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Part

2

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14 June 2017

Laws and Regulations

Volume 149

Summary

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Contents

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- (4) Orders in Council, decisions of the Conseil du trésor and minister’s orders whose publication is required by law or by the Government;
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PROVINCE OF QUÉBEC

1ST SESSION

41ST LEGISLATURE

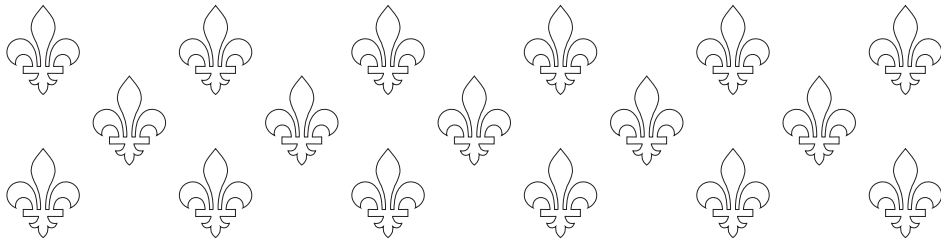
QUÉBEC, 30 MAY 2017

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 30 May 2017*

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

- 142 An Act to ensure the resumption of work in the construction industry and the settlement of disputes for the renewal of the collective agreements

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



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 142
(2017, chapter 9)

**An Act to ensure the resumption of work
in the construction industry and the
settlement of disputes for the renewal of
the collective agreements**

**Introduced 29 May 2017
Passed in principle 29 May 2017
Passed 30 May 2017
Assented to 30 May 2017**

**Québec Official Publisher
2017**

EXPLANATORY NOTES

The purpose of this Act is to end the current strikes in the construction industry in order to ensure that construction work is resumed.

The Act provides for the resumption of the work interrupted by the strikes and imposes obligations and prohibitions on the employees, representative associations, employers and employers' associations with regard to the resumption and continued performance of work.

The Act also provides for the maintenance of the conditions of employment in force on 30 April 2017 contained in the respective collective agreements for the institutional and commercial sector, the industrial sector, the residential sector and the civil engineering and roads sector until new collective agreements replacing them take effect and for a 1.8% wage rate increase as of the date on which work resumes.

To ensure the renewal of the collective agreement for each sector, the Act provides for a mediation period which is to be followed by arbitration if mediation fails.

Lastly, the Act prescribes civil and penal sanctions for any failure to comply with the obligations or contravention of the prohibitions it imposes.

Bill 142

AN ACT TO ENSURE THE RESUMPTION OF WORK IN THE CONSTRUCTION INDUSTRY AND THE SETTLEMENT OF DISPUTES FOR THE RENEWAL OF THE COLLECTIVE AGREEMENTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

PURPOSE

1. The purpose of this Act is to ensure the resumption of work in the sectors governed by the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20).

The purpose of this Act is also to ensure the settlement of disputes for the renewal of the collective agreements binding between the sector-based employers' associations and the representative associations governed by that Act.

DIVISION II

APPLICATION AND INTERPRETATION

2. This Act applies to the employers, employees and associations and to work in the institutional and commercial sector, the industrial sector, the residential sector and the civil engineering and roads sector governed by the Act respecting labour relations, vocational training and workforce management in the construction industry.

Unless the context indicates otherwise, the definitions provided in sections 1 and 1.1 of that Act apply to this Act.

DIVISION III

RESUMPTION OF WORK

§1. — *Employees and representative associations*

3. Employees must, as of 31 May 2017, report for work according to their regular work schedule and other applicable conditions of employment.

4. Employees must, as of 31 May 2017 and at their usual start time for work, perform all the duties attached to their respective functions, according to the applicable conditions of employment, without any stoppage, slowdown, reduction or degradation of their normal activities.

Employees cannot, as part of a concerted action, refuse to provide services to an employer.

5. A representative association, its officers and its representatives are prohibited from calling or continuing a strike or participating in any form of concerted action that involves a contravention of section 3 or 4 by employees the association represents.

