

**Gazette**  
officielle  
**DU Québec**

**Part**

**2**

**No. 14**

5 April 2017

**Laws and Regulations**

Volume 149

**Summary**

Table of Contents

Acts 2017

Coming into force of Acts

Regulations and other Acts

Draft Regulations

Index

Legal deposit – 1st Quarter 1968  
Bibliothèque nationale du Québec  
© Éditeur officiel du Québec, 2017

All rights reserved in all countries. No part of this publication may be translated, used or reproduced for commercial purposes by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

# NOTICE TO USERS

---

The *Gazette officielle du Québec* is the means by which the Québec Government makes its decisions official. It is published in two separate editions under the authority of the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1) and the Regulation respecting the *Gazette officielle du Québec* (chapter C-8.1.1, r. 1). Partie 1, entitled “Avis juridiques”, is published at least every Saturday. If a Saturday is a legal holiday, the Official Publisher is authorized to publish it on the preceding day or on the following Monday. Partie 2, entitled “Lois et règlements”, and the English edition, Part 2 “Laws and Regulations”, are published at least every Wednesday. If a Wednesday is a legal holiday, the Official Publisher is authorized to publish them on the preceding day or on the Thursday following such holiday.

## Part 2 – LAWS AND REGULATIONS

### Internet

The *Gazette officielle du Québec* Part 2 is available at noon each Wednesday at the following address:

[www.publicationsduquebec.gouv.qc.ca](http://www.publicationsduquebec.gouv.qc.ca)

The *Gazette officielle du Québec* published on the Internet is available to all free of charge.

### Contents

Part 2 contains:

- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
- (4) Orders in Council, decisions of the Conseil du trésor and minister’s orders whose publication is required by law or by the Government;
- (5) regulations made by courts of justice and quasi-judicial tribunals;
- (6) drafts of the texts referred to in paragraphs 3 and 5 whose publication in the *Gazette officielle du Québec* is required by law before they are made, adopted or issued by the competent authority or before they are approved by the Government, a minister, a group of ministers or a government body; and
- (7) any other document whose publication is required by the Government.

### Rates\*

1. Annual subscription:

|                                |                 |
|--------------------------------|-----------------|
|                                | Printed version |
| Partie 1 “Avis juridiques”:    | \$500           |
| Partie 2 “Lois et règlements”: | \$685           |
| Part 2 “Laws and Regulations”: | \$685           |
2. Acquisition of a printed issue of the *Gazette officielle du Québec*: \$10.71 per copy.
3. Publication of a notice in Partie 1: \$1.72 per agate line.
4. Publication of a notice in Part 2: \$1.14 per agate line. A minimum rate of \$250 is applied, however, in the case of a publication of fewer than 220 agate lines.

\* **Taxes not included.**

### General conditions

The Division of the *Gazette officielle du Québec* must receive manuscripts, **at the latest, by 11:00 a.m. on the Monday** preceding the week of publication. Requests received after that time will appear in the following edition. All requests must be accompanied by a signed manuscript. In addition, the electronic version of each notice to be published must be provided by e-mail, to the following address: [gazette.officielle@cspq.gouv.qc.ca](mailto:gazette.officielle@cspq.gouv.qc.ca)

For information concerning the publication of notices, please call:

**Gazette officielle du Québec**  
**1000, route de l’Église, bureau 500**  
**Québec (Québec) G1V 3V9**  
**Telephone: 418 644-7794**  
**Fax: 418 644-7813**  
**Internet: [gazette.officielle@cspq.gouv.qc.ca](mailto:gazette.officielle@cspq.gouv.qc.ca)**

### Subscriptions

For a subscription to the paper version of the *Gazette officielle du Québec*, please contact the customer service.

**Les Publications du Québec**  
Customer service – Subscriptions  
1000, route de l’Église, bureau 500  
Québec (Québec) G1V 3V9  
Telephone: 418 643-5150  
Toll free: 1 800 463-2100  
Fax: 418 643-6177  
Toll free: 1 800 561-3479

**All claims must be reported to us within 20 days of the shipping date.**

## Table of Contents

Page

---

### Acts 2017

---

|    |  |     |
|----|--|-----|
| 70 | An Act to allow a better match between training and jobs and to facilitate labour market entry . . . . . | 665 |
|    | List of Bills sanctioned (10 November 2016) . . . . .  | 663 |

---

### Coming into force of Acts

---

|          |  |     |
|----------|--|-----|
| 226-2017 | Implement the 2030 Energy Policy and to amend various legislative provisions, An Act to . . . — Coming into force of section 250 of Chapter IV of the Act . . . . .  | 683 |
| 248-2017 | Access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation, An Act to enact the Act to promote . . . — Coming into force of a provision of the Act . . . . . | 683 |

---

### Regulations and other Acts

---

|          |  |     |
|----------|--|-----|
| 247-2017 | Ratification of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Korea and making of the Regulation respecting the implementation of that Agreement . . . . . | 685 |
| 250-2017 | Decorations and citations awarded in the field of fire safety and for rescue activities . . . . .  | 694 |
|          | Calls for tenders for certain medications covered by the basic prescription drug insurance plan . . . . .  | 696 |
|          | Securities Act — Regulation 23-101 respecting trading rules (Amend.) . . . . .   | 698 |

---

### Draft Regulations

---

|  |  |     |
|--|--|-----|
|  | Civil Code of Québec — Change of name and of other particulars of civil status . . . . .   | 703 |
|  | Civil Code of Québec — Publication of a notice of tardy declaration of filiation . . . . . | 704 |



---

**PROVINCE OF QUÉBEC**

1ST SESSION

41ST LEGISLATURE

QUÉBEC, 10 NOVEMBER 2016

---

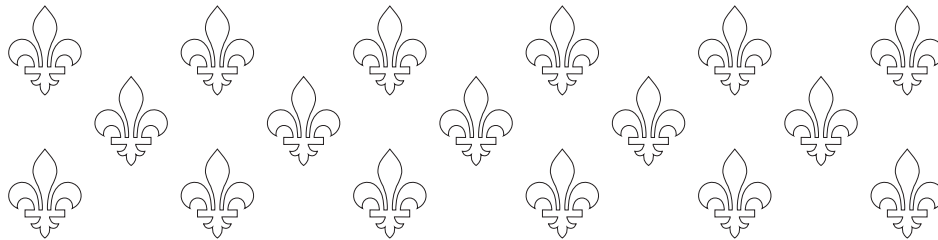
**OFFICE OF THE LIEUTENANT-GOVERNOR***Québec, 10 November 2016*

This day, at thirty-five minutes past two o'clock in the afternoon, His Excellency the Lieutenant-Governor was pleased to assent to the following bill:

70      An Act to allow a better match between training and jobs and to facilitate labour market entry

To this bill the Royal assent was affixed by His Excellency the Lieutenant-Governor.





---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 70  
(2016, chapter 25)

**An Act to allow a better match between  
training and jobs and to facilitate labour  
market entry**

---

---

**Introduced 10 November 2015  
Passed in principle 10 March 2016  
Passed 10 November 2016  
Assented to 10 November 2016**

---

**Québec Official Publisher  
2016**

## EXPLANATORY NOTES

*This Act has two parts.*

*Part I mainly amends the Act to promote workforce skills development and recognition and the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail.*

*The Act to promote workforce skills development and recognition is amended to modify, in particular, its purpose and the purpose of the Workforce Skills Development and Recognition Fund to specify that the word “workforce” includes both the present and future workforce.*

*The Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail is amended to define the respective roles and functions of the Minister and the Commission. The Minister's functions thus include preparing an annual plan of action and approving the regional plans of action as regards workforce and employment. In addition, the Commission's mission of defining workforce development needs will also apply to the future workforce. The Commission is entrusted with the function of making recommendations for meeting labour market needs to the departments that are Commission members.*

*Lastly, Chapter III of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail, which creates an independent administrative unit called “Emploi-Québec” within the department, is repealed.*

*Part II amends the Individual and Family Assistance Act mainly to introduce the Aim for Employment Program, whose goal is to offer individualized support for labour market entry.*

*Moreover, the Youth Alternative Program is terminated.*

*Amendments are made to other provisions of the Individual and Family Assistance Act, in particular to allow the Government to make regulations prescribing more flexible rules for recipients under the Social Solidarity Program as regards liquid assets and income derived from assets received by succession.*



*The Government is empowered to make the necessary regulations for the purposes of the Aim for Employment Program and consequential, transitional and final provisions are introduced.*

**LEGISLATION AMENDED BY THIS ACT:**

- Act respecting industrial accidents and occupational diseases (chapter A-3.001);
- Individual and Family Assistance Act (chapter A-13.1.1);
- Code of Civil Procedure (chapter C-25.01);
- Act to promote workforce skills development and recognition (chapter D-8.3);
- Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration (chapter E-20.1);
- Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001);
- Act to facilitate the payment of support (chapter P-2.2).



## Bill 70

### AN ACT TO ALLOW A BETTER MATCH BETWEEN TRAINING AND JOBS AND TO FACILITATE LABOUR MARKET ENTRY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### PART I

#### MEASURES TO ALLOW A BETTER MATCH BETWEEN TRAINING AND JOBS

##### INDIVIDUAL AND FAMILY ASSISTANCE ACT

**1.** Section 21 of the Individual and Family Assistance Act (chapter A-13.1.1) is amended by striking out the second paragraph.

##### ACT TO PROMOTE WORKFORCE SKILLS DEVELOPMENT AND RECOGNITION

**2.** Section 1 of the Act to promote workforce skills development and recognition (chapter D-8.3) is amended by replacing “workforce qualifications and skills” in the first paragraph by “the qualifications and skills of the present and future workforce”.

**3.** Section 5 of the Act is amended by inserting “or an organizer” after “employer” in the fourth paragraph.

**4.** Section 20 of the Act is amended by adding “ as well as apply a weighting factor to a class of expenditures to record them at a rate that is higher or lower than their value” at the end of subparagraph 1 of the first paragraph.

**5.** The Act is amended by inserting the following section after section 21.1:

**“21.1.1.** The Minister may, at any time, propose to the Commission the amendments the Minister considers necessary to the regulations made pursuant to section 20, including for the purpose of bringing the training activities they govern in line with the purpose of this Act.”

**6.** Section 22 of the Act is amended by inserting “, which may approve them with or without amendment” after “approval of the Government”.

**7.** Section 26 of the Act is amended by replacing everything after “is established” by the following paragraphs:

“The Fund is dedicated to funding initiatives that meet the priority orientations and criteria for action defined by an asset allocation plan to further the purpose of this Act. The goals of such initiatives may include promotion of, and financial or technical support for, skills acquisition and development by the present and future workforce as well as knowledge about the skills needs of the labour market.

The allocation of the assets in the Fund to initiatives for the future workforce must take access to training by the currently employed workforce into consideration.”

#### ACT TO SECURE HANDICAPPED PERSONS IN THE EXERCISE OF THEIR RIGHTS WITH A VIEW TO ACHIEVING SOCIAL, SCHOOL AND WORKPLACE INTEGRATION

**8.** Section 63 of the Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration (chapter E-20.1) is amended by replacing “minister responsible for Chapter III of the Act respecting the Ministère de l’Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001)” in the first paragraph by “Minister of Employment and Social Solidarity”.

