Gazette officielle du Québec

Part 2

No. 29
17 July 2019

Laws and Regulations

Volume 151

Summary

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec

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Contents

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(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;

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Table of Contents

Page

Coming into force of Acts

Regulations and other Acts

Draft Regulations

Coming into force of Acts

Gouvernement du Québec

O.C. 753-2019, 3 July 2019

An Act to amend various legislation mainly with respect to admission to professions and the governance of the professional system (2017, chapter 11)
— Coming into force of provisions of section 146 of the Act

COMING INTO FORCE of provisions of section 146 of the Act to amend various legislation mainly with respect to admission to professions and the governance of the professional system

WHEREAS the Act to amend various legislation mainly with respect to admission to professions and the governance of the professional system (2017, chapter 11) was assented to on 8 June 2017;

WHEREAS section 155 of the Act provides that the Act comes into force on 8 June 2017, except section 29, which comes into force on 8 July 2017, sections 1, 3, 5, 45, 48, 49, 58 and 59, which come into force on 1 January 2018, section 39, which comes into force on 8 June 2018, and section 146, which comes into force on the date to be set by the Government;

WHEREAS it is expedient to set 1 October 2019 as the date of coming into force of section 146 of the Act;

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

THAT 1 October 2019 be set as the date of coming into force of section 146 of the Act to amend various legislation mainly with respect to admission to professions and the governance of the professional system (2017, chapter 11).

YVES OUELLET,
Clerk of the Conseil exécutif

104023

Gouvernement du Québec

O.C. 765-2019, 3 July 2019

An Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions (2018, chapter 19)
— Coming into force of sections 58, 59 and 65 of the Act

COMING INTO FORCE of sections 58, 59 and 65 of the Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions

WHEREAS the Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions (2018, chapter 19) was assented to on 12 June 2018;

WHEREAS, under section 75 of the Act, the provisions of the Act come into force on the date or dates to be set by the Government, except the provisions in paragraphs 1 and 2 of that section, which came into force on 12 June 2018, and sections 27, 28 and 29, as provided by paragraph 3 of that section, which come into force on the date of coming into force of sections 13, 15 and 18 of the Act to amend the Highway Safety Code and other provisions (2018, chapter 7), respectively;

WHEREAS, under Order in Council 1084-2018 dated 7 August 2018, various provisions of the Act, including sections 58, 59 and 65, to the extent that they enact the Government's power to provide exceptions by regulation, came into force;

WHEREAS it is expedient to set 3 July 2019 as the date of coming into force of any portion not yet in force of section 58, 59 and 65 of the Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions to render applicable the prohibitions on the consumption of cannabis and other drugs they provide

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

THAT 3 July 2019 be set as the date of coming into force of any portion not yet in force of sections 58, 59 and 65 of the Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions (2018, chapter 19).

YVES OUELLET,
Clerk of the Conseil exécutif

104027

Regulations and other Acts

Gouvernement du Québec

O.C. 722-2019, 3 July 2019

Education Act
(chapter I-13.3)

Situations that give certain persons the right of free access to educational or learning services

Regulation respecting situations that give certain persons the right of free access to educational or learning services

WHEREAS, under section 455.0.1 of the Education Act (chapter I-13.3), the Government may, by regulation, determine the situations in which, for the purposes of subparagraph 3 of the first paragraph of section 3.1 of the Act, a person who is not resident in Québec may avail himself of the right of free access to educational or learning services in accordance with that section;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting situations that give certain persons the right of free access to educational or learning services was published in Part 2 of the *Gazette officielle du Québec* of 18 April 2018 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 amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education and Higher Education:

THAT the Regulation respecting situations that give certain persons the right of free access to educational or learning services, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation respecting situations that give certain persons the right of free access to educational or learning services

Education Act
(chapter I-13.3, ss. 3.1, 1st par., subpar. 3, and s. 455.0.1)

1. The services referred to in section 3 of the Education Act (chapter I-13.3) are to be provided free to every person who is not resident in Québec where the person having parental authority over that person does not ordinarily reside in Québec, if the person

(1) takes part in a school exchange program that meets the following criteria:

(a) the maximum duration of the program is 1 year;

(b) the program is recognized by the receiving school board;

(c) the program provides, during the school year of the exchange, the participation of the same number of students of the school board and foreign students;

(d) the program guarantees reciprocity of the conditions for participation;

(2) is a national of a State with which the Gouvernement du Québec has entered into an agreement for the exemption from the financial contribution due under section 216 of the Act;

(3) is not of full age and is placed in the territory of a school board under an Act listed in the first paragraph of section 204 of the Act;

(4) is a Canadian citizen or a permanent resident of Canada and the person having custody *de facto* of that person ordinarily resides in Québec; or

(5) the person having parental authority is a Canadian citizen or a permanent resident of Canada and the person having custody *de facto* of that person ordinarily resides in Québec.

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

104021

Gouvernement du Québec

O.C. 752-2019, 3 July 2019

Civil Code of Québec
(chapter CCQ-1991)

An Act respecting registry offices
(chapter B-9)

Register of personal and movable real rights — Amendment

Regulation to amend the Regulation respecting the register of personal and movable real rights

WHEREAS, under the first paragraph of article 3024 of the Civil Code of Québec, the Government may, by regulation, take any measure necessary for the implementation of the provisions of Book Nine of the Code, Publication of Rights, and it may, in particular, establish the standards of presentation of applications for registration and determine the form and content thereof;

WHEREAS, under the third paragraph of article 3024 of the Civil Code of Québec, the Government may also, in particular, determine the form, medium and content of any register or file kept by a registrar, the medium in which applications are preserved and the manner of making various entries in the registers;

WHEREAS, under the third paragraph of article 3024 of the Civil Code of Québec, the Government may also fix the business days and business hours of the registry offices, the procedure for consulting registers and the formalities for the issuance of statements or certificates;

WHEREAS, under section 5 of the Act respecting registry offices (chapter B-9), the Government may, in particular, determine, by regulation, the quality and dimensions of the paper used for documents requiring publication;

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 register of personal and movable real rights was published in Part 2 of the *Gazette officielle du Québec* of 27 February 2019 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 amendments;

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

THAT the Regulation to amend the Regulation respecting the register of personal and movable real rights, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the register of personal and movable real rights

Civil Code of Québec
(chapter CCQ-1991, art. 3024)

An Act respecting registry offices
(chapter B-9, s. 5)

1. The Regulation respecting the register of personal and movable real rights (chapter CCQ, r. 8) is amended in section 15.7 by replacing ", withdrawn or deleted" in the second paragraph by "or withdrawn".

2. Section 15.8 is amended by replacing "key pair holders" by "holders of key pairs that must be used to send applications for registration pursuant to this Regulation".

3. Section 15.13 is amended by adding "That person shall generate his signing key pair within 15 days of receipt of the first part of the token and ensure the confidentiality thereof in the meantime." at the end of the first paragraph.

4. Section 15.17 is amended by replacing "of unauthorized access to" in the second paragraph by "of usurpation of" in the second paragraph.

5. Section 15.18 is amended by striking out ", its deletion".

6. Section 15.19 is amended by adding "The registrar shall then revoke the former signature verification certificate." at the end of the third paragraph.

7. Section 15.21 is revoked.

8. Section 15.25 is amended by striking out ", the deletion of a certificate from a directory,".

9. Section 15.26 is replaced by the following:

"**15.26.** The holder shall be notified of any correction, renewal, reactivation of a certificate following its suspension, withdrawal or revocation of a certificate. The holder shall also be notified of any refusal to issue a certificate and the grounds therefor.".

10. Section 20 is amended by inserting "to allow registration in a descriptive file" after "form" in the first paragraph.

11. Section 23 is amended by striking out "shall be as prescribed in the Schedules to this Regulation and".

12. Section 23.3 is replaced by the following:

"**23.3.** An application for registration in paper form shall be submitted on paper measuring 215 mm wide × 279 mm or 355 mm long (8 ½ in. x 11 in. or x 14 in.), and weighing at least 75 g/m^2 per ream.".

13. Section 30 is amended by striking out "It may also indicate the fax number of the beneficiary." in the second paragraph.

14. Section 32 is amended by

(1) striking out "or to have a fax number added, changed or altered";

(2) replacing ", the beneficiary's former and new names or the former and new fax numbers" at the end by "or the beneficiary's former and new names".

15. Section 39 is amended by striking out "reduction or" in the second paragraph.

16. Section 43 is amended by striking out ", the fax number, if any," in the third paragraph.

17. Section 44 is amended by replacing "to have the address or name of the beneficiary of the registration changed or altered, or to have a fax number added, changed or altered" by "and to have the address or name of the beneficiary changed or altered".

18. Section 44.1 is revoked.

19. Section 45 is amended by replacing "by means of a display screen" by "by means of any information technology device made available by the registrar".

20. Section 46.1 is amended by replacing "by means of a display screen" by "by means of any information technology device".

21. Section 49 is amended by replacing "microfilm or on a non-rewritable optical medium" by "a medium that protects them from being altered".

22. Section 49.1 is amended by replacing "a non-rewritable optical medium in order to protect the data received, in particular against accidental alterations" in the second paragraph by "a medium that protects them from being altered".

23. Section 49.2 is amended by replacing "microfilm or optical disks" by "media on which the documents were reproduced or the data transferred".

24. Section 50 is amended by replacing "a magnetic or non-rewritable optical medium" by "a medium that protects them from being altered".

25. Section 52 is replaced by the following:

"**52.** The office at which the register is kept shall be open every day, except the days referred to in the first paragraph of article 82 of the Code of Civil Procedure (chapter C-25.01), on 24 and 31 December and on any non-working day to which those days are postponed pursuant to the labour agreements of Government employees in force. The registrar shall publish the closing days of the office on its website.

Applications may be presented from 9:00 a.m. to 3:00 p.m.

The register may be examined at the registry office, assisted by an office attendant, from 8:30 a.m. to 4 p.m or through a telephone intermediary from 8:30 a.m. to 4:30 p.m. However, on Wednesdays, those hours are respectively from 10:00 a.m. to 4 p.m. and from 10:00 a.m. to 4:30 p.m.".

26. Section 52.1 is replaced by the following:

"**52.1.** Despite section 52, the register may be examined remotely by means of an information technology device made available by the registrar Monday to Friday from 7:30 a.m. to 11 p.m. and Saturday and Sunday from 7:30 to 5:00 p.m.".

27. Section 52.2 is revoked.

28. Schedules I to XVII are revoked.

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

104022

Gouvernement du Québec

O.C. 754-2019, 3 July 2019

Professional Code
(chapter C-26)

Notaries Act
(chapter N-3)

Digital official signature of a notary

Regulation respecting the digital official signature of a notary

WHEREAS, under subparagraph 1 of the first paragraph of section 98 of the Notaries Act (chapter N-3), the board of directors of the Chambre des notaires du Québec must make regulations prescribing the conditions and procedure for authorizing the use of an official signature affixed by means of a technological process and those for revoking such authorization, and determining the technological process that must be used to affix it and the minimal conditions a certification service provider must meet;

WHEREAS, under section 94.1 of the Professional Code (chapter C-26), the board of directors of a professional order may, in a regulation that it is authorized to make under the Code or under an Act constituting the professional order, make compulsory a standard established by a government or body and provide that reference to such a standard includes any subsequent amendment made to it;

WHEREAS the board of directors of the Chambre des notaires du Québec made the Regulation respecting a notary's digital official signature on 3 December 2018;

WHEREAS, under the second paragraph of section 98 of the Notaries Act, regulations under subparagraph 1 of the first paragraph of that section are submitted to the Government, which may approve them with or without amendment, on the recommendation of the ministers responsible for the Act respecting registry offices (chapter B-9) made after consultation with the Office des professions du Québec;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting a notary's digital official signature was published in Part 2 of the *Gazette officielle du Québec* of 9 January 2019 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the digital official signature of a notary, attached to this Order in Council, be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation respecting the digital official signature of a notary

Professional Code
(chapter C-26, s. 94.1)

Notaries Act
(chapter N-3, s. 98, 1st par., subpar. 1)

DIVISION I
PURPOSE

1. The purpose of this Regulation is to determine, in addition to the provisions in the Act to establish a legal framework for information technology (chapter C-1.1), the technological process to be used by a notary to affix his or her official signature using such means, the conditions and procedure for authorizing the use of an official signature affixed by means of such a technological process, those for revoking such authorization, and the minimal conditions a certification service provider must meet.

DIVISION II
TECHNOLOGICAL PROCESS

2. The technological process by means of which a notary may affix his or her official signature is an asymmetric cryptographic system supported by a public-key infrastructure.

The signature affixed by a notary using that process constitutes the notary's digital official signature.

DIVISION III
AUTHORIZATION TO USE AND REVOCATION

§1. Authorization to use

3. The secretary of the Order authorizes the notary who makes an application to that effect, using the document established by the Order, to use a digital official signature using the process described in section 2.

To obtain the authorization, the notary must have his or her identity verified by another notary and must attach the attestation of the verification to the application.

In the application, the notary must undertake

(1) to use his or her digital official signature only in the practice of the profession;

(2) not to allow the use of the signature by a third person;

(3) to ensure the security and the confidentiality of every password or secret element related to his or her digital official signature.

In addition, if the notary becomes aware that the security or the confidentiality of any password or secret element related to the digital official signature has been compromised or if the notary has reasonable grounds to believe so, the notary undertakes to immediately notify

(1) the secretary of the Oder;

(2) the certification service provider;

(3) any person who may have received a document bearing the notary's digital official signature while, in fact, it was affixed by a third person.

The notary must pay the fees relating to the application for an authorization.

§2. Revocation of the authorization

4. The secretary of the Order must revoke the authorization given to a notary in any of the following cases:

(1) on the written application of the notary;

(2) the notary has been removed from the roll of the Order;

(3) the notary fails to fulfil one of the undertakings provided for in section 3;

(4) any situation where the notary is informed that the confidentiality or the security of the password or of the secret elements related to the digital official signature has been compromised;

(5) on the written application of the certification service provider, where the notary fails to pay the fees relating to the use of the digital official signature.

The secretary of the Order must inform the notary and the certification service provider of the revocation.

DIVISION IV
CERTIFICATION SERVICE PROVIDER

5. Only a certification service provider that has been authorized by the Order may issue the keys and certificates allowing a notary to affix his or her digital official signature using the process described in section 2.

