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**DU Québec**

**Part**

**2**

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**Laws and Regulations**

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**Summary**

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### Contents

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- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (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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**PROVINCE OF QUÉBEC**

1ST SESSION

41ST LEGISLATURE

QUÉBEC, 10 JUNE 2016

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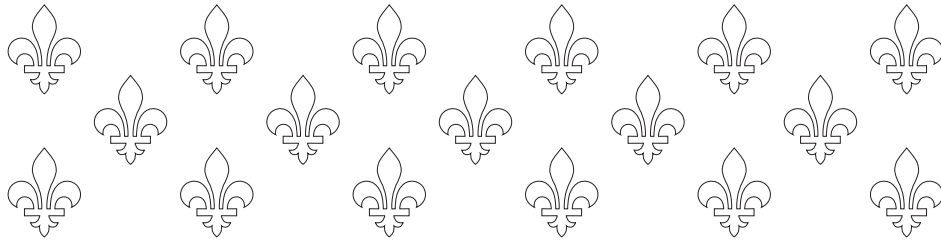
**OFFICE OF THE LIEUTENANT-GOVERNOR***Québec, 10 June 2016*

This day, at forty minutes past six o'clock in the evening, the Honourable the Administrator of Québec was pleased to assent to the following bills:

- 101 An Act to give effect to the Charbonneau Commission recommendations on political financing
- 103 An Act to strengthen the fight against transphobia and improve the situation of transgender minors in particular
- 111 An Act to ensure resumption of the regular maritime transport services provided by Relais Nordik inc. and to settle the dispute between that company and some of its employees
- 212 An Act respecting Ville de Saguenay
- 215 An Act respecting Municipalité de Sainte-Anne-de-Sorel
- 218 An Act respecting Ville de Chibougamau
- 219 An Act respecting Ville de Sherbrooke
- 492 An Act to amend the Civil Code to protect seniors' rights as lessees

To these bills the Royal assent was affixed by the Honourable the Administrator of Québec.





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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 101  
(2016, chapter 18)

**An Act to give effect to the Charbonneau  
Commission recommendations on  
political financing**

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**Introduced 12 May 2016  
Passed in principle 24 May 2016  
Passed 10 June 2016  
Assented to 10 June 2016**

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**Québec Official Publisher  
2016**

## EXPLANATORY NOTES

*This Act amends the Election Act in order to give effect to the recommendations of the Commission of Inquiry on the Awarding and Management of Public Contracts in the Construction Industry mainly regarding political financing.*

*Under this Act, volunteer work for an authorized entity must be performed personally, voluntarily, without compensation and for no consideration.*

*The provisions of the Election Act regarding loans and suretyships are strengthened through the introduction of a new declaration intended to prevent name-lending and of a \$25,000 ceiling on loans granted and suretyships contracted by an elector.*

*Under this Act, official representatives, delegates, official agents and deputies must undergo training prepared by the Chief Electoral Officer. Moreover, financial reports and expense returns must be signed by the party leader, candidate, Member or, as applicable, the highest ranking official designated by the authorized party authority and must be accompanied by a declaration regarding the rules on financing and election expenses. The same obligations apply in the case of reports and returns in the context of a party leadership campaign. In addition, financial reports must be accompanied by a list of persons authorized to solicit contributions.*

*The Chief Electoral Officer must make public on the Chief Electoral Officer's website any request made to an authorized entity to remit a contribution or part of a contribution made contrary to the law.*

*The Chief Electoral Officer must prepare an annual report on the application of the financing rules set out in the Election Act, the Act respecting elections and referendums in municipalities and the Act respecting school elections and on the advisability of modifying those rules.*

*This Act makes various amendments to the Chief Electoral Officer's delegation, inspection and inquiry powers, makes some of those amendments declaratory, and extends the application of the subdivisions concerning inspections and inquiries to other election Acts and regulations.*



*This Act allows the Chief Electoral Officer and any person designated in accordance with the law to use the information contained in the list of electors for inspections, inquiries and proceedings.*

*This Act introduces a penal offence for electors who make a false declaration regarding a loan or suretyship and makes that offence a corrupt electoral practice. It also introduces an offence applicable to anyone who contravenes the provisions relating to the Chief Electoral Officer's access powers or fails to comply with a formal demand, as well as a general offence applicable to anyone who hinders the Chief Electoral Officer or the persons designated in accordance with the law. A daily fine is introduced for delays in providing certain financial information.*

*The prescription period for penal proceedings, and consequently the retention period for documents, is increased from five to seven years. Furthermore, the Act withdraws the time limit after which a contributor is no longer required to remit to the Chief Electoral Officer a contribution or part of a contribution made contrary to the Election Act and provides that all such contributions must from now on be paid to the Minister of Finance. The Act also provides that the Chief Electoral Officer may request an order from the competent court to have a contribution made contrary to the law remitted to the Chief Electoral Officer. In addition, the Chief Electoral Officer may inform an authorized entity in writing that it is holding such a contribution for which the prescription period for claiming it has expired.*

*Lastly, consequential amendments are made to the Act respecting elections and referendums in municipalities and the Act respecting school elections.*

**LEGISLATION AMENDED BY THIS ACT:**

- Act respecting elections and referendums in municipalities (chapter E-2.2);
- Act respecting school elections (chapter E-2.3);
- Election Act (chapter E-3.3).



## Bill 101

### AN ACT TO GIVE EFFECT TO THE CHARBONNEAU COMMISSION RECOMMENDATIONS ON POLITICAL FINANCING

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### ELECTION ACT

**1.** The Election Act (chapter E-3.3) is amended by inserting the following section before section 40.39:

“**40.38.4.** The Chief Electoral Officer or any person designated by him in accordance with the law may use any information contained in the permanent list of electors for an inspection, inquiry and proceedings related to the application of this Act or the regulations or any other Act or regulation partly or wholly under his administration.”

**2.** The Act is amended by inserting the following section after section 45:

“**45.1.** Within 30 days after being appointed, official representatives and delegates shall undergo training given by the Chief Electoral Officer on political financing rules.

Official representatives and delegates shall also undergo any refresher training given by the Chief Electoral Officer.

The Chief Electoral Officer shall, by directive, determine the other particulars regarding all such training.”

**3.** Section 65 of the Act is amended by adding the following sentences at the end of the first paragraph: “The name, address and telephone number of the official agent of each authorized party and candidate and, if applicable, the official agent’s deputies shall also be set out in the registers. In addition, an entry shall be made in the registers to indicate whether or not the persons subject to section 45.1 or 408.1 have undergone the training required under the first paragraph of those sections.”

**4.** Section 88 of the Act is amended

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

“(1) volunteer work performed personally and voluntarily, the result of such work and the use of a personal vehicle for that purpose, provided they are performed or provided without compensation and for no consideration;”;

(2) by inserting “, in accordance with sections 105 and 105.1,” after “by an elector” in subparagraph 4 of the second paragraph;

(3) by striking out “, or a guarantee granted by an elector as surety” in subparagraph 4 of the second paragraph;

(4) by inserting the following subparagraph after subparagraph 4 of the second paragraph:

“(4.1) a suretyship contracted by an elector in accordance with sections 105 and 105.1;”.

**5.** Section 100 of the Act is amended

(1) by replacing the first two paragraphs by the following paragraphs:

“If a contribution or part of a contribution was made contrary to this division, the authorized entity shall, as soon as the fact is known, remit such a contribution to the Chief Electoral Officer.

The sums remitted must be paid to the Minister of Finance.

The Chief Electoral Officer may, after notifying the official representative of the authorized entity of his intention, apply to the competent court for an order to comply with the first paragraph.”;

(2) by striking out the third paragraph.

**6.** The Act is amended by inserting the following section after section 100:

“**100.0.1.** The Chief Electoral Officer may inform an authorized entity in writing that it is holding a contribution or part of a contribution made contrary to this division and whose prescription period has expired.”

**7.** The Act is amended by inserting the following section after section 104:

“**104.1.** Any loan granted by an elector shall be made by cheque or other order of payment signed by the elector and drawn on the elector’s account in a bank, trust company or financial services cooperative having an office in Québec.”

**8.** Section 105 of the Act is amended by inserting the following paragraph after the second paragraph:

“The deed of loan or of suretyship shall also include a declaration by the elector stating that the loan is granted or the suretyship contracted out of the elector’s own property, voluntarily, without compensation and for no consideration, and that it has not been nor will be reimbursed in any other way than as stipulated in the deed.”

**9.** The Act is amended by inserting the following section after section 105:

**“105.1.** For the same elector, the total of the following amounts may not exceed \$25,000:

(1) the outstanding principal of any loan granted for the benefit of one or more authorized entities; and

(2) any sum for which the elector remains surety in connection with loans contracted by one or more authorized entities.”

**10.** Section 106 of the Act is amended by replacing “comply with section 100, adapted as required” in the second paragraph by “remit them to the Chief Electoral Officer, who shall pay them over to the Minister of Finance”.

**11.** Section 115 of the Act is amended by inserting “in accordance with subparagraph 4.1 of the second paragraph of section 88” after “who became surety” in subparagraph 4 of the first paragraph.