#### ACT RESPECTING THE MINISTÈRE DE L’EMPLOI ET DE LA SOLIDARITÉ SOCIALE AND THE COMMISSION DES PARTENAIRES DU MARCHÉ DU TRAVAIL

**9.** Section 2 of the Act respecting the Ministère de l’Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001) is amended by adding “in local centres” at the end of the second paragraph.

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

**“3.1.** The Minister shall annually, in collaboration with the Commission des partenaires du marché du travail, prepare a workforce and employment plan of action which must be submitted to the Government for approval. The plan must determine the results targets established for the short and medium terms, the means by which they are to be achieved, and the parameters for the allocation of the public employment services budgets.

The Minister may also approve, with or without amendment, the regional plans of action as regards workforce and employment forwarded to the Minister by the Commission. The Minister shall make a decision as soon as possible.

**“3.2.** On the Minister’s recommendation, the Government may, by regulation, specify the fees payable by any person using a workforce training and employment service provided by the department.

The Minister must, before making a recommendation, consult with the Commission des partenaires du marché du travail.”

**11.** Section 15 of the Act is amended by adding the following sentence at the end: “The report must contain a section on the actions taken by the Minister in the areas of workforce and employment which must include an account of the results of the annual plan of action referred to in section 3.1.”

**12.** Section 17 of the Act is amended, in the first paragraph,

(1) by replacing the first sentence by the following sentence: “The function of the Commission is to take part in the development of government policies, strategic directions and measures in the areas of workforce and employment, in particular policies, strategic directions and measures aimed at facilitating a balance between workforce supply and demand in the labour market, and to participate in decisions relating to the measures and programs under the Minister’s authority in those areas.”;

(2) by inserting “present and future” after “define” in subparagraph 1;

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

“(1.1) make recommendations for meeting labour market needs to the departments referred to in subparagraphs 2 to 5 of the third paragraph of section 21;”;

(4) by replacing “determine criteria, in accordance with section 19,” in subparagraph 4 by “collaborate with the Minister in defining criteria”;

(5) by replacing “identify” in subparagraph 5 by “collaborate with the Minister in identifying”;

(6) by replacing subparagraph 6 by the following subparagraph:

“(6) examine the regional plans of action as regards workforce and employment submitted by the regional councils of labour market partners, and forward them to the Minister for approval, with the Commission’s recommendation;”;

(7) by replacing subparagraph 8 by the following subparagraph:

“(8) collaborate with the Minister in preparing the annual plan of action referred to in section 3.1, monitor its application, periodically assess the results obtained and, as applicable, recommend corrective action to the Minister so that the objectives of the plan may be achieved.”

**13.** The Act is amended by inserting the following section after section 17:

**“17.0.1.** When the Commission makes recommendations for meeting labour market needs to a department referred to in any of subparagraphs 2 to 5 of the third paragraph of section 21, the department shall report to the Commission, in the manner agreed on by them, on the actions it has taken or intends to take to give effect to those recommendations. A department that does not give effect to a recommendation must report the reasons for its decision.

The Commission’s annual management report must set out the recommendations, the follow-up given to them by the department and, as applicable, the action report or the reasons referred to in the first paragraph.”

**14.** Sections 19 and 20 of the Act are repealed.

**15.** Section 21 of the Act is amended

(1) by replacing “and one member from the college education sector” in subparagraph 5 of the first paragraph by “, one member from the college education sector and one member from the university education sector”;

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

“The appointments must tend toward gender parity.”;

(3) by adding the following subparagraph after subparagraph 5 of the third paragraph:

“(6) the chairman of the Commission de la construction du Québec or a person the chairman designates.”

**16.** Section 22 of the Act is replaced by the following section:

**“22.** After consulting with the Commission, the Minister shall appoint its secretary general from among the associate or assistant deputy ministers in office at the department who hold responsibilities relating to workforce or employment matters.

The secretary general shall assist the Commission in the exercise of its functions and powers, including those provided for by the Act to promote workforce skills development and recognition (chapter D-8.3).

The secretary general may also carry out any mandate the Minister or the Commission entrusts to him that is relevant to the Commission’s functions.”

**17.** Chapter III of the Act, comprising sections 30 to 36, is repealed.

**18.** Section 38 of the Act is amended

- (1) by replacing “for approval” in paragraph 2 by “for examination”;
- (2) by replacing “Emploi-Québec” in paragraph 6 by “the Minister”.

**19.** Section 40 of the Act is amended

- (1) by striking out “other” in subparagraph 3 of the first paragraph;
- (2) by inserting the following after subparagraph 3 of the first paragraph:

“(4) one member who is representative of the reality of the region’s local development, appointed after consultation with the members referred to in subparagraphs 1 to 3.

The appointments must tend toward gender parity.”;

- (3) by replacing the second and third paragraphs by the following paragraphs:

“A regional representative of the department, designated by the Deputy Minister from among the management personnel, shall also be a member of the regional council and shall act as secretary.

The following persons shall also be members of the regional council, but without the right to vote:

- (1) a representative of the Ministère de l’Éducation, du Loisir et du Sport and of the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie designated jointly by the Deputy Minister of each of those departments;

- (2) the regional director of the Ministère du Développement économique, de l’Innovation et de l’Exportation or a regional representative of that department designated by the Deputy Minister of that department; and

- (3) the regional director of the Commission de la construction du Québec or a representative designated by the regional director.”

**20.** Section 45 of the Act is amended by adding the following sentence at the end of the first paragraph: “It may invite any person to assist it in its deliberations.”

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

“**45.1.** The Minister shall ask representatives from the regional councils of labour market partners to sit on panels to select persons to fill regional or local director positions within the department.”

## ACT TO FACILITATE THE PAYMENT OF SUPPORT

**22.** Section 26 of the Act to facilitate the payment of support (chapter P-2.2) is amended by replacing “Emploi-Québec” in the second paragraph by “the Minister of Employment and Social Solidarity”.

## PART II

### MEASURES TO FACILITATE ENTRY ON THE LABOUR MARKET

#### ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

**23.** Section 11 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is amended by replacing “the Youth Alternative Program or a specific program established under Chapter III or Chapter IV” in paragraph 4 by “a specific program established under Chapter IV”.

#### INDIVIDUAL AND FAMILY ASSISTANCE ACT

**24.** Section 22 of the Individual and Family Assistance Act (chapter A-13.1.1) is amended by adding the following paragraph at the end:

“The minimum one-year period of cohabitation specified in subparagraph 3 of the first paragraph may be extended by regulation, in the cases and under the conditions prescribed by regulation.”

**25.** Section 33 of the Act is amended by replacing “the national child benefit supplement granted” in paragraph 2 by “the child tax benefits granted”.

**26.** Section 36 of the Act is amended by replacing the second paragraph by the following paragraphs:

“Such persons must also file a complete statement or a short-form statement at the Minister’s request or, if applicable, in the cases prescribed by regulation, so that their eligibility or their family’s eligibility under a financial assistance program provided for in Title II may be ascertained or the amount of the assistance to be granted may be determined. The statements must be filed in the manner determined by the Minister.

In no case may a person be required to file a complete statement more often than once per 12-month period. The person may not be required to file a short-form statement more often than once per month.”

**27.** Section 47 of the Act is amended by adding “or participates in the Aim for Employment Program” at the end.



**28.** Section 55 of the Act is amended by replacing “Youth Alternative Program” in subparagraph *i* of subparagraph *f* of paragraph 2 by “Aim for Employment Program”.

**29.** Section 72 of the Act is amended

(1) by striking out “notamment” in the portion before paragraph 1 in the French text;

(2) by inserting “liquid assets,” after “property,” in paragraph 1;

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

“(1.1) income derived from assets received by succession;”.

**30.** Chapter III of Title II of the Act, comprising sections 74 to 78, is repealed.

**31.** The Act is amended by inserting the following after section 83:

#### “CHAPTER V

#### “AIM FOR EMPLOYMENT PROGRAM

“**83.1.** The purpose of the Aim for Employment Program is to offer individualized support to enter the labour market, through training in particular, to persons who would be entitled to receive benefits under Chapter I for the first time.

This chapter applies to adults who, in the cases and under the conditions prescribed by regulation, are required to participate in the program. It also applies to families that include at least one such participant.

“**83.2.** A labour market entry plan is established for every participant. The plan takes into account an assessment of the participant’s skills, the profile of the job the participant is seeking and the characteristics of the labour market. To help prepare the plan, the participant must appear for any interview requested by the Minister and provide any information required on his or her circumstances.

The plan includes measures aimed at providing the participant with support corresponding to his or her prospects of entering the labour market. The measures may, in particular, focus on training, an intensive job search or the acquisition of skills and the development of social skills.

The plan also sets out the commitments the participant must honour, in particular as regards the activities to be carried out within the scope of the measures it includes. A participant is however temporarily exempted, in the cases and under the conditions prescribed by regulation, from the obligation to fulfil the commitments set out in the plan.

A plan becomes effective on the day determined by regulation.

The Minister may modify any element of a plan, after consulting with the participant concerned or at that participant's request, to take into account any change in the participant's circumstances that could affect his or her ability to honour the commitments set out in the plan or his or her prospects of entering the labour market.

**“83.3.** Among the commitments it sets out, a labour market entry plan may provide that the participant must accept a job that is offered to him or her if the job falls within the scope of the measures and commitments contained in his or her plan. A participant may however refuse a job in the cases and under the conditions prescribed by regulation.

A plan may also provide that a participant who already holds a job at the time the plan becomes effective or who accepts a job while participating in the program must maintain the employment relationship for as long as he or she participates in the program. However, leaving or losing a job does not, in the cases and under the conditions prescribed by regulation, constitute failure to fulfil the obligation to maintain an employment relationship.

**“83.4.** Participation in the Aim for Employment Program is for a total duration of 12 months. The Minister may however, at any time and with the participant's consent, extend the duration of participation by a maximum of 12 months to facilitate the carrying out of a labour market entry plan. That duration does not take into account the month of application.

In addition, participation is interrupted or extended or ends in the cases and under the conditions prescribed by regulation.

The labour market entry plan states the date on which participation begins, the date on which it is to end and, if applicable, any date set under this section.

**“83.5.** Financial assistance within the framework of the program takes the form, in particular, of an Aim for Employment benefit, to which a participation allowance under section 83.6 and the reimbursement of expenses under section 83.8 may be added.

The Aim for Employment benefit granted to an independent adult or a family is established monthly and calculated in the manner prescribed by regulation.

For the purpose of calculating the benefit, the regulation may, in particular,

(1) establish the basic benefit amount applicable to an independent adult or a family, in the cases and under the conditions it determines;

(2) prescribe, in the cases and under the conditions it determines, any adjustment amount that may increase the basic benefit and any amount that may be subtracted from the benefit, and exclude any amount from the calculation; and

(3) prescribe special rules for the month of the application.

**“83.6.** Participants who honour the commitments set out in their labour market entry plan are entitled to a participation allowance, the amount of which is established in the manner prescribed by regulation, in the cases and under the conditions it prescribes.