6. The Order authorizes a certification service provider that enters into an agreement with the Order determining the administrative procedures necessary for the application of this Regulation and that meets the following minimal conditions:

(1) it has a certification policy that complies with documents RFC 3647 and RFC 3280 developed by the Internet Engineering Task Force and that includes a procedure for identity verification;

(2) it issues keys and certificates by means of a public-key infrastructure;

(3) it has a certificate directory that complies with the International Telecommunication Union (ITU) Recommendation X.500;

(4) it issues certificates that comply with the ITU Recommendation X.509;

(5) it issues keys that consist of a unique and indissociable pair of keys, one public and the other private, which allow the signing of technology-based documents and the identification of the signatory;

(6) it issues certificates that include, in particular, the following elements:

(a) the distinguishing name of the notary combined with a unique code;

(b) a mention to the effect that he or she is a notary;

(7) it enters the certificates into a directory held on a medium based on information technology and keeps it up-to-date. The directory must include, in particular, the serial numbers of the certificates that are valid, suspended, cancelled, or archived.

The reference to a standard provided for in subparagraphs 1, 3 and 4 of the first paragraph includes any subsequent amendments made thereto.

7. The certification service provider must make sure that the notary has the authorization of the secretary of the Order before it issues the keys and certificates allowing the notary to affix his or her digital official signature.

8. The certification service provider who has knowledge of one of the cases of revocation of the authorization provided for in section 4 notifies the secretary of the Order and the notary.

9. The certification service provider revokes the keys and certificates allowing the notary to affix his or her digital official signature in particular where the secretary of the Order informs the provider of the revocation of the authorization made in accordance with section 4.

If the certification service provider revokes them for a reason other than a case referred to in section 4, the certification service provider so informs the secretary of the Order and the notary.

DIVISION V
TRANSITIONAL AND FINAL

10. The personal code or mark assigned to a notary by the secretary of the Order before 1 October 2019 is the notary's digital official signature.

The notary is authorized to use the signature if

(1) the notary undertakes in writing in accordance with section 3; and

(2) the certification service provider that issued the keys and certificates allowing to affix the signature meets the conditions provided for in sections 5 and 6.

11. This Regulation comes into force on 1 October 2019.

104024

Gouvernement du Québec

O.C. 759-2019, 3 July 2019

An Act respecting health services and social services (chapter S-4.2)

Minister of Health and Social Services
— Information that institutions must provide
— Amendment

Regulation to amend the Regulation respecting the information that institutions must provide to the Minister of Health and Social Services

WHEREAS, under subparagraph 26 of the first paragraph of section 505 of the Act respecting health services and social services (chapter S-4.2), the Government may, by regulation, prescribe the personal and non-personal information that an institution must provide to the Minister concerning the needs for and utilization of services;

WHEREAS, under section 433 of the Act, in performing the Minister's duties under section 431 of the Act, the Minister may require an institution to furnish, at the time and in the form the Minister determines, the information, whether personal or not, prescribed by regulation under subparagraph 26 of the first paragraph of section 505 of the Act concerning needs for and utilization of services;

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 information that institutions must provide to the Minister of Health and Social Services was published in Part 2 of the *Gazette officielle du Québec* of 10 April 2019 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 to amend the Regulation respecting the information that institutions must provide to the Minister of Health and Social Services without amendment;

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

THAT the Regulation to amend the Regulation respecting the information that institutions must provide to the Minister of Health and Social Services, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the information that institutions must provide to the Minister of Health and Social Services

An Act respecting health services and social services (chapter S-4.2, ss. 433 and 505, 1st par., subpar. 26)

1. The Regulation respecting the information that institutions must provide to the Minister of Health and Social Services (chapter S-4.2, r. 23) is amended by inserting the following after section 5.1:

"**5.1.1.** An institution operating a hospital of the general and specialized class of hospitals and offering oncology services must provide the Minister with the information in Schedule V.1 in respect of a user suffering from cancer who receives such services.

5.1.2. An institution operating a hospital of the general and specialized class of hospitals and offering renal replacement services must provide the Minister with the information in Schedule V.2 in respect of the following users:

(1) every user to whom the institution provided the first dialysis treatment;

(2) every user for whom the institution performs the monitoring of dialysis treatments;

(3) every user to whom the institution provides renal replacement services who is transferred to another facility or whose treatment has changed or stopped.

Despite the first paragraph of section 108.2 of the Act, the information is provided only by the institution that physically provides services to a user.".

2. The following is inserted after section 5.2:

"**5.2.1.** A public institution or a private institution under agreement operating a rehabilitation centre of the rehabilitation centre class for mentally impaired persons or persons with a pervasive developmental disorder or of the rehabilitation centre class for physically impaired persons must provide the Minister with the information in Schedule VI.1 in respect of a user who receives the services of such a centre.".

3. Section 6 is amended by replacing "5.1 and 5.3" in the first paragraph by "5.1.1, 5.2.1 and 5.3".

4. Schedule I is amended

(1) by inserting the following after subparagraph *f* of paragraph 1 of section 1:

"*(g)* an indication that it is an individual, couple, family, group or community request;

(h) the priority code assigned to the request;";

(2) by inserting the following after paragraph 3 of section 1:

"(4) concerning each episode of service rendered to a user:

(a) the sequence number;

(b) the dates on which the service begins and ends;

(c) the sequence number of its assignment to a centre or sub-centre of activities;

(d) the centre or sub-centre of activities covered by the assignment;

(e) the dates on which the assignment begins and ends;

(f) the sequence number associated to each period of the user's unavailability;

(g) the dates on which the user's unavailability begins and ends;

(h) the date on which services will be required for the user at a later date;

(i) the reason for interrupting the service episode.";

(3) by inserting the following after subparagraph *c* of paragraph 1 of section 2:

"*(d)* the code of the territory of the local community service centre where the user's residence is located;

(e) the user's overall deprivation;

(f) the user's material deprivation;

(g) the user's social deprivation;";

(4) by inserting "and time" after "the date" in subparagraph *l* of paragraph 2 of section 2;

(5) by striking out subparagraph *p* of paragraph 2 of section 2;

(6) by inserting the following after subparagraph *p* of paragraph 2 of section 2:

"*(q)* if the user was subject to a transfer of clinical responsibility from a midwife to another type of professional:

i. an indication of the prenatal, intrapartum or postnatal transfer of the mother or baby;

ii. the date of the transfer;

iii. an indication whether or not the transfer was urgent;

iv. the reason for the transfer;

v. the place of origin of the transfer;

vi. the sequence number assigned to the transfer;

(r) the method of entering into labour;

(s) the duration of latency;

(t) the duration of active labour;

(u) the duration of pushing;

(v) the duration of placenta delivery;

(w) the total duration of delivery;

(x) the place of delivery;

(y) the type of professional under whose responsibility delivery was performed;

(z) the type of delivery;

(aa) whether or not a vacuum was used during delivery;

(bb) whether or not an episiotomy was performed during delivery;";

(7) by inserting the following after paragraph 2 of section 2:

"(2.1) concerning any service rendered to an individual user in perinatal care, the type of food consumed by the child;";

(8) by striking out paragraph 3 of section 2;

(9) by replacing "sequential number" wherever it appears by "sequence number".

5. The following is inserted after Schedule V:

"**SCHEDULE V.1**
(Section 5.1.1)

1. The institution referred to in section 5.1.1 must provide the following information:

(1) concerning the user:

(a) the name of the user's mother;

(b) the name of the user's father;

(c) if the user died:

i. the date of death;

ii. the province, territory or country where the user died;

iii. the number, on the institution's permit, of the facility where the user died or, failing that, the number of the institution that maintains the facility, where applicable;

(2) concerning a user diagnosed with cancer:

(a) the date of the diagnosis;

(b) the number, on the institution's permit, of the facility where the diagnosis is established or, failing that, the number of the institution that maintains the facility;

(c) the name and code of the municipality where the user's residence is located at the time of the diagnosis;

(d) the methods used to establish and confirm the diagnosis;

(e) the class assigned to a cancer case, according to the place of diagnosis and treatment;

(f) the behaviour of the tumor according to the International Classification of Diseases for Oncology (ICD-O);

(g) the tumor grade according to the clinical evaluation and the pathological evaluation, and after the post neoadjuvant treatment, where applicable, according to the classification of the North American Association of Central Cancer Registries or, if the cancer was diagnosed before 2018, the grade of the tumor according to the ICD-O;

(h) the histology of the tumor according to the ICD-O;

(i) the presence or absence of lymphovascular invasion;

(j) the tumor laterality;

(k) the topography of the primary site of the tumor according to the ICD-O;

(3) concerning a user diagnosed with colorectal, lung, prostate or breast cancer:

(a) according to the clinical evaluation and the pathological evaluation of the tumor carried out before the first line of treatment, where applicable, according to the classification of the Cancer Staging Manual of the American Joint Committee on Cancer:

i. the evaluation of the size or extension of the tumor;

ii. the observation of the presence or absence of regional lymph node metastases and the extension of their effect;

iii. the observation of the presence or absence of distant metastases;

iv. the TNM stage (Tumor Node Metastasis) of the tumor;

v. the specifications made by adding a suffix to the evaluation of the size or extension of the tumor and to the observation of the presence or absence of regional lymph node metastases and the extension of their effect or, if the cancer was diagnosed before 2018, the specifications made by adding a prefix or a suffix to the TNM stage;

(b) regarding the evaluation carried out after the post neoadjuvant treatment, where applicable:

i. the evaluation of the size or extension of the tumor;

ii. the observation of the presence or absence of regional lymph node metastases and the extension of their effect;

iii. the observation of the presence or absence of distant metastases;

iv. the TNM stage of the tumor;

v. the specifications made by adding a suffix to the evaluation of the size or extension of the tumor and to the observation of the presence or absence of regional lymph node metastases and the extension of their effect;

(c) an indication that the cancer is treated, not treated or under active supervision;

(4) concerning a user diagnosed with prostate cancer, the value of the prostate specific antigen test;

(5) concerning a user diagnosed with breast cancer:

(a) summaries of test results of estrogen receptors, progesterone receptors and the human epidermal growth factor receptor 2 of the tumor;

(b) the result of the Oncotype DX Breast Recurrence Score test;

(6) concerning the treatment of colorectal, lung, prostate or breast cancer:

(a) the date on which the first line of treatment begins;

(b) the date of the first surgical procedure, where applicable;

(c) regarding the most important surgical resection performed on the primary site of the cancer, where applicable:

i. the date of the intervention;

ii. the number, on the institution's permit, of the facility where the intervention was performed or, failing that, the number of the institution that maintains the facility;

iii. the type of surgical procedure performed;

iv. the state of surgical margins after the intervention;

(d) regarding administered radiotherapy treatment, where applicable:

i. the date on which the treatment begins;

ii. the number, on the institution's permit, of the facility where the treatment was administered or, failing that, the number of the institution that maintains the facility;

iii. the anatomic target of the treatment;

(e) regarding administered chemotherapy, hormonal therapy or immunotherapy treatment, where applicable :

i. the date on which the treatment begins;

ii. the number, on the institution's permit, of the facility where the treatment was administered or, failing that, the number of the institution that maintains the facility;

(f) regarding administered palliative treatment, where applicable:

i. the type of treatment administered;

ii. the number, on the institution's permit, of the facility where the treatment was administered or, failing that, the number of the institution that maintains the facility.

"**SCHEDULE V.2**
(Section 5.1.2)

1. The institution referred to in section 5.1.2 must provide the following information in respect of any user to whom it provided a first dialysis treatment:

(1) concerning the user:

(a) sex;

(b) ethnic origin;

(c) the postal code of the user's residence;

(d) the name of the municipality where the user's residence is located;

(e) the province where the user's residence is located;

(2) the date of the first consultation of the user with a physician who holds a specialist's certificate in nephrology;

(3) an indication that the user was followed in nephrology before the beginning of the follow-up in renal replacement and the place of the follow-up;

(4) the user's blood levels of albumin, serum bicarbonate, creatinine, calcium, hemoglobin, parathormone, phosphate and urea before the user's first treatment;

(5) the user's height at the time of the first treatment;

(6) the user's weight in the month of the first treatment;

(7) an indication that the user suffered a bilateral leg amputation, where applicable;

(8) the user's diagnosis of renal disease;

(9) an indication of the user's risk factors for renal disease and the nature of those factors, where applicable;

(10) regarding the first administered renal replacement treatment:

(a) date;

(b) type;

(c) the place where it was administered;

(d) the level of help or care needed during its administration;

(e) the type of access used;

(f) an indication whether or not it was the long-term intended treatment for the user;

(g) the reason for which the long-term intended treatment for the user could not be administered, where applicable;

(11) concerning the long-term intended treatment for the user:

(a) type;

(b) the place where it should be administered;

(c) the level of help or care needed during its administration.

2. The institution referred to in section 5.1.2 must provide the following information in respect of a user for whom it performs the monitoring of dialysis treatments:

(1) concerning a user receiving any type of dialysis:

(a) the postal code of the user's residence;

(b) regarding the user's blood levels of albumin, calcium, creatinine, ferritin, hemoglobin, glycated hemoglobin, parathormone, phosphate, transferrin and urea:

i. the laboratory results;

ii. the date on which each test was conducted;

iii. an indication of the tests that were not conducted, where applicable;

(c) an indication that the user is registered on the waiting list for renal transplant, that the user is not waiting for renal transplant or that an evaluation is underway for the user to be registered on the waiting list;

(d) if the user is under 18 years of age, the user's height and the date of the measurement;

(2) concerning a user receiving peritoneal dialysis treatments:

(a) the user's weight, the date on which the user was weighed and an indication that the user was weighed when the user was empty or full of fluid;

(b) the weekly creatinine clearance and the date of its verification, where applicable;

(c) the weekly measure of urea clearance (Kt/V) and the date of its verification, where applicable;

(d) an indication that the weekly creatinine clearance or that the weekly measure of urea clearance is not carried out or is not done systematically, where applicable;

(3) concerning a user receiving hemodialysis treatments:

(a) the type of access used on the day on which the laboratory results were obtained;

(b) the user's weight before and after the treatment, and the date of weighing;

(c) the weekly frequency of treatments and their duration.