**12.** The Act is amended by inserting the following section after section 115:

**“115.1.** The financial report of an authorized party shall be signed by the leader of the party and accompanied by a declaration by the party leader in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the party leader has been informed of the financing rules, that he has reminded the persons authorized to solicit contributions of their obligation to comply with those rules, that he has been informed of the party’s solicitation practices and considers that they comply with the law, that he has read the report and that he has obtained any clarification he wished to receive regarding its content.

The report shall also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.”

**13.** The Act is amended by inserting the following section after section 116:

**“116.1.** The annual financial report contemplated in section 113 must be accompanied by a list of the designations made under section 92 during the fiscal year covered by the report, drawn up in the form prescribed by the Chief Electoral Officer.”

**14.** Section 117 of the Act is amended by replacing the second paragraph by the following paragraphs:

“The financial report shall contain

(1) an income statement made in accordance with section 114;

(2) the information prescribed in section 115; and

(3) the signature of the authorized independent Member, the Member or, failing that in the latter case, the highest ranking official designated in writing by the authorized party authority.

The report must be accompanied by a declaration by the person referred to in subparagraph 3 of the second paragraph that is made in accordance with section 115.1, applied with the necessary modifications, and by a declaration by the official representative that is made in the form prescribed by the Chief Electoral Officer. In addition, a list of the designations made under section 92 during the fiscal year covered by the report must accompany the report. This list must be drawn up in the form prescribed by the Chief Electoral Officer.”

**15.** Section 122 of the Act is amended, in the second paragraph,

(1) by replacing “, and the information provided for in section 115” by “, the information prescribed in section 115 and the candidate’s signature”;

(2) by inserting “, as well as a list of the designations made under section 92 during the fiscal year covered by the report, drawn up in the form prescribed by the Chief Electoral Officer” at the end of the second sentence;

(3) by adding the following sentence at the end: “The report must also be accompanied by a declaration by the candidate that is made in accordance with section 115.1, applied with the necessary modifications, and by a declaration by the official representative that is made in the form prescribed by the Chief Electoral Officer.”

**16.** Section 126 of the Act is amended by inserting “the list of designations made under section 92,” after “public information, except” in the first paragraph.

**17.** Section 127.8 of the Act is amended by inserting “the reference to section 105.1 in subparagraphs 4 and 4.1 and” after “except” in the first paragraph.

**18.** The Act is amended by inserting the following section after section 127.16:

**“127.16.1.** The return of leadership campaign income and expenses shall be signed by the candidate and accompanied by a declaration by the candidate in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the candidate has been informed of the rules regarding financing and campaign expenses, that he has reminded the persons authorized to solicit contributions and those authorized to incur or authorize expenses of their obligation to comply with those rules, that he has been informed of the solicitation practices and considers that they comply with the law, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.

The return shall also be accompanied by a declaration by the financial representative in the form prescribed by the Chief Electoral Officer.”

**19.** Section 127.17 of the Act is amended by adding the following sentence at the end of the first paragraph: “Section 127.16.1 applies, with the necessary modifications, to the latter return.”

**20.** The Act is amended by inserting the following section after section 127.19:

**“127.19.1.** The return of leadership campaign expenses shall be signed by the person holding the office of leader of the party or interim leader on the day of the vote and accompanied by a declaration by that person in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the person has been informed of the rules regarding campaign expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.

The return shall also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.”

**21.** The Act is amended by inserting the following section after section 408:

**“408.1.** Within 10 days of being appointed, official agents and their deputies shall undergo training given by the Chief Electoral Officer on the control of election expenses.

Official agents and deputies shall also undergo any refresher training given by the Chief Electoral Officer.

The Chief Electoral Officer shall, by directive, determine the other particulars regarding all such training.”

**22.** Section 417 of the Act is amended by replacing the second paragraph by the following paragraph:

“A person may nevertheless personally and voluntarily, without compensation and for no consideration, do volunteer work and provide the use of his personal vehicle for that purpose.”

**23.** The Act is amended by inserting the following section after section 432:

**“432.1.** The return of election expenses of the official agent of a candidate shall be signed by the candidate and accompanied by a declaration by the candidate in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the candidate has been informed of the rules regarding campaign expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.”

**24.** The Act is amended by inserting the following section after section 434:

**“434.1.** The return of election expenses of the official agent of an authorized party shall be signed by the leader of the party and accompanied by a declaration by the party leader in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the party leader has been informed of the rules regarding election expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.”

**25.** The Act is amended by inserting the following before section 485:

“§1. — *Role of the Chief Electoral Officer*”.

**26.** Section 485 of the Act is amended by inserting “and the regulations” after “of this Act” in the first paragraph.

**27.** Section 486 of the Act is amended

(1) by inserting “and the regulations” after “of this Act” in the introductory clause of the first paragraph;

(2) by inserting “or the regulations” after “of this Act” in subparagraph 3 of the first paragraph;

(3) by replacing “complaints and make inquiries where he considers it necessary” in subparagraph 4 of the first paragraph by “and process complaints”;



(4) by inserting “or the regulations” after “of this Act” in the second paragraph.

**28.** Section 488 of the Act is amended by inserting the following after paragraph 2:

“(2.1) make public the fact that he requested that an authorized entity remit to him a contribution or part of a contribution, pursuant to section 100, by publishing the request on his website 30 days after it was made, along with the name of the authorized entity, the number of contributors, the number and amount of the contributions or parts of contributions concerned, the period they cover, and whether or not they were prescribed;”.

**29.** The Act is amended by inserting the following after section 490:

“§2. — *Inspections*

“**490.1.** The Chief Electoral Officer may carry out inspections to verify compliance with this Act or the regulations.

The provisions of this subdivision apply, with the necessary modifications, to inspections carried out for the purposes of Chapters XIII and XIV of Title I of the Act respecting elections and referendums in municipalities (chapter E-2.2), Chapter XI of the Act respecting school elections (chapter E-2.3), and the regulations concerning matters related to those provisions.

“**490.2.** An inspector may

(1) enter, at any reasonable hour, premises where books, registers, accounts, records and other documents are or should be kept that are relevant for verifying compliance with this Act or the regulations, or where an activity is carried on in a field governed by this Act or the regulations;

(2) inspect the premises, take photographs and verify or examine anything that is relevant for the purposes of this Act or the regulations;

(3) use any computer, equipment or other thing that is on the premises in order to access data that is relevant to the inspection and contained in an electronic device, computer system or other medium or to audit, examine, process, copy or print out such data;

(4) require any information, the communication of any relevant document to examine it or make a copy of it, and the production of any book, register, account, record or other relevant document, in order to verify compliance with this Act or the regulations;

(5) use or cause to be used any copying equipment on the premises; and

(6) be accompanied by a person or persons of his or her choice when carrying out inspection duties.

A person having custody, possession or control of the documents or things referred to in this section shall, on request, communicate them to the inspector and facilitate their examination.

However, the inspector shall not enter a residence without the occupant's consent.

**“490.3.** An inspector may, by a formal demand notified by registered mail or personal service, require that any person, whether subject to this Act or not, file by registered mail or personal service, within a reasonable time specified in the demand, any information or documents useful for verifying compliance with this Act or the regulations.

The person to whom the demand is made shall comply with it within the specified time regardless of whether the person has already filed such information or documents pursuant to a similar demand or pursuant to an obligation under this Act or the regulations.

**“490.4.** If a person does not provide access, assistance, information, documents or things as required under section 490.2 or 490.3, the Chief Electoral Officer may apply to a judge of the Court of Québec acting in chambers and that judge may order the person to provide such access, assistance, information, documents or things to the Chief Electoral Officer, or may make any order to remedy the failure that is the subject of the application, if the judge is satisfied

(1) that the person was required under section 490.2 or 490.3 to provide such access, assistance, information, documents or things and did not do so; and

(2) that the professional secrecy to which lawyers and notaries are bound cannot be invoked.

A notice must be served on the person concerned at least five days before the application is heard.

The order must be notified to the person concerned by registered mail or personal service, unless it is made from the bench in the person's presence.

The order may be appealed to the Court of Appeal, with leave of a judge of that court. However, an appeal does not suspend the enforcement of the order, unless the judge seized of the appeal decides otherwise. The judgment cannot be appealed.

*“§3.—Inquiries”.*

**30.** Section 491 of the Act is amended

(1) by adding “or the regulations” at the end of the first sentence;

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

“This subdivision applies, with the necessary modifications, to inquiries made for the purposes of the Act respecting elections and referendums in municipalities (chapter E-2.2), the Act respecting school elections (chapter E-2.3) and the regulations under those Acts.”

**31.** Section 492 of the Act is amended by replacing “where he considers the request” by “where the request is”.

**32.** The Act is amended by inserting the following section after section 493:

**“493.1.** In the course of an inquiry into an offence under this Act or the regulations, a judge of the Court of Québec may, on an *ex parte* application following an information laid in writing and under oath by the Chief Electoral Officer or a person he designates, order a person, other than the person under inquiry,

(1) to communicate information, or to produce documents, or copies of them certified by affidavit to be true copies; or

(2) to prepare and communicate a document that is based on existing documents or information.