**“83.7.** The terms for payment of the benefit and the allowance are prescribed by regulation.

**“83.8.** Participants are entitled, according to the criteria set by the Minister, to the reimbursement of expenses incurred in carrying out their labour market entry plan.

**“83.9.** The Minister may grant exceptional financial assistance to a participant or a participant’s family if the Minister considers that, without such assistance,

(1) the carrying out of the participant’s labour market entry plan would be compromised; or

(2) the participant or the members of the participant’s family would be in circumstances that could endanger their health or safety or lead to complete destitution.

**“83.10.** Under the program, the Minister may offer participants measures, programs and services provided for in Title I, adapting them to meet the requirements of their labour market entry plan. The financial assistance provided for in that Title cannot however be combined with or replace that received under this chapter, except in the cases and under the conditions prescribed by regulation.

**“83.11.** When there is failure to fulfil any of the obligations imposed by sections 30 and 36, the Minister may, as the case may be, refuse or cease to pay financial assistance or reduce it. The Minister may do the same when there is failure to fulfil the obligation under the first paragraph of section 63, which applies to the program subject to the third paragraph of that section.

**“83.12.** If failure to fulfil any of the obligations set out in the first paragraph of section 83.2 hinders the establishment of a labour market entry plan, the Minister may refuse or cease to pay the benefit to the independent adult or the family. The benefit is however paid if the participant remedies the failure within the time limit or on the date determined by the Minister.

**“83.13.** When there is failure to fulfil any of the commitments set out in a labour market entry plan, without a valid reason, the Minister may, from the month following the month in which the Minister notes the failure and to the extent provided for by regulation, reduce the amount of the benefit paid to the independent adult or the family. The amount of the benefit may however not

be reduced below an amount established according to the calculation method prescribed by regulation.

However, no reduction is made before the expiry of the time prescribed in the second paragraph of section 108 for applying for a reconsideration of the initial decision establishing a labour market entry plan and, as applicable, before the decision on that application is made.

**“83.14.** A decision made by the Minister under sections 83.11 to 83.13 must include reasons and be communicated to the person concerned in writing without delay.”

**32.** Section 89 of the Act is amended by replacing “last resort financial assistance program” in the first paragraph by “financial assistance program provided for in Chapter I, II or V of Title II”.

**33.** The Act is amended by inserting the following section after section 106:

**“106.1.** The Minister may establish a program intended for persons who wish to regularize their situation after having made a misrepresentation.

Within the framework of the program, the Minister may, in the cases and according to the conditions and the procedure the Minister determines, recognize such a person as a voluntary declarant. Such a recognition allows the person to benefit from more flexible rules with regard to the consequences arising from the misrepresentation, as determined by regulation.

The Minister may, in the cases and according to the conditions and the procedure the Minister determines, revoke the decision to recognize a person as a voluntary declarant.”

**34.** Section 108 of the Act is replaced by the following section:

**“108.** A decision under

- (1) Chapter IV of Title II,
- (2) Chapter V of Title II, except section 83.5 or sections 83.11 to 83.13, or
- (3) the program provided for in section 106.1,

is not subject to review.

A person to whom a decision referred to in the first paragraph applies may apply in writing, within 30 days, for a reconsideration of the decision by a competent authority within the department, unless the decision is made under section 83.9.”

**35.** Section 114 of the Act is amended by replacing “last resort financial assistance program” in the second paragraph by “financial assistance program provided for in Chapter I, II or V of Title II”.

**36.** Section 131 of the Act is amended

(1) by inserting the following paragraph after paragraph 7:

“(7.1) extending, in the cases and under the conditions prescribed by regulation, the minimum one-year period of cohabitation specified in subparagraph 3 of the first paragraph of section 22;”;

(2) by inserting “a complete statement or” after “ the cases in which” in paragraph 16.

**37.** Section 133 of the Act is amended by replacing paragraph 2 by the following paragraph:

“(2) prescribing, for the purposes of section 72, more flexible rules concerning the matters referred to in that section.”

**38.** The Act is amended by inserting the following section after section 133:

“**133.1.** For the purposes of the Aim for Employment Program, the Government may make regulations

(1) prescribing, for the purposes of the second paragraph of section 83.1, the cases in which and the conditions under which a person is required to participate in the Aim for Employment Program;

(2) prescribing, for the purposes of the third paragraph of section 83.2, the cases in which and the conditions under which a participant in the program is temporarily exempted from the obligation to fulfil the commitments set out in the labour market entry plan;

(3) determining, for the purposes of the fourth paragraph of section 83.2, the day on which a labour market entry plan becomes effective;

(4) prescribing, for the purposes of section 83.3, the cases in which and the conditions under which a participant may refuse a job that is offered to him or her and the cases in which and the conditions under which leaving or losing a job does not constitute failure to fulfil the obligation to maintain an employment relationship;

(5) prescribing, for the purposes of the second paragraph of section 83.4, the cases in which and the conditions under which participation is interrupted or extended or ends;

(6) prescribing, for the purposes of section 83.5, a method for calculating the Aim for Employment benefit;

(7) prescribing, for the purposes of section 83.6, the manner in which the amount of the participation allowance is to be established and determining the cases in which and the conditions under which such an allowance is granted;

(8) prescribing, for the purposes of section 83.7, the terms for payment of the Aim for Employment benefit and the participation allowance;

(9) prescribing, for the purposes of section 83.10, the cases in which and the conditions under which the financial assistance provided for under Title I may be combined with or may replace that received under Chapter V of Title II;

(10) prescribing, for the purposes of section 83.13, to what extent the Minister may reduce the amount of the benefit paid to an independent adult or a family and prescribing a method for calculating the amount below which the benefit may not be reduced.”

**39.** Section 134 of the Act is amended by adding the following paragraph at the end:

“(10) determining, for the purposes of section 106.1, the more flexible rules applicable to a voluntary declarant.”

#### CODE OF CIVIL PROCEDURE

**40.** Article 698 of the Code of Civil Procedure (chapter C-25.01) is amended by inserting “, an Aim for Employment benefit” after “social assistance benefit” in subparagraph 3 of the second paragraph.

### PART III

#### TRANSITIONAL AND FINAL PROVISIONS

**41.** The Minister must, not later than the 120th day following the second anniversary of the coming into force of section 83.1 of the Individual and Family Assistance Act (chapter A-13.1.1), enacted by section 31 of this Act, and subsequently every five years, report to the Government on the implementation of the Aim for Employment Program.

The report is tabled by the Minister in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption. The competent committee of the National Assembly examines the report.

**42.** Chapter III of Title II of the Individual and Family Assistance Act, section 108 of that Act and section 11 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), as they read before the date of coming into force of section 30 of this Act, continue to apply to any person

who benefits on that date from financial assistance under the Youth Alternative Program, for the duration of the person's intervention plan.

Subparagraph *i* of subparagraph *f* of paragraph 2 of section 55 of the Individual and Family Assistance Act, as it read before the date of coming into force of section 30 of this Act, continues to apply, as the case may be, for the purpose of establishing the social assistance benefit granted an independent adult or a family when an adult who is deemed to receive a parental contribution received benefits under the Youth Alternative Program.

**43.** In any agreement entered into by the Minister under section 84 of the Individual and Family Assistance Act before the date of coming into force of section 83.1 of that Act, enacted by section 31 of this Act, a provision relating to the Social Assistance Program or a last resort financial assistance program also applies to the Aim for Employment Program from that date unless, in the year following that date, one of the parties notifies the other party in writing of its intention not to include that program, in whole or in part, in the agreement.

The first paragraph ceases to apply to an agreement on the day the first amendment made to the agreement by the parties after the date of coming into force of section 83.1 of that Act, enacted by section 31 of this Act, becomes effective.

The first paragraph applies despite section 70 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

**44.** For the sole purposes of paragraph 1.1 of section 72 of the Individual and Family Assistance Act, enacted by section 29 of this Act, the first regulation made under paragraph 2 of section 133 of the Individual and Family Assistance Act, as replaced by section 37 of this Act, may have retroactive effect to the date it specifies.

**45.** In any regulation, “Emploi-Québec” is replaced, wherever it appears and with the necessary modifications, by “the Minister of Employment and Social Solidarity”. Similarly, in any other document, a reference to Emploi-Québec is a reference to that Minister, unless the context indicates otherwise.

**46.** Part I and section 45 of this Act come into force on 10 November 2016. Part II and sections 41 to 44 of this Act come into force on the date or dates to be set by the Government.





## Coming into force of Acts

Gouvernement du Québec

### **O.C. 226-2017, 22 March 2017**

#### **An Act to implement the 2030 Energy Policy and to amend various legislative provisions (2016, chapter 35)**

##### **— Coming into force of section 250 of Chapter IV of the Act**

COMING INTO FORCE of section 250 of Chapter IV of the Act to implement the 2030 Energy Policy and to amend various legislative provisions

WHEREAS the Act to implement the 2030 Energy Policy and to amend various legislative provisions (2016, chapter 35) was assented to on 10 December 2016;

WHEREAS, under section 24 of the Act, the Act comes into force on 10 December 2016, except

(1) Chapter I, which comes into force on 1 April 2017, except sections 1, 2, 6, 22 to 24, 27 to 29, 32 to 38, 40 to 42, 44, 47, 48 and 79 of the Act respecting Transition énergétique Québec (2016, chapter 35, section 1) enacted by it, which came into force on 9 January 2017;

(2) sections 11 to 14, which come into force on the date of coming into force of the rules of procedure applicable to mediation adopted by the Régie de l'énergie under section 113 of the Act respecting the Régie de l'énergie (chapter R-6.01), as amended by section 16 of the Act to implement the 2030 Energy Policy and to amend various legislative provisions; and

(3) the provisions of Chapter IV, which come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set 1 April 2017 as the date of coming into force of section 250 of Chapter IV of the Act, except as regards paragraphs 1 and 2 of section 17.12.22 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) introduced by that section;

IT IS ORDERED, therefore, on the recommendation of the Minister of Energy and Natural Resources:

THAT 1 April 2017 be set as the date of coming into force of section 250 of Chapter IV of the Act to implement the 2030 Energy Policy and to amend various legislative provisions (2016, chapter 35), except as regards paragraphs 1 and 2 of section 17.12.22 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) introduced by that section.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

102897

Gouvernement du Québec

### **O.C. 248-2017, 22 March 2017**

#### **Access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation, An Act to enact the Act to promote... (2015, chapter 25)**

CONCERNING the coming into force of a provision of the Act to enact the Act to promote access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation

WHEREAS the Act to enact the Act to promote access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation (2015, chapter 25) was given assent on 10 November 2015;

WHEREAS section 25 of that Act stipulates that the provisions thereof come into force on 10 November 2015, except for sections 4 to 31, 39, 41, 42, 45 to 47, 49, paragraph (3) of section 50, sections 53, 54, 56, 59 to 68, section 69 to the extent that it concerns general practitioners, and sections 74, 75, 77 to 79, enacted by section 1, which will come into force on the date or dates to be set by the Government;

WHEREAS, in accordance with Order in Council No. 257-2016, dated 30 March 2016, the date of coming into force of paragraph (3) of section 50, enacted by section 1 of the Act to enact the Act to promote access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation, was set at 11 April 2016, to the extent that it concerns the system designed to allow every insured person, within the meaning of the Health Insurance Act (chapter A-29), to find a physician who agrees to provide medical care to the person;

WHEREAS this same paragraph (3) of section 50, enacted by section 1 of the Act to promote access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation, enacts the fifth paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5) pursuant to which the Board shall set up a system designed to allow every insured person to make an appointment with a general practitioner who is subject to an agreement entered into under section 19 of the Health Insurance Act (chapter A-29);

WHEREAS it is expedient to set at 19 April 2017 the date of coming into force of paragraph (3) of section 50, enacted by section 1 of the Act to enact the Act to promote access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation, which enacts the fifth paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec to the extent that it concerns the implementation by the Board of a system designed to allow every insured person to make an appointment with a general practitioner who is subject to an agreement entered into under section 19 of the Health Insurance Act;

IT IS ORDERED therefore, on the recommendation of the Minister of Health and Social Services:

THAT 19 April 2017 be set as the date of coming into force of paragraph (3) of section 50, enacted by section 1 of the Act to enact the Act to promote access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation (2015, chapter 25), to the extent that it concerns the implementation by the Board of a system designed to allow every insured person to make an appointment with a general practitioner who is subject to an agreement entered into under section 19 of the Health Insurance Act (chapter A-29).