3. The institution referred to in section 5.1.2 must provide the following information in respect of a user to whom it provides renal replacement services and that it transfers to a facility or whose treatment has changed or stopped:

(1) concerning the last dialysis treatment administered to a user:

(a) type;

(b) the place where it was administered;

(c) the level of help or care needed during its administration;

(d) the number, on the institution's permit, of the facility where it was administered;

(2) concerning any transfer of a user to another facility:

(a) date;

(b) cause;

(c) the number, on the institution's permit, of the facility of destination;

(3) concerning any change of treatment:

(a) date;

(b) cause;

(c) regarding the new treatment administered:

i. type;

ii. the place where it was administered;

iii. the level of help or care needed during its administration;

(d) the number, on the institution's permit, of the facility where it was administered;

(4) if a user received a transplant, the transplanted organ;

(5) in the case of treatment interruption, the date and cause of that interruption;

(6) the date and cause of death of the user, where applicable.

4. In addition, upon any provision of information, the institution referred to in section 5.1.2 must provide the following information:

(1) concerning the identity of the user:

(a) name;

(b) date of birth;

(c) health insurance number;

(d) the province or territory responsible for the provincial health care insurance plan insuring the user;

(2) the number, on the institution's permit, of the transmitting facility.".

6. The following is inserted after Schedule VI:

"**SCHEDULE VI.1**
(Section 5.2.1)

1. The institution referred to in section 5.2.1 must provide the following information:

(1) concerning the user:

(a) the name of the user's mother;

(b) the name of the user's father;

(c) the reason why the user's health insurance number cannot be provided, if applicable;

(d) the date of the user's first admission to or registration in an institution to obtain specialized and superspecialized services in intellectual impairment, autism spectrum disorders or physical impairment;

(e) the type of living environment where the user is residing;

(f) the date of the user's arrival in the living environment and, if a change occurs, the date of the user's departure;

(g) the date of the user's death, where applicable;

(2) concerning any control measure applied to a user:

(a) the date and time on which the application of the control measure begins and ends;

(b) an indication that a user or a representative agreed to the application of the control measure;

(3) concerning the billing of services rendered to a user:

(a) the organization or type of person assuming the cost of services rendered to the user;

(b) the date of the event for which services are billed, where applicable;

(4) concerning any request for services:

(a) the date of its receipt;

(b) the date of its registration;

(c) the type of person or organization having referred the user to the institution;

(d) the state of its realization;

(e) the type of clientele to which the user belongs;

(f) the diagnosis of impairment for which a request for services was made;

(g) the date on which all the information required for the purposes of examination of the request was obtained;

(h) the decision rendered after examination of the request and the date on which it was rendered;

(i) the priority code assigned to the request;

(j) the date on which any treatment suspension of the request for services begins and ends, and the reason for that suspension;

(k) the date on which the request is closed;

(5) concerning the assignment of the request for services:

(a) the centre or sub-centre of activities to which the request is assigned;

(b) the disciplines or clinical functions to which the request is assigned;

(c) the types of resources to which the request is assigned;

(d) the service settings to which the request is assigned;

(e) the administrative units to which the request is assigned;

(f) the date on which any assignment begins and ends;

(g) the reason for the cessation of any assignment;

(h) the date on which any assignment suspension begins and ends, and the reasons for that suspension;

(6) concerning the planning of services to render to a user:

(a) regarding the individualized service plan for a user:

i. the date of the meeting for its development;

ii. whether or not the user participated in its development;

iii. the date on which its application ends;

(b) concerning the intervention plan for a user:

i. the date of the meeting for its development;

ii. whether or not the user participated in its development;

iii. the date of its revision;

iv. the date on which its application ends;

(7) concerning the services rendered to a user:

(a) the date of each service provided to a user;

(b) the type of intervention carried out by any provider;

(c) the total duration of services provided to a user;

(d) the date on which any suspension of the provision of services begins and ends, and the reason for that suspension;

(e) the number of times a user attends an activity organized by the institution;

(f) the dates of admission to an institution, the dates on which a user obtained a leave from the institution and the total number of days of a user's lodging, where applicable;

(g) the type of external resource or the mission of the centre operated by an institution to which a user was referred, and the date and ground for that reference;

(8) concerning any provision of information:

(a) the name and the permit number of the institution that provides services to a user;

(b) the number, on the institution's permit, of the facility where services are provided to a user;

(c) the code of the health region from which the information originates;

(d) the date of transmission;

(e) the sequential number assigned to the transmission;

(f) the date on which the transmission period concerned begins and ends.".

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

104025

Gouvernement du Québec

O.C. 764-2019, 3 July 2019

Highway Safety Code
(chapter C-24.2)

An Act to ensure safety in guided land transport
(chapter S-3.3)

An Act respecting off-highway vehicles
(chapter V-1.2)

Exceptions to the prohibitions related to drug consumption and amending other regulatory provisions

Regulation respecting exceptions to the prohibitions related to drug consumption and amending other regulatory provisions

WHEREAS, under section 443 of the Highway Safety Code (chapter C-24.2), no occupant of a road vehicle may consume cannabis or other drugs, subject to the exceptions provided for by government regulation, in the vehicle;

WHEREAS, under section 489 of the Code, no person may consume cannabis or any other drug while riding a bicycle, subject to the exceptions provided for by government regulation;

WHEREAS, under section 24 of the Act respecting off-highway vehicles (chapter V-1.2), as replaced by section 65 of the Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions (2018, chapter 19), no person is to consume cannabis or any other drug in or on an off-highway vehicle or in or on a sleigh or trailer towed by an off-highway vehicle, subject to the exceptions provided for by government regulation;

WHEREAS, under subparagraph 13 of the first paragraph of section 46 of the Act respecting off-highway vehicles, the Government may make regulations determining the obligations of the operator of an off-highway vehicle and those of passengers in or on such a vehicle, sleigh or trailer towed by an off-highway vehicle, and prohibiting certain behaviour or certain uses or practices in the area of use it indicates;

WHEREAS, under the first paragraph and subparagraph 9 of the second paragraph of section 50 of the Act to ensure safety in guided land transport (chapter S-3.3), the Government may, by regulation, adopt a safety code applicable to guided land transport systems that may contain safety standards concerning, in particular, the qualifications and skills required of the holder of a position that is critical to safe operations within a guided land transport system, as well as any other requirements the holder of a position must meet;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation respecting exceptions to the prohibitions related to drug consumption and amending other regulatory provisions was published in Part 2 of the *Gazette officielle du Québec* of 27 February 2019 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 without amendment;

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

THAT the Regulation respecting exceptions to the prohibitions related to drug consumption and amending other regulatory provisions, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation respecting exceptions to the prohibitions related to drug consumption and amending other regulatory provisions

Highway Safety Code
(chapter C-24.2, ss. 443 and 489)

An Act to ensure safety in guided land transport
(chapter S-3.3, s. 50, 1st par. and 2nd par., subpar. 9)

An Act respecting off-highway vehicles
(chapter V-1.2, s. 24 and s. 46, 1st par., subpar. 13; 2018, chapter 19, s. 65)

REGULATION RESPECTING EXCEPTIONS TO THE PROHIBITIONS RELATED TO DRUG CONSUMPTION

DIVISION I
INTERPRETATION

1. For the purposes of this Regulation, a reference to "to smoke" and "smoking" also applies to the use of a pipe, a bong, an electronic cigarette or any other device of that nature.

DIVISION II
EXCEPTIONS FOR OCCUPANTS OF A ROAD VEHICLE

2. The occupant of a road vehicle who uses over-the-counter medication or medication prescribed by a professional authorized to do so is not subject to the prohibition on consuming a drug provided for in section 443 of the Highway Safety Code (chapter C-24.2).

With regard to cannabis prescribed for medical purposes, the exception provided for in the first paragraph applies only if the cannabis is not smoked and the occupant concerned is neither the driver nor a person having the care or control of a vehicle.

DIVISION III
EXCEPTION FOR CYCLISTS

3. A cyclist who uses over-the-counter medication or medication, other than cannabis, prescribed by a professional authorized to do so is not subject to the prohibition on consuming a drug provided for in section 489 of the Highway Safety Code.

AMENDING
REGULATION RESPECTING RAIL SAFETY

4. The Regulation respecting rail safety (chapter S-3.3, r. 2) is amended in section 13 by replacing "is under the influence of alcohol or narcotics" in both paragraphs by "is under the influence of alcohol, cannabis or any other drug".

REGULATION RESPECTING OFF-HIGHWAY VEHICLES

5. The Regulation respecting off-highway vehicles (chapter V-1.2, r. 5) is amended by inserting the following in Division 2.1, before section 11.1:

"**11.01.** An occupant who uses over-the-counter medication or medication prescribed by a professional authorized to do so is not subject to the prohibition on consuming a drug provided for in section 24 of the Act.

With regard to cannabis prescribed for medical purposes, the exception provided for in the first paragraph applies only if the cannabis is not smoked and the occupant concerned is neither the driver nor a person having the care or control of an off-highway vehicle.

For the purposes of this Regulation, a reference to "to smoke" and "smoking" also applies to the use of a pipe, a bong, an electronic cigarette or any other device of that nature.".

REGULATION RESPECTING ALL-TERRAIN VEHICLES

6. The Regulation respecting all-terrain vehicles (chapter V-1.2, r. 6) is amended by revoking section 14.

FINAL

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

104026

Gouvernement du Québec

O.C. 785-2019, 8 July 2019

Education Act
(chapter I-13.3)

Certain provisions of the Education Act not applicable to the Commission scolaire du Littoral

WHEREAS the Commission scolaire du Littoral was established under section 2 of the Act respecting the Commission scolaire du Littoral (1966-67, chapter 125);

WHEREAS, under section 3 of the Act respecting the Commission scolaire du Littoral, the school board is governed by the Education Act (chapter I-13.3), with the exception of such provisions as may be inconsistent with the Act respecting the Commission scolaire du Littoral and of those that the Government declares inapplicable in whole or in part;

WHEREAS the Act to establish a single school tax rate (2019, chapter 5) was assented to on 17 April 2019;

WHEREAS, under the amendments made to the Education Act by the Act to establish a single school tax rate, the role of a school board regarding school tax is limited to ensuring the collection of the school tax according to the rate calculated and made public by the Minister under the Education Act;

WHEREAS the provisions of the Education Act respecting the school tax, thus amended, are not inconsistent with the Act respecting the Commission scolaire du Littoral but it is not expedient to make them apply to it;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education and Higher Education:

THAT the provisions of the Education Act (chapter I-13.3) respecting the school tax are declared inapplicable to the Commission scolaire du Littoral.

YVES OUELLET,
Clerk of the Conseil exécutif

104034

Gouvernement du Québec

O.C. 787-2019, 8 July 2019

Education Act
(chapter I-13.3)

Homeschooling
— Amendement

Regulation to amend the Homeschooling Regulation

WHEREAS, under the first paragraph of section 448.1 of the Education Act (chapter I-13.3), the Government, by regulation, determines standards for homeschooling;

WHEREAS, under subparagraph 4 of the first paragraph of section 15 of the Education Act, a student who receives appropriate homeschooling is exempt from compulsory school attendance, provided the conditions and procedures determined by government regulation are complied with;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Homeschooling Regulation was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2019 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 amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education and Higher Education:

THAT the Regulation to amend the Homeschooling Regulation, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Homeschooling Regulation

Education Act
(chapter I-13.3, s. 15, 1st par., subpar. 4, and s. 448.1)

1. The Homeschooling Regulation (chapter I-13.3, r. 6.01) is amended by replacing section 4 by the following:

"**4.** The student's learning project must

(1) provide for the application of any program of study established by the Minister under the first paragraph of section 461 of the Act, include the activities or content

prescribed by the Minister in the broad areas of learning the Minister establishes under the third paragraph of that section, and provide for the taking of the examinations imposed by the school board that has jurisdiction under the second paragraph of section 231 of the Act, on the basis of what would be included in the educational services received by the student if the student were attending a school; or

(2) otherwise acquire a body of knowledge and various skills and, for that purpose, provide for varied and stimulating activities and the application of the programs of study established by the Minister under the first paragraph of section 461 of the Act for elementary and secondary school instructional services in the following subjects:

(a) a subject in the language of instruction and a subject in the second language, depending on the parents' choice, one in French and the other in English;

(b) the compulsory subjects in the subject area of mathematics, science and technology and in the subject area of social sciences, chosen from among the subjects that are taught during the cycle of instruction in which the student would be if the student were attending school.

For the purposes of subparagraph 2 of the first paragraph, a content to achieve the objectives included in the program of each subject must be taught to allow progress in learning equivalent to that applicable per cycle at school.".

2. Section 5 is amended by replacing subparagraph 2 of the second paragraph by the following:

"(2) the programs of study concerned and a brief description of the activities chosen in relation thereto;".

3. Section 12 is amended by inserting "and the student" after "The parents" in the first paragraph.

4. Section 13 is amended by inserting "and the student" after "The parents" in the first paragraph.

5. The following is inserted after section 15:

"**15.1.** In addition to the evaluations chosen by the parents to evaluate the student's progress, the student must submit to any examination imposed by the Minister under the first paragraph of section 463 of the Act, not later than at the end of the learning project in which the content to achieve the objectives included in the program of the subject to be examined must have been taught.

The Minister may exempt a student from taking an examination referred to in the first paragraph if it is impossible for the student to be present at the examination sittings by reason of illness or other exceptional circumstances. A student who is unable to be present at a specific sitting must be present at another sitting.".

6. Section 19 is replaced by the following:

"**19.** The Minister makes available to parents preparatory documents for the examinations the Minister imposes under the first paragraph of section 463 of the Act and is to ensure that the parents are informed of the standards and procedures for the certification of studies.".

7. Section 23 is replaced by the following:

"**23.** The school board organises and holds, free of charge, sittings to allow a student receiving homeschooling

(1) to sit for any examination imposed by the Minister under the first paragraph of section 463 of the Act;

(2) to sit for any examination imposed by the school board under the second paragraph of section 231 of the Act; and

(3) to take part in preparatory activities for any examination referred to in subparagraph 1.

Nothing in this section prevents the Minister from holding a sitting for the taking of an examination imposed by the Minister under the first paragraph of section 463 of the Act.".