The order shall require the documents or information to be communicated within the time, at the place and in the form specified and given to the person named in the order.

Before making an order, the judge must be satisfied that there are reasonable grounds to believe

(1) that an offence under this Act or the regulations is being or has been committed;

(2) that the documents or information will afford evidence respecting the commission of the offence; and

(3) that the person who is the subject of the order has possession or control of the documents or information.

The order may contain any terms and conditions that the judge considers appropriate, including terms and conditions to protect lawyers’ and notaries’ professional secrecy.

Where the judge who makes the order or any other judge having jurisdiction to make such an order is satisfied, on an *ex parte* application made on the basis of an affidavit submitted by the Chief Electoral Officer in support of the application or by any person he designates, that the interests of justice warrant the granting of the application, the judge may vary or revoke the order or set a new time limit.

Every copy of a document communicated under this section, on proof by affidavit that it is a true copy, is admissible in evidence in any proceeding and has the same probative force as the original document would have if it had been proved in the ordinary way.”

**33.** The Act is amended by inserting the following section after section 495:

**“495.1.** Subject to the first paragraph of section 488.1, sections 489, 489.1, 490, 516, 525, 542 and 542.2 and the first paragraph of section 550, the Chief Electoral Officer may entrust the exercise of any power or function conferred on him by this Act or the regulations to a member of his personnel.

The Chief Electoral officer or a member of his personnel authorized under the first paragraph may also designate any person to make inquiries or carry out inspections with regard to any matter relating to the application of this Act or the regulations. In such a case, the designated person may exercise any inspection or inquiry powers or functions conferred on the Chief Electoral Officer. Such a person must, on request, identify himself and produce a document attesting his authority.

The first paragraph does not prevent the Chief Electoral Officer from entrusting to any person the functions referred to in the first paragraph of section 59, the third paragraph of section 335.2, section 370.4, the second paragraph of section 370.11, the first paragraph of section 494, or sections 499 and 509.”

**34.** Section 496 of the Act is amended by striking out the second paragraph.

**35.** Section 542 of the Act is amended by striking out “or new rules regarding the financing of political parties” at the end of the second paragraph.

**36.** The Act is amended by inserting the following section after section 542.1:

**“542.2.** The Chief Electoral Officer shall prepare a report on the application of the financing rules set out in Title III and Chapter VI of Title IV of this Act, Chapters XIII and XIV of Title I of the Act respecting elections and referendums in municipalities (chapter E-2.2) and Chapter XI of the Act respecting school elections (chapter E-2.3) and on the advisability of modifying them.

The report shall be submitted before 1 April to the President of the National Assembly, who shall table it in the Assembly within 15 days or, if the Assembly is not sitting, within 15 days of resumption. The competent committee of the National Assembly shall subsequently examine the report.”

**37.** The Act is amended by inserting the following sections after section 559.1:

**“559.1.1.** Every person who contravenes section 490.2 or 490.3 is guilty of an offence and is liable to a fine of \$1,000 to \$10,000 in the case of a natural person and \$2,000 to \$20,000 in other cases.

The fines are doubled for a subsequent offence.

**“559.1.2.** Every person who hinders or attempts to hinder the actions of the Chief Electoral Officer or any person he designates in accordance with the law, while the Chief Electoral Officer or designated person is performing the functions of office and where no other penalty is prescribed, is guilty of an offence and is liable to a fine of \$500 to \$10,000 in the case of a natural person and \$1,000 to \$20,000 in other cases.

The fines are doubled for a subsequent offence.”

**38.** Section 563 of the Act is amended by adding the following paragraph at the end:

“In addition, every person who does not provide information or documents required in accordance with section 112.1 within the prescribed time is liable to a fine of \$50 for each day of delay.”

**39.** Section 564 of the Act is amended by replacing “102 to 106” by “102 to 104.1, the first and second paragraphs of section 105, sections 105.1, 106”.

**40.** The Act is amended by inserting the following section after section 564.1:

**“564.1.1.** An elector who falsely declares that a loan is granted or a suretyship contracted out of the elector’s own property, voluntarily, without compensation and for no consideration, and that it has not been nor will be reimbursed in any way other than as stipulated in the deed of loan is liable to a fine of \$5,000 to \$20,000 for a first offence and of \$10,000 to \$30,000 for every subsequent offence within 10 years.”

**41.** Section 567 of the Act is amended by inserting “, in section 564.1.1” after “in section 564.1” in the first paragraph.

**42.** Section 572.1 of the Act is amended by replacing “neither the Chief Electoral Officer nor his employees may” by “the Chief Electoral Officer, his employees, and any other person designated by the Chief Electoral Officer to carry out an inspection or inquiry may not”.

**43.** Section 572.2 of the Act is amended by replacing “or his employees” by “, his employees, or any other person designated by the Chief Electoral Officer to carry out an inspection or inquiry”.

**44.** Section 573 of the Act is amended by inserting “any person designated by him to carry out an inspection or inquiry,” after “Chief Electoral Officer,” in the first paragraph.

**45.** Sections 118, 127.16, 127.17, 127.19, 436 and 569 of the Act are amended by replacing all occurrences of “five years” by “seven years”.

#### ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

**46.** Section 90.6 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended

(1) by replacing “may” by “shall”;

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

“(1.1) make public the fact that he requested that a party or an independent candidate remit to him a contribution or part of a contribution, under section 440, by publishing the request on his website 30 days after it was made, along with the name of the party or independent candidate, the number of contributors, the number and amount of the contributions or parts of contributions concerned, the period they cover, and whether or not they were prescribed;”.

**47.** Section 428 of the Act is amended by replacing paragraph 1 by the following paragraph:

“(1) volunteer work performed personally and voluntarily and the result of such work, without compensation and for no consideration;”.

**48.** Section 440 of the Act is amended

(1) by replacing the first two paragraphs by the following paragraphs:

“If a contribution or part of a contribution was made contrary to this chapter, the party or independent candidate shall, as soon as the fact is known, remit such a contribution to the treasurer.

The sums remitted must be paid into the municipality’s general fund.

The Chief Electoral Officer may, after notifying the official representative of a party or of an independent candidate of his intention, apply to the competent court for an order to comply with the first paragraph.”;

(2) by striking out the third paragraph.

**49.** The Act is amended by inserting the following section after section 440:

**“440.0.1.** The Chief Electoral Officer may inform a party or independent candidate in writing that the party or candidate is holding a contribution or part of a contribution made contrary to this chapter and whose prescription period has expired.”

**50.** Section 614 of the Act is replaced by the following section:

**“614.** Every person holding a contribution made contrary to Chapter XIII of Title I who fails to remit the amount of the contribution or the amount at which the contribution is evaluated to the treasurer immediately on becoming aware of the fact is guilty of an offence.”

#### ACT RESPECTING SCHOOL ELECTIONS

**51.** Section 30.9 of the Act respecting school elections (chapter E-2.3) is amended

(1) by replacing “may” by “shall”;

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

“(1.1) make public the fact that he requested that an authorized candidate remit to him a contribution or part of a contribution, under section 206.26, by publishing the request on his website 30 days after it was made, along with the name of the authorized candidate, the number of contributors, the number and amount of the contributions or parts of contributions concerned, the period they cover, and whether or not they were prescribed;”

**52.** Section 206.26 of the Act is amended

(1) by replacing the first two paragraphs by the following paragraphs:

“If a contribution or part of a contribution was made contrary to this chapter, the authorized candidate must, as soon as the fact is known, remit such a contribution to the director general of the school board.

The sums remitted must be paid into the school board’s general fund.

The Chief Electoral Officer may, after notifying the authorized candidate of his intention, apply to the competent court for an order to comply with the first paragraph.”;

(2) by striking out the third paragraph.

**53.** The Act is amended by inserting the following section after section 206.26:

**“206.26.0.1.** The Chief Electoral Officer may inform an authorized candidate in writing that the authorized candidate is holding a contribution or part of a contribution made contrary to this chapter and whose prescription period has expired.”

#### TRANSITIONAL AND FINAL PROVISIONS

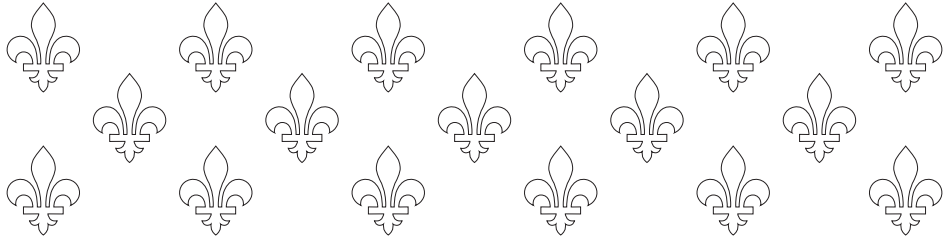
**54.** The official representatives, delegates, financial representatives, official agents and deputies in office on 1 January 2017 must take the training required under section 2 or 21, as applicable, before 1 January 2018.

