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Part

2

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Laws and Regulations

Volume 151

Summary

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Part 2 contains:

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

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PROVINCE OF QUÉBEC

1ST SESSION

42ND LEGISLATURE

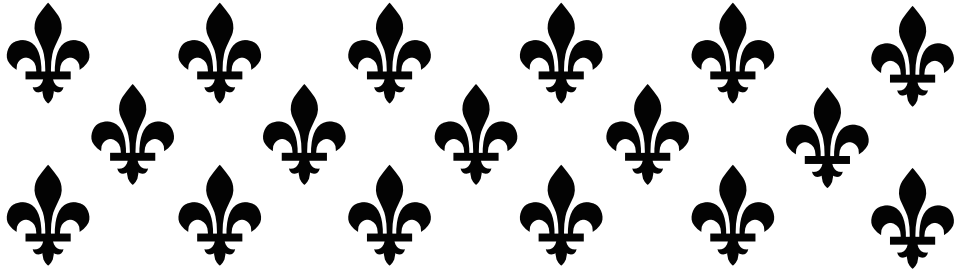
QUÉBEC, 18 SEPTEMBER 2019

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 18 September 2019*

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

- 20 An Act to implement certain recommendations of the 20 August 2018 report of the committee on the remuneration of judges and justices of the peace for 2016–2019

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



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 20
(2019, chapter 16)

**An Act to implement certain
recommendations of the
20 August 2018 report of the
committee on the remuneration
of judges and justices of the peace
for 2016–2019**

**Introduced 11 April 2019
Passed in principle 5 June 2019
Passed 17 September 2019
Assented to 18 September 2019**

**Québec Official Publisher
2019**

EXPLANATORY NOTES

The purpose of this Act is to implement, with regard to the pension plan applicable to presiding justices of the peace, the National Assembly resolution of 6 February 2019 concerning certain recommendations of the 20 August 2018 report of the committee on the remuneration of judges and justices of the peace for 2016–2019.

The Act provides for a new time limit so that persons who held office as presiding justices of the peace at 31 December 2016 may apply for years and parts of a year of service credited under the Pension Plan of Management Personnel while they held office as presiding justices of the peace to be transferred to the pension plan of judges of the Court of Québec, judges of certain municipal courts and presiding justices of the peace.

The Act also allows them, as well as persons who were appointed as presiding justices of the peace after 31 December 2016 and before 7 December 2017, to be entitled to a deferred life annuity payable at 65 years of age under the pension plan of judges of the Court of Québec, judges of certain municipal courts and presiding justices of the peace, following the transfer of the value of the benefits accrued to them under the Pension Plan of Management Personnel when they did not hold office as presiding justices of the peace or under other pension plans.

Lastly, the Act contains consequential amendments and includes miscellaneous and final provisions.

LEGISLATION AMENDED BY THIS ACT:

- Act respecting the Pension Plan of Management Personnel (chapter R-12.1);
- Courts of Justice Act (chapter T-16);
- Act to implement certain recommendations of the report of the committee on the remuneration of judges for 2016–2019 (2017, chapter 30).

REGULATION AMENDED BY THIS ACT:

- Regulation respecting the partition and assignment of benefits accrued under the pension plans of judges of the Court of Québec, judges of certain municipal courts and presiding justices of the peace (chapter T-16, r. 4).

Bill 20

AN ACT TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE 20 AUGUST 2018 REPORT OF THE COMMITTEE ON THE REMUNERATION OF JUDGES AND JUSTICES OF THE PEACE FOR 2016–2019

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

COURTS OF JUSTICE ACT

- 1.** Section 224.30 of the Courts of Justice Act (chapter T-16) is amended by replacing “1 September 2018” in the first paragraph by “16 March 2020”.
- 2.** The Act is amended by inserting the following section after section 224.30:

“224.30.1. A person whose years and parts of a year of service are credited under the pension plan provided for in this Part and under section 224.30 may have an amount corresponding to the value of the benefits accrued to the person under the Pension Plan of Management Personnel transferred to that pension plan, except for the benefits accrued in connection with the person’s holding office as a presiding justice of the peace after 29 June 2004. The value is established at 31 December 2016 under the third paragraph of section 224.30. The transfer gives entitlement to a deferred life annuity payable at 65 years of age, which shall be added to the pension accrued under the pension plan provided for in this Part.