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

## Regulations and other Acts

Gouvernement du Québec

**O.C. 247-2017**, 22 March 2017

Tax Administration Act  
(chapter A-6.002)

Act respecting the Québec Pension Plan  
(chapter R-9)

**Agreement on Social Security between the  
Gouvernement du Québec and the Government  
of the Republic of Korea  
—Ratification and making of the Regulation  
respecting the implementation of that Agreement**

Ratification of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Korea and making of the Regulation respecting the implementation of that Agreement

WHEREAS Order in Council 956-2014 dated 5 November 2014 authorized the Minister of International Relations and La Francophonie to sign alone an agreement and an administrative arrangement on social security between the Gouvernement du Québec and the Government of the Republic of Korea;

WHEREAS the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Korea as well as the Administrative Arrangement consequent thereto were signed at Québec on 24 November 2015;

WHEREAS this Agreement on Social Security aims, in particular, to guarantee the benefits of the coordination in the fields of retirement, survivorship, disability and death to the persons concerned;

WHEREAS the terms and conditions of this Agreement are set out in an Administrative Arrangement annexed to the Agreement;

WHEREAS the Government may, by regulation made under the first paragraph of section 96 of the Tax Administration Act (chapter A-6.002), give effect to international agreements of a fiscal nature entered into under the first paragraph of section 9 of that Act;

WHEREAS, under the second paragraph of section 215 of the Act respecting the Québec Pension Plan (chapter R-9), the Government may make regulations respecting the manner in which that Act is to apply to any case affected by the agreement entered into with a country other than Canada;

WHEREAS the Agreement constitutes an international agreement within the meaning of the third paragraph of section 19 of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1);

WHEREAS the Agreement also constitutes an important international commitment within the meaning of subparagraph 1 of the second paragraph of section 22.2 of that Act;

WHEREAS, under the third paragraph of section 20 of that Act, international agreements referred to in section 22.2 of that Act must, to be valid, be signed by the Minister, approved by the National Assembly and ratified by the Government;

WHEREAS, under section 22.4 of that Act, the ratification of an international agreement or the making of an order referred to in the third paragraph of section 22.1 of that Act may not take place, where it concerns an important international commitment, until the commitment is approved by the National Assembly;

WHEREAS the Agreement was approved by the National Assembly on 11 May 2016;

WHEREAS, under Order in Council 808-2011 dated 3 August 2011, proposed regulations of the Government, in particular, respecting the implementation of agreements on social security signed by the Gouvernement du Québec under section 215 of the Act respecting the Québec Pension Plan and section 9 of the Tax Administration Act, are excluded from the application of the Regulations Act (chapter R-18.1);

IT IS ORDERED, therefore, on the recommendation of the Minister of International Relations and La Francophonie and the Minister of Finance:

THAT the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Korea, signed at Québec on 24 November 2015 and approved by the National Assembly on 11 May 2016, whose text is attached to the implementing regulation of this Agreement mentioned below, be ratified;

THAT the Regulation respecting the implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Korea, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

## **Regulation Respecting the Implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Korea**

Tax Administration Act  
(chapter A-6.002, ss. 9 and 96)

An Act respecting the Québec Pension Plan  
(chapter R-9, s. 215)

**1.** The Act respecting the Québec Pension Plan (chapter R-9) and the regulations thereunder apply to every person referred to in the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Korea, signed at Québec on 24 November 2015 attached as Schedule 1.

**2.** This Act and those regulations apply in the manner stipulated in that Agreement and the Administrative Arrangement for the application of the Agreement attached as Schedule 2.

**3.** This Regulation comes into force on 1 September 2017.

### **SCHEDULE 1** (s. 1)

#### **UNDERSTANDING ON SOCIAL SECURITY BETWEEN THE GOUVERNEMENT DU QUÉBEC AND THE GOVERNMENT OF THE REPUBLIC OF KOREA**

#### **THE GOUVERNEMENT DU QUÉBEC AND THE GOVERNMENT OF THE REPUBLIC OF KOREA**

(hereinafter referred to as the “Parties”),

HAVING RESOLVED to regulate the relationship between them in the field of social security,

HAVE AGREED AS FOLLOWS:

### **PART 1** **GENERAL PROVISIONS**

#### **ARTICLE 1** **DEFINITIONS**

1. For the purpose of this Understanding:

(a) “competent authority” means, as regards Québec, the Québec Minister responsible for administering the legislation referred to in Article 2, and as regards the Republic of Korea (hereinafter referred to as “Korea”), the Minister of Health and Welfare;

(b) “competent institution” means, as regards Québec, the Québec department or agency responsible for administering the legislation referred to in Article 2, and as regards Korea, the National Pension Service;

(c) “legislation” means laws and regulations specified in Article 2;

(d) “benefit” means any benefit provided for in the legislation specified in Article 2 of this Understanding;

(e) “national” means, as regards Québec, a Canadian citizen who is or has been subject to the legislation of Québec or has acquired rights under that legislation, and as regards Korea, a national of Korea as defined in the Nationality Law, as amended;

(f) “period of coverage” means, as regards Québec, any year for which contributions or disability pension benefits have been paid under the legislation of Québec or any other year considered as equivalent, and as regards Korea, any period of contributions that has been recognized and completed under the legislation of Korea, as well as any period recognized as equivalent to a period of contribution under that legislation.

2. Any term not defined in the Understanding shall have the same meaning as in the applicable legislation.

#### **ARTICLE 2** **MATERIAL SCOPE**

1. This Understanding shall apply:

(a) to the legislation of Québec concerning the Québec Pension Plan;

(b) to the legislation of Korea concerning the National Pension.

2. The Understanding shall also apply to future legislation which amends, supplements, consolidates or supersedes the legislation specified in paragraph 1 of this Article.

3. This Understanding shall also apply to any legislation of a Party that extends the existing systems to new categories of beneficiaries or to new benefits; however that Party shall have the period of three months from the date of the official publication of that legislation to notify the other Party that the Understanding shall not apply thereto.

4. The Understanding shall not apply to any legislation that covers a new branch of social security, unless the Understanding is amended to that effect.

5. Unless otherwise provided in this Understanding, the legislation referred to in paragraph 1 of this Article shall not include treaties or other international agreements on social security that may be concluded between a Party and a third party, or legislation promulgated for their specific implementation.

#### **ARTICLE 3** PERSONAL SCOPE

Unless otherwise provided in this Understanding, this Understanding shall apply to any person who is or who has been subject to the legislation of either Party, to the dependants and survivors of such a person within the meaning of the applicable legislation of either Party, and to any person who has acquired rights under that legislation.

#### **ARTICLE 4** EQUALITY OF TREATMENT

Unless otherwise provided in this Understanding, any person described in Article 3 shall, in the application of the legislation of that Party, receive equal treatment with the nationals of that Party.

#### **ARTICLE 5** EXPORT OF BENEFITS

Unless otherwise stipulated in the Understanding, any benefit acquired under the legislation of a Party or under the Understanding shall not be reduced, modified, suspended, cancelled, or confiscated simply because the beneficiary resides or stays outside the territory of the Party where the debtor institution is located. These benefits shall be payable to the beneficiary wherever he or she resides or stays.

## **PART II** PROVISIONS ON COVERAGE

### **ARTICLE 6** GENERAL RULE

Except as otherwise provided in this Part, a person employed within the territory of one Party shall, with respect to that employment, be subject only to the legislation of that Party.

### **ARTICLE 7** SELF-EMPLOYED PERSONS

1. A person who resides in the territory of a Party and who is engaged in self-employment in the territory of the other Party or in the territory of both Parties shall, in respect of that self-employment, be subject only to the legislation of the first Party.

2. A person who is self-employed in the territory of a Party and employed in the territory of the other Party shall be subject only to the legislation of the Party in whose territory he or she resides.

### **ARTICLE 8** DETACHED EMPLOYEES

1. Where a person in the service of an employer having a place of business in the territory of one Party is sent by that employer to work on that employer's behalf in the territory of the other Party, only the legislation on compulsory coverage of the first Party shall continue to apply with regard to that employment during the first sixty calendar months as though the employee were still employed in the territory of the first Party. This paragraph shall also apply to an employee who has been sent by his or her employer in the territory of one Party to the employer's affiliated or subsidiary company in the territory of the other Party.

2. In case the detachment continues beyond the period specified in paragraph 1 of this Article, the legislation of the first Party shall continue to apply, provided that the competent authorities or competent institutions of both Parties consent.

### **ARTICLE 9** TRAVELING PERSONNEL EMPLOYED BY AN INTERNATIONAL CARRIER

A person who, but for this Understanding, would be subject to the legislation of both Parties in respect of employment as a member of the crew of a ship or aircraft shall be subject only to the legislation of Québec if the person resides in Québec and only to the legislation of Korea in any other case.



**ARTICLE 10**  
MEMBERS OF DIPLOMATIC MISSIONS

Nothing in this Understanding shall affect the provisions of the Vienna Convention on Diplomatic Relations of April 18, 1961, or of the Vienna Convention on Consular Relations of April 24, 1963.

**ARTICLE 11**  
EXCEPTIONS

The competent authorities or competent institutions of both Parties may, by common agreement, make exceptions in the application of this Part with respect to any persons, or category of persons, provided that any affected person shall be subject to the legislation of either Party.

**PART III**  
PROVISIONS ON BENEFITS

**ARTICLE 12**  
BENEFITS UNDER THE LEGISLATION  
OF QUÉBEC

1. When a person has completed periods of coverage under the legislation of both Parties and is ineligible for benefits by virtue of periods of coverage completed solely under the legislation of Québec, the competent institution of Québec shall totalize, to the extent necessary for entitlement to benefits under the legislation of Québec, the periods of coverage completed under the legislation of both Parties, provided that they do not overlap.

2. If a person who has been subject to the legislation of both Parties meets the requirements for entitlement to benefits for himself or herself, his or her dependents, survivors, or other rightful claimants under the legislation of Québec without having recourse to the totalization principle set forth in paragraph 1, the competent institution of Québec shall determine the amount of benefits in accordance with the provisions of the legislation that it administers.