**55.** Paragraph 2 of each of sections 5, 48 and 52 has effect from 10 December 2010.

**56.** Sections 40.38.4, 490.1 and 495.1 of the Election Act (chapter E-3.3), enacted by sections 1, 29 and 33, and the new provisions of sections 485, 486, 491, 492, 572.1, 572.2 and 573 of the Election Act, enacted by sections 26, 27, 30, 31 and 42 to 44, are declaratory.

**57.** This Act comes into force on 10 June 2016, except sections 2 and 3, paragraphs 2 to 4 of section 4, sections 7 to 9, 11 and 12, sections 14 and 15 except insofar as they concern the sending of a list of designations made under section 92, and sections 17 to 21, 23, 24, 35 and 39 to 41, which come into force on 1 January 2017.





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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 103  
(2016, chapter 19)

**An Act to strengthen the fight against  
transphobia and improve the situation of  
transgender minors in particular**

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**Introduced 31 May 2016  
Passed in principle 8 June 2016  
Passed 10 June 2016  
Assented to 10 June 2016**

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**Québec Official Publisher  
2016**

## EXPLANATORY NOTES

*This Act amends the Civil Code to provide that a minor child 14 years of age or over may act alone in applying for a change of name to the registrar of civil status and that, in such a case, the application will not be granted, except for a compelling reason, if both the minor child's parents, as legal tutors, or the tutor, if any, have not been notified of the application or if one of them objects to it.*

*The Civil Code is amended to allow a parent who is aware that the minor child's other parent intends to object to a change of name for the minor child to submit an application for a change of name to the court rather than to the registrar of civil status.*

*The Civil Code is also amended to allow a minor child to obtain from the registrar of civil status a change of designation of sex as it appears in the act of birth. More specifically, the Act provides that an application for a change of designation of sex for a minor child under 14 years of age may be made by the child's tutor and that the change will not be granted, except for a compelling reason, if the other tutor has not been notified of the application or objects to it. In addition, a tutor who is aware that the other tutor intends to object to the change of designation of sex of a minor child under 14 years of age may submit an application to the court rather than to the registrar of civil status. An application for a minor child who is 14 years of age or over may be made by the child alone or by the child's tutor, with the child's consent.*

*The Charter of human rights and freedoms is amended to provide for an explicit protection against discrimination based on gender identity or expression.*

*The Code of Civil Procedure is also amended to provide that when a court is seized of an application for a change of designation of sex for a minor child, the hearing is held in camera, access to the court record is restricted and the anonymity of the parties is protected.*

*Lastly, the Regulation respecting change of name and of other particulars of civil status is amended to prescribe the conditions that a minor child will be required to meet to obtain a change of designation of sex as it appears in the child's act of birth and also to ensure consistency with the amendments made to the Civil Code.*

**LEGISLATION AMENDED BY THIS ACT:**

- Civil Code of Québec;
- Charter of human rights and freedoms (chapter C-12);
- Code of Civil Procedure (chapter C-25.01).

**REGULATION AMENDED BY THIS ACT:**

- Regulation respecting change of name and of other particulars of civil status (chapter CCQ, r. 4).



## Bill 103

### AN ACT TO STRENGTHEN THE FIGHT AGAINST TRANSPHOBIA AND IMPROVE THE SITUATION OF TRANSGENDER MINORS IN PARTICULAR

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

**1.** Article 59 of the Civil Code of Québec is amended

(1) in the first paragraph,

(a) by replacing “A person of full age” by “A person”;

(b) by replacing “est domicilié” in the French text by “est domiciliée”;

(c) by replacing “apply for a change of name” by “be the subject of an application for a change of name”;

(d) by striking out the last sentence;

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

“A child under one year of age, born and domiciled in Québec, is considered to have been domiciled in Québec for at least one year.”

**2.** Article 60 of the Code is replaced by the following article:

“**60.** An application for a change of name for a minor child may be made by the child’s tutor or by the minor child alone if the child is 14 years of age or over.

An application for a change of the surname of the father or mother as declared in the act of birth of a minor child is also valid for the minor child if the child bears the same surname or part of that surname.”

**3.** Article 61 of the Code is amended, in the first paragraph,

(1) by replacing “ses motifs” in the French text by “les motifs au soutien de la demande”;

(2) by replacing “of his or her father and mother” by “of the father and mother of the person who is the subject of the application and, if applicable”;

(3) by replacing “his or her married or civil union spouse” by “that person’s married or civil union spouse”.

**4.** Article 62 of the Code is amended

(1) in the first paragraph,

(a) by replacing “the tutor” by “, as the case may be, the father and mother of the minor child as legal tutors, the tutor, if any”;

(b) by replacing “has not been notified of the application or objects to it” by “have not been notified of the application or if any of those persons object to it”;

(2) in the second paragraph,

(a) by replacing “However,” by “The same applies”;

(b) by replacing “only the minor has the right to object” by “except with respect to the right to object reserved to the tutor of a minor under 14 years of age or to the minor 14 years of age or over”.

**5.** Article 63 of the Code is amended by replacing “sexual identity” in subparagraph 2 of the first paragraph by “gender identity”.

**6.** The Code is amended by inserting the following article after article 66:

**“66.1.** A person who wishes to file an application for a change of name for a minor child by way of administrative process may, if an objection is made, as the case may be, by the father and mother as legal tutors, by the tutor, if any, or by the minor 14 years of age or over, submit the application to the court before it is filed with the registrar of civil status.”

**7.** Article 67 of the Code is amended by replacing “sexual identity” in subparagraph 2 of the second paragraph by “gender identity”.

**8.** Article 71 of the Code is amended

(1) by replacing “sexual identity” in the first paragraph by “gender identity”;

(2) by replacing “only a person of full age who has been domiciled” in the third paragraph by “only a person who has been domiciled”;

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

“A child under one year of age, born and domiciled in Québec, is considered to have been domiciled in Québec for at least one year.

The conditions prescribed by government regulation that must be met to obtain such changes may vary, in particular according to the age of the person who is the subject of the application.”

**9.** The Code is amended by inserting the following article after article 71:

“**71.1.** An application for a change of designation of sex for a minor child may be made by the minor alone if the minor is 14 years of age or over or by the minor’s tutor with the minor’s consent. If the minor is under 14 years of age, the application must be made by the minor’s tutor.

In the latter case, the change of designation of sex is not granted, except for a compelling reason, if the other tutor has not been notified of the application or objects to it.”

**10.** The Code is amended by inserting the following article after article 73:

“**73.1.** A tutor who wishes to file an application for a change of designation of sex for a minor under 14 years of age may, if the other tutor objects to it, submit the application to the court before an application to obtain such a change is filed with the registrar of civil status.”

## CHARTER OF HUMAN RIGHTS AND FREEDOMS

**11.** Section 10 of the Charter of human rights and freedoms (chapter C-12) is amended by inserting “gender identity or expression,” after “sex,” in the first paragraph.

## CODE OF CIVIL PROCEDURE

**12.** Article 15 of the Code of Civil Procedure (chapter C-25.01) is amended

(1) by inserting “or in matters regarding a change of designation of sex as it appears in a minor child’s act of birth” after “In family matters” in the first paragraph;

(2) by replacing “cette matière” in the second paragraph in the French text by “ces matières”.

**13.** Article 16 of the Code is amended by inserting “or in matters regarding a change of designation of sex as it appears in a minor child’s act of birth” after “In family matters” in the first paragraph and by inserting “or in a matter regarding a change of designation of sex as it appears in a minor child’s act of birth” after “in a family matter” in the last paragraph.

REGULATION RESPECTING CHANGE OF NAME AND OF OTHER PARTICULARS OF CIVIL STATUS

**14.** Section 2 of the Regulation respecting change of name and of other particulars of civil status (chapter CCQ, r. 4) is amended

(1) by striking out “to change the name of a person of full age only” in the introductory clause and by inserting “on the person who is the subject of the application” after “information” in the same clause;

(2) by replacing the second and third occurrences of “qu’il” in paragraph 1 in the French text by “qu’elle”;

(3) by replacing “il est domicilié” in paragraph 4 in the French text by “elle est domiciliée”;

(4) by replacing “il est devenu citoyen canadien, s’il est né” in paragraph 5 in the French text by “elle est devenue citoyenne canadienne, si elle est née”;

(5) by replacing “the applicant’s marital status and, if the applicant is married,” in paragraph 7 by “the person’s civil status and, if the person is married or in a civil union,” and by inserting “or civil union” after “marriage” in the same paragraph;

(6) by replacing “s’il en a” in paragraph 8 in the French text by “si elle en a”;

(7) by replacing “s’il a” and “qu’il” in paragraph 9 in the French text by “si elle a” and “qu’elle”, respectively;

(8) by replacing “il” in paragraph 10 in the French text by “elle”;

(9) by replacing “applicant” and “applicant’s” wherever they appear by “person” and “person’s”, respectively.