The transfer application shall be made by 16 March 2020.

Retraite Québec shall determine the amount of the deferred pension at 31 December 2016 on the basis of the value established in the first paragraph and according to the actuarial assumptions and methods used in the actuarial valuation prepared in accordance with section 246.26 and on the basis of the data as at 31 December 2013.

The deferred pension is indexed annually in accordance with the first paragraph of section 224.23, beginning on 1 January following the date on which it becomes payable.

Section 246.23.3 applies, with the necessary modifications, to the deferred pension.”

- 3.** Section 224.31 of the Act is amended by replacing “2 September 2018” by “17 March 2020”.

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT
PERSONNEL

4. Section 211.2.1 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended

(1) by inserting “, except if an amount is transferred under section 224.30.1 of that Act” after “selected” in the first paragraph;

(2) by replacing “under this plan” in the second paragraph by “with regard to the benefits accrued under this plan for a period prior to holding office as a presiding justice of the peace, except if an amount is transferred under section 224.30.1 of that Act”.

ACT TO IMPLEMENT CERTAIN RECOMMENDATIONS OF THE
REPORT OF THE COMMITTEE ON THE REMUNERATION OF
JUDGES FOR 2016–2019

5. Section 32 of the Act to implement certain recommendations of the report of the committee on the remuneration of judges for 2016–2019 (2017, chapter 30) is amended, in the second paragraph,

(1) by replacing “1 September 2018” by “16 March 2020”;

(2) by replacing “and the second paragraph of section 147 of the Act respecting the Government and Public Employees Retirement Plan do not apply to amounts owing to Retraite Québec” by “, the second paragraph of section 147 and section 147.0.1 of the Act respecting Government and Public Employees Retirement Plan do not apply”.

6. Section 33 of the Act is amended by replacing “and the second paragraph of section 147 of the Act respecting the Government and Public Employees Retirement Plan do not apply to amounts owing to Retraite Québec” in the second paragraph by “, the second paragraph of section 147 and section 147.0.1 of the Government and Public Employees Retirement Plan do not apply”.

REGULATION RESPECTING THE PARTITION AND ASSIGNMENT OF
BENEFITS ACCRUED UNDER THE PENSION PLANS OF JUDGES OF
THE COURT OF QUÉBEC, JUDGES OF CERTAIN MUNICIPAL
COURTS AND PRESIDING JUSTICES OF THE PEACE

7. Section 9 of the Regulation respecting the partition and assignment of benefits accrued under the pension plans of judges of the Court of Québec, judges of certain municipal courts and presiding justices of the peace (chapter T-16, r. 4) is amended by inserting “section 224.30.1 or” after “transferred under” in the second paragraph.

8. Section 20 of the Regulation is amended by inserting “section 224.30.1 or” after “transferred under”.

MISCELLANEOUS AND FINAL PROVISIONS

9. Retraite Québec transfers, from the funds of the Pension Plan of Management Personnel to the Consolidated Revenue Fund, the amount established under section 224.30.1 of the Courts of Justice Act (chapter T-16). From 31 December 2016 until the date of the transfer, the amount bears interest, compounded annually, at the nominal rates of the actuarial economic assumptions of the actuarial valuation prepared in accordance with section 246.26 of that Act and on the basis of the data as at 31 December 2013. Those sums are taken out according to the terms set out in Division II of Chapter X of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) for the payment of benefits.

10. Despite the third paragraph of section 246.23.1 of the Courts of Justice Act, a person whose years and parts of a year of service are credited under section 224.30 of that Act may file a transfer application under section 246.23.1 of that Act not later than 16 March 2020.

However, such an application may not be filed with regard to benefits accrued under the Pension Plan of Management Personnel.

11. Despite the third paragraph of section 246.23.1 of the Courts of Justice Act, a person who was appointed as a presiding justice of the peace after 31 December 2016 and before 7 December 2017 may file a transfer application under that section not later than 16 March 2020.