8. The following is inserted after section 23:

"**23.1.** The school board must take the necessary measures to allow a student receiving homeschooling to be evaluated free of charge to earn the credits required for the issue of a diploma recognized by the Minister, without having taken the corresponding course, provided the pedagogical and organizational requirements are met.".

9. Section 24 is amended by replacing "or 21" by ", 21 or 23.1".

10. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du* Québec, except section 5, which comes into force on 1 July 2021, and sections 6 and 7, which come into force on 1 July 2020.

104035

Gouvernement du Québec

O.C. 789-2019, 8 July 2019

An Act respecting the Régie de l'énergie
(chapter R-6.01)

Régie de l'énergie
— Conditions and cases where authorization is required
— Amendment

Regulation to amend the Regulation respecting the conditions and cases where authorization is required from the Régie de l'énergie

WHEREAS, under subparagraph 6 of the first paragraph of section 114 of the Act respecting the Régie de l'énergie (chapter R-6.01), the Régie de l'énergie may make regulations determining the cases in which an operation referred to in section 73 of the Act requires an authorization and the applicable conditions;

WHEREAS, under section 115 of the Act, the rules of procedure and regulations made by the Régie must be submitted to the Government, which may approve them with or without amendments;

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 conditions and cases where authorization is required from the Régie de l'énergie was published in Part 2 of the *Gazette officielle du Québec* of 8 May 2019 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the conditions and cases where authorization is required from the Régie de l'énergie, attached to this Order in Council, be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the conditions and cases where authorization is required from the Régie de l'énergie

An Act respecting the Régie de l'énergie
(chapter R-6.01, s. 114, 1st par., subpar. 6)

1. The Regulation respecting the conditions and cases where authorization is required from the Régie de l'énergie (chapter R-6.01, r. 2) is amended in section 1 by

(1) replacing "$25,000,000" by "$65,000,000";

(2) replacing "$10,000,000" by "$25,000,000";

(3) replacing "$1,500,000" by "$4,000,000";

(4) replacing "$450,000" by "$1,200,000".

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

104036

Draft Regulations

Draft Regulation

Civil Code of Québec
(Civil Code)

Divided co-ownership insurance

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to establish various measures in matters of divided co-ownership insurance, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines, both for co-ownership syndicates and for co-owners, various insurance obligations introduced in the Civil Code by the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23).

The draft Regulation determines the minimum amount of coverage that each co-owner must take out as liability insurance.

It also determines the terms for establishing the minimum contribution of co-owners into the self-insurance fund.

The draft Regulation designates the professional order to which the persons charged with periodically determining the amount of the property insurance that must be taken out by the co-ownership syndicate to allow the reconstruction of the immovable in accordance with the requirements of the Civil Code must belong.

The draft Regulation also identifies the risks that should be covered *pleno jure* by the property insurance contract taken out by a co-ownership syndicate for the immovable.

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

Further information on the draft Regulation may be obtained by contacting Jean-Hubert Smith-Lacroix, coordinator, Développement législatif et réglementaire, Direction de l'encadrement du secteur financier et du droit corporatif, Ministère des Finances; telephone: 418 646-7466; fax: 418 646-7610; email: Jean-Hubert.Smith-Lacroix@finances.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 Finance, 12 rue Saint-Louis, 1er étage, Québec (Québec) G1R 5L3.

ERIC GIRARD,
Minister of Finance

Regulation to establish various measures in matters of divided co-ownership insurance

Civil Code of Québec
(Civil Code, arts. 1064.1, 1072 and 1073; 2018, c. 23, ss. 637, 640 and 641)

1. The minimum amount of the liability insurance that, under article 1064.1 of the Civil Code, each co-owner of an immovable held in divided co-ownership must take out is one million dollars ($1,000,000) if the immovable has less than 13 dwellings and two million dollars ($2,000,000) if it has 13 or more dwellings.

2. The minimum contribution of co-owners of an immovable held in divided co-ownership to the self-insurance fund established under article 1071.1 of the Civil Code is established as follows:

(1) where the capitalization of the fund is less than or equal to half of the highest deductible provided for by the insurances taken out by the co-ownership syndicate, the contribution is equal to half of that deductible;

(2) where the capitalization of the fund is greater than half of the highest deductible provided for by the insurances taken out by the syndicate, the contribution is equal to the amount resulting from the difference between that deductible and the capitalization of the fund;

(3) where the capitalization of the fund is greater than or equal to the highest deductible provided for by the insurances taken out by the syndicate, no contribution is required.

For the purposes of the first paragraph, the deductible applicable to damages caused by an earthquake, if that protection is provided, is not taken into account.

3. Only a member of the Ordre professionnel des évaluateurs agréés du Québec may be charged with assessing the amount that the insurance taken out by the co-ownership syndicate must provide for the reconstruction of the immovable held in divided co-ownership according to the requirements provided for in the first paragraph of article 1073 of the Civil Code.

4. The risks that a property insurance contract taken out by a co-ownership syndicate must cover in accordance with the third paragraph of article 1073 of the Civil Code are the following: theft, fire, lightning storms, hail, explosion, water flow, strike, riot or civil disturbance, impact of an aircraft or vehicle, and acts of vandalism or malicious acts.

5. Section 1 takes effect on (*insert the date that occurs 6 months after the date of its publication in the Gazette officielle du Québec*), sections 3 and 4, take effect on (*insert the date that occurs 12 months after the date of their publication in the Gazette officielle du Québec*) and section 2 takes effect on (*insert the date that occurs 24 months after the date of its publication in the Gazette officielle du Québec*).

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

104031

Draft Regulations

Environment Quality Act
(chapter Q-2)

Halocarbons
Hazardous materials
— 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 halocarbons and the Regulation to amend the Regulation respecting hazardous materials, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation to amend the Regulation respecting halocarbons prescribes a time limit for the use of hydrochlorofluorocarbons (HCFC) and hydrofluorocarbons (HFC) and, where applicable, for certain devices, to favour alternative technologies that are more respectful of the environment. It also amends the requirements regarding the environmental qualification of persons who may perform operations on devices containing such chemical substances.

It also makes various amendments to specify the rules regarding the recovery of the halocarbons contained in various devices, the actions to be taken in case of a halocarbon leak and the return and treatment of used halocarbons. In addition, it updates the list of certain halocarbons covered by the Regulation respecting halocarbons (chapter Q-2, r. 29) and gives their ozone-depleting potential and their global warming potential. Lastly, the draft Regulation ensures harmonization with the new provisions of the Ozone-depleting Substances and Halocarbon Alternatives Regulations (SOR/2016-137) that came into force in 2018 and on 1 January 2019.

The draft Regulation to amend the Regulation respecting hazardous materials provides for consequential amendments following the proposed amendments to the Regulation respecting halocarbons, to the extent that a halocarbon is deemed to be a hazardous material for the purposes of certain provisions of the Regulation respecting hazardous materials (chapter Q-2, r. 32) and the Environment Quality Act (chapter Q-2).

Study of the matter has shown that the draft Regulations will entail costs for the owners of devices for institutional, commercial and industrial uses, that will have to convert or replace their refrigeration or air conditioning equipment. The draft Regulations will result in cumulative greenhouse gas (GHG) emission reductions and will allow to lower the energy costs for certain devices.

Further information on the draft Regulations may be obtained by contacting Pierre-Luc Rousseau, Direction générale de la réglementation carbone et des données d'émission, Ministère de l'Environnement et de la Lutte contre les changements climatiques, Édifice Marie-Guyart, 5e étage, boîte 30, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3813, extension 4586; fax: 418 646-0001; email: pierre-luc.rousseau@environnement.gouv.qc.ca.

Any person wishing to comment on the draft Regulations is requested to submit written comments before the expiry of the 45-day period to France Delisle, Director General, Direction générale de la réglementation carbone et des données d'émission, Ministère de l'Environnement et de la Lutte contre les changements climatiques, Édifice Marie-Guyart, 5e étage, boîte 30, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; fax: 418 646-0001; email: france.delisle@environnement.gouv.qc.ca.

BENOIT CHARETTE,
Minister of the Environment and the Fight Against Climate Change

Regulation to amend the Regulation respecting halocarbons

Environment Quality Act
(chapter Q-2, s. 53.30, s. 70.19, 1st par., subpars. 2 and 16, s. 95.1, 1st par., subpars. 1, 3, 5, 10, 13, 16, 20 and 21, and ss. 115.27 and 115.34)

1. The Regulation respecting halocarbons (chapter Q-2, r. 29) is amended in section 2 by inserting "in order to favour alternative technologies more respectful of the environment" in the second paragraph after "certain halocarbons".

2. Section 3 is amended

(1) by inserting the following definitions in the first paragraph, in alphabetical order:

""refrigeration or air conditioning unit" means a refrigeration or air conditioning system or facility, a freezing unit, a heat pump or a dehumidifier and, unless the context indicates otherwise, the compressor, pipes, tubes, hoses, valves or other components necessary for their operation; (*appareil de réfrigération ou de climatisation*)

"fire extinguisher" means a device that can extinguish a fire area, or a fire extinguishing system and, unless the context indicates otherwise, the cylinders, pipes, tubes, hoses, valves or other components necessary for its operation; (*extincteur*)";

(2) in the definition of "halocarbon" in the first paragraph

(a) by striking out "that may contain up to 3 carbon atoms or, in the case of a PFC, more than 3 carbon atoms,";

(b) by inserting "carbon," after "may include";

(c) by inserting "in particular" after "it includes";

(3) by inserting "and whose molecular formula is CnHxFyCl(2n+2-x-y), where 0<n<4" at the end of the definition of "HCFC" in the first paragraph;

(4) by inserting "and whose molecular formula is CnHxF(2n+2-x), where 0<n<6" at the end of the definition of "HFC" in the first paragraph;

(5) by striking out the second, third, fourth and fifth paragraphs;

(6) by replacing "third paragraph of section 9" in the sixth paragraph by "subparagraph 3 of the third paragraph of section 5, the second paragraph of section 9 and the fourth paragraph of section 22".

3. Section 4 is replaced by the following:

"**4.** A halocarbon referred to in this Regulation is considered to be a hazardous material within the meaning of section 1 of the Environment Quality Act (chapter Q-2).

Subject to sections 11 and 13 of this Regulation, section 21 of the Environment Quality Act applies to a liquid or gaseous halocarbon.

Subject to sections 11 and 13 of this Regulation, sections 70.5.1 and 70.5.3 of the Environment Quality Act only apply to a liquid halocarbon.

Despite the foregoing, sections 70.6 to 70.18.1 of the Environment Quality Act do not apply to a halocarbon referred to in this Regulation.

In addition, only the following provisions of the Regulation respecting hazardous materials (chapter Q-2, r. 32) apply to such a halocarbon:

(1) sections 11 and 12, but only in the case of a halocarbon having a boiling point greater than 20 °C at an absolute pressure of 101.325 kPa;

(2) Chapter IV, in the case provided for in subparagraph 1 of the fourth paragraph of section 54 of this Regulation.".

4. The following is inserted after section 4:

"**4.1.** Every notice, report, information or document that must be sent to the Minister under this Regulation must be sent electronically.".

5. Section 5 is amended by replacing the third and fourth paragraphs by the following:

"The prohibition in the first paragraph does not apply to halocarbon emissions resulting from

(1) the operation of an air extraction system of an air conditioning or refrigeration unit whose emissions into the atmosphere do not exceed the standards prescribed by the first paragraph of section 27;

(2) the use of a process to manufacture plastic foam or plastic foam products referred to in Division V of Chapter II;

(3) the use of a process to produce magnesium, subject to sulphur hexafluoride (SF_6) emissions which are prohibited as of [*insert the date of coming into force of this Regulation*];

(4) the use of a solvent;

(5) training, research and development activities;

(6) leak tests carried out in accordance with this Regulation; and

(7) the use of a fire extinguisher to prevent, extinguish or control a fire.".

6. Section 6 is amended by adding "or an HCFC" at the end.

7. Section 9 is replaced by the following:

"**9.** A person who fills or refills a container or a refrigeration or air conditioning unit with a halocarbon or charges or recharges a fire extinguisher is required, subject to section 12, to first leak test the equipment with,

(1) in the case of a container or fire extinguisher, soapy water or any other more sensitive method; and

(2) in the case of a refrigeration or air conditioning unit, an electronic leak detector with a sensitivity of at least 5 g per year for the type of halocarbon used in the unit.

It is prohibited to use sulphur hexafluoride (SF_6) to carry out the leak test referred to in the first paragraph.".

8. Section 10 is amended

(1) by replacing "into a container designed for that purpose using the appropriate equipment." in the first paragraph by "using the appropriate equipment. When the halocarbons are recovered, they must be confined in a bottle designed for that purpose.";

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

"In addition, recovery of the halocarbons of a refrigeration or air conditioning unit, other than the unit in a motor vehicle or a domestic appliance, must be carried out using the appropriate equipment meeting AHRI Standard 740-1998, Refrigerant Recovery/Recycling Equipment, published by the American Air-Conditioning, Heating and Refrigeration Institute.".

9. The following is inserted after section 10:

"**10.1.** The owner of a refrigeration or air conditioning unit for a use other than domestic and whose total charge is at least 30 kg must, as soon as possible, recover the halocarbon contained therein in the following cases:

(1) the operation of the unit is interrupted for a period longer than 1 month, such as the winter period;

(2) the unit is no longer working or is defective but not repaired within 1 month of the day the problem is found.

Where an inoperative or defective air conditioning unit referred to in subparagraph 2 of the first paragraph is the unit of a vehicle referred to in Division III of Chapter II, the person who found that repairs were needed must ensure that, in the absence of repairs, the unit is purged before the vehicle goes back on the road.

Recovery of the residual charge of halocarbon in the unit referred to in the first paragraph must be carried out in accordance with the third paragraph of section 10 or, in the case of the unit referred to in the second paragraph, in accordance with section 31.".

10. Section 11 is amended

(1) by replacing the portion before subparagraph 1 of the first paragraph and that subparagraph 1 by the following:

"**11.** The owner of a refrigeration or air conditioning unit with a power rating equal to or greater than 20 kW on which a halocarbon leak is detected must immediately

(1) stop the leak using any appropriate means;";

(2) by replacing "have the halocarbon in the unit or in the part of the unit that was isolated recovered" in the second paragraph by "have the halocarbon in the part of the unit where the leak has been detected recovered and have the quantity of halocarbons discharged during the leak assessed by a person referred to in section 44";

(3) by replacing "ARI Standard 740" in the third paragraph by "AHRI Standard 740-1998".