6. A representative association must take the appropriate measures to induce the employees it represents to comply with sections 3 and 4 and not contravene sections 10 and 11.

It must, before the scheduled return to work on 31 May 2017, communicate the content of this Act publicly to the employees it represents and send an attestation that it has done so to the Minister.

§2. — *Employers and employers' associations*

7. Employers must, as of the employees' scheduled return to work on 31 May 2017, take the appropriate measures to ensure the resumption of work interrupted by the strike.

8. The employers' association and sector-based employers' associations are prohibited from declaring or continuing a lock-out or from participating in any form of concerted action that prevents employees from complying with the prescriptions of section 4.

9. The employers' association and sector-based employers' associations must take the appropriate measures to induce the employers they represent to comply with section 7 and not contravene sections 10 and 11.

They must, before the scheduled return to work on 31 May 2017, communicate the content of this Act publicly to the employers they represent and send an attestation that they have done so to the Minister.

§3. — *Prohibitions*

10. No one may, by omission or otherwise, in any manner prevent or impede the resumption of construction work or the carrying out of construction work by employees, or directly or indirectly contribute to slowing down, degrading or delaying the carrying out of such work.

11. No one may hinder a person's access to a job site to which the person has a right of access to perform his or her functions.

DIVISION IV

CONDITIONS OF EMPLOYMENT

12. Despite section 47 of the Act respecting labour relations, vocational training and workforce management in the construction industry, the conditions of employment in force on 30 April 2017 contained in the respective collective agreements for the institutional and commercial sector, the industrial sector, the residential sector and the civil engineering and roads sector apply, with the necessary modifications, until new collective agreements replacing them take effect.

However, the wage rates applicable to employees in force on 30 April 2017 are increased by 1.8% as of 31 May 2017.

In addition, the parties may at any time enter into an agreement on the matters listed in section 61.1 of the Act respecting labour relations, vocational training and workforce management in the construction industry, in accordance with the third and fourth paragraphs of section 44 of that Act. Section 48 of that Act applies as if the agreement entered into were an amendment to the collective agreement in force on 30 April 2017 referred to in the first paragraph.

DIVISION V

MEDIATION

13. After consultation with the parties, the Minister appoints a mediator for each of the sectors referred to in section 2 to help the parties settle their dispute.

14. The parties are required to attend all meetings to which they are convened by the mediator.

15. The mediation on the renewal of the collective agreements is to end not later than 30 October 2017.

The mediator puts an end to the mediation period at the joint request of the parties of a sector who wish to refer their dispute to arbitration in accordance with Division VI.

16. The mediation also ends in a sector as soon as an agreement on what could become a collective agreement applicable to that sector is reached between the parties in accordance with the first paragraph of section 43.7, the first, second and third paragraphs of section 44 and sections 44.1 and 44.2 of the Act respecting labour relations, vocational training and workforce management in the construction industry.

The mediator records the agreement in a report and gives the report to each of the parties of the sector concerned and to the Minister.

A collective agreement made for a sector is binding on the parties until 30 April 2021 and takes effect in accordance with section 48 of that Act.

17. If there is no agreement at the expiry of the mediation period or at any time during that period if the mediator considers that the mediation has failed, the mediator gives the parties of the sector or sectors concerned a report specifying the matters on which there has been agreement as well as each party's position with respect to the matters which are still in dispute. The mediator gives a copy of the report to the Minister. The mediator also makes comments to the Minister, together with recommendations on the subjects referred to in section 23, including on the matters which must be submitted to arbitration in accordance with Division VI.

DIVISION VI

ARBITRATION

18. At the joint request of the parties of a sector under section 15 or on receipt by the Minister of a report from the mediator under section 17 to the effect that the mediation has failed, the Minister refers the dispute or disputes to arbitration and notifies the parties.

19. After consultation with the parties, the Minister determines the applicable mode of arbitration, whether by an individual arbitrator or by a council of arbitration composed of three members, including a chair, and specifies the mode determined in the notice sent under section 18.