12. To take into account the years and parts of a year of service credited under section 224.30 of the Courts of Justice Act, Retraite Québec reviews or cancels the pension received under the Pension Plan of Management Personnel by a person whose application referred to in the first paragraph of that section is received before 2 September 2018 and whose date of retirement under the pension plan provided for in Part V.1 of the Courts of Justice Act is after that date of receipt but before 17 March 2020. Retraite Québec also reviews the pension amount received by that person under the pension plan provided for in that Part of the Courts of Justice Act.

The review or cancellation referred to in the first paragraph is carried out not later than 18 September 2020. Section 146.1, the second paragraph of section 147 and section 147.0.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) do not apply following such a review or cancellation.

13. To take into account a transfer made under section 224.30.1 or section 246.23.1 of the Courts of Justice Act, Retraite Québec reviews or cancels the pension received under a pension plan referred to in section 4 of the Act respecting Retraite Québec (chapter R-26.3) by a person who was appointed as a presiding justice of the peace before 7 December 2017 and whose date of retirement under the pension plan provided for in Part V.1 of the Courts of Justice Act is prior to the date of receipt of the transfer application concerned. Retraite Québec also reviews the pension amount received by that person under the pension plan provided for in that Part of the Courts of Justice Act.

The review or cancellation referred to in the first paragraph is carried out within six months following the date of receipt of the transfer application concerned. Section 146.1, the second paragraph of section 147 and section 147.0.1 of the Act respecting the Government and Public Employees Retirement Plan do not apply following such a review or cancellation.

14. This Act comes into force on 18 September 2019.

Regulations and other Acts

Gouvernement du Québec

O.C. 997-2019, 25 September 2019

Firearms Registration Act
(chapter I-0.01)

Regulation respecting the application —Amendment

Regulation to amend the Regulation respecting the application of the Firearms Registration Act

WHEREAS, under the first paragraph of section 3 of the Firearms Registration Act (chapter I-0.01), a non-restricted firearm owner must apply to the Minister for its registration, subject to the conditions and according to the procedure prescribed by government regulation;

WHEREAS, under the second paragraph of section 7 of the Act, as soon as the owner of a registered firearm transfers ownership of the firearm, he or she must notify the Minister in the manner prescribed by government regulation, and the regulation must also prescribe the terms for transferring ownership of a firearm;

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 application of the Firearms Registration Act was published in Part 2 of the *Gazette officielle du Québec* of 22 May 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 Public Security:

THAT the Regulation to amend the Regulation respecting the application of the Firearms Registration Act, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Firearms Registration Act

Firearms Registration Act
(chapter I-0.01, s. 3, 1st par. and s. 7, 2nd par.)

1. The Regulation respecting the application of the Firearms Registration Act (chapter I-0.01, r. 1) is amended in section 2

(1) by replacing “make, model, barrel length, mechanism, type” in subparagraph 6 of the first paragraph by “make or model and its mechanism”;

(2) by inserting “main” before “place” in subparagraph 7 of the first paragraph;

(3) by adding the following after the second paragraph:

“Where the information provided for in subparagraph 6 of the first paragraph is not sufficient to identify the firearm referred to in the application, the firearm owner must, on request, provide additional information on the characteristics of the firearm to enable its identification.”.

2. Section 7 is revoked.

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

104111

Gouvernement du Québec

O.C. 1000-2019, 25 September 2019

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

Installation of petroleum equipment —Amendment

Decree to amend the Decree respecting the installation of petroleum equipment

WHEREAS, under section 2 of the Act respecting collective agreement decrees (chapter D-2), the Government may order that a collective agreement respecting any

trade, industry, commerce or occupation shall also bind all the employees and professional employers in Québec or in a stated region of Québec, within the scope determined in such decree;

WHEREAS the Government made the Decree respecting the installation of petroleum equipment (chapter D-2, r. 12);

WHEREAS, under the first paragraph of section 4 of the Act respecting collective agreement decrees, the contracting parties have addressed to the Minister responsible for Labour an application for amendment to the Decree;