**15.** Section 3 of the Regulation is replaced by the following section:

**“3.** An application concerning a minor child must include the following information, in addition to the information required under section 2:

(1) the domiciliary address of the child’s father and mother on the date on which the application is filed;

(2) if the child’s father or mother has been deprived of parental authority by a judicial decision, an indication of that fact;

(3) if the child’s filiation has been changed by a judicial decision, an indication of that fact; and



(4) if the child has a tutor, a statement that a tutor has been appointed to the child, either by a judicial decision, or by will or by a declaration filed with the Public Curator in accordance with article 200 of the Civil Code, the tutor's name, the tutor's domiciliary address, the mode of appointment of the tutor and the effective date of the tutorship.

The application must also include the following information on the tutor who is making the application for the minor child:

- (1) the tutor's name, as stated in the tutor's act of birth;
- (2) the tutor's domiciliary address on the date on which the application is filed; and
- (3) the tutor's capacity in relation to that child."

**16.** Section 6 of the Regulation is replaced by the following section:

**“6.** The notice of application for a change of name must include the following information on the person who is the subject of the application:

- (1) the person's name, as stated in the person's act of birth;
- (2) the person's domiciliary address;
- (3) the name applied for with the registrar of civil status; and
- (4) the place and date of the notice.

Where the application is to change the name of a minor child, the notice of application must also include the name of the person making the application for the minor child, that person's domiciliary address and his or her capacity in relation to the child.

The notice of application must include the signature of the person making the application.”

**17.** Section 23 of the Regulation is amended by replacing “Sections 1, 2, 4 and 16” by “Divisions I and III and sections 12”.

**18.** Section 23.1 of the Regulation is amended

- (1) by inserting “made by a person 14 years of age or over” after “application” in the introductory clause;
- (2) by replacing “sexual identity” in paragraphs 1 and 2 by “gender identity”;
- (3) by adding the following paragraph at the end:

“If a tutor’s affidavit is in support of an application made by the tutor for a minor child, the affidavit must also attest that

(1) the designation of sex requested for the minor child is the designation that best corresponds to the child’s gender identity;

(2) the minor child assumes that gender identity;

(3) the tutor understands the seriousness of the minor child’s undertaking; and

(4) the tutor’s undertaking for the minor child is voluntary and his or her consent is given in a free and enlightened manner.”

**19.** Section 23.2 of the Regulation is amended

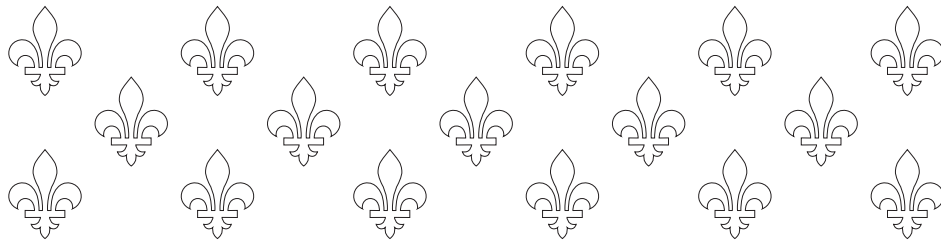
(1) by inserting “of a person of full age” after “act of birth”;

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

“An application for a change of the designation of sex for a minor child must be accompanied by, in addition to the documents referred to in section 4, a letter from a physician, a psychologist, a psychiatrist, a sexologist or a social worker authorized to practise in Canada or in the State in which the child is domiciled who declares having evaluated or followed the child and is of the opinion that the change of designation is appropriate.”

**20.** Section 23.3 of the Regulation is amended by replacing “or a sexologist” by “, a sexologist or a social worker”.

**21.** This Act comes into force on 10 June 2016.



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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 111  
(2016, chapter 20)

**An Act to ensure resumption of the  
regular maritime transport services  
provided by Relais Nordik inc. and to  
settle the dispute between that company  
and some of its employees**

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**Introduced 9 June 2016  
Passed in principle 10 June 2016  
Passed 10 June 2016  
Assented to 10 June 2016**

## EXPLANATORY NOTES

*This Act is to put an end to the ongoing strike in the North Shore region and ensure resumption of regular maritime transport services there.*

*The Act provides for the resumption of the activities interrupted by the strike and sets out the obligations and prohibitions imposed on the employees, their certified association and the employer for that purpose.*

*A further purpose of the Act is to ensure the renewal of the collective agreement binding the employer and certified association concerned by providing for a mediation period, followed by arbitration in the event that mediation fails.*

*Penal sanctions are prescribed for failure to fulfill the obligations or comply with the prohibitions imposed by the Act.*

*Lastly, the Act provides that the Government may make an order before 30 September 2016 to make subject to this Act a certified association that represents other employees of the employer concerned and that has sent a strike notice to the Minister.*

## **Bill 111**

### **AN ACT TO ENSURE RESUMPTION OF THE REGULAR MARITIME TRANSPORT SERVICES PROVIDED BY RELAIS NORDIK INC. AND TO SETTLE THE DISPUTE BETWEEN THAT COMPANY AND SOME OF ITS EMPLOYEES**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### **DIVISION I**

##### **PURPOSE**

**1.** The purpose of this Act is to ensure the resumption of the regular maritime transport services provided by Relais Nordik inc. in the North Shore region.

A further purpose of the Act is to settle the dispute over the renewal of the collective agreement binding the employer, Relais Nordik inc., and the Syndicat des Métallos, Local 9599 (AQ-1004-2670), an association certified to represent some of the employees.

#### **DIVISION II**

##### **OBLIGATIONS AND PROHIBITIONS CONCERNING THE RESUMPTION OF REGULAR SERVICES**

**2.** Employees included in the bargaining unit for which the association referred to in section 1 was certified must, as of the day following the coming into force of this Act, report for work according to their regular work schedule and other applicable conditions of employment.

**3.** Employees to whom section 2 applies must perform all the duties attached to their respective functions, in accordance with the applicable conditions of employment, without any stoppage, slowdown, reduction or degradation of their normal activities.

Employees may not, as part of a concerted action, refuse to provide services to their employer.

Any employee who contravenes this section receives no remuneration for the contravention period.

**4.** The employer and its officers and representatives must, as of the day following the coming into force of this Act, take the appropriate measures to ensure that regular maritime transport services are provided.

**5.** The certified association is prohibited from calling or continuing a strike or participating in any other form of concerted action that prevents the employees from returning to work.

**6.** The certified association must take the appropriate measures to induce the employees it represents to comply with sections 2 and 3.

It must, in particular and before the scheduled return to work, communicate the content of this Act and the date and terms of the return to work to the employees it represents and send the Minister an attestation that it has done so.

**7.** No one may, by omission or otherwise, in any manner prevent or impede the employees' return to work or the performance of work by employees, or directly or indirectly contribute to slowing down, degrading or delaying the performance of such work.

### **DIVISION III**

#### **MEDIATION**

**8.** A mediator is appointed by the Minister to help the parties settle their dispute.

**9.** The mediation period lasts for 120 days after the mediator is appointed.

However, the Minister may extend the mediation period for up to 60 days at the request of the parties or the mediator.

The mediator puts an end to the mediation period as soon as the parties inform the mediator that they would like the dispute to be submitted to arbitration.

**10.** If there is no agreement at the expiry of the mediation period, the mediator gives the parties a report specifying the matters on which there has been agreement and the matters which are still in dispute.

At the same time, the mediator gives a copy of the report with comments to the Minister.

## DIVISION IV

### ARBITRATION ON THE RENEWAL OF COLLECTIVE AGREEMENT

**11.** On receiving the mediator's report stating the absence of agreement on the renewal of the collective agreement, the Minister refers the dispute to arbitration and notifies the parties.

**12.** Within 15 days after receiving the Minister's notice under section 11, the parties must consult each other as to the choice of an arbitrator and inform the Minister of the name of the arbitrator chosen. The Minister then appoints that arbitrator.

Failing agreement between the parties within the time prescribed, the Minister appoints an arbitrator from the list drawn up annually by the Minister under the second paragraph of section 77 of the Labour Code (chapter C-27) and informs the parties.

**13.** The Minister sends the arbitrator a copy of the mediator's report. Only matters not identified as having been the subject of an agreement between the parties may be referred to arbitration.

Despite the end of the mediation process and even after sending the report, the mediator may continue to act at the request of the parties. However, the mediator may not continue to act once the arbitration hearings have begun.

Any agreement entered into after the mediator's report has been sent must be included in an additional report that is sent to the parties and the Minister without delay. The Minister then sends the report to the arbitrator.

**14.** The arbitrator hears the dispute with diligence and according to the procedure and the method of proof the arbitrator considers appropriate.

**15.** Arbitration expenses and fees are shared equally by the employer and the certified association.

The arbitrator's expenses and fees are those prescribed in the Regulation respecting the remuneration of arbitrators (chapter C-27, r. 6); the tariff of remuneration is that declared in accordance with section 12 of that regulation, if applicable.

**16.** Sections 76 and 79, the first paragraph of section 80, sections 82 to 89, 91, 91.1, 93 and 139 to 140 of the Labour Code apply, with the necessary modifications, to the arbitration and regarding the arbitrator.