20. Within 15 days of receiving the notice sent under section 18, the parties must agree on the choice of an arbitrator or the choice of the members and chair of the council of arbitration, as the case may be, and on the fees and expenses to which the arbitrator or members will be entitled. The parties must inform the Minister accordingly within that time.

If the parties fail to come to an agreement on all points within the time specified in the first paragraph, the Minister appoints the arbitrator or the members of the council of arbitration, including the chair, on the basis of a list drawn up by the Minister under section 77 of the Labour Code (chapter C-27). The Minister also determines the fees and expenses to which the arbitrator or members are entitled. The Minister informs the parties accordingly.

21. The Minister sends the arbitrator or council of arbitration a copy of the mediator's report.

22. The Minister may, at the joint request of the parties concerned, consent to having arbitration apply to more than one sector.

23. After recommendations are made by the mediator under section 17, the Minister may, within 15 days of sending the notice under section 18, determine by ministerial order

(1) the matters which must be submitted to arbitration, after having consulted with the parties;

(2) the arbitration method, which may, among other methods, consist in the best final offer method as assessed clause by clause or globally; and

(3) the criteria that the arbitrator or council of arbitration must examine to form the basis of the arbitrator's or council's decision, such as recognized clients' ability to pay, the conditions of employment and evolution of wage rates among comparable groups of positions in Québec and elsewhere in Canada, the maintenance of construction industry workers' purchasing power, and the balance between work organization flexibility and the constraints occasioned by flex time.

The arbitrator or council of arbitration decides on the arbitration method and on the criteria the arbitrator or council must examine to form the basis of the arbitrator's or council's decision if the Minister has not determined them pursuant to subparagraph 2 or 3 of the first paragraph.

Only the matters determined under subparagraph 1 of the first paragraph may be submitted to arbitration.

24. The arbitrator or council of arbitration is bound by the provisions of the ministerial order made under section 23.

25. Subject to section 45.0.2 of the Act respecting labour relations, vocational training and workforce management in the construction industry, section 76, the first paragraphs of sections 79 and 80 and sections 82 to 89, 91, 91.1, 93 and 139 to 140 of the Labour Code, as well as section 81 of that Code subject to the ministerial order made under section 23 of this Act, apply to the arbitration and in respect of the arbitrator, the council of arbitration and its members, with the necessary modifications.

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

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

27. In the arbitration award, the arbitrator or council of arbitration records the stipulations relating to the matters submitted to arbitration in accordance with section 23, the stipulations relating to the other matters on which the parties came to an agreement in the course of mediation, and the renewal of

the stipulations relating to the other matters contained in each of the collective agreements expired on 30 April 2017.

28. The arbitrator or council of arbitration must render an award not later than 30 April 2018.

29. The arbitration award is binding on the parties until 30 April 2021 and may not have retroactive effect.

30. Arbitration fees and expenses are borne equally by the parties, that is, between the representative associations on one hand and the sector-based employers' association for the employers concerned and the employers' association, as applicable, on the other.

DIVISION VII

SANCTIONS

§1. — *Civil liability*

31. A representative association is liable for any injury caused by employees it represents during a contravention of section 3 or 4 unless it is established that the injury is not attributable to the contravention or that the contravention is not part of any concerted action.

Any person who suffers injury because of an act in contravention of section 3 or 4 may apply to the competent court to obtain reparation.

32. The employers' association and the sector-based employers' associations are liable for any injury caused by the employers they represent during a contravention of section 7 unless it is established that the injury is not attributable to the contravention.

Any person who suffers injury as a result of an act in contravention of section 7 may apply to the competent court to obtain reparation.

§2. — *Penal provisions*

33. Anyone who contravenes a provision of sections 3 to 11 is guilty of an offence and is liable, for each day or part of a day during which the offence continues, to a fine of

(1) \$100 to \$500 in the case of an employee or a natural person other than a person referred to in paragraph 2 or 3;

(2) \$7,000 to \$35,000 in the case of an officer, an employee or a representative of a representative association or of an association of employees affiliated with a representative association, or an officer or a representative of an employer, of the employers' association or of a sector-based employers' association; and

(3) \$25,000 to \$125,000 in the case of a representative association, an association of employees affiliated with a representative association, an employer, the employers' association or a sector-based employers' association.