11. Section 12 is amended by replacing the first and second paragraphs by the following:

"**12.** Should the operation of a refrigeration or air conditioning unit, or one of its parts, cease to stop a halocarbon leak while it is necessary to keep it in operation to prevent an immediate danger to human life or health, the owner of the unit must so inform the Minister without

delay. The obligations in subparagraph 1 of the first paragraph of section 11 and the second paragraph of that section do not apply for a period that may not exceed

(1) 14 days for a unit located in the administrative regions of Gaspésie–Îles-de-la-Madeleine, Abitibi-Témiscamingue, Côte-Nord and Nord-du-Québec; and

(2) 7 days for a unit located in any other administrative region.

At the expiry of either period provided for in the first paragraph, the owner must immediately have the halocarbon contained in the unit or in the part of the unit where the leak has been detected recovered and have the unit repaired. If the owner is unable to have the halocarbon recovered, the owner must stop the operation of the unit or of the part from where the leak has been detected.

It is then incumbent on the owner of the unit to immediately file with the Minister a report containing

(1) the owner's name and address;

(2) the address where the unit is located and the type and trademark of the unit;

(3) for each type of halocarbon contained in the unit:

(a) an assessment of the quantities released daily, in kilograms, which correspond,

i. if the unit is filled before the repair, to the quantities recharged to make the unit work, excluding any quantity of recovered halocarbon, divided by the number of days of operation of the unit; and

ii. if the unit is not filled before the repair, to the quantity required to completely recharge the unit, excluding any quantity of recovered halocarbon, divided by the number of days of operation of the unit;

(b) where applicable, the quantities recovered from the unit at the expiry of the period provided for in the first paragraph, in kilograms; and

(4) the number of days of operation of the unit while defective and the circumstances that warranted not stopping the leak or not immediately stopping the operation of the unit.".

12. Section 13 is amended

(1) by replacing the portion before subparagraph 1 of the first paragraph by the following:

"**13.** Every owner of a refrigeration or air conditioning unit that accidentally releases a halocarbon into the environment must notify the Minister";

(2) by replacing "25 kg" wherever it appears in subparagraphs 1 and 2 of the first paragraph by "10 kg";

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

"In addition, the owner must, as soon as possible, send to the Minister a report containing

(1) the owner's name and address;

(2) the date and place of the release;

(3) the type of unit concerned;

(4) the type of halocarbon released and in which state;

(5) the estimated quantity of released halocarbon, in kilograms;

(6) the name of the person who estimated the released quantity and made the repair, and the number of that person's environmental qualification attestation; and

(7) a description of the cause of the release and of the corrections made.".

13. Section 14 is replaced by the following:

"**14.** Every person or municipality that, in connection with a residual materials collection service, picks up a refrigeration or air conditioning unit must, as soon as possible, recover the halocarbons contained in the cooling system of the unit or have them recovered using the appropriate equipment. The halocarbons recovered must be confined in a recovery bottle designed for that purpose.

The person or municipality is also required to see that each unit so emptied bears a label indicating that it has been emptied of halocarbons, the name of the person who carried out the operation and the name of the enterprise employing the person, the number of the person's attestation of environmental conformity and the date of the operation.

In the case of a unit having a power rating equal to or greater than 4 kW or a unit for a use other than domestic, the recovery of halocarbons must be carried out by means of appropriate equipment whose effectiveness is equal to or greater than AHRI Standard 740-1998 referred to in the third paragraph of section 10.".

14. Section 15 is amended

(1) by replacing everything that follows "for parts only must," in the first paragraph by "as soon as possible and before dismantling the components that contain halocarbons or disposing of them for destruction, recover the halocarbons using the appropriate equipment. The halocarbons recovered must be confined in a recovery bottle designed for that purpose.";

(2) by replacing the second and third paragraphs by the following:

"The person is also required to see that each unit or part so emptied bears a label indicating that it has been emptied of halocarbons, the name of the person who carried out the operation and the name of the enterprise employing the person, the number of the person's attestation of environmental conformity and the date of the operation.

In addition, in the case of a unit having a power rating equal to or greater than 4 kW or a unit other than a household unit, the halocarbons must be recovered using the appropriate equipment meeting or exceeding AHRI Standard 740-1998 referred to in the third paragraph of section 10.".

15. The heading of Division I of Chapter II is replaced by the following:

"**DIVISION I**
GENERAL".

16. The following is inserted after section 17:

"**17.1.** The owner of a refrigeration or air conditioning unit referred to in Division II of this Chapter must see that the unit bears a label, on a visible and readily accessible part, showing the following information:

(1) the type of halocarbon contained in the unit and its identification code according to the most recent version of standard ANSI/ASHRAE 34-2016, Designation and Safety Classification of Refrigerants, published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers;

(2) the global warming potential (GWP) and the ozone-depleting potential (ODP) of that halocarbon;

(3) the halocarbon charge in the unit, in kilograms if the charge is less than 1,000 kg or in metric tons CO_2 equivalent if the charge is equal to or greater than 1,000 kg;

(4) the date on which the information is up-to-date.

The first paragraph applies to the owner of a refrigeration or air conditioning unit on (*insert the date of coming into force of this Regulation*) as of (*insert the date occurring 12 months after the date of coming into force of this Regulation*).

This section does not apply to a refrigeration or air conditioning unit for domestic use or to a transport refrigeration unit.".

17. Section 18 is amended

(1) by replacing the portion before subparagraph 1 of the first paragraph by the following:

"**18.** For the purposes of this Division, the following classes of units are established:";

(2) by replacing "aux" at the beginning of each subparagraph of the first paragraph in the French text by "les";

(3) by striking out ", except refrigerated vending machines" in subparagraph 2 of the first paragraph;

(4) by replacing "22 kW" in subparagraphs 3 and 4 of the first paragraph by "20 kW";

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

"(6) chillers.";

(6) by striking out the second paragraph.

18. Section 19 is replaced by the following:

"**19.** No person may manufacture, sell, distribute or install a unit referred to in section 18 designed to operate with a CFC or an HCFC.

Despite the foregoing, the prohibition in the first paragraph does not apply if the unit concerned has been converted to operate with a halocarbon other than a CFC or an HCFC, or with a substance other than a halocarbon.".

19. Section 20 is amended

(1) by inserting "or operate" in the first paragraph after "refill";

(2) by inserting "an HCFC," in the second paragraph after "other than a CFC or".

20. Section 21 is revoked.

21. The Regulation is amended by replacing everything between section 21 and section 23 by the following:

"**21.1.** It is prohibited, as of 1 January 2021, to install a refrigeration unit using an HFC and used to preserve food in a commercial, industrial or institutional establishment that has the following characteristics:

(1) its area is more than 929 m^2;

(2) it is equipped with a closed machine room;

(3) the refrigeration unit is independent from the mechanical system used for heating, ventilation and air conditioning.

21.2. No person may manufacture, sell, distribute or install any of the following units as of the dates indicated below:

(1) 1 January 2021, in the case of a unit referred to in paragraph 2, 3 or 4 of section 18 and designed to work with an HFC having a global warming potential (GWP) of more than 1,500;

(2) 1 January 2025, in the case of a unit referred to in paragraph 1 of section 18 and designed to work with an HFC having a global warming potential (GWP) of more than 2,200;

(3) 1 January 2025, in the case of a unit referred to in paragraph 6 of section 18 and designed to work with an HFC having a global warming potential (GWP) of more than 750.

"**22.** The owner of a unit referred to in paragraph 4 or 6 of section 18 must ensure that the aggregate of the components containing or intended to contain a halocarbon is subject to a leak test.

The leak test must be carried out, according to the halocarbon charge of the unit, at one of the following intervals, using an electronic leak detector with a sensitivity of at least 5 g per year as to the type of halocarbon used:

(1) in the case of a unit with a charge equal to or less than 10 kg, once a year;

(2) in the case of a unit with a charge greater than 10 kg but less than 100 kg, every 6 months;

(3) in the case of a unit with a charge equal to or greater than 100 kg, every 3 months.

The owner of a unit that has been repaired following the detection of a leak must also subject the unit to such leak test 1 month after the unit is reactivated.

It is prohibited to use sulphur hexafluoride (SF_6) to carry out the leak test prescribed in the first paragraph.".

22. Sections 23 to 26 are revoked.

23. Section 27 is amended by replacing "chiller" by "unit referred to in paragraph 6 of section 18".

24. Section 28 is revoked.

25. Division IV of Chapter II is renumbered III.

26. Section 31 is replaced by the following:

"**31.** Any person who observes, while servicing an air conditioning unit referred to in this Division, a defect that may cause a halocarbon leak or any person who repairs, modifies, converts or dismantles components of such unit that contain a halocarbon must recover the halocarbon present in the unit. Prior to the recovery, the nature of the halocarbon must be identified using a device designed for that purpose. The halocarbon must be recovered by means of equipment whose effectiveness is equal to or greater than the standard indicated below in respect of each type of halocarbon:

(1) for the recovery of CFC-12, if the equipment simultaneously recycles the halocarbon: SAE Standard J1990 (February 1999): Recovery and Recycle Equipment for Mobile Automotive Air-Conditioning Systems, published by SAE International, a United States body;

(2) for the recovery of CFC-12, in any case other than the case in subparagraph 1: SAE Standard J2209 (February 1999) Refrigerant Recovery Equipment for Mobile Automotive Air-Conditioning Systems, published by the body referred to in paragraph 1;

(3) for the recovery of HFC-134a, if the equipment simultaneously recycles the halocarbon: SAE Standard J2788 (December 2006) HFC-134a (R-134a) Recovery/Recycling Equipment and Recovery/Recycling/Recharging for Mobile Air-Conditioning Systems, published by the body referred to in paragraph 1;

(4) for the recovery of HFC-134a, in any case other than the case in paragraph 3: SAE Standard J2810 (October 2007) HFC-134a (R-134a) Refrigerant Recovery Equipment for Mobile Automotive Air-Conditioning Systems, published by the body referred to in paragraph 1;

(5) for the recovery of HFO-1234yf, if the equipment simultaneously recycles the halocarbon: SAE Standard J2843 (January 2013) R-1234YF [HFO-1234yf] Recovery/Recycling/Recharging Equipment for Flammable Refrigerants for Mobile Air-Conditioning Systems, published by the body referred to in paragraph 1;

(6) for the recovery of HFO-1234yf, in any case other than the case in paragraph 5: SAE Standard J2851 (February 2015) Recovery Equipment for Contaminated R-134a of R-1234yf Refrigerant from Mobile Automotive Air-Conditioning Systems, published by the body referred to in paragraph 1.".

27. Section 32 is amended in the first paragraph

(1) by inserting "without delay and" after "must,";

(2) by replacing everything that follows "halocarbons contained in the unit or components" by ". The halocarbon must be recovered by means of the appropriate equipment whose effectiveness is equal to or greater than one of the standards referred to in section 31, according to the type of halocarbon and the type of operation. The halocarbons recovered must be confined in a recovery bottle designed for that purpose.".

28. Division V of Chapter II is renumbered IV.

29. Section 33 is amended by replacing the second paragraph by the following:

"As of (*insert the date occurring 60 days after the date of coming into force of this Regulation*), it is also prohibited to install a fire extinguisher operating with HFC-23 or a PFC.".

30. Section 37 is amended in the portion before paragraph 1

(1) by inserting ", other than a portable extinguisher," after "on a fire extinguisher";

(2) by striking out "on the form provided by the Minister".

31. Division VI of Chapter II is renumbered V.

32. Section 39 is amended

(1) by replacing "contains a CFC or requires a CFC" by "contains or requires an HCFC or a CFC" at the end of the first paragraph;

(2) by replacing the second and third paragraphs by the following:

"As of 1 January 2021, no person may manufacture, sell or distribute plastic foam or a product containing plastic foam if the foam contains or requires, for its manufacturing, a CFC having a global warming potential (GWP) of more than 150.".

33. The heading and number of Division VII of Chapter II are replaced by the following:

"**DIVISION VI**
STERILIZATION AND SOLVENTS".

34. The Regulation is amended in Chapter II by striking out

"**DIVISION VIII**
SOLVENTS".

35. Section 43 is amended

(1) by replacing the first paragraph by the following:

"**43.** Only persons having the qualifications required under section 44 may install, service, repair, modify, dismantle or recondition a refrigeration or air conditioning unit designed or converted to operate with a halocarbon or treat, charge, transfer or purge the halocarbon charge of such a unit.";

(2) by striking out "or 45" in the second, third and fourth paragraphs.

36. Section 44 is replaced by the following:

"**44.** Persons who hold a diploma, an attestation or a qualification certificate relevant to the operations referred to in section 43, valid and issued under one of the following programs, have the skills required to carry out those operations:

(1) a program of studies established by the Minister of Education, Recreation and Sports under section 461 of the Education Act (chapter I-13.3);

(2) a vocational training and qualification program established by the Minister of Employment and Social Solidarity under section 29.1 of the Act respecting workforce vocational training and qualification (chapter F-5);

(3) a program established by the Commission de la construction du Québec under section 85.3 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20);

(4) a program established outside Québec and recognized by one of the authorities referred to in subparagraphs 1 to 3.

In the course of those programs, the person must have successfully completed an environmental awareness course for such operations, approved by the Minister,

leading to the issue of a labour force environmental qualification attestation by the Minister of Labour, Employment and Social Solidarity or the Commission de la construction du Québec.

The training referred to in the second paragraph must enable the persons who receive it to

(1) have an understanding of Québec and Canadian laws and regulations respecting halocarbons;

(2) be aware of the environmental problems associated with emissions of halocarbons into the atmosphere; and

(3) learn the appropriate practices to apply to prevent halocarbon emissions, including the use of the appropriate halocarbon recovery and treatment equipment.".

37. Section 45 is revoked.

38. Section 46 is replaced by the following:

"**46.** Every person who carries out the work referred to in section 43 must carry the duly signed labour force environmental qualification attestation referred to in the second paragraph of section 44 and must show it upon request.".

39. Section 47 is revoked.

40. Section 48 is amended

(1) by replacing "attestation referred to in section 46" by "labour force environmental qualification attestation issued under the second paragraph of section 44";

(2) by replacing paragraph 4 by the following:

"(4) the trade of the holder, if applicable;".