3. If the person referred to in paragraph 2 does not meet the requirements for entitlement to benefits without totalization, the competent institution of Québec shall proceed as follows:

(a) it shall recognize one year of contribution if the competent institution of Korea certifies that periods of coverage of at least three (3) months in a single calendar year has been credited under the legislation of Korea, provided that the year in question is included in the contributory period defined under the legislation of Québec;

(b) it shall totalize, in accordance with paragraph 1 of this Article, the years recognized under subparagraph *a* and the periods completed under the legislation of Québec.

4. When the totalization set forth in paragraph 3 entitles a person to benefits, the competent institution of Québec shall determine the amount of benefits payable by adding together the amounts calculated in accordance with subparagraphs *a* and *b* below:

(a) the amount of that portion of the benefits related to earnings shall be calculated in accordance with the provisions of the legislation of Québec;

(b) the amount of the flat rate component of the benefits payable in accordance with the provisions of this Understanding shall be determined by multiplying:

the amount of the flat rate benefits determined in accordance with the provisions of the Québec Pension Plan

by

the fraction that represents the ratio between the periods of contribution to the Québec Pension Plan and the contributory period defined in the legislation governing that Plan.

**ARTICLE 13**  
BENEFITS UNDER THE LEGISLATION OF KOREA

1. If a person is not eligible for old-age, survivors or disability benefits under the legislation of Korea based on periods of coverage credited exclusively under the legislation of Korea, the competent institution of Korea shall take into account the person's periods of coverage credited under the Québec Pension Plan, insofar as they do not coincide, for the purpose of establishing the person's entitlement to benefits under the legislation of Korea. The preceding sentence shall not apply for the purpose of establishing entitlement to old-age, survivors or disability benefits unless the person has completed at least twelve months of coverage under the legislation of Korea.

2. To qualify for a disability or survivors benefit, the requirement of the legislation of Korea that a person be covered when the insured event occurs shall be considered to have been met if the person is insured for a benefit under the Québec Pension Plan during a period in which the insured event occurs according to the legislation of Korea. The preceding sentence shall not apply for the purpose of establishing entitlement to a disability or survivors benefits unless the person has completed at least twelve months of coverage under the legislation of Korea.

3. In determining eligibility for benefits under this Article, the competent institution of Korea shall credit twelve (12) months of coverage for every year of contributions under the Québec Pension Plan certified as creditable by the competent institution of Québec.

4. Where periods of coverage under the Québec Pension Plan are taken into account to establish eligibility for benefits under the legislation of Korea in accordance with this Article, the benefit due shall be determined as follows:

(a) the competent institution of Korea shall first compute a pension amount equal to the amount that would have been payable to the person if all the periods of coverage credited under the legislation of both Parties had been completed under the legislation of Korea. To determine the pension amount, the competent institution of Korea shall take into account the person's average standard monthly income while covered under the legislation of Korea;

(b) the competent institution of Korea shall calculate the partial benefit to be paid in accordance with the legislation of Korea based on the pension amount calculated according to the preceding subparagraph, in proportion to the ratio between the duration of the periods of coverage taken into consideration under its own legislation and the total duration of the periods of coverage taken into consideration under the legislation of both Parties.

5. Lump-sum refunds shall be granted to a Canadian citizen who is or has been subject to the legislation of Québec under the same conditions as they are granted to Korean nationals. However, lump-sum refunds shall be paid to nationals of a third state in accordance with the legislation of Korea.

6. Provisions of the legislation of Korea restricting the entitlement to the disability or survivors benefit due to unpaid contributions at the time when the person has otherwise qualified for the benefit shall apply to the period covered under the legislation of Korea.

#### **PART IV MISCELLANEOUS PROVISIONS**

##### **ARTICLE 14 ADMINISTRATIVE ARRANGEMENT**

1. The competent authorities of the Parties shall conclude an Administrative Arrangement that sets out the measures necessary for the implementation of this Understanding.

2. The liaison agencies of each Party shall be designated in the Administrative Arrangement.

##### **ARTICLE 15 CLAIM FOR BENEFITS**

1. To receive benefits pursuant to the Understanding, a person must file a claim in accordance with the terms and conditions set forth in the Administrative Arrangement.

2. A claim for benefits filed under the legislation of one Party after the date of coming into force of the Understanding shall be deemed to be a claim for corresponding benefits under the legislation of the other Party in the following cases:

(a) when a person expresses the wish that the claim be considered as a claim under the legislation of the other Party; or

(b) when a person indicates, at the time of the claim, that periods of coverage were completed under the legislation of the other Party.

The date of receipt of such a claim shall be presumed to be the date on which that claim was received under the legislation of the first Party.

3. The provisions set out in paragraph 2 shall not impede a person from requesting that a claim for benefits under the legislation of the other Party be deferred.

##### **ARTICLE 16 PAYMENT OF BENEFITS**

1. All benefits are payable directly to the beneficiary in the currency of the Party making the payment or in a currency that has legal tender status in the place of residence of the beneficiary, with no deductions for administrative fees or other charges incurred for the payment of such benefits.

2. For the purposes of paragraph 1, when an exchange rate must be used, such rate shall be the one in effect on the day the payment is made.

3. In the event that a Party imposes currency controls or other similar measures that restrict payments, remittance or transfers of funds or financial instruments to persons who are outside the territory of that Party, it shall, without delay, take appropriate measures to ensure the payment of any amount that must be paid in accordance with this Understanding to persons described in Article 3.

##### **ARTICLE 17 FILING DEADLINE**

1. Any claim for recourse, notice or appeal that, under the legislation of one Party, must be filed within a prescribed period with the competent institution of that Party

shall be accepted if filed within the same period with the corresponding competent institution of the other Party. In such case, the competent institution of the second Party shall forward it without delay to the competent institution of the first Party.

2. The date on which this claim for recourse, notice or appeal referred to in paragraph 1 is filed with the competent institution of one Party shall be considered the date of filing with the competent institution of the other Party.

#### **ARTICLE 18** MEDICAL EXAMINATIONS

1. At the request of the competent institution of a Party, the competent institution of the other Party shall make the necessary arrangements to carry out the required medical examinations for persons residing or staying in the territory of the second Party.

2. The medical examinations referred to in paragraph 1 shall not be refused solely because they were made in the territory of the other Party.

3. The competent institution of a Party shall reimburse the competent institution of the other Party for costs incurred for medical examinations carried out in accordance with paragraph 1. However, the communication of medical examinations or other information already in the possession of the competent institutions shall constitute an integral part of mutual administrative assistance and shall be performed without charge.

#### **ARTICLE 19** FEES AND EXEMPTION FROM AUTHENTICATION

1. Any exemption or reduction of fees provided for in the legislation of one Party with respect to the issuing of a certificate or document required under that Party's legislation shall be extended to the certificates and documents required under the legislation of the other Party.

2. Any document required under the Understanding shall not require authentication by the responsible authorities or any other similar formalities.

3. Copies of documents which are certified as true and exact copies by the competent institution of one Party shall be accepted as true and exact copies by the competent institution of the other Party, without further certification.

#### **ARTICLE 20** PROTECTION OF PERSONAL INFORMATION

1. For the purposes of this Article, the term "legislation" has the usual meaning attributed to it in the laws and legislations specified in Article 2 and the domestic laws of each Party regarding the protection of personal information.

2. Any information concerning a natural person which allows the person to be identified is personal information. Personal information is confidential.

3. Unless otherwise required by the domestic laws of a Party, personal information concerning an individual which is communicated in accordance with this Understanding to the competent authority or competent institution of that Party by the competent authority or competent institution of the other Party shall be used exclusively for purposes of implementing this Understanding and the legislation to which this Understanding applies. Such information received by a competent authority or competent institution of a Party shall be governed by the legislation of that Party.

4. The competent authorities or competent institutions of both Parties shall ensure, during the transmission of the information referred to in paragraph 3, the use of means preserving the confidentiality of such information.

5. The competent authority or competent institution of a Party, to which personal information referred to in paragraph 3 is communicated, shall protect it against unauthorized access, alteration and communication.

6. The competent authority or competent institution of a Party, to which personal information referred to in paragraph 3 is communicated, shall take the necessary measures to ensure that this information is up to date, accurate and complete so as to serve the purposes for which it was collected. As need be, it shall correct the information held and destroy any information whose collection or storage is not authorized by the legislation which applies to it. It shall also destroy, upon request, the information whose transmission is not authorized by the legislation of the transmitting Party.

7. Subject to a Party's legislation, the information received by a Party, because of the administration of this Understanding, shall be destroyed when the purposes for which it was collected or used are completed. The competent authorities or competent institutions of both Parties



shall use safe and final means of destruction, and ensure the confidentiality of the personal information awaiting destruction.

8. Upon request to a competent authority or competent institution of a Party, the person concerned has the right to be informed of the communication of personal information referred to in paragraph 3 and of its use for purposes other than the administration of the Understanding. That person may also have access to the personal information concerning him or her and have the said information corrected, except as otherwise provided by the legislation of the Party on whose territory the information is held.

9. The competent authorities of the Parties shall inform each other of any changes to the legislation concerning the protection of personal information, particularly with regards to other grounds on which it may be used or communicated to other entities without the consent of the person concerned.

10. The provisions of paragraphs 3 et seq. shall apply, with the necessary adaptations, to other confidential information which are obtained within the framework of the administration of the Understanding or by reason thereof.

#### **ARTICLE 21**

##### **MUTUAL ADMINISTRATIVE ASSISTANCE**

The competent authorities and competent institutions of the Parties shall, within the scope of their respective authorities:

(a) communicate to each other any information required for the administration of the Understanding;

(b) assist each other free of charge in any matter concerning the administration of the Understanding, subject to any exceptions provided for in Article 18;

(c) communicate to each other any information on measures adopted for the purpose of administering the Understanding or on amendments to their legislation if such amendments affect the application of the Understanding; and

(d) notify each other of problems encountered in interpreting or administering the Understanding.

#### **ARTICLE 22**

##### **COMMUNICATIONS**

1. The competent authorities, the competent institutions and the liaison agencies of both Parties may communicate with each other in English or in their official language.

2. An application or document may not be rejected by a competent authority or competent institution of a Party solely because it is in an official language of the other Party.

3. A decision of a competent authority or competent institution may be communicated directly to a person staying or residing in the territory of the other Party.

#### **ARTICLE 23**

##### **RESOLUTION OF DIFFICULTIES**

1. Any disagreement regarding the interpretation or application of this Understanding shall be resolved by consultation between the competent institutions of the Parties.

2. A joint commission composed of representatives of the competent authorities or competent institutions of each Party, shall be in charge of monitoring the administration of the Understanding and proposing any changes. The joint commission shall meet, as need be, at the request of either Party.

3. The difficulties relating to the administration or interpretation of the Understanding shall be resolved by the joint commission. In the event that it is not possible to reach a solution through this channel, the dispute shall be settled by mutual agreement by both Parties.