34. Anyone who helps or, by abetment, advice, consent, authorization or command, induces a person to commit an offence under this Act is guilty of an offence.

A person who is found guilty under this section is liable to the same penalty as that prescribed for the offence the person helped or induced another person to commit.

DIVISION VIII

FINAL PROVISIONS

35. The Commission de la construction du Québec oversees the implementation of the provisions of this Act. For such purpose, it has the powers conferred on it by the Act respecting labour relations, vocational training and workforce management in the construction industry.

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

37. This Act comes into force on 30 May 2017.

Regulations and other Acts

Gouvernement du Québec

O.C. 517-2017, 31 May 2017

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

Selection of foreign nationals — Amendment

Regulation to amend the Regulation respecting the selection of foreign nationals

WHEREAS the Government may, under subparagraph *e* of the first paragraph of section 3.3 of the Act respecting immigration to Québec (chapter I-0.2), make a regulation determining the conditions that must be met by a foreign national seeking to stay temporarily in Québec to study and determining the classes of foreign nationals who may be excluded from the application of section 3.2;

WHEREAS, under subparagraph *f* of the first paragraph of section 3.3 of the Act, the Government may, by regulation, in particular, determine the procedure that must be followed in order to obtain a certificate of acceptance;

WHEREAS, under subparagraph *f*1.0.1 of the first paragraph of section 3.3 of the Act, the Government may, by regulation, in particular, determine the duration of a certificate of acceptance, which may vary, in the case of a foreign national coming to Québec to study, according to whether the person is a minor or of age or according to the program of study or the duration of the studies;

WHEREAS the Government made the Regulation respecting the selection of foreign nationals (chapter I-0.2, r. 4);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the selection of foreign nationals was published in Part 2 of the *Gazette officielle du Québec* of 17 December 2014 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Immigration, Diversity and Inclusiveness:

THAT the Regulation to amend the Regulation respecting the selection of foreign nationals, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the selection of foreign nationals

An Act respecting immigration to Québec
(chapter I-0.2, s. 3.3, 1st par., subpars. *e*, *f* and *f*1.0.1)

1. The Regulation respecting the selection of foreign nationals (chapter I-0.2, r. 4) is amended by replacing paragraph *e* of subsection 1 of section 1 by the following:

“(e) “educational institution” means

i. an educational institution within the meaning of section 36 of the Education Act (chapter I-13.3);

ii. a college established in accordance with section 2 of the General and Vocational Colleges Act (chapter C-29);

iii. a private educational institution for which a permit has been issued under section 10 of the Act respecting private education (chapter E-9.1);

iv. an educational institution operated under an Act of Québec by a government department or a body that is a mandatary of the State or an arts training institution recognized by the Ministère de la Culture et des Communications;

v. the Conservatoire de musique et d’art dramatique du Québec established pursuant to the Act respecting the Conservatoire de musique et d’art dramatique du Québec (chapter C-62.1);

vi. an educational institution at the university level referred to in section 1 of the Act respecting educational institutions at the university level (chapter E-14.1);”

2. Section 47 is amended

(1) by replacing “18” in subparagraph iv of paragraph *a* of subsection 1 by “17”;

(2) by replacing “minor child” in subsection 5.1 by “child of less than 17 years of age”;

(3) by striking out subsection 5.2.

3. Section 49 is amended

(1) by replacing “an American national” in paragraph *g* by “a national referred to in section 214 of the Immigration and Refugee Protection Regulations (SOR/2002-227)”;

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

“(k) a person registered as an Indian under the Indian Act (Revised Statutes of Canada, 1985, chapter I-5).”.

4. This Regulation comes into force on 30 June 2017.

102983

Notice

An Act respecting reserved designations and added-value claims
(chapter A-20.03)

Notice of recognition of a reserved designation relating to a link with a terroir as a protected geographical indication

Under the provisions of the Act respecting reserved designations and added-value claims (chapter A-20.03), persons have applied for recognition of a reserved designation related to a link with a terroir as a protected geographical indication.