41. Section 49 is amended

(1) by replacing "that issues labour force environmental qualification attestations referred to in section 46" in the first paragraph by "referred to in the second paragraph of section 44 that issues labour force environmental qualification attestations in accordance with that section";

(2) by replacing subparagraph 4 of the first paragraph by the following:

"(4) the trade of the holder, if applicable.";

(3) by adding "and provide it to the Minister upon request" at the end of the second paragraph;

(4) by striking out the third paragraph.

42. Section 50 is amended by striking out "or recognized".

43. Section 51 is amended by striking out "or recognized" in the first paragraph.

44. The heading of Chapter IV is replaced by the following:

"**CHAPTER IV**
TAKE-BACK AND TREATMENT OF USED HALOCARBONS AND MARKETING CONTAINERS".

45. The following is inserted after the heading of Chapter IV:

"**51.1.** For the purposes of this Chapter, "treat" a halocarbon or a halocarbon container means one of the following actions:

(1) recycling, namely the rough cleaning of impurities in the used halocarbon without bringing it back to its original specifications as a virgin product;

(2) regeneration, namely the treatment of the used halocarbon so as to bring it back to its original specifications as a virgin product;

(3) elimination, namely the destruction of the used halocarbon by using an incineration or chemical process so that the nature of the halocarbon is permanently altered;

(4) reclamation, namely the use of the used halocarbon for a use other than the original use for which it was manufactured, which may require a certain prior treatment.".

46. Chapter IV is amended by striking out

"**DIVISION I**
RETURN OF RECOVERED HALOCARBONS AND THEIR CONTAINERS".

47. Section 52 is amended by replacing "This Division" by "This Chapter".

48. Section 53 is amended

(1) by adding "or if the colour of the container makes it possible to identify the halocarbon it contains. The supplier or wholesaler must then treat the halocarbon or deliver it to a person referred to in subparagraph 1 or 2 of the first paragraph of section 54 for treatment." at the end of the third paragraph;

(2) by replacing "to deliver or have the container delivered to another enterprise or body able to reclaim or eliminate it" in the fourth paragraph by "to treat it or to deliver it to a person referred to in subparagraph 1 or 2 of the first paragraph of section 54 for treatment".

49. Section 54 is replaced by the following:

"**54.** Any person who has recovered a halocarbon from a unit and is unable to treat it must, not later than 45 days following the date on which the bottle used for the recovery of the used halocarbon is filled to its maximum capacity, bring it

(1) to the supplier or any other halocarbon wholesaler; or

(2) to any other person authorized to treat it under the Environment Quality Act (chapter Q-2).

The supplier or wholesaler referred to in subparagraph 1 of the first paragraph is required to take back the used halocarbons that are returned if they are of the same type as the halocarbons the supplier or wholesaler sells or distributes, provided that

(1) the halocarbons are confined within a recovery bottle designed for that purpose;

(2) a label is affixed to the recovery bottle identifying the type of halocarbon it contains; and

(3) the recovery bottle contains not more than one type of halocarbon and no substance other than halocarbons, except water or oil from normal use or other residues generated by normal halocarbon degradation.

The supplier or wholesaler referred to in subparagraph 1 of the first paragraph is also required to give every person or municipality that returns a used halocarbon a receipt indicating the name of the supplier or wholesaler, duly dated and signed, specifying the name of the person or municipality that returned the halocarbon and, in the case of a natural person, the name and address of the enterprise for which the person works and the type and estimated quantity of halocarbon returned.

The supplier or wholesaler referred to in subparagraph 1 of the first paragraph who is unable to treat the used halocarbon that is returned to them must

(1) store it indoors and, if applicable, in accordance with the provisions of Chapter IV of the Regulation respecting hazardous materials (chapter Q-2, r. 32) or the Regulation respecting occupational health and safety (chapter S-2.1, r. 13); and

(2) bring it, within 90 days, to one of the persons referred to in subparagraph 1 or 2 of the first paragraph.".

50. Section 55 is replaced by the following:

"**55.** Where the used halocarbon recovered does not meet the requirements of the second paragraph of section 54, it is the responsibility of the person who recovered the halocarbon or, as the case may be, the supplier or wholesaler who took it back to deliver the halocarbon to another enterprise or body able to treat it.

55.1. Where the owner of the unit from which the used halocarbon was recovered retains ownership of the halocarbon, the person who recovered it is exempt from the requirements provided for in the first paragraph of section 54 and in section 55. The requirements in those provisions are then incumbent on the owner of the unit.

However, the person who recovered the used halocarbon is required to inform the owner of the unit of the requirements to be met by giving the owner a copy of the provisions of this Chapter. In addition, the person must enter the name and address of the owner who keeps the used halocarbon recovered in the log provided for in section 59.".

51. Chapter IV is amended by striking out

"**DIVISION II**
RECLAMATION OF HALOCARBONS AND RECOVERED CONTAINERS AND ELIMINATION OF CFCS AND HALONS"

52. Section 56 is replaced by the following:

"**56.** Any person who recovers or receives a used halocarbon with a view to treating it must, within 12 months of the recovery or receipt of the used halocarbon, treat it personally or deliver it to any other person or to a body able to treat it.

The person must also comply with the storage conditions provided for in subparagraph 1 of the fourth paragraph of section 54.

In addition, the person must meet the same requirements with respect to recovered non-refillable pressurized containers marketed before 23 January 2005.".

53. Section 57 is amended by inserting "and address" in subparagraph *a* of subparagraph 2 of the second paragraph after "the name".

54. The following is inserted after section 57:

"**57.1.** All persons who purchase a halocarbon for their own use, in the course of their commercial, industrial or institutional activities, and who are the first importer in Québec must, not later than 31 March of each year, send to the Minister a report on their purchases for the preceding calendar year. The report must contain the information provided for in subparagraph 1, subparagraph *a* of subparagraph 2 and subparagraph 3 of the second paragraph of section 57.".

55. Section 59 is amended

(1) by replacing "work referred to in section 9, 10, 31, 32 or 36, or work referred to in section 15 with respect to units other than household units" in the portion before subparagraph 1 of the first paragraph by "one of the operations referred to in section 43 with respect to units for uses other than domestic";

(2) by inserting "the make, model, model year, serial number and" after "for a vehicle," in subparagraph 2 of the first paragraph;

(3) by inserting ", the number of that person's labour force environmental qualification attestation" after "the work" in subparagraph 5 of the first paragraph;

(4) by replacing "in the second and third paragraphs of section 55" in subparagraph 6 of the first paragraph by "in section 55.1";

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

"The person must also give to the owner of the unit, other than a vehicle's air conditioning unit, a copy of the information recorded pursuant to the first paragraph.".

56. Section 60 is amended

(1) by replacing "3" wherever it appears by "5";

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

"The persons referred to in the first and second paragraphs are required to provide to the Minister, upon request, the log or the information retained.".

57. The heading of Division III of Chapter V is replaced by the following:

"**DIVISION III**
REPORT ON THE TAKE-BACK AND TREATMENT OF USED HALOCARBONS".

58. Section 61 is replaced by the following:

"**61.** Not later than 31 March of each year, the supplier or wholesaler subject to the requirement to take halocarbons back, provided for in the second paragraph of section 54, must send to the Minister a report showing, for the preceding calendar year and in respect of each type of halocarbon sold or distributed by the supplier or wholesaler,

(1) the quantities of used halocarbons taken back, expressed in kilograms and, in the case of CFCs or halon, the quantities taken back and treated;

(2) the quantities of recovery bottles taken back, for each size;

(3) the name and address of each enterprise or supplier to which the used halocarbons were delivered for treatment, specifying the quantity for each and the type of treatment planned or applied; and

(4) the date of the report, an attestation that the information contained therein is accurate and the signature of the person who carries on the activity or, in the case of a legal person or partnership, of a person authorized by a resolution or by-law of the board of directors or partners.".

59. The following is inserted after section 61:

"**61.0.1.** Not later than 31 March of each year, a person who recovers or receives a used halocarbon, in accordance with section 56, must send to the Minister a report showing, for the preceding calendar year and in respect of each type of used halocarbon recovered or received,

(1) the quantities of used halocarbons recovered or received, expressed in kilograms, and the type of treatment planned or applied;

(2) the quantities of recovery bottles used or received, for each size; and

(3) the information provided for in paragraphs 3 and 4 of section 61.".

60. Section 61.1 is amended

(1) by inserting the following before paragraph 1:

"(0.1) to send any notice, report, document or information in accordance with the conditions set out in this Regulation;";

(2) by replacing "in accordance with the second paragraph of section 9, 14, 15 or 32" in paragraph 1 by "in accordance with the conditions set out in the second paragraph of section 14, 15 or 32";

(3) by replacing paragraph 2 by the following:

"(2) to carry on his or her person a labour force environmental qualification attestation that complies with section 46 and produce it upon request;";

(4) by inserting the following after paragraph 2:

"(2.1) to take back a halocarbon, in accordance with the second paragraph of section 54 or to issue a receipt in accordance with the third paragraph of section 54;

(2.2) to inform the owner of a unit referred to in the second paragraph of section 55.1 of the owner's obligations, in accordance with the conditions set out in section 55.1, or to enter the prescribed information in in the log, in accordance with the second paragraph of section 55.1;";

(5) by inserting "or to provide the information to the Minister upon request" after "entered in the log" in paragraph 4.

61. Section 61.2 is amended by replacing everything that follows "any person who fails" by the following:

"(1) to file with the Minister a report containing the information prescribed by the third paragraph of section 12, the second paragraph of section 13, section 37, 57, 57.1, 61 or section 61.0.1, in accordance with the time limits and conditions set out in those sections;

(2) to make sure that a label complying with the conditions in section 17.1 is affixed to a unit referred to therein.".

62. Section 61.3 is amended

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

"(1) to conduct a leak test, in the cases and on the conditions provided for in the first paragraph of section 9 or the first, second or third paragraph of section 22;

(1.1) to have the quantity of halocarbons discharged during a leak assessed, in accordance with the second paragraph of section 11;";

(2) by inserting the following after subparagraph 1 of the second paragraph:

"(1.1) uses sulphur hexafluoride (SF_6) to conduct a leak test, in contravention of the second paragraph of section 9 or the fourth paragraph of section 22;";

(3) by striking out "or 45" in subparagraph 2 of the second paragraph.

63. Section 61.4 is amended

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

"(1) to use the appropriate equipment to recover a halocarbon or halon, or, where applicable, to have a halocarbon or halon confined within a recovery bottle designed for that purpose, in accordance with the first or third paragraph of section 10, the third paragraph of section 10.1 or 11, the first or third paragraph of section 14 or 15, section 31 or the first paragraph of section 32 or 36, in the cases provided for therein;

(1.1) to have the halocarbon contained in a unit recovered where the unit's operation is interrupted for a period longer than 1 month, or the unit is no longer working or is defective but not repaired within 1 month of the day the problem is found, in accordance with subparagraph 1 or 2 of the first paragraph of section 10.1;

(1.2) to ensure that the unit of a vehicle has been purged, in the case and on the conditions set out in the second paragraph of section 10.1;";

(2) by replacing "second" in subparagraph 3 of the first paragraph by "first";

(3) by replacing subparagraph 4 by the following:

"(4) to comply with any of the conditions prescribed by section 53, the first or fourth paragraph of section 54, section 55, the first paragraph of section 55.1 or section 56.".

64. Section 61.5 is amended by replacing paragraph 2 by the following:

"(2) installs a unit referred to in section 21.1 that uses an HFC in contravention of that section.".

65. Section 61.6 is amended

(1) by replacing subparagraphs 3 and 4 of the first paragraph by the following:

"(3) manufactures, sells, distributes or installs a unit referred to in section 18, in contravention of section 19, 21.2 or 30;

(4) refills or operates with a CFC a unit referred to in the first paragraph of section 20, in contravention of that section;

(4.1) repairs, transforms or modifies a unit designed to operate with a CFC, in contravention of the second paragraph of section 20 or section 30;";

(2) by striking out subparagraphs 5 and 6 of the first paragraph;

(3) by replacing subparagraph 7 of the first paragraph by the following:

"(7) "refills an air conditioning unit with a CFC in contravention of section 30;";

(4) by replacing "section 33" in subparagraph 8 of the first paragraph by "the first paragraph of section 33, or installs a fire extinguisher operating with HFC-23 or a PFC, in contravention of the second paragraph of that section";

(5) by replacing subparagraph 2 of the second paragraph by the following:

"(2) a solvent or a product referred to in the first paragraph of section 41 in conditions other than one of the conditions provided for in the second paragraph of that section".

66. Section 61.7 is amended

(1) by replacing paragraph 2 by the following:

"(2) fails to recover or have recovered a halocarbon in the cases provided for in section 10, section 10.1, the second paragraph of section 11, the first paragraph of section 14, 15, 31 or 32 or section 36;";

(2) by replacing "or second paragraph of section 11 or the first" in paragraph 3 by "paragraph of section 11 or the second".

67. Section 62 is amended by replacing "the second paragraph of section 9, 14, 15 or 32, or section 46, 47," by "section 4.1, the second paragraph of section 14, 15 or 32, section 46, the second or third paragraph of section 54, the second paragraph of section 55.1 or section".

68. Section 63 is amended by replacing "the second paragraph of section 12 or 13 or section 37, the second paragraph of section 57 or section 61" by "the third paragraph of section 12, the second paragraph of section 13, section 17.1, 37, 57, 57.1, 61 or section 61.0.1".

69. Section 64 is amended by replacing everything that follows "Every person who" by the following:

"(1) contravenes section 7, the first or second paragraph of section 9, section 22, 43, 50 or 51,

(2) fails to have an assessment of the quantity of halocarbon discharged during a leak, in accordance with the second paragraph of section 11,

commits an offence and is liable, in the case of a natural person, to a fine of $2,500 to $250,000 or, in other cases, to a fine of $7,500 to $1,500,000.".

70. Section 65 is amended by replacing paragraphs 1 and 2 by the following:

"(1) fails to use the appropriate equipment to recover a halocarbon or halon or, where applicable, to confine a halocarbon or halon within a recovery bottle designed for that purpose, in accordance with the first or third paragraph of section 10, the third paragraph of section 10.1 or 11, the first or third paragraph of section 14 or 15, or the first paragraph of section 32 or 36, in the cases provided for therein,

(2) contravenes subparagraph 1 or 2 of the first paragraph or the second paragraph of section 10.1, section 16, the first paragraph of section 27, section 31, section 53, the first or fourth paragraph of section 54, section 55, the first paragraph of section 55.1 or section 56,".