**17.** The arbitrator must render an award within six months after the date the dispute was referred to the arbitrator. However, the Minister may grant an extension at the arbitrator's request.

**18.** In the award, the arbitrator records the stipulations relating to the matters that have been agreed on, as evidenced in the mediator's report.

The parties may, at any time, come to an agreement on a matter in dispute and the corresponding stipulations must also be recorded in the arbitration award.

The arbitrator may not amend such stipulations except for the purpose of making modifications that are necessary to make the stipulations consistent with a clause of the award.

**19.** The award is binding on the parties for not less than one year nor more than three years from the date the award is filed with the Minister, and has effect from the expiry of the previous collective agreement, unless the parties agree on another period of time or effective date.

## **DIVISION V**

### **PENAL PROVISIONS**

**20.** Anyone who contravenes a provision of sections 2 to 7 is guilty of an offence and is liable, for each day or part of a day during which the offence continues, to a fine

(1) of \$100 to \$250 in the case of an employee or of a person not mentioned in paragraph 2 or 3;

(2) of \$1,000 to \$10,000 in the case of an officer, representative or employee of the certified association, or of an officer or representative of the employer; and

(3) of \$5,000 to \$50,000 in the case of the employer, the certified association or a union, federation or confederation with which the certified association is affiliated or to which it belongs.

**21.** Any person who, by an act or an omission, aids the commission of an offence or, by encouragement, advice, consent or order, induces another person to commit an offence is a party to the offence and is liable to the same penalty as that prescribed for the offender.

When the offence is committed by a legal person or an association, any officer or representative who in any manner approves of the act constituting the offence or acquiesces to the commission of the offence is guilty of the offence.



**DIVISION VI****MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS**

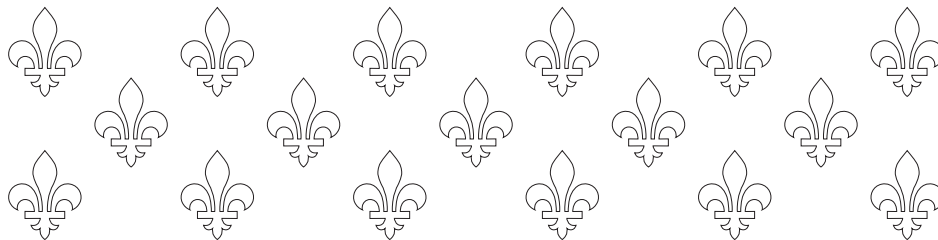
**22.** The conditions of employment contained in the expired collective agreement apply, with the necessary modifications, until a new collective agreement replacing it comes into effect.

**23.** The Government may, by an order made before 30 September 2016, make subject to this Act an association that is certified to represent employees from another bargaining unit of the company of the employer Relais Nordik inc. and that has sent a strike notice in accordance with section 111.0.23 of the Labour Code (chapter C-27). In such a case, the obligations and prohibitions imposed by this Act on the employer Relais Nordik inc. apply with the necessary modifications, and sections 2 and 4 must be read as if the reference to the coming into force of this Act were replaced by a reference to the making of the order.

**24.** The Minister responsible for Labour is responsible for the administration of this Act.

**25.** This Act comes into force on 10 June 2016.





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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 212  
(Private)

## **An Act respecting Ville de Saguenay**

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**Introduced 28 October 2015**  
**Passed in principle 10 June 2016**  
**Passed 10 June 2016**  
**Assented to 10 June 2016**

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**Québec Official Publisher**  
**2016**



## Bill 212

(Private)

### AN ACT RESPECTING VILLE DE SAGUENAY

AS there is reason to amend certain provisions relating to the organization of the municipality of Order in Council 841-2001 dated 27 June 2001, respecting the amalgamation of Ville de Chicoutimi, Ville de Jonquière, Ville de La Baie and Ville de Laterrière, and the municipalities of Lac-Kénogami and Shipshaw, amended by Orders in Council 1474-2001 and 334-2002, and by chapters 37, 68 and 77 of the statutes of 2002, chapter 19 of the statutes of 2003, chapter 28 of the statutes of 2005, chapter 18 of the statutes of 2008 and chapter 18 of the statutes of 2010;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Section 8 of Order in Council 841-2001 dated 27 June 2001, respecting Ville de Saguenay, is amended by replacing “19” by “15”.

**2.** The Order in Council is amended by inserting the following section after section 10:

**“10.1.** For the purposes of section 12 of the Act respecting elections and referendums in municipalities (CQLR, chapter E-2.2), the electoral districts must be delimited in such a manner that, according to the document provided for in section 12.1 of that Act, the number of electors in each district is not more than 15% above or below the quotient obtained by dividing the total number of electors of each borough by the number of districts in the borough.”

**3.** Schedule C to the Order in Council is replaced by the following schedule:

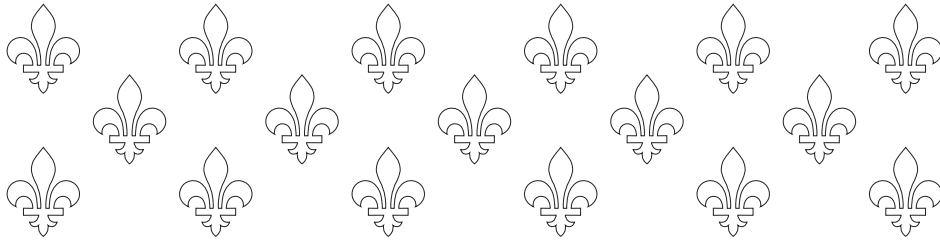
“SCHEDULE C

“NUMBER OF COUNCILLORS FOR EACH BOROUGH:

“Chicoutimi	6
Jonquière	6
La Baie	3”.

**4.** This Act comes into force on 5 November 2017. However, for the purposes of the 2017 general election, the amendments made by sections 1 to 3 have effect from 10 June 2016.





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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 215

(Private)

## **An Act respecting Municipalité de Sainte-Anne-de-Sorel**

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**Introduced 12 November 2015**

**Passed in principle 10 June 2016**

**Passed 10 June 2016**

**Assented to 10 June 2016**

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**Québec Official Publisher  
2016**





## Bill 215

(Private)

### AN ACT RESPECTING MUNICIPALITÉ DE SAINTE-ANNE-DE-SOREL

AS it is in the interest of Municipalité de Sainte-Anne-de-Sorel that it be granted certain powers, primarily to allow it to consolidate lots situated in an agricultural zone and to be declared the owner of abandoned lots and lots on which property taxes have not been paid for a number of years;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Municipalité de Sainte-Anne-de-Sorel may, to consolidate land, be declared the owner of an immovable on which municipal taxes have not been paid for three consecutive years and which is situated in the part of its territory bounded on the north by Chemin du Chenal-du-Moine, on the northeast by lots 5 608 943, 5 383 665, 5 555 390 and 4 800 571, on the south by the municipal boundary (Rivière Pot au Beurre) and, on the southwest by the municipal boundary, lots 4 799 211 and 4 799 238 and Rue Saint-Martin, all lots mentioned being in the registration division of Richelieu of the cadastre of Québec.

**2.** The application is made by a motion presented before the Superior Court sitting in the district in which the immovable is situated. The motion may concern immovables belonging to different owners, provided the name of each owner entered on the assessment roll is indicated for his or her immovable.

The motion may be granted only after publication of a notice in a newspaper in the territory of the municipality requesting all persons who may have rights against the immovables to appear in court within 60 days in order to claim compensation equal to the value of their rights, after deduction of an amount sufficient to pay all outstanding municipal and school taxes. The compensation claimed may not exceed the actual value of an immovable on the date of coming into force of this Act before the deduction.

Publication of the notice replaces service. The notice must state that it is given under this Act.

No appeal lies from the judgment rendered on the motion.

**3.** The judgment declaring ownership is published at the registry office. The real rights, other than public servitudes, encumbering the immovables concerned are extinguished. The municipality draws up a list of the extinguished rights

and submits an application for cancellation in accordance with the rules applicable to the land register.

**4.** To consolidate land in order to constitute or reconstitute agricultural operations in the sector to be consolidated, the municipality may acquire an immovable by agreement or by expropriation, lease the immovable, or entrust its operation to a non-profit organization, which the municipality helps fund.

**5.** Acquisition by agreement or expropriation under section 4 and alienation under section 9, if any, do not constitute an alienation within the meaning assigned by section 1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

**6.** The municipality may create a financial reserve for the purpose of financing the consolidation of land and its reconversion for agricultural purposes, and may, for the purpose of constituting the reserve, impose and levy an annual surtax not exceeding \$100 on land situated in the sector to be consolidated.

**7.** The following lands must be exempted from the surtax:

(1) land on which there is a building whose property value exceeds 25% of the property value of the land, according to the assessment roll in force;

(2) an immovable exempt from property taxes;

(3) land forming part of an agricultural operation registered in accordance with a regulation under section 36.15 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (chapter M-14);

(4) land that may be used for purposes other than agriculture under an authorization of the Commission de protection du territoire agricole du Québec or that is subject to acquired rights within the meaning of Chapter VII of the Act respecting the preservation of agricultural land and agricultural activities.