Compliance of their application with the criteria and requirements of the Act has been verified in that:

1° On the initiative of a group of interested parties, the Conseil des appellations réservées et des termes valorisants, constituted under sections 7 et seq. of the Act has assigned, in accordance with section 15 of the Act, to competent committees the following functions:

— Assessing the specification manual on which depends the authenticity of products bearing the designation concerned;

— Assessing, in light of the applicable accreditation manual, the capacity of certification bodies to administer a certification program for the products concerned, particularly through inspection plans designed to verify their compliance with the specification manual;

2° In accordance with the provisions of section 30 of the Act, at least one certification body has demonstrated to the Conseil that it complies with the applicable accreditation manual;

3° Under the powers conferred by sections 49 et seq. of the Act, the Conseil has ensured that this certification body has the capacity to administer a certification program based on the specification manual for the designation concerned;

4° This certification body has provided the Conseil, among the documents required under the Act and regulations of the Minister, the list of persons registered and the list of products this body intends to certify;

5° Under the provisions of paragraph 4 of section 9 of the Act, the Conseil held consultations prior to recommending the recognition of a reserved designation;

6° In accordance with paragraph 2 of section 9 and section 30 of the Act, the Conseil sent to the Minister its favourable recommendation for the recognition of the reserved designation requested relating to a link with a terroir and in keeping with the criteria and requirements prescribed by regulation of the Minister for the recognition of a protected geographical indication;

THEREFORE, be advised that I recognize as a reserved designation relating to a link with a terroir the protected geographical indication “Maïs sucré de Neuville” or “Maïs de Neuville” or “Blé d’Inde de Neuville” or “Neuville Sweet Corn”; the Act grants the parties registered with a certification body, accredited to certify under the conditions that it establishes the authenticity of products that comply with the applicable specification manual, the exclusive right to designate these products with the reserved designation.

Any interested person may examine the specification manual concerning the products that can be designated by the protected geographical indication “Maïs sucré de Neuville” or “Maïs de Neuville” or “Blé d’Inde de Neuville” or “Neuville Sweet Corn” as well as the names of certification bodies accredited to certify

the authenticity of products it designates, at the following address: Conseil des appellations réservées et des termes valorisants (CARTV), 201, boulevard Crémazie Est, bureau 4.03, Montréal (Québec) H2M 1L2 or on the website <http://www.cartv.gouv.qc.ca/>

LAURENT LESSARD,
*Minister of Agriculture,
Fisheries and Food*

102980

Draft Regulations

Draft Regulation

An Act respecting liquor permits
(chapter P-9.1)

Duties and costs payable under the Act — 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 duties and costs payable under the Act respecting liquor permits, appearing below, made by the Régie des alcools, des courses et des jeux in plenary session on May 12th 2017, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting duties and costs payable under the Act respecting liquor permits (chapter P-9.1, r. 3) to make the adjustments required to implement the principle of a unique liquor permit by category.

Study of the matter has shown some impact on the public and on enterprises, including small and medium-sized businesses, in particular costs related to the use of their liquor permit.

Further information may be obtained by contacting Marie-Christine Bergeron, Secretary, Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2^e étage, Québec (Québec) G1K 3J3; telephone: 418 528-7225, extension 23003; fax: 418 646-5204; email: marie-christine.bergeron@racj.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Marie-Christine Bergeron, Secretary, Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2^e étage, Québec (Québec) G1K 3J3.

MARTIN COITEUX,
Minister of Public Security

Regulation to amend the Regulation respecting duties and costs payable under the Act respecting liquor permits

Act respecting liquor permits
(chapter P-9.1, s. 114, par. 4)

1. The Regulation respecting duties and costs payable under the Act respecting liquor permits (chapter P-9.1, r. 3) is amended by replacing section 1 by the following:

“**1.** The fixed amounts payable for a permit are the following:

- (1) bar: \$563;
- (2) restaurant (sales): \$563;
- (3) restaurant (service): \$563;
- (4) club: \$330;
- (5) grocery: \$165;
- (6) cider seller's: \$165;
- (7) Olympic Grounds: \$330;
- (8) Man and his World: \$330;
- (9) raw material and equipment retailer: \$165;
- (10) raw material and equipment wholesaler: \$165.”.