71. Section 66 is amended by replacing paragraph 1 by the following:

"(1) contravenes the first paragraph of section 13 or section 21.1,".

72. Section 67 is amended by replacing "or 8, any of sections 19 to 21, section 23, the second paragraph of section 24, section 26, 30, 33, 34 or any of sections 39 to 42" by ", 8, 19, 20, 21.2, 30, 33 or 34 or any of sections 39 to 42".

73. Section 67.1 is amended

(1) in paragraph 1, by replacing everything that follows "situations referred to" by "in subparagraph 2 of the first paragraph of section 10.1, the first or second paragraph of section 11, the first paragraph of section 14 or 15, section 31, the first paragraph of section 32 or section 36,";

(2) in paragraph 2, by inserting "or second" after "first".

74. Schedule I is replaced by the following:

"**SCHEDULE I**
(ss. 3 and 21.2)

Part A – Certain halocarbons with an ozone depleting potential (ODP) and a global warming potential (GWP)

Category 1 – Chlorofluorocarbons (CFC)

Type	Chemical name	Crude chemical formula	CAS No.[1]	ODP[2]	GWP[3]
CFC-11	trichlorofluoromethane	CCl_3F	75-69-4	1.0	4,750
CFC-12	dichlorodifluoromethane	CCl_2F_2	75-71-8	1.0	10,900
CFC-13	chlorotrifluoromethane	CF_3Cl	75-72-9	1.0	14,400
CFC-113	1,1,2-trichloro-1,2,2 trifluoroethane	CCl_2FCClF_2	76-13-1	0.8	6,130
CFC-114	1,2-dichloro-1,1,2,2 tetrafluoroethane	$CClF_2CClF_2$	76-14-2	1.0	10,000
CFC-115	1-chloro-1,1,2,2,2-pentafluoroethane	$CClF_2CF_3$	76-15-3	0.6	7,370
CFC-500	dichlorodifluoromethane (CFC-12) 73.8% + 1,1-difluoroethane (HFC-152a) 26.2%	CCl_2F_2 + CH_3CHF_2	-----	0.7	-----
CFC-502	chlorodifluoromethane (HCFC-22) 48.8% + 1-chloro-1,1,2,2,2-pentafluoroethane (CFC-115) 51.2%	CHF_2Cl + $CClF_2CF_3$	-----	0.3	-----
CFC-503	trifluoromethane (HFC-23) 40.1% + chlorotrifluoromethane (CFC-13) 59.9%	CHF_3 + CF_3Cl	-----	0.6	-----

Category II – Bromofluorocarbons (halons)

Type	Chemical name	Crude chemical formula	CAS No.[1]	ODP[2]	GWP[3]
Halon 1211	bromochlorodifluoromethane	$CBrClF_2$	353-59-3	3	1,890
Halon 1301	bromotrifluoromethane	$CBrF_3$	75-63-8	10	7,140
Halon 2402	1,2-dibromo-1, 1, 2,2-tetrafluoroethane	$CF_2BrCBrF_2$	124-73-2	6	1,640

Category III – Bromocarbons

Type	Chemical name	Crude chemical formula	CAS No.[1]	ODP[2]	GWP[3]
n-Propyl bromide	1-bromopropane	$CH_2BrCH_2CH_3$	106-94-5	0.018[4]	0,31[4]
Methyl bromide	methyl bromide	CH_3Br	74-83-9	0.6	5

Category IV – Chlorocarbons

Type	Chemical name	Crude chemical formula	CAS No.[1]	ODP[2]	GWP[3]
Methylchloroform	1, 1,1-trichloroethane	CH_3CCl_3	71-55-6	0.1	146
Carbon tetrachloride	tetrachloromethane	CCl_4	56-23-5	1.1	1,400

Category V – Hydrochlorofluorocarbons (HCFC)

Subcategory A – Saturated hydrochlorofluorocarbons (HCFC)

Type	Chemical name	Crude chemical formula	CAS No.[1]	ODP[2]	GWP[3]
HCFC-21	dichlorofluoromethane	$CHFCl_2$	75-43-4	0.04	151
HCFC-22	chlorodifluoromethane	CHF_2Cl	75-45-6	0.055	1,810
HCFC-31	chlorofluoromethane	CH_2FCl	593-70-4	0.02	-------
HCFC-123	2,2-dichloro-1, 1,1-trifluoroethane	CF_3CHCl_2	306-83-2	0.02	77
HCFC-124	2-chloro-1, 1, 1,2-tetrafluoroethane	CF_3CHClF	2837-89-0	0.022	609
HCFC-141b	1,1-dichloro-1-fluoroethane	CH_3CCl_2F	1717-00-6	0.11	725
HCFC-142b	1-chloro-1,1difluoroethane	CH_3CClF_2	75-68-3	0.065	2,310
HCFC-225ca	1,1-dichloro-2, 2, 3, 3,3-pentafluoropropane	$CF_3CF_2CHCl_2$	422-56-0	0.025	122
HCFC-225cb	1,3-dichloro-1, 2, 2, 3,3-pentafluoropropane	CF_2ClCF_2CHClF	507-55-1	0.033	595

Subcategory B – Unsaturated hydrochlorofluorocarbons (HCFO)

Type	Chemical name	Crude chemical formula	CAS No.[1]	ODP[2]	GWP[3]
HCFO-1233zd(E)	trans-1-chloro-3,3,3-trifluoroprop-1-ene	$C_3H_2ClF_3$	102687-65-0	0.00034	1

Part B – Certain halocarbons with a global warming potential exclusively

Category I – Hydrofluorocarbons (HFC)

Subcategory A – Saturated hydrofluorocarbons (HFC)

Type	Chemical name	Crude chemical formula	CAS No.[1]	GWP[3]
HFC-23	trifluoromethane	CHF_3	75-46-7	14,800
HFC-32	difluoromethane	CH_2F_2	75-10-5	675
HFC-41	fluoromethane	CH_3F	593-53-3	92
HFC-125	pentafluoroethane	CHF_2CF_3	354-33-6	3,500
HFC-134	1, 1, 2,2-tetrafluoroethane	CHF_2CHF_2	359-35-3	1,100
HFC-134a	1, 1, 1,2-tetrafluoroethane	CH_2FCF_3	811-97-2	1,430
HFC-143	1, 1,2-trifluoroethane	CH_2FCHF_2	430-66-0	353
HFC-143a	1, 1,1-trifluoroethane	CH_3CF_3	420-46-2	4,470

Type	Chemical name	Crude chemical formula	CAS No.[1]	GWP[3]
HFC-152	1,2-difluoroethane	CH_2FCH_2F	624-72-6	53
HFC-152a	1,1-difluoroethane	CH_3CHF_2	75-37-6	124
HFC-161	fluoroethane	CH_3CH_2F	353-36-6	12
HFC-227ea	1, 1, 1, 2, 3, 3,3-heptafluoropropane	CF_3CHFCF_3	431-89-0	3,220
HFC-236cb	1, 1, 1, 2, 2,3-hexafluoropropane	$CH_2FCF_2CF_3$	677-56-5	1,340
HFC-236ea	1, 1, 1, 2, 3,3-hexafluoropropane	CHF_2CHFCF_3	431-63-0	1,370
HFC-236fa	1, 1, 1, 3, 3,3-hexafluoropropane	$CF_3CH_2CF_3$	690-39-1	9,810
HFC-245ca	1, 1, 2, 2,3-pentafluoropropane	$CH_2FCF_2CHF_2$	679-86-7	693
HFC-245fa	1, 1, 1, 3,3-pentafluoropropane	$CHF_2CH_2CF_3$	460-73-1	1,030
HFC-365mfc	1, 1, 1, 3,3-pentafluorobutane	$CH_3CF_2CH_2CF_3$	406-58-6	794
HFC-43-10mee	1, 1, 1, 2, 2, 3, 4, 5, 5,5-decafluoropentane	$CF_3CHFCHFCF_2CF_3$	138495-42-8	1,640

Subcategory B – Unsaturated hydrofluorocarbons (HFO)

Type	Chemical name	Crude chemical formula	CAS No.[1]	GWP[3]
HFO-1234yf	2, 3, 3,3-tetrafluoropropene	$CF_3CF=CH_2$	754-12-1	<1
HFO-1234ze	trans-1, 3, 3,3-tetrafluoropropene	$CHF=CHCF_3$	29118-24-9	<1

Category II – Perfluorocarbons (PFC)

Type	Chemical name	Crude chemical formula	CAS No.[1]	GWP[3]
PFC-14	tetrafluoromethane	CF_4	75-73-0	7,390
PFC-116	hexafluoroethane	C_2F_6	76-16-4	12,200
PFC-218	octafluoropropane	C_3F_8	76-19-7	8,830
PFC-318	octafluorocyclobutane	C_4F_8	115-25-3	10,300
PFC-31-10	decafluorobutane	C_4F_{10}	355-25-9	8,860
PFC-41-12	dodecafluoropentane	C_5F_{12}	678-26-2	9,160
PFC-51-14	tetradecafluorohexane	C_6F_{14}	355-42-0	9,300

[1] The numbers entered in respect of the substances listed in this Schedule correspond to the identification code assigned by the Chemical Abstract Services division of the American Chemical Society.
[2] Handbook for the Montreal Protocol on Substances that Deplete the Ozone Layer, tenth edition, published by the United Nations Environment Programme in 2016.
[3] Fourth Assessment Report adopted by the Intergovernmental Panel on Climate Change in 2007.
[4] USA Federal Register 40 CFR part 82: Protection of stratospheric ozone: listing of substitutes for ozone-depleting substances-n-propyl bromide/Volume 68/no 106/June 3, 2003, p. 33303.
[5] Report of the 2014 Assessment of the Scientific Assessment Panel, Table 5-3.
[6] Fifth Assessment Report adopted by the Intergovernmental Panel on Climate Change in 2013.".

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

Regulation to amend the Regulation respecting hazardous materials

Environment Quality Act
(chapter Q-2, s. 70.19, 1st par., subpars. 2 and 16, s. 95.1, 1st par., subpars. 1 and 3, and ss. 115.27 and 115.34)

1. The Regulation respecting hazardous materials (chapter Q-2, r. 32) is amended in section 1 by replacing "in paragraph 21 of" by "in".

2. Section 4 is amended by replacing the portion before paragraph 1 by the following:

"**4.** In addition to a halocarbon that is also considered to be a hazardous material to the extent provided for in section 4 of the Regulation respecting halocarbons (chapter Q-2, r. 29), the following materials or objects are considered to be hazardous materials:".

3. Section 6 is amended by striking out "of paragraph 21" in the portion before subparagraph 1 of the first paragraph.

4. Section 7.1 is revoked.

5. Section 9 is amended by striking out the second paragraph.

6. Section 138.5 is amended by replacing "subparagraph 2 of the first paragraph" in subparagraph *a* of paragraph 1 by "paragraph 2".

7. Section 138.7 is amended by replacing "subparagraph 1 or 3 of the first paragraph" in paragraph 2 by "paragraph 1 or 3".

8. Section 143 is amended by replacing "subparagraph 2 of the first paragraph" in paragraph 1 by "paragraph 2".

9. Section 143.2 is amended by replacing "subparagraph 3 of the first paragraph" by "paragraph 3".

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

104033

Draft regulation

Health Insurance Act
(chapter A-29)

Application regulation
— 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 application of the Health Insurance Act, the text of which appears hereafter, may be made by the government on the expiry of the 45-day period following this publication.

This draft regulation is intended to replace sections 31 and 35 to 36.1 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) so that new oral surgery and dental services be considered insured services. It also aims to improve the wording of these provisions, which contain numerous repetitions.

This draft regulation has positive effects on insured persons who will be able to benefit from new oral surgery and dental services, whose cost will be assumed by the Régie de l'assurance maladie du Québec. It has no impact on enterprises, including small and medium-sized businesses.

Additional information concerning this draft regulation may be obtained by contacting Marie-Eve Nadeau, Direction des conditions d'exercice des professionnels de la santé et du personnel hors établissement, Ministère de la Santé et des Services sociaux, 1005, chemin Sainte-Foy, 4e étage, Québec (Québec) G1S 4N4, by telephone at 418 266-8424, or by email at marie-eve.nadeau.cpnsss@ssss.gouv.qc.ca.

Anyone wishing to comment on this draft regulation may write, before the expiry of the 45-day period mentioned above, to the Minister of Health and Social Services, at 1075, chemin Sainte-Foy, 15e étage, Québec (Québec) G1S 2M1.