#### **PART V**

##### **TRANSITIONAL AND FINAL PROVISIONS**

#### **ARTICLE 24**

##### **TRANSITIONAL PROVISIONS**

1. The Understanding shall not confer any right to the payment of benefits for a period predating its coming into force.

2. For the purposes of Part III and subject to the provisions of paragraph 1:

(a) any period of coverage completed before the date of coming into force of this Understanding, and any other relevant events that occurred before that date, shall be taken into consideration in determining the right to a benefit under this Understanding. However, the competent institution of neither Party shall be required to take into account periods of coverage which occurred prior to the earliest date for which periods of coverage may be credited under its legislation;

(b) benefits, other than death benefits under the legislation of Québec, shall be owed under the Understanding even if related to an event predating its coming into force;

(c) when the claim for benefits, which must be granted in application of Part III, is filed within two years from the coming into force of the Understanding, the rights resulting from the Understanding shall be acquired from the coming into force of the Understanding or the date of entitlement to a retirement, survivor or disability benefit, if that date is later than the coming into force of the Understanding, notwithstanding the provisions of the legislation of either Party relating to the forfeiture of rights;

(d) benefits that have been turned down, reduced, or suspended because of nationality or place of residence shall, at the request of the person concerned, be awarded or reinstated as of the coming into force of the Understanding;

(e) benefits awarded before the coming into force of the Understanding shall be reviewed at the request of the person concerned, or ex officio, and if the review leads to lower benefits than those awarded prior to the coming into force of the Understanding, the benefits shall be maintained at their previous level;

(f) if the request referred to in sub paragraphs *d* and *e* is filed within two years of the coming into force of the Understanding, the rights created hereunder shall be acquired as of its coming into force, notwithstanding the provisions of the legislation of either Party regarding the forfeiture of rights;

(g) if the request referred to in sub paragraphs *d* and *e* is filed after the two-year deadline of the coming into force of the Understanding, rights that have not been forfeited shall be acquired as of the date of the request, subject to more favorable provisions in the applicable legislation.

3. For the purposes of Article 8, persons shall only be deemed to have been detached as of the coming into force of the Understanding.

#### **ARTICLE 25** COMING INTO FORCE AND TERMINATION

1. Each Party shall notify the other Party once the internal procedures required for the coming into force of the Understanding have been completed.

2. This Understanding shall come into force on the first day of the third month following the month in which each Party shall have received from the other Party written notification referred to in paragraph 1.

3. This Understanding may be terminated by one of the Parties by notifying the other Party. Following such notification, the Understanding shall expire on the thirty-first (31st) day of December that follows the notification date by at least twelve (12) months.

4. If the Understanding is terminated, all rights acquired under the provisions of the Understanding shall remain in effect and the Parties will make arrangements concerning the rights in the course of being acquired.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Understanding.

DONE in duplicate at Québec on 24 November 2015 in the French, Korean and English languages, each text being equally authentic.

THE GOUVERNEMENT  
DU QUÉBEC  
CHRISTINE ST-PIERRE

THE GOVERNMENT OF THE  
REPUBLIC OF KOREA  
JIN HUR

#### **SCHEDULE 2** (s. 2)

ADMINISTRATIVE ARRANGEMENT FOR THE  
IMPLEMENTATION OF THE UNDERSTANDING  
ON SOCIAL SECURITY BETWEEN THE  
GOUVERNEMENT DU QUÉBEC AND THE  
GOVERNMENT OF THE REPUBLIC OF KOREA

THE COMPETENT AUTHORITY OF THE  
GOUVERNEMENT DU QUÉBEC

AND

THE COMPETENT AUTHORITY OF THE  
GOVERNMENT OF THE REPUBLIC OF KOREA

PURSUANT to paragraph 1 of Article 14 of the Understanding on Social Security between the Gouvernement du Québec and the Government of the Republic of Korea, signed at Québec on 24 November 2015 (hereinafter referred to as the Understanding), the competent authorities;

HAVE AGREED AS FOLLOWS:

#### **ARTICLE 1** DEFINITIONS

The terms used in this Administrative Arrangement shall have the same meaning given to them in Article 1 of the Understanding.

#### **ARTICLE 2** LIAISON AGENCIES

1. In accordance with the provisions of paragraph 2 of Article 14 of the Understanding, the liaison agencies designated by each of the Parties shall be:

(a) as regards Québec, the Bureau des ententes de sécurité sociale of the Régie des rentes du Québec or any other agency that the Gouvernement du Québec may subsequently designate;

(b) as regards the Republic of Korea, the National Pension Service.

2. The liaison agencies designated in paragraph 1 are entrusted with the duties defined in this Arrangement.

3. The competent authority of each Party may designate other liaison agencies than stipulated in paragraph 1. In such case, it shall notify without delay the competent authority of the other Party.

### ARTICLE 3 CERTIFICATE OF COVERAGE

1. Where the legislation of one Party is applicable in accordance with cases arising in application of Articles 7, 8 and 11 of the Understanding, the liaison agency of that Party shall issue, upon request of the employer or self-employed person, a certificate stating that the employee or self-employed person remains subject to the legislation of that Party, and indicating the duration for which the certificate will be valid. This certificate will be proof that the employee or self-employed person is exempt from the legislation of the other Party.

2. The liaison agency issuing the certificate of coverage shall forward a copy of that certificate to the liaison agency of the other Party, to the person concerned and, if applicable, to the employer of that person.

3. For the purposes of Article 11 of the Understanding, exceptions from the provisions on coverage must be the result of a joint agreement between the liaison agency of Korea and the liaison agency of Québec who are in charge of obtaining the decision from their respective competent institutions.

### ARTICLE 4 PROCESSING AN APPLICATION

1. The liaison agency or the competent institution of a Party which receives an application for benefits payable under the legislation of the other Party shall, by means of a liaison form, send the application form to the liaison agency or the competent institution of the other Party along with copies of the required supporting documents it has certified as being true copies of the originals along with all other information that the liaison agency or the competent institution of the latter Party may require to establish the applicant's eligibility.

2. If so requested by the competent institution or liaison agency of a Party, the competent institution or liaison agency of the other Party shall indicate on the liaison form the periods of coverage recognized under the legislation that it applies.

3. As soon as it reaches a decision on a claim under the legislation it applies, the competent institution shall notify the claimant of any appeal available and the deadlines for such appeal as provided for in that legislation; it shall also notify the liaison agency of the other Party using the liaison form.

### ARTICLE 5 REIMBURSEMENT BETWEEN INSTITUTIONS

The competent institution of a Party shall reimburse amounts owed under Article 18 of the Understanding upon presentation of a statement of expenses by the competent institution of the other Party.

### ARTICLE 6 FORMS

The model of the attestations or forms required for the administration of the Understanding and this Administrative Arrangement is established, by mutual agreement, by the liaison agencies of both Parties.

### ARTICLE 7 STATISTICS

The liaison agencies of both Parties shall exchange statistical data, in the form agreed upon, concerning payments made to beneficiaries for the purpose of the application of Part III of the Understanding during each calendar year. Such data shall include the number of beneficiaries, the total amount of benefits by category and the number of certificates issued under Article 3 of this Administrative Arrangement.

### ARTICLE 8 COMING INTO FORCE AND DURATION

The Administrative Arrangement shall come into force on the same day as the Understanding and its duration shall be the same as that of the Understanding.

Signed at Québec on 24 November 2015 in duplicate in the French, Korean and English languages, each text having equal authority.

FOR THE COMPETENT  
AUTHORITY OF  
THE GOUVERNEMENT  
DU QUÉBEC  
CHRISTINE ST-PIERRE

FOR THE COMPETENT  
AUTHORITY OF  
THE GOVERNMENT OF  
THE REPUBLIC OF KOREA  
JIN HUR

Gouvernement du Québec

**O.C. 250-2017, 22 March 2017**

Fire Safety Act  
(chapter S-3.4)

**Decorations and citations awarded in the field of fire safety and for rescue activities**

Regulation respecting decorations and citations awarded in the field of fire safety and for rescue activities

WHEREAS, under paragraph 3 of section 151 of the Fire Safety Act (chapter S-3.4), the Government may, by regulation, determine the decorations and citations that may be awarded, the cases in which they may be awarded, the procedure for awarding decorations and citations, and the classes of persons or bodies that may qualify therefor;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting decorations and citations awarded in the field of fire safety and for rescue activities was published in Part 2 of the *Gazette officielle du Québec* of 24 August 2016 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendment;

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

THAT the Regulation respecting decorations and citations awarded in the field of fire safety and for rescue activities, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

**Regulation respecting decorations and citations awarded in the field of fire safety and for rescue activities**

Fire Safety Act  
(chapter S-3.4, s. 151, par. 3)

**CHAPTER I  
DECORATIONS AND CITATIONS**

**DIVISION I  
DECORATIONS**

**1.** The Minister of Public Security may award to a member of a fire safety service the following decorations:

- (1) the *croix du courage*;
- (2) the *médaille pour acte méritoire*;
- (3) the *médaille du sacrifice*.

For the purposes of this Regulation, a “member of a fire safety service” is a person in charge of fighting fires and a first responder within the meaning of the Act respecting pre-hospital emergency services (chapter S-6.2) working within a fire safety service established by a local or regional authority or by an intermunicipal board.

**2.** The *croix du courage* may be awarded to a member of a fire safety service who has accomplished a heroic act at the peril of his or her life during an intervention.

**3.** The *médaille pour acte méritoire* may be awarded to a member of a fire safety service who has demonstrated outstanding leadership or self-surpassing during an exceptional intervention.

**4.** The *médaille du sacrifice* may be awarded to a member of a fire safety service who has died during an exceptional intervention.

**DIVISION II  
CITATIONS**

**5.** The Minister may award to any person or body the following citations:

- (1) the *citation d’honneur*;
- (2) the *citation de reconnaissance*.

**6.** The *citation d'honneur* may be awarded to a person or body who has contributed outstandingly to the development and promotion of fire safety.

**7.** The *citation de reconnaissance* may be awarded to a person or body who has facilitated the work of the members of a fire safety service during an event requiring their intervention.

## CHAPTER II PROCEDURE FOR AWARDING A DECORATION OR CITATION

**8.** The candidacy of a member of a fire safety service for a decoration is submitted by a local or regional authority, an intermunicipal board or any person having authority over a member of a fire safety service.

The candidacy of a person or body for a citation may be submitted by any person or body.

**9.** A candidacy is to contain

(1) the name, contact information and, if applicable, title of the candidate;

(2) the reasons for which the decoration or citation should be awarded;

(3) the date, time and place and a description of the act accomplished and, if applicable, the names of the persons involved or, in the case of the *citation d'honneur*, a description of the contribution made in the field of fire safety;

(4) the names and contact information of the witnesses to the act accomplished, if any;

(5) where the candidate is deceased, the name and contact information of his or her spouse or, in the absence of a spouse, of the closest relative or, if none, of the closest friend so that the decoration or citation may be given to that person;

(6) the name and contact information of the fire safety service involved, if any; and

(7) the name and contact information of the person or body who is submitting the candidacy and, if applicable, the title of the person who is submitting the candidacy.

A candidacy may also be accompanied by any document supporting it.

**10.** A Comité sur les décorations et les citations décernées en matière de sécurité incendie et pour des activités de secours is hereby established for the purposes of examining candidacies and making recommendations to the Minister.