2. Section 2 is amended

- (1) by striking out the following sentence:

“Notwithstanding section 47 of the Act respecting liquor permits (chapter P-9.1), a single bar permit is issued for the entire air fleet of an air carrier.”;

- (2) by replacing “The amount fixed for a permit for” by “The duty payable for the issue of a bar permit”.

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

Draft Regulation

An Act respecting liquor permits
(chapter P-9.1)

Liquor permits — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting liquor permits, appearing below, made by the Régie des alcools, des courses et des jeux in plenary session on May 12th 2017, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting liquor permits (chapter P-9.1, r. 5) to add administrative monetary penalties to the various penalties already at the disposal of the Régie to ensure compliance with the regulations and statutes respecting alcohol. The draft Regulation determines the amounts of the administrative monetary penalties imposed for certain violations of the Act and other violations for which such a penalty is imposed and the related amounts.

Study of the matter shows some impact on the public and on enterprises, including small and medium-sized businesses, who do not comply with their legal and regulatory obligations, in particular the costs for complying.

Further information may be obtained by contacting Marie-Christine Bergeron, secretary of the Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2^e étage, Québec (Québec) G1K 3J3; telephone: 418 528-7225, extension 23003; fax: 418 646-5204; email: marie-christine.bergeron@racj.gouv.qc.ca

Any person wishing to comment on the Draft Regulation is requested to submit written comments within the 45-day period to Marie-Christine Bergeron, secretary of the Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2^e étage, Québec (Québec) G1K 3J3.

MARTIN COITEUX,
Minister of Public Security

Regulation to amend the Regulation respecting liquor permits

An Act respecting liquor permits
(chapter P-9.1, s. 114, pars. 15.1 and 15.2)

1. The Regulation respecting liquor permits (chapter P-9.1, r. 5) is amended by inserting the following after Division VI:

“DIVISION VI.I ADMINISTRATIVE MONETARY PENALTIES

§1. *Determination of the amounts (paragraphs 1 to 4 of section 85.1 of the Act)*

32.1. Permit holders who have contravened section 72.1 of the Act due to a quantity of non-compliant alcoholic beverages not exceeding 3 litres of spirits, 6 litres of wine or 10 litres of beer are required to pay an administrative monetary penalty of

(1) \$500 if the quantity of alcoholic beverages is

(a) 1 litre or less of spirits;

(b) 2 litres or less of wine;

(c) 3 litres or less of beer;

(2) \$1,000 if the quantity of alcoholic beverages is

(a) greater than 1 litre of spirits, but not exceeding 2 litres;

(b) greater than 2 litres of wine, but not exceeding 4 litres;

(c) greater than 3 litres of beer, but not exceeding 6 litres;

(3) \$2,000 if the quantity of alcoholic beverages is

(a) greater than 2 litres of spirits, but not exceeding 3 litres;

(b) greater than 4 litres of wine, but not exceeding 6 litres;

(c) greater than 6 litres of beer, but not exceeding 10 litres.

32.2. Permit holders who kept or allowed to be kept in their establishment 10 or fewer containers of alcoholic beverages containing an insect, unless that insect is an ingredient used in making those alcoholic beverages, are required to pay an administrative monetary penalty of

(1) \$300 if the quantity is 5 containers of alcoholic beverages or less;

(2) \$600 if the quantity is 6 to 10 containers of alcoholic beverages.

32.3. Permit holders who have contravened the second paragraph of section 79 of the Act by using a liquor permit without having applied for a temporary authorization to use it despite being required to do so are required to pay an administrative monetary penalty of \$500.

32.4. Permit holders who have not paid the duties payable for the permit within the time limit set out in section 53 of the Act are required to pay an administrative monetary penalty of \$75.