DANIELLE MCCANN,
Minister of Health and Social Services

Regulation to amend the Regulation respecting the application of the Health Insurance Act

Health Insurance Act
(chapter A-29, s. 69, 1st para., subparas. *c*, *d*, *e* and *i*)

1. Section 22 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) is amended by deleting subparagraph *k*.1.

2. Section 31 of the Regulation is replaced with the following section:

"**31.** The services referred to hereafter are considered insured services where they are rendered by a dentist to an insured person in an institution which operates a hospital centre:

(a) examination, consultation or visit;

(b) radiography, whether intraoral, extraoral or by injection of a contrast substance;

(c) local or regional anesthesia;

(d) emergency opening of the pulp chamber;

(e) the following surgery services:

i. package for complex surgery (cases of traumatism, reconstruction or oncology) where the duration of the anesthesia is 4 hours or more;

ii. removal of a foreign body from the oral cavity or maxilla, excluding a dental implant;

iii. removal by antrostomy of a tooth, dental fragment or foreign body;

iv. surgical exposure, for orthodontic purposes, of a tooth whose crown is covered with bony tissue;

v. incision or drainage of abscess;

vi. osteitis treatment including alveolitis and osteomyelitis;

vii. excision and curettage of an intraosteal cyst or granuloma;

viii. marsupialization of an intraosseous cyst;

ix. evacuation of a cervicofacial hematoma or seroma;

x. biopsy;

xi. excision of a tumor;

xii. mandibulectomy or maxillectomy;

xiii. complete lowering of the floor of the mouth or extension of mucous folds;

xiv. excision of genial apophyses, of mylohyoid ridge or torus;

xv. reinsertion of the mylohyoid muscle;

xvi. alveolectomy, tuberoplasty or alveoplasty;

xvii. excision of hyperplastic tissue or excision of excess mucous membrane;

xviii. treatment of the salivary glands;

xix. closure of the buccosinusal opening;

xx. frenectomy;

xxi. gingivectomy in the case of hyperplastic gingivitis resulting from the absorption of a medicinal substance;

xxii. operculectomy;

xxiii. hemorrhage control;

xxiv. repair of a soft tissue laceration;

xxv. neural transposition and decompression;

xxvi. avulsion or alcoholization of a branch of the trigeminal nerve;

xxvii. infiltration of a branch of the trigeminal nerve for diagnostic purposes;

xxviii. anastomosis of a peripheral nerve under a microscope;

xxix. additional exploration under a microscope of a vascular anastomosis of a micro-anastomosed free flap performed in less than 14 days of the initial procedure;

xxx. complete avulsion of the inferior dental nerve;

xxxi. implantation of an alloplastic craniomaxillofacial prosthesis to correct congenital, developmental or post-traumatic defects;

xxxii. placement or removal of craniomaxillofacial distractors;

xxxiii. stitching of a cut nerve;

xxxiv. tracheotomy;

xxxv. submandibular percutaneous intubation;

xxxvi. the following services related to the correction of a cleft palate:

(A) closing of the soft palate;

(B) closing of the hard palate;

(C) additional lengthening of the palate with intravelar myoplasty;

(D) pharyngeal flap to cure a velopharyngeal insufficiency;

(E) cure of a residual palatal fistula;

(F) reconstruction of the alveolar ridge;

(G) primary rhinoplasty in the presence of cleft lip or secondary by open or endonasal approach;

xxxvii. cheiloplasty or reconstruction of the lip;

xxxviii. glossectomy;

xxxix. bone graft;

xl. taking of the graft;

xli. reduction of fractures:

(A) frontal bone, zygomatic arch, malar bone, orbit, nose, maxilla, mandible, condyle or alveolar bone;

(B) opened reduction of a bucket handle mandibular fracture;

(C) bicornal flap;

(D) occlusion of the frontal sinus;

xlii. immobilization of a tooth loosened by traumatism;

xliii. reimplantation of a completely exfoliated tooth;

xliv. placement of a mandibular reconstruction plate or removal of bone fixation (pins, plate or screws) by surgical approach;

xlv. placement or removal of an intermaxillary fixation or a preprosthetic splint;

xlvi. the following services rendered for the treatment of the temporomandibular articulation:

(A) luxation reduction;

(B) meniscectomy;

(C) condylectomy or high condylectomy, including condyloplasty;

(D) temporomandibular arthroplasty;

(E) coronoidectomy;

(F) intra-articular infiltration including medication;

(G) arthrocentesis;

(H) arthroscopy;

(I) injection of botulinum toxin for functional purposes;

(J) implantation of a glenoid fossa or condylar prosthesis;

(K) cure of ankylosis;

xlvii. mandible, maxilla and interdental osteotomy;

xlviii. corticotomy;

xlix. repositioning or lessening of the symphysis menti;

l. the following oncology and reconstruction services:

(A) neck dissection;

(B) lip repair with Abbé flap or cross lip flap;

(C) correction of post-traumatic or surgical scars;

(D) transfer of fat to correct scar disorders;

(E) isolated debridement of skin wounds or mucous membranes, including the excision of necrotic tissue and foreign bodies;

(F) post-traumatic or cleft lip dermabrasion;

(G) graft by transfer of a local pedicled myocutaneous flap, by transfer of a regional pedicled flap, free cutaneous graft of head and neck region or by free microanastomosed flap;

(H) reduction and rearrangement of the soft tissue of a flap done during a subsequent session, including section of the pedicle if necessary by direct closure;

(I) intralesional injection of pharmaceutical agent for non-cosmetic purposes.".

3. Sections 35 to 36.1 of the Regulation are replaced with the following sections:

"**35.** The services referred to in section 31 and the services referred to hereafter are considered insured services where they are rendered by a dentist to an insured person under 10 years of age:

(*a*) extraction of a tooth or root;

(*b*) the following restoration services:

i. obturation:

(A) amalgam;

(B) with aesthetic material (on an anterior tooth or on a buccal or mesial surface of an upper premolar);

(C) reconstitution of the incisal third or complete of an anterior tooth in aesthetic material;

ii. pivots;

iii. prefabricated metallic crown;

iv. prefabricated crown (porcelain-fused-to-metal or aesthetic material) on a deciduous anterior tooth;

iv. recementation of a prefabricated crown;

(*c*) the following endodontic services:

i. sedative dressing;

ii. pulpotomy on a permanent tooth under general anaesthesia;

iii. pulpotomy or pulpectomy on a deciduous tooth;

iv. apexification on a permanent tooth (insertion of dentinogenic medium in order to close the apex);

v. root canal treatment on a permanent tooth with a guttapercha point.

"**36.** The services referred to in sections 31 and 35 are considered insured services where they are rendered by a dentist to an insured person 10 years of age or over who has held, for at least 12 consecutive months, a valid claim booklet issued in accordance with section 71.1 of the Act, excluding apexification on a permanent tooth by insertion of dentinogenic medium in order to close the apex and root canal treatment on a permanent tooth with guttapercha point, for which in both cases the insured person must be under 13 years of age.

Notwithstanding the foregoing, the period of 12 consecutive months referred to in the first paragraph is not required where the following services, are rendered as emergencies:

(a) examination;

(b) extraction of a tooth or root;

(c) opening of the pulp cavity;

(d) incision or drainage of an abscess;

(e) alveolitis;

(f) hemorrhage control;

(g) repair of soft tissue laceration;

(h) reduction of an alveolar bone fracture;

(i) immobilization of a tooth loosened by traumatism;

(j) re-implantation of an entirely exfoliated tooth.

Furthermore, once only per 12-month period with respect to an insured person referred to in the first paragraph, the following services are considered insured services where they are rendered by a dentist and where the person is the following age, depending on the service:

(a) 12 years of age or over for teaching and demonstration of oral hygiene procedures and cleaning of teeth;

(b) 16 years of age or over for scaling;

(c) at least 12 years of age and less than 16 years of age for topical fluoride application.

Additionally, the fabrication, replacement, repair or relining of an acrylic prosthesis, or the addition of a device to such a prosthesis, when inserted, are considered insured services with respect to a person referred to in the first paragraph insofar as the person has held, for at least 24 consecutive months, a valid claim booklet. However, an insured person is entitled to only one complete or partial prosthesis with or without hooks or supports per maxilla, per 8-year period. Furthermore, the person is entitled to

the replacement of a complete or partial prosthesis only where it has become necessary following oral surgery and on the written prescription of a dentist. As for relining, the person is entitled to this service three months after the date the prosthesis was initially inserted and, thereafter, every 5 years.

"**36.1.** For the purposes of sections 35 and 36, an insured person referred to in these sections is entitled to only one examination per 12-month period, except in case of an emergency or where the person is followed for oncological purposes by a dentist practicing in an institution which operates a hospital centre listed in Schedule E, and this is a second examination.".

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

104030

Draft Regulation

An Act respecting lotteries, publicity contests and amusement machines
(chapter L-6)

Amusement machines
— 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 amusement machines, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting amusement machines (chapter L-6, r. 1) to streamline and lighten the administrative burden on enterprises subject to the Regulation.

Most importantly, the draft Regulation proposes eliminating the classes of amusement machines and removing from the application of the Regulation those machines used exclusively for entertainment purposes with no possibility of gain. Accordingly, bowling alleys, billiard tables, inflatable games, rides and carousels and other machines of a like nature will no longer require a licence. The draft Regulation also proposes eliminating the merchant licence.

Current study of the matter has shown no negative impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Andrée-Anne Garceau, Secretary of the Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2e étage, Québec (Québec) G1K 3J3, telephone: 418 528-7225, extension 23251; fax: 418 646-5204; email: andree-anne.garceau@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 Andrée-Anne Garceau, Secretary of the Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2e étage, Québec (Québec) G1K 3J3.

GENEVIÈVE GUILBAULT,
Minister of Public Security

Regulation to amend the Regulation respecting amusement machines

An Act respecting lotteries, publicity contests and amusement machines
(chapter L-6, s. 119, 1st par., subpars. *a*, *b*, *c* and *e*)

1. The Regulation respecting amusement machines (chapter L-6, r. 1) is amended in section 1

(1) by replacing paragraph *b* by the following:

"*(b)* "operator" means a person who possesses, leases or borrows an amusement machine described in section 1.1 and who places at the disposal of the public such an amusement machine for the purposes of deriving income therefrom;";

(2) by striking out paragraph *c*.

2. The following is inserted after section 1:

"**1.1** This Regulation applies to all amusement machines offering the possibility of accumulating free games, additional game time or winning a prize of any kind.".

3. Section 2 is revoked.

4. Section 2.2 is amended by inserting "maximum" before "period".

5. Section 2.3 is replaced by the following:

"**2.3** When applying for a licence, an operator wishing to place at the disposal of the public an amusement machine described in section 1.1 must obtain a registration marker from the Régie des alcools, des courses et des jeux.".

6. Section 2.4 is replaced by the following:

"**2.4** The annual duties for the registration of an amusement machine described in section 1.1 are $115 for each machine.".

7. Section 3 is replaced by the following:

"**3.** Where a licence and registration markers are issued for a period of less than one year, the duties under sections 2.1 and 2.4 are payable in the proportion that the number of months and days for which the licence and markers are issued is of 12 months.".

8. Section 4 is amended by replacing "the prescribed form duly completed and the amount of the duties prescribed in section 2.4" by "the form duly completed and the amount of the duties under section 2.4".

9. Section 5.1 is amended

(1) by striking out "prescribed" in the first paragraph;

(2) by striking out the second paragraph.

10. Section 9 is replaced by the following:

"**9.** The payment of the duties under this Regulation is made at the time the application for the licence and registration markers is made.

In the case of an application for an operator's licence and for registration markers for machines for which the duties to be paid exceed $2,000, the payment of the duties may be made in 2 equal instalments: the first payment, at the time the licence is applied for and the second payment, within 4 months after the date on which the licence is issued.

Those terms are not, however, available to a holder that in the last 3 years has been in default to pay, on the due date, the duties attaching to the licence and registration markers for the amusement machines or a notice of assessment.".

11. Section 11 is amended by striking out "2," in the first paragraph.

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

104028

Draft Rules

An Act respecting lotteries, publicity contests and amusement machines
(chapter L-6)

Amusement machines
— Amendment

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

The draft rules introduce a number of streamlining and mitigation measures such as allowing licences and markers to be issued for a seasonal period, revoking the provision allowing the Régie des alcools, des courses et des jeux to require security be furnished to guarantee payment of duties, and relaxing the requirements pertaining to the documents to be produced when an application for a licence is made.

A further purpose of the draft rules is to allow the industry to keep abreast of evolving gaming market demand by removing the prohibition on crediting a prize in order to obtain a more expensive prize from a subsequent game.

Current study of the matter has shown no negative impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Andrée-Anne Garceau, Secretary of the Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2e étage, Québec (Québec) G1K 3J3, telephone: 418 528-7225, extension 23251; fax: 418 646-5204; email: andree-anne.garceau@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 Andrée-Anne Garceau, Secretary of the Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2e étage, Québec (Québec) G1K 3J3.

GENEVIÈVE GUILBAULT,
Minister of Public Security

Rules to amend the Rules respecting amusement machines

An Act respecting lotteries, publicity contests and amusement machines
(chapter L-6, s. 20, 1st par., subpars. *e, f, g, i, l* and *m*)

1. The Rules respecting amusement machines (chapter L-6, r. 2) are amended in section 2 by striking out "or a merchant licence" in the portion before subparagraph 1.

2. Section 2.1 is amended by adding "and for which the applicant has not obtained a pardon" at the end of paragraph 3.

3. Section 3 is revoked.

4. Section 4 is amended

(1) by replacing paragraph *a* by the following:

"*(a)* if the operator is a non-profit organization referred to in subparagraph *e* of the first paragraph of section 119 of the Act, a copy of its letters patent or its certificate of constitution showing its existence and objectives;";

(2) by replacing paragraph *c* by the following:

"*(c)* where applicable, a list of the directors, shareholders or partners, indicating their names and addresses;";

(3) by replacing paragraph *d* by the following:

"*(d)* at the board's request, a detailed technical description of the machine that must include a description of the gaming materials and installation standards;";

(4) by striking out ", by class of amusement machine" in paragraph *e*;

(5) by striking out "for each class of amusement machine," in paragraph *f*;

(6) by striking out paragraph *g*;

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

"*(h)* for each machine offering the possibility of winning a prize, the nature and value of the prize;

(i) at the board's request in the case of a new machine, an engineer's expert report showing that the new machine is in fact an amusement machine, based in particular on its features, parts and components as well as its intended purpose;

(j) at the board's request in the case of a machine whose components are similar to those of a machine of the same type already qualified as an amusement machine in an expert report, a document drawn up by an engineer certifying that the components of the machine for which the application is made comply with the parameters set in the report.".

5. Sections 5 to 7 are revoked.

6. Section 14 is replaced by the following:

"**14.** The holder of an operator's licence must affix a registration marker issued by the board, where it can be readily seen by the public, to every amusement machine described in section 1.1, introduced by section 2 of the Regulation to amend the Regulation respecting amusement machines made by Order -2019 dated (*date*) that the operator puts at the disposal of the public."

7. Section 15 is revoked.

8. Sections 15.2 to 16 are revoked.

9. The following is inserted after section 16:

"**16.1.** An amusement machine cannot give a prize in the form of money, gift card, lottery ticket, tobacco, alcoholic beverages or cannabis and its by-products.".

10. Section 17 is revoked.

11. Section 24 is amended by replacing the second paragraph by the following:

"The holder shall also, for a period of 4 years, keep in the same place, for each machine, the invoice or other documents pertaining to the acquisition, sale or disposal of the property.".

12. Section 25 is amended

(1) by replacing "holder of a merchant's or" in the first paragraph by "an";

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

"The holder shall keep at least one copy of the invoice for a period of 4 years.".

13. These Rules come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

104029

Index

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