Every candidacy is addressed to the secretary of the committee who is designated from among the staff of the Ministère de la Sécurité publique.

**11.** The committee is composed of

(1) 1 representative from the Ministère de la Sécurité publique;

(2) 1 person from the associations representing the directors of fire safety services established by a local or regional authority or by an intermunicipal board;

(3) 2 persons from the associations representing the members of fire safety services established by a local or regional authority or by an intermunicipal board;

(4) 1 person from the Fédération québécoise des municipalités locales et régionales (FQM);

(5) 1 person from the Union des municipalités du Québec; and

(6) 1 person representing the members of the fire safety services that are not established by a local or regional authority or by an intermunicipal board.

The committee members are appointed by the Minister, after consultations conducted with the organizations concerned, if any, for a term of not more than 3 years. At the expiry of their term, the committee members remain in office until they are replaced or re-appointed.

**12.** Any vacancy occurring during the term of a member is filled for the remaining portion of the term by following the rules prescribed for the designation of the member to be replaced.

In particular, if a member misses 3 consecutive sittings of the committee, his or her position on the committee is considered vacant.

**13.** A member who is in a conflict of interest must declare his or her interest and withdraw provisionally from the committee.

**14.** The decisions of the committee are taken by a majority of the members present at a sitting.



**15.** The committee members are not remunerated. Each of the organizations represented on the committee defrays the costs related to the participation of its representative to the sittings of the committee.

### CHAPTER III FINAL

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

102900

### M.O., 2017

#### Order number 2017-003 of the Minister of Health and Social Services dated 23 March 2017

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

MAKING the Regulation respecting calls for tenders for certain medications covered by the basic prescription drug insurance plan

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

HAVING REGARD TO section 60.0.0.3 of the Act respecting prescription drug insurance (chapter A-29.01) pursuant to which the Minister determines by regulation the conditions and mechanics applicable to calls for tenders concerning accredited drug manufacturers and wholesalers as well as those applicable to supply contracts concluded following calls for tenders with accredited drug manufacturers and wholesalers;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) a draft of the Regulation respecting calls for tenders for certain medications covered by the basic prescription drug insurance plan was published in Part 2 of the *Gazette officielle du Québec* on 24 August 2016, with notice that it could be made by the undersigned upon the expiry of the 45 days following that publication;

WHEREAS the 45 days have expired;

WHEREAS it is expedient to make that regulation without amendment;

CONSEQUENTLY, the Minister of Health and Social Services hereby makes, without amendment, the Regulation respecting calls for tenders for certain medications covered by the basic prescription drug insurance plan, the text of which is attached hereto.

GAÉTAN BARRETTE,  
*Minister of Health and  
Social Services*

### Regulation respecting calls for tenders for certain medications covered by the basic prescription drug insurance plan

An Act respecting prescription drug insurance (chapter A-29.01, s. 60.0.0.3; 2016, c. 16, s. 1)

#### DIVISION I SCOPE

**1.** This Regulation applies to

(1) contracts entered into with a manufacturer of medications accredited by the Minister of Health and Social Services to establish the price of a medication or supply and the conditions for its entry on the List of medications drawn up by the Minister under section 60 of the Act respecting prescription drug insurance (chapter A-29.01);

(2) contracts entered into with a wholesaler of medications accredited by the Minister to establish the supply conditions of owner pharmacists and the profit margin.

#### DIVISION II CONDITIONS AND MECHANICS APPLICABLE TO CONTRACTS ENTERED INTO WITH A MANUFACTURER

**2.** With respect to contracts entered into with a manufacturer, the call for tenders is carried out in accordance with this Division.

##### §1. General call for tenders

**3.** A general call for tenders is made, with the necessary modifications, in accordance with Divisions I to IV.1 of Chapter II of the Regulation respecting certain supply contracts of public bodies (chapter C-65.1, r. 2).

“General call for tenders” means the awarding process through which the Minister invites all accredited manufacturers of medications to submit a price for the purchase of a medication or supply for the purpose of concluding a contract.

**4.** The Minister may enter into a contract with a maximum of 3 manufacturers per medication of the same form and strength or per supply.

The Minister indicates in the tender documents, for each medication of the same form and strength or each supply,

(1) the number of manufacturers likely to be selected; and

(2) the shares of the market allocated to the manufacturers likely to be selected.

## *§2. Fixed-price call for tenders*

**5.** The Minister may also make a fixed-price call for tenders to award a contract to one or more manufacturers. In that case, the Minister fixes the price for each medication of the same form and strength or for each supply. The price is indicated in the tender documents.

**6.** A fixed-price call for tenders is made by publishing a notice on the electronic tendering system approved by the Government.

**7.** In a fixed-price call for tenders, the instructions to the manufacturers include, in particular,

(1) the eligibility requirements required of manufacturers and the compliance requirements for tenders;

(2) a list of the documents or other items required from manufacturers;

(3) the period of validity of tenders;

(4) the tender opening procedure; and

(5) an indication that the Minister does not undertake to accept any of the tenders received.

**8.** In order to submit a tender, a manufacturer must meet the following eligibility requirements:

(1) have all the necessary qualifications, authorizations, permits, licences, registrations, certificates, accreditations and attestations;

(2) have in Québec or in a territory covered by an applicable intergovernmental agreement an establishment where activities are carried on on a permanent basis, clearly identified under the manufacturer's name and accessible during regular business hours;

(3) meet any other eligibility requirement specified in the tender documents.

Despite subparagraph 2 of the first paragraph, if competition is insufficient, the Minister may make eligible any manufacturer that has an establishment in a territory not covered by an applicable intergovernmental agreement, provided that the Minister so specifies in the tender documents.

A manufacturer that fails to comply with any of those requirements is ineligible.

**9.** Compliance requirements must specify the cases that will entail automatic rejection of a tender, namely,

(1) the place or the closing date or time has not been complied with;

(2) a required document is missing;

(3) the required signature of an authorized person is missing;

(4) the tender is conditional or restrictive; or

(5) any other compliance requirement stated in the tender documents as entailing automatic rejection of a tender has not been complied with.

**10.** The Minister may refuse to consider any manufacturer that, in the 2 years preceding the tender opening date, failed to follow up on a tender or contract or had a contract cancelled because of failure to comply with the contract conditions.

**11.** The Minister may amend the tender documents by means of an addendum sent to the manufacturers concerned.

**12.** Tenders are opened by the Minister at a public opening in the presence of a witness at the designated place and on the date and time fixed in the tender documents.

**13.** The Minister evaluates the tenders received, ensuring that the manufacturers are eligible and the tenders are compliant.

If the Minister rejects a tender because the manufacturer is ineligible or the tender is non-compliant, the Minister so informs the manufacturer and gives the reason for the rejection not later than 15 days after awarding the contract.

**14.** The award is made to all eligible manufacturers whose tender is compliant.

**DIVISION III**  
**CONDITIONS AND MECHANICS APPLICABLE**  
**TO CONTRACTS ENTERED INTO WITH A**  
**WHOLESALER**

**15.** With respect to contracts entered into with an accredited wholesaler, the call for tenders is carried out, with the necessary modifications, in accordance with Divisions I to III and IV.1 of Chapter II of the Regulation respecting certain service contracts of public bodies (chapter C-65.1, r. 4).

**16.** A wholesaler may not be eligible to submit a tender as part of the call for tenders where

(1) the enterprise has, in the preceding 5 years, been found guilty of an offence listed in Schedule I to the Act respecting contracting by public bodies (chapter C-65.1);

(2) any of the wholesaler's shareholders is a natural person who holds 50% or more of the voting rights attached to the shares that may be exercised under any circumstances and who has, in the preceding 5 years, been found guilty of an offence listed in Schedule I to the Act respecting contracting by public bodies (chapter C-65.1);

(3) any of the wholesaler's directors or officers has, in the preceding 5 years, been found guilty of an offence listed in Schedule I of the Act respecting contracting by public bodies (chapter C-65.1).

A finding of guilty must be disregarded if a pardon has been obtained.

For the purpose of this division, the term "enterprise" designates a private corporation, a general partnership, a limited partnership, a joint venture (undeclared partnership) or a natural person who operates a sole proprietorship.

**DIVISION IV**  
**MISCELLANEOUS**

**17.** The maximum term of a contract entered into with a manufacturer or a wholesaler following a call for tenders is 3 years, including any renewal.

**18.** Every manufacturer selected following a call for tenders must with due diligence inform the Minister where the manufacturer anticipates the possibility of a disruption in the supply of a medication that is the subject of the contract resulting from the call for tenders.

**DIVISION V**  
**FINAL**

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

102903

**M.O., 2017-02**

**Order number V-1.1-2017-02 of the Minister of**  
**Finance dated 21 March 2017**

Securities Act  
 (chapter V-1.1, s. 331.1, subpars. 3, 32, 32.0.1 and 34)

CONCERNING the Regulation to amend  
 Regulation 23-101 respecting trading rules

WHEREAS subparagraphs 3, 32, 32.0.1 and 34 of section 331.1 of the Securities Act (chapter V-1.1) stipulate that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

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

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

WHEREAS the Regulation 23-101 respecting trading rules was made by decision no. 2001-C-0411 dated August 28, 2001 (*Bulletin hebdomadaire*, vol. 32, no 35, dated August 31, 2001);

WHEREAS there is cause to amend this regulation;

WHEREAS the draft Regulation to amend Regulation 23-101 respecting trading rules was published in the *Bulletin de l'Autorité des marchés financiers*, vol. 13, no. 14 of April 7, 2016;



WHEREAS the Authority made, on March 15, 2017, by the decision no. 2017-PDG-0035, Regulation to amend Regulation 23-101 respecting trading rules;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment Regulation to amend Regulation 23-101 respecting trading rules appended hereto.

March 21, 2017

CARLOS LEITÃO,  
*Minister of Finance*

---

**REGULATION TO AMEND REGULATION 23-101 RESPECTING TRADING RULES**

Securities Act

(chapter V-1.1, s. 331.1, par. (3), (32), (32.0.1) and (34))

1. Regulation 23 101 respecting Trading Rules (chapter V-1.1, r. 6) is amended by inserting, after section 6.6, the following :

**“6.6.1. Trading Fees**

(1) In this section

“exchange-traded fund” means a mutual fund,

(a) the units of which are listed securities or quoted securities, and

(b) that is in continuous distribution in accordance with applicable securities legislation; and

“inter-listed security” means an exchange-traded security that is also listed on an exchange that is registered as a “national securities exchange” in the United States of America under section 6 of the 1934 Act.

(2) A marketplace that is subject to section 7.1 of Regulation 21-101 respecting Marketplace Operation (chapter V-1.1, r. 5) must not charge a fee for executing an order that was entered to execute against a displayed order on the marketplace that,

(a) in the case of an order involving an inter-listed security,

(i) is greater than \$0.0030 per security traded for an equity security, or per unit traded for an exchange-traded fund, if the execution price of each security or unit traded is greater than or equal to \$1.00, and

(ii) is greater than \$0.0004 per security traded for an equity security, or per unit traded for an exchange-traded fund, if the execution price of each security or unit traded is less than \$1.00; or

(b) in the case of an order involving a security that is not an inter-listed security,

(i) is greater than \$0.0017 per security traded for an equity security, or per unit traded for an exchange-traded fund, if the execution price of each security or unit traded is greater than or equal to \$1.00, and

(ii) is greater than \$0.0004 per security traded for an equity security, or per unit traded for an exchange-traded fund, if the execution price of each security or unit traded is less than \$1.00.