§2. Determination of failures and amounts (paragraph 5 of section 85.1 of the Act)

32.5. Permit holders who have contravened section 72.1 of the Act due to a quantity of non-compliant alcoholic beverages not exceeding 6 litres of cider or of an alcoholic beverage not referred to in section 32.1 are required to pay an administrative monetary penalty of

(1) \$500 if the quantity of alcoholic beverages is 2 litres or less;

(2) \$1,000 if the quantity of alcoholic beverages is greater than 2 litres, but not exceeding 4 litres;

(3) \$2,000 if the quantity of alcoholic beverages is greater than 4 litres, but not exceeding 6 litres.

32.6. The following failures result in the payment of an administrative monetary penalty of \$200:

(1) permit holders who have contravened section 66 of the Act

(a) by failing to post, in public view, the permit at the main entrance of the establishment concerned by the permit; or

(b) by failing to post the price list of the alcoholic beverages sold, if the permit entitles them to sell alcoholic beverages for consumption on the premises, or of the beer sold, if they have a grocery permit;

(2) permit holders who have contravened section 67 of the Act by failing to post in public view, at the entrance to the room or terrace where the permit is used, a notice indicating the amount of a minimum charge giving the right to one drink or an admission fee where they impose such charge or fee;

(3) permit holders who have contravened section 68 of the Act by failing to post in public view, at the entrance to the room or terrace of their establishment, a notice indicating the holding of a reception access to which is restricted to a group of persons;

(4) permit holders who have contravened section 70 of the Act by failing to keep vouchers of the purchases of alcoholic beverages;

(5) permit holders who have contravened section 74.1 of the Act by failing to keep, in the establishment where they use their permit, the floor plan of the room or terrace where the activity is authorized, certified by the board pursuant to the second paragraph of section 74 of the Act or the third paragraph of section 84.1;

(6) holders of a permit for consumption of alcoholic beverages on the premises who did not have a system for providing full lighting throughout the premises in emergencies or when needed contrary to section 5 of the Regulation respecting lay-out standards for establishments (chapter P-9.1, r. 4).

32.7. The following failures result in the payment of an administrative monetary penalty of \$500:

(1) permit holders who admitted simultaneously to a room or a terrace of their establishment where their permit is used more persons than the number determined by the board under section 46.1 of the Act, to the extent that the number of persons is not greater than 25% of the capacity permitted and does not exceed the evacuation capacity;

(2) permit holders who have contravened section 62 of the Act without complying with the conditions provided for in section 63 of the Act

(a) by admitting a person to a room or a terrace where a permit authorizing alcoholic beverages to be sold or served is used outside the hours during which the permit may be used; or

(b) by tolerating a person's remaining there for more than 30 minutes after the time the permit must cease to be used, unless the person is an employee of the establishment;

(3) permit holders who have contravened the first paragraph of section 73 of the Act by allowing in a room or on a terrace where they use their permit, the presentation of a show, the projection of a film, or dancing, when they have not been authorized to do so by the board;

(4) permit holders who have contravened the second paragraph of section 76 of the Act by installing a device from which a person may at all times serve himself or herself, in a room of a tourist establishment, when they have not been authorized to do so by the board;

(5) permit holders who have contravened section 82 of the Act by using their permit in a place other than that specified in their permit, when they have not been authorized to do so by the board;

(6) holders of a grocery permit who have contravened the first paragraph of section 31 of the Act by allowing consumption of alcoholic beverages in their establishment and its dependencies where it was not a tasting authorized under the second paragraph of that section;

(7) permit holders who have contravened the first paragraph of section 84.1 of the Act by changing the floor arrangement of a room or terrace for which an authorization has been granted for the presentation of shows, the projection of films or dancing, when they have not been authorized by the board;

(8) permit holders who have contravened paragraph 2 of section 109 of the Act respecting offences relating to alcoholic beverages (chapter I-8.1) by selling, serving or allowing to be consumed alcoholic beverages that their permit authorizes them to sell, serve or allow to be consumed outside the days or hours when they may use the permit;

(9) permit holders who have contravened section 71 of the Act by failing or omitting to notify the board in writing of the name, address and social insurance number of the person entrusted to manage their establishment, within 10 days of the beginning of the person's employment;

(10) a partnership or a legal person referred to in section 38 of the Act, holding a permit, who has contravened section 72 of the Act by failing or omitting to make known to the board all the relevant information relating to a change among the persons referred to in section 38, within 10 days of the change;

(11) permit holders who refused or failed to comply with a request made under section 110 of the Act.”.