The by-law must set out, among other things, the length of time the reserve will exist and the allocation of the amount, if any, by which the reserve's income exceeds its expenditures. If there is no such provision, any excess amount is paid into the general fund.

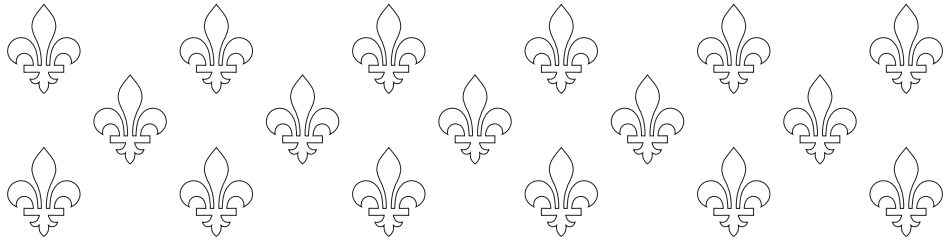
**8.** When, under this Act, the municipality becomes the owner of immovables that are sufficient in area or in number to be used for genuine and sustained agricultural purposes, it submits a plan to the Minister of Energy and Natural Resources relating to a cadastral operation entailing replacement in order to consolidate and renumber the lots. This plan must be authorized by the Minister of Agriculture, Fisheries and Food after the opinion of the Commission de protection du territoire agricole du Québec has been obtained.

**9.** Within two years after the authorization required under section 8, the municipality must offer for sale, at their actual value, the lots concerned by the cadastral amendment so that they can be used for agricultural purposes, and must so advise the Minister of Agriculture, Fisheries and Food and the regional federation of the Union des producteurs agricoles. The Minister may authorize the transfer of the lots at a price that is lower than their actual value and, if necessary, an extension for the selling of the lots.

**10.** The title obtained by the municipality under this Act to immovables situated in the sector to be consolidated may not be contested.

**11.** This Act comes into force on 10 June 2016.





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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 218  
(Private)

## **An Act respecting Ville de Chibougamau**

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**Introduced 11 May 2016**  
**Passed in principle 10 June 2016**  
**Passed 10 June 2016**  
**Assented to 10 June 2016**

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**Québec Official Publisher**  
**2016**



## **Bill 218**

(Private)

### **AN ACT RESPECTING VILLE DE CHIBOUGAMAU**

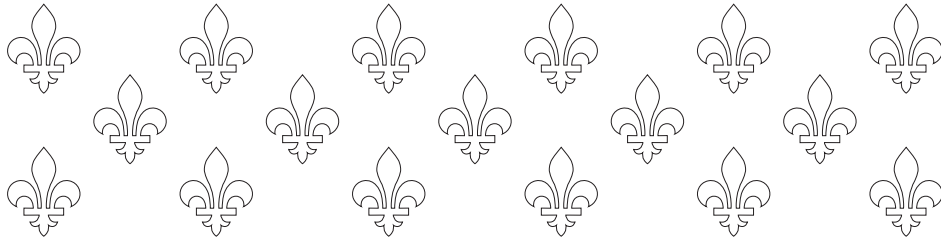
AS it is in the interest of Ville de Chibougamau that it be granted certain powers to enable it to foster the construction, renovation and conversion of rental dwellings in order to alleviate the housing shortage in its territory and promote its economic development;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Despite the Municipal Aid Prohibition Act (chapter I-15), Ville de Chibougamau may, by by-law, adopt a housing program. Under the program, it may provide financial assistance for the construction, renovation and conversion of rental dwellings.
- 2.** The program may, among other things, determine the nature of the financial assistance that may be granted.
- 3.** The eligibility period for the program may not extend beyond 31 December 2026.
- 4.** The total financial assistance granted by Ville de Chibougamau, in the form of subsidies or tax credits, may not exceed \$3,000,000.
- 5.** The municipal council sets the program terms and conditions.
- 6.** To secure the performance of the obligations of beneficiaries under the program, protect the value of immovables covered by the program and ensure their conservation, Ville de Chibougamau may, among other things, require hypothecs or other real rights.
- 7.** The mayor's report on the financial position of Ville de Chibougamau under section 474.1 of the Cities and Towns Act (chapter C-19) must include a statement on implementation of the housing program referred to in section 1. The statement must include the number of applications filed the preceding fiscal year and, for each beneficiary, the nature and amount of the financial assistance granted and the number of dwellings concerned.
- 8.** This Act comes into force on 10 June 2016.







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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 219  
(Private)

## **An Act respecting Ville de Sherbrooke**

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**Introduced 12 May 2016**  
**Passed in principle 10 June 2016**  
**Passed 10 June 2016**  
**Assented to 10 June 2016**



## **Bill 219**

(Private)

### **AN ACT RESPECTING VILLE DE SHERBROOKE**

AS there is reason to amend certain provisions relating to the municipality's organization contained in Order in Council 850-2001 dated 4 July 2001, respecting 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, amended by Orders in Council 1475-2001, 509-2002 and 1078-2002, and by chapters 37, 68 and 77 of the statutes of 2002, chapter 19 of the statutes of 2003, chapters 20 and 56 of the statutes of 2004, chapter 28 of the statutes of 2005, chapter 60 of the statutes of 2006, chapters 18 and 32 of the statutes of 2008, chapter 18 of the statutes of 2010 and chapter 37 of the statutes of 2015;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Order in Council 850-2001 dated 4 July 2001, respecting Ville de Sherbrooke, is amended by inserting the following section after section 60.8:

“60.9. Despite the Municipal Aid Prohibition Act (chapter I-15), the city may, by by-law, adopt a program to support housing development in that part of its territory delineated in Schedule E by encouraging the acquisition of residential immovables.

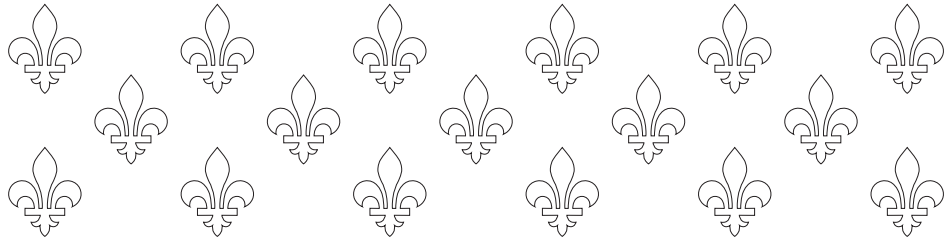
For the purposes of the first paragraph, the city may give financial assistance in the form of loans, grants, tax credits or otherwise to individuals or housing cooperatives. Financial assistance given to the same person may not exceed 20 years.

The program may prescribe any criteria according to which the amount of financial assistance may vary and create exemptions for certain classes of recipients.”

**2.** The Order in Council is amended by adding the following schedule at the end:



3. This Act comes into force on 10 June 2016.



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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 492  
(2016, chapter 21)

## **An Act to amend the Civil Code to protect seniors' rights as lessees**

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**Introduced 21 May 2015**  
**Passed in principle 4 June 2015**  
**Passed 10 June 2016**  
**Assented to 10 June 2016**

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**Québec Official Publisher  
2016**

**EXPLANATORY NOTES**

*The purpose of this Act is to protect seniors' rights by amending the conditions for repossessing dwellings or evicting lessees under the Civil Code.*

**LEGISLATION AMENDED BY THIS ACT:**

- Civil Code of Québec.

## Bill 492

### AN ACT TO AMEND THE CIVIL CODE TO PROTECT SENIORS' RIGHTS AS LESSEES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** The Civil Code of Québec is amended by inserting the following article after article 1959:

“**1959.1.** The lessor may not repossess a dwelling or evict a lessee if the lessee or the lessee’s spouse, at the time of repossession or eviction, is 70 years of age or over, has occupied the dwelling for at least 10 years and has income equal to or less than the maximum threshold qualifying the lessee or spouse for a dwelling in low-rental housing according to the By-law respecting the allocation of dwellings in low rental housing (chapter S-8, r. 1).

However, the lessor may repossess the dwelling if

- (1) the lessor is 70 years of age or over and wishes to repossess the dwelling as a residence for himself;
- (2) the beneficiary of the repossession is 70 years of age or over;
- (3) the lessor is an owner-occupant 70 years of age or over and wishes to have a beneficiary less than 70 years of age reside in the same immovable as himself.

The Société d’habitation du Québec shall publish the maximum income thresholds qualifying a lessee for a dwelling in low-rental housing on its website.”

**2.** Article 1961 of the Code is amended

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

“These notices shall reproduce the content of article 1959.1.”;

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

“Repossession or eviction may take effect after the date set forth in the notice, upon application by the lessee and with the authorization of the court.”

