.

The Commission des transports du Québec's decisions are available on its website at: www.ctq.gouv.qc.ca.

Pursuant to section 10 and 11 of the Regulations Act (chapter R-18.1), a draft regulation was published in Part 2 of the *Gazette officielle du Québec* of October 29, 2014, with a notice that it would be adopted upon expiry of a 45 day period following its publication. Following its publication, the Commission did not receive any comments.

Pursuant to section 17 of the Regulations Act (chapter R-18.1), the Regulation amending the Regulation respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation, attached hereto, comes into force 15 days after the date of its publication in the *Gazette officielle du Québec*.

CHRISTIAN DANEAU,
*Secretary of the Commission
des transports du Québec*

Regulation amending the Regulation respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation

An Act respecting transportation services by taxi (chapter S-6.01)

1. The schedule of the Regulation respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation is amended as follows:

a) Through the removal of the line containing the administrative number 203410;

b) Through the removal of the line containing the administrative number 203411;

c) Through the addition, in chronological order, of a line containing the number “203415” in the column entitled Administrative Number of the Commission des transports du Québec, and through the addition to this line of the name “Saint-Marc-Des-Carières” in the column entitled Servicing Area and the number “9” in the column entitled Taxi Owner’s Permits;

d) Through the replacement of the number “206307” by the number “206308” in the column entitled Administrative Number of the Commission des transports du Québec;

e) Through the removal of the line containing the administrative number 208501;

f) Through the removal of the line containing the administrative number 208505;

g) Through the addition, in chronological order, of a line containing the number “208508” in the column entitled Administrative Number of the Commission des transports du Québec, and through the addition to this line of the name “Nord-Est-Témiscamingue” in the column entitled Servicing Area and the number “4” in the column entitled Taxi Owner’s Permits.

2. This Regulation comes into force 15 days after the date of its publication in the *Gazette officielle du Québec*.

Erratum

M.O., 2014

**Order number 2014-015 of the Minister
of Immigration, Diversity and Inclusiveness
dated 28 November 2014**

An Act respecting immigration to Québec
(chapter I-0.2)

Regulation to amend the Regulation respecting the
weighting applicable to the selection of foreign nationals

Gazette officielle du Québec, Part 2, December 30,
2014, Vol. 146, No. 53, page 2928.

On page 2930, the fourth sentence of section 5 should
read as follows: “the date of coming into force of this
Regulation”.

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

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