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

102990

Draft Regulation

An Act respecting the Québec correctional system (chapter S-40.1)

Programs of activities for offenders

—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 programs of activities for offenders, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting programs of activities for offenders (chapter S-40.1, r. 3) to specify the conditions under which the reintegration support fund of a correctional facility may financially assist inmates. It also proposes amendments to set the wage of inmates performing remunerated work under the program of activities of a fund and to determine how to calculate the assessment that a fund must pay annually to the Fonds central de soutien à la réinsertion sociale. Lastly, it proposes amendments to allow the Minister to designate persons to exercise certain functions provided for in the Regulation.

The proposed regulatory amendments have no impact on the public or on enterprises.

Further information may be obtained by contacting Christine Tremblay, Programs Director, Direction générale des services correctionnels, Ministère de la Sécurité publique, 2525, boulevard Laurier, 11^e étage, tour du Saint-Laurent, Québec (Québec) G1V 2L2; telephone: 418 646-6777, extension 50050; fax: 418 644-5645; email: soutien-dp@msp.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Véronyck Fontaine, Secretary General, Ministère de la Sécurité publique, 2525, boulevard Laurier, 5^e étage, tour des Laurentides, Québec (Québec) G1V 2L2; fax: 418 643-3500.

MARTIN COITEUX,
Minister of Public Security

Regulation to amend the Regulation respecting programs of activities for offenders

An Act respecting the Québec correctional system (chapter S-40.1, s. 193, 1st par., subpars. 15 to 26)

1. The Regulation respecting programs of activities for offenders (chapter S-40.1, r. 3) is amended by replacing section 5 by the following:

“**5.** A fund may financially assist inmates by granting them a gift or an interest-free loan to

(1) assist them where they do not receive any outside financial assistance, have no financial resources and cannot perform remunerated work nor participate in another activity of the program of activities;

(2) promote participation in an activity of the program of activities, other than remunerated work; or

(3) support them in their search for employment in the community.

A request for financial assistance must be submitted to the fund by the facility director or a person designated by the facility director.”

2. Section 6 is amended by adding “or the person designated by the Minister” after “Minister” in the third paragraph.

3. Section 7 is amended by replacing paragraphs 4 and 5 by the following:

“(4) the obligations of third persons, in particular, communication to the fund of the amount of work performed or the number of hours worked by each inmate.”

4. Section 8 is amended by adding “or the person designated by the Minister” after “Minister” in the first paragraph.

5. Section 11 is amended

(1) by replacing the first, second and third paragraphs by the following:

“Inmates performing remunerated work under a program of activities of a fund are remunerated at an hourly rate corresponding to 35% of the minimum wage provided for in section 3 of the Regulation respecting labour standards (chapter N-1.1, r. 3).

A fund may grant a premium to inmates supervising other workers or performing complex tasks.”;

(2) by replacing “fourth” in the fifth paragraph by “third”.

6. Section 12 is amended by adding “or the person designated by the Minister” after “Minister” in the fourth paragraph.

7. Section 13 is amended by adding “or the person designated by the Minister” after the word “Minister” wherever it appears in the first and second paragraphs.

8. Section 17 is replaced by the following:

“**17.** The limits within which the Minister determines the assessment that a fund must pay annually to the central fund are not less than 5% and not more than 25% of the net operating revenues of the fund, calculated by subtracting from the sum of all its revenues the costs and charges paid to produce the revenues, without taking into account the disbursements made to finance the activities of its program of activities other than remunerated work.”

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

102984

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

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