**3.** This Act comes into force on 10 June 2016.





## Draft Regulations

### Notice

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

**Automotive services industry**  
**—Apprentice mobility**  
**—Amendment**

Notice is hereby given, in accordance with section 8 of the Act respecting collective agreement decrees (chapter D-2), that the Minister responsible for Labour intends to recommend to the Government that it amend the collective agreement decrees in the automotive services industry and that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Decree to amend the collective agreement decrees in the automotive services industry to give effect to the provincial-territorial apprentice mobility protocol and agreement, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree gives effect to the Provincial-Territorial Apprentice Mobility Protocol and the Provincial-Territorial Apprentice Mobility Agreement that were signed by the Gouvernement du Québec in 2015. More specifically, the draft Decree amends six collective agreement decrees in the automotive services industry to provide therein that the hours of apprenticeship worked by an apprentice in other Canadian provinces and territories must be recognized by the parity committee. It also provides that the parity committee must, upon payment of the fees payable, issue to an apprentice an apprenticeship certificate corresponding to the number of hours worked.

The proposed regulatory amendments will have no impact on enterprises.

Further information may be obtained by contacting Janika Tardif, Direction des politiques du travail, Ministère du Travail, de l'Emploi et de la Solidarité sociale, 200, chemin Sainte-Foy, 5<sup>e</sup> étage, Québec (Québec) G1R 5S1; telephone: 418 644-9471; fax: 418 643-9454; email: janika.tardif@travail.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Normand Pelletier, Associate Deputy Minister for Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1.

NORMAND PELLETIER,  
*Associate Deputy Minister for Labour*

### Decree to amend the collective agreement decrees in the automotive services industry to give effect to the provincial-territorial apprentice mobility protocol and agreement

An Act respecting collective agreement decrees (chapter D-2, ss. 5 and 8)

**1.** The Decree respecting the automotive services industry in the Arthabaska, Granby, Sherbrooke and Thetford Mines regions (chapter D-2, r. 6) is amended by adding the following after section 11.12:

“**11.13.** The hours of apprenticeship worked by an apprentice in another province or a Canadian territory, for a trade referred to in paragraphs 3 and 5 of section 1.01, must be recognized by the parity committee upon presentation of a document attesting to the hours worked. In particular, the document may be a letter or an apprenticeship booklet issued by the competent authority in matters of apprenticeship of the province or territory concerned, or a letter issued by the employer confirming the hours of apprenticeship worked by the apprentice in the employer's enterprise.

On payment of the fees required for the issue of an apprenticeship certificate, the parity committee issues to the apprentice referred to in the first paragraph an apprenticeship certificate corresponding to the number of hours worked in another province or a Canadian territory.”.

**2.** The Decree respecting the automotive services industry in Chapais, Chibougamau, Lac Saint-Jean and Saguenay (chapter D-2, r. 7) is amended by adding the following after section 9.10:

“**9.11.** The hours of apprenticeship worked by an apprentice in another province or a Canadian territory, for a trade referred to in paragraph 4 of section 1.01 and paragraph 2 of section 10.01, must be recognized by the parity committee upon presentation of a document attesting to the hours worked. In particular, the document may be a letter or an apprenticeship booklet issued by the competent authority in matters of apprenticeship of the province or territory concerned, or a letter issued by the employer confirming the hours of apprenticeship worked by the apprentice in the employer's enterprise.

On payment of the fees required for the issue of an apprenticeship certificate, the parity committee issues to the apprentice referred to in the first paragraph an apprenticeship certificate corresponding to the number of hours worked in another province or a Canadian territory.”

**3.** The Decree respecting the automotive services industry in the Drummond and the Mauricie regions (chapter D-2, r. 8) is amended by adding the following after section 11.03:

“**11.04.** The hours of apprenticeship worked by an apprentice in another province or a Canadian territory, for a trade referred to in paragraph 6 of section 1.01, must be recognized by the parity committee upon presentation of a document attesting to the hours worked. In particular, the document may be a letter or an apprenticeship booklet issued by the competent authority in matters of apprenticeship of the province or territory concerned, or a letter issued by the employer confirming the hours of apprenticeship worked by the apprentice in the employer’s enterprise.

On payment of the fees required for the issue of an apprenticeship certificate, the parity committee issues to the apprentice referred to in the first paragraph an apprenticeship certificate corresponding to the number of hours worked in another province or a Canadian territory.”

**4.** The Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (chapter D-2, r. 9) is amended by adding the following after section 11.03:

“**11.04.** The hours of apprenticeship worked by an apprentice in another province or a Canadian territory, for a trade referred to in paragraphs 3 and 5 of section 1.01, must be recognized by the parity committee upon presentation of a document attesting to the hours worked. In particular, the document may be a letter or an apprenticeship booklet issued by the competent authority in matters of apprenticeship of the province or territory concerned, or a letter issued by the employer confirming the hours of apprenticeship worked by the apprentice in the employer’s enterprise.

On payment of the fees required for the issue of an apprenticeship certificate, the parity committee issues to the apprentice referred to in the first paragraph an apprenticeship certificate corresponding to the number of hours worked in another province or a Canadian territory.”

**5.** The Decree respecting the automotive services industry in the Montréal region (chapter D-2, r. 10) is amended by adding the following after section 10.07:

“**10.08.** The hours of apprenticeship worked by an apprentice in another province or a Canadian territory, for a trade referred to in paragraph 5 of section 1.01, must be recognized by the parity committee upon presentation of a document attesting to the hours worked. In particular, the document may be a letter or an apprenticeship booklet issued by the competent authority in matters of apprenticeship of the province or territory concerned, or a letter issued by the employer confirming the hours of apprenticeship worked by the apprentice in the employer’s enterprise.

On payment of the fees required for the issue of an apprenticeship certificate, the parity committee issues to the apprentice referred to in the first paragraph an apprenticeship certificate corresponding to the number of hours worked in another province or a Canadian territory.”

**6.** The Decree respecting the automotive services industry in the Québec region (chapter D-2, r. 11) is amended by adding the following after section 12.07:

“**12.08.** The hours of apprenticeship worked by an apprentice in another province or a Canadian territory, for a trade referred to in paragraph 5 of section 1.01 and in paragraph 2 of section 9.01, must be recognized by the parity committee upon presentation of a document attesting to the hours worked. In particular, the document may be a letter or an apprenticeship booklet issued by the competent authority in matters of apprenticeship of the province or territory concerned, or a letter issued by the employer confirming the hours of apprenticeship worked by the apprentice in the employer’s enterprise.

On payment of the fees required for the issue of an apprenticeship certificate, the parity committee issues to the apprentice referred to in the first paragraph an apprenticeship certificate corresponding to the number of hours worked in another province or a Canadian territory.”

**7.** This Regulation comes into force on the day of its publication in the *Gazette officielle du Québec*.

102742

## Notices

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### Notice

An Act respecting the legal publicity of enterprises (chapter P-44.1)

#### Delegation of certain powers of the enterprise registrar

CONSIDERING section 4 of the Act respecting the legal publicity of enterprises (chapter P-44.1), which provides that employees of the Agence du revenu du Québec are designated by the Minister to assist the enterprise registrar in the functions of office;

CONSIDERING section 6 of the Act, which provides that the enterprise registrar may, by notice and with the concurrence of the Minister, delegate some or all of the registrar's powers to an employee designated under that section 4;

CONSIDERING section 6 of the Act, which provides that the notice must be published in the *Gazette officielle du Québec*;

CONSIDERING that the enterprise registrar exercises powers under the Act respecting the legal publicity of enterprises, the Business Corporations Act (chapter S-31.1) and the Companies Act (chapter C-38);

CONSIDERING the notice published on 8 June 2016 (2016, *G.O.* 2, 2255), in which the enterprise registrar delegated certain powers to employees designated therein;

CONSIDERING the need to replace the delegation of powers provided for in the notice published on 8 June 2016 to modify the list of persons designated therein;

THEREFORE:

The enterprise registrar, pursuant to section 6 of the Act respecting the legal publicity of enterprises, delegates the powers mentioned in the following provisions to the employees of the Direction principale du registraire des entreprises designated below:

(1) sections 132 to 134 of the Act respecting the legal publicity of enterprises, sections 25 and 27 of the Business Corporations Act and sections 19 and 221.1 of the Companies Act:

— Mr. Michaël Gagnon;

— Ms. Alexandra Giroux-Blanchet;

— Mr. Jean-François Guay;

— Ms. Amélie Lehoux;

— Ms. Pascale Mailloux Leblanc;

— Ms. Marie-Josée Montminy;

— Ms. Maude Morissette;

(2) section 20 of the Act respecting the legal publicity of enterprises and section 24 of the Business Corporations Act:

— Ms. Valérie Dran;

— Mr. Mario Jean.

Québec, 6 September 2016

HERMEL GRANDMAISON,  
*Enterprise Registrar*

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### Concurrence of the Minister of Finance

In accordance with section 6 of the Act respecting the legal publicity of enterprises, the Minister, represented by the president and chief executive officer of the Agence du revenu du Québec duly authorized to act under section 8 of the Act respecting the Agence du revenu du Québec (chapter A-7.003), concurs with the delegation of powers.

Québec, 8 September 2016

ÉRIC DUCHARME,  
*President and Chief Executive Officer of  
the Agence du revenu du Québec*

102743



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

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