3) A recognized exchange must maintain a list of inter-listed securities that are listed on the exchange as of the last day of each calendar quarter.

4) A recognized exchange must publicly disclose on its website the list referred to in subsection (3)

(a) within 7 days after the last day of each calendar quarter, and

(b) for a period of at least 12 months commencing on the date it is publicly disclosed on the website.

#### **“6.6.2. Ceasing to be inter-listed security – fee transition period**

If a security ceases to be an inter-listed security, paragraph 6.6.1(2)(b) does not apply if

(a) less than 35 days has passed since the first date, following the cessation, the list referred to in subsection 6.6.1(4) was publicly disclosed, and

(b) the fee charged is in compliance with paragraph 6.6.1(2)(a) as if the security were still an inter-listed security.”.

#### **2. Transition – publication of inter-listed securities**

On or before April 17, 2017, a recognized exchange must publicly disclose on its website a list of the inter-listed securities that were listed on the exchange as of April 10, 2017.

#### **3. Transition – fee adjustment for orders involving non-inter-listed securities**

Despite paragraph 6.6.1(2)(b), as enacted by section 1 of this Regulation, a marketplace to which that paragraph applies may, until May 15, 2017, charge a fee that exceeds the amount referred to in that paragraph provided the fee charged is not greater than

(a) \$0.0030 per security traded for an equity security, or per unit traded for an exchange-traded fund, if the execution price of each security or unit traded is greater than or equal to \$1.00, and

(b) \$0.0004 per security traded for an equity security, or per unit traded for an exchange-traded fund, if the execution price is less than \$1.00.

#### **4. Effective Date**

(1) This Regulation comes into force on April 10, 2017.

(2) In Saskatchewan, despite subsection (1), if these regulations are filed with the Registrar of Regulations after April 10, 2017, these regulations come into force on the day on which they are filed with the Registrar of Regulations.



## Draft Regulations

### Draft Regulation

Civil Code of Québec

#### Change of name and of other particulars of civil status —Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting change of name and of other particulars of civil status, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the rules respecting the publication of notices for a change of name to prescribe that they are to be published on the website of the registrar of civil status rather than in the *Gazette officielle du Québec* and in a local newspaper. It also makes consequential amendments resulting from the coming into force of various legislative provisions.

Study of the matter has shown no significant impact on the public or on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Annie Gauthier, Direction des orientations et politiques, Ministère de la Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1; telephone: 418 646-5580, extension 20172; fax: 418 646-4894; email: annie.gauthier@justice.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1.

STÉPHANIE VALLÉE,  
*Minister of Justice*

### Regulation to amend the Regulation respecting change of name and of other particulars of civil status

Civil Code of Québec  
(Civil Code, arts. 64, 67, 72 and 73; 2016, chapter 12, ss. 1 and 2)

**1.** The Regulation respecting change of name and of other particulars of civil status (chapter CCQ, r. 4) is amended in section 4 by adding the following after subparagraph 6 of the first paragraph:

“(7) a copy of the special exemption from publication, where applicable.”.

**2.** Section 5 is replaced by the following:

“5. The registrar of civil status is to publish on the website of the registrar a notice of the application for a change of name, unless such publication is not required under article 63 of the Civil Code.

The notice is published for 15 days after the applicant has consented to it.”.

**3.** Section 6 is amended

(1) by striking out “on the person who is the subject of the application” in the portion before subparagraph 1 of the first paragraph;

(2) by replacing “the person’s name” in subparagraph 1 of the first paragraph by “the name of the person who is the subject of the application”;

(3) by replacing “the person’s domiciliary address” in subparagraph 2 of the first paragraph by “the domiciliary address of the person who is the subject of the application”;

(4) by replacing “the place and date” in subparagraph 4 of the first paragraph by “the period of publication”;

(5) by striking out the third paragraph.

**4.** Section 7 is revoked.

**5.** Section 9 is amended by striking out paragraph 6.

**6.** Section 10 is amended by striking out “, in the manner set out in section 22,”.

**7.** Section 11 is replaced by the following:

“**11.** Any interested person may notify the applicant and the registrar of civil status of his or her views within 20 days of the end of the publication of the notice provided for in section 5.”.

**8.** Section 12 is amended by replacing “Division III” in the first paragraph by “section 8”.

**9.** The heading of Division V is amended by adding “AND PUBLICATION OF THE DECISION AUTHORIZING THE CHANGE OF NAME” after “CIVIL STATUS”.

**10.** Section 17 is replaced by the following:

“**17.** The registrar of civil status is to publish on the website of the registrar a notice of the registrar’s decision authorizing the change of name or of the judicial decision, rendered upon review of the registrar’s decision, authorizing the change, unless such publication is not required under article 67 of the Civil Code.

The notice is published as soon as the change of name produces its effects.”.

**11.** Section 18 is amended

(1) by replacing “of a change of name” in the portion before paragraph 1 by “of the decision authorizing the change of name”;

(2) by replacing “to authorize” in paragraphs 1 and 5 by “authorizing”;

(3) by striking out “place and” in paragraph 6;

(4) by striking out paragraph 7.

**12.** Section 20 is amended by replacing “article 110” by “articles 109 to 140”.

**13.** Sections 21 and 22 are revoked.

**14.** Section 23 is amended by replacing “22” by “20”.

**15.** This Regulation comes into force on the date of coming into force of sections 1 and 2 of the Act to amend various legislative provisions to better protect persons (2016, chapter 12).

102901

## Draft Regulation

Civil Code of Québec

### Publication of a notice of tardy declaration of filiation

#### —Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the publication of a notice of tardy declaration of filiation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the rules respecting the publication of a notice of tardy declaration of filiation to prescribe that the notice be published on the website of the registrar of civil status rather than in the *Gazette officielle du Québec* and in a local newspaper.

Study of the matter has shown no significant impact on the public or on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Annie Gauthier, Direction des orientations et politiques, Ministère de la Justice, 1200, route de l’Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1; telephone: 418 646-5580, extension 20172; fax: 418 646-4894; email: annie.gauthier@justice.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l’Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1.

STÉPHANIE VALLÉE,  
*Minister of Justice*

## Regulation to amend the Regulation respecting the publication of a notice of tardy declaration of filiation

Civil Code of Québec  
(Civil Code, art. 130)

**1.** The Regulation respecting the publication of a notice of tardy declaration of filiation (chapter CCQ, r. 5) is amended by replacing section 1 by the following:

“**1.** The registrar of civil status is to publish on the website of the registrar a notice of tardy declaration of filiation.

The notice is published for 15 days after the declarant has consented to it.”.

**2.** Section 2 is amended

- (1) by striking out “domiciliary” in paragraphs 1 and 3;
- (2) by replacing “the date and place” in paragraph 5 by “the period of publication”;
- (3) by striking out paragraph 6;
- (4) by striking out “minor” in paragraph 7;
- (5) by replacing “of the last publication of a notice of that declaration” in paragraph 7 by “after the publication of the notice”.

**3.** This Regulation comes into force on the date of coming into force of sections 1 and 2 of the Act to amend various legislative provisions to better protect persons (2016, chapter 12).

102902





## Index

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

|  | Page | Comments |
|--|------|----------|
| Access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation, An Act to enact the Act to promote... — Coming into force of a provision of the Act . . . . . (2015, chapter 25)                 | 683  |          |
| Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Korea — Ratification and making of the Regulation respecting the implementation of that Agreement . . . . . (An Act respecting the Québec Pension Plan, chapter R-9) | 685  | N        |
| Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Korea — Ratification and making of the Regulation respecting the implementation of that Agreement . . . . . (Tax Administration Act, chapter 6.002)                  | 685  | N        |
| Allow a better match between training and jobs and to facilitate labour market entry, An Act to... . . . . (2016, Bill 70)   | 665  |          |
| Calls for tenders for certain medications covered by the basic prescription drug insurance plan. . . . . (An Act respecting prescription drug insurance, chapter A-29.01)  | 696  | N        |
| Change of name and of other particulars of civil status . . . . . (Civil Code of Québec)   | 703  | Draft    |
| Civil Code of Québec — Change of name and of other particulars of civil status. . . . .  | 703  | Draft    |
| Civil Code of Québec — Publication of a notice of tardy declaration of filiation . . . . .   | 704  | Draft    |
| Code of Civil Procedure, amended . . . . . (2016, Bill 70)   | 665  |          |
| Decorations and citations awarded in the field of fire safety and for rescue activities. . . . . (Fire Safety Act, chapter S-3.4)  | 694  | N        |
| Facilitate the payment of support, An Act to..., amended. . . . . (2016, Bill 70)  | 665  |          |
| Fire Safety Act — Decorations and citations awarded in the field of fire safety and for rescue activities . . . . . (chapter S-3.4)  | 694  | N        |
| Implement the 2030 Energy Policy and to amend various legislative provisions, An Act to... — Coming into force of section 250 of Chapter IV of the Act. . . . . (2016, chapter 35)   | 683  |          |
| Individual and Family Assistance Act, amended. . . . . (2016, Bill 70)   | 665  |          |
| Industrial accidents and occupational diseases, An Act respecting..., amended . . . (2016, Bill 70)  | 665  |          |

|  |     |       |
|--|-----|-------|
| List of Bills sanctioned (10 November 2016) . . . . .  | 663 |       |
| Ministère de l'Emploi et de la Solidarité sociale and the Commission<br>des partenaires du marché du travail, An Act respecting the..., amended . . . . .<br>(2016, Bill 70)   | 665 |       |
| Prescription drug insurance, An Act respecting... — Calls for tenders for<br>certain medications covered by the basic prescription drug insurance plan. . . . .<br>(chapter A-29.01)   | 696 | N     |
| Promote workforce skills development and recognition, An Act to..., amended . . .<br>(2016, Bill 70)   | 665 |       |
| Publication of a notice of tardy declaration of filiation . . . . .<br>(Civil Code of Québec)  | 704 | Draft |
| Québec Pension Plan, An Act respecting the... — Agreement on Social<br>Security between the Gouvernement du Québec and the Government of the<br>Republic of Korea — Ratification and making of the Regulation respecting<br>the implementation of that Agreement. . . . .<br>(chapter R-9) | 685 | N     |
| Secure handicapped persons in the exercise of their rights with a view to<br>achieving social, school and workplace integration, An Act to..., amended . . . . .<br>(2016, Bill 70)  | 665 |       |
| Securities Act — Trading rules — Regulation 23-101 . . . . .<br>(chapter V-1.1)  | 698 | M     |
| Tax Administration Act — Agreement on Social Security between the<br>Gouvernement du Québec and the Government of the Republic of Korea<br>— Ratification and making of the Regulation respecting the implementation<br>of that Agreement . . . . .<br>(chapter 6.002)                     | 685 | N     |
| Trading rules — Regulation 23-101 . . . . .<br>(Securities Act, chapter V-1.1)   | 698 | M     |