WHEREAS, under the first paragraph of section 6.1 of the Act, section 4 applies to every application for amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and the first paragraph of section 5 of the Act respecting collective agreement decrees, a draft Decree to amend the Decree respecting the installation of petroleum equipment was published in Part 2 of the *Gazette officielle du Québec* of 1 May 2019 and in a French language newspaper and in an English language newspaper, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 7 of the Act respecting collective agreement decrees and despite section 17 of the Regulations Act, a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS it is expedient to make the Decree without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Decree to amend the Decree respecting the installation of petroleum equipment, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the installation of petroleum equipment

An Act respecting collective agreement decrees (chapter D-2, ss. 2, 4 and 6.1)

1. The Decree respecting the installation of petroleum equipment (chapter D-2, r. 12) is amended in section 3.04 by adding the following after the third paragraph:

“Where the employee must reside away from home, the employee is not paid for the time spent travelling between the room and board location and the job site if the job site is 20 km or less from the room and board location.”

2. Section 7.01 is amended by replacing “\$0.45” by “\$0.49”.

3. Section 9.01 is amended by replacing subsections 1 to 3 by the following:

“**9.01.** (1) The minimum hourly rate payable to a service mechanic, an installation mechanic, a shop mechanic and a tank-truck mechanic is established as follows for each class of employment:

Class of employment	As of 2019 10 09	As of 2019 12 31
A	\$34.07	\$34.75
B	\$28.92	\$29.50
C	\$24.93	\$25.43;

(2) A labourer is paid according to the number of hours accumulated since the date of hiring. The minimum hourly rate payable is established as follows:

Labourer	As of 2019 10 09	As of 2019 12 31
Starting	\$21.44	\$21.87
after 2,000 hours	\$21.96	\$22.40
after 4,000 hours	\$22.55	\$23.00
after 6,000 hours	\$23.30	\$23.77;

(3) The minimum hourly rate payable to a student is established as follows:

Student	As of 2019 10 09	As of 2019 12 31
	\$16.52	\$16.85;

”.

4. Section 12.01 is amended by replacing “2016” wherever it appears by “2019”.

5. This Decree comes into force on the date of its publication in the *Gazette officielle du Québec*.

104112

Gouvernement du Québec

O.C. 1001-2019, 25 September 2019

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

Automotive services industry – Drummond and Mauricie —Amendment

Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions

WHEREAS, under section 2 of the Act respecting collective agreement decrees (chapter D-2), the Government may order that a collective agreement respecting any trade, industry, commerce or occupation shall also bind all the employees and professional employers in Québec or in a stated region of Québec, within the scope determined in such decree;

WHEREAS the Government made the Decree respecting the automotive services industry in the Drummond and the Mauricie regions (chapter D-2, r. 8);

WHEREAS, under the first paragraph of section 4 of the Act respecting collective agreement decrees, the contracting parties have addressed to the Minister responsible for Labour an application for amendment to the Decree;

WHEREAS, under the first paragraph of section 6.1 of that Act, section 4 applies to every application for amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and the first paragraph of section 5 of the Act respecting collective agreement decrees, a draft Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2019 and in a French language newspaper and in an English language newspaper, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 7 of the Act respecting collective agreement decrees and despite section 17 of the Regulations Act, a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS it is expedient to make the Decree with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions

Act respecting collective agreement decrees (chapter D-2, ss. 2, 4 and 6.1)

1. The Decree respecting the automotive services industry in the Drummond and the Mauricie regions (chapter D-2, r. 8) is amended by replacing section 9.01 by the following:

“**9.01.** The minimum hourly wage rates are the following:

Trades	As of 9 October 2019	As of 9 October 2020	As of 9 October 2021
1 Apprentice			
1st year	\$13.57	\$13.84	\$14.11
2nd year	\$13.86	\$14.14	\$14.42
3rd year	\$14.44	\$14.73	\$15.02
4th year	\$15.53	\$15.76	\$16.00
2 Journeyman			
A	\$22.67	\$23.13	\$23.59
B	\$20.96	\$21.38	\$21.81
C	\$19.26	\$19.55	\$19.85
3 Parts clerk			
Grade 1	\$12.47	\$12.84	\$13.28
Grade 2	\$13.06	\$13.32	\$13.58

Trades	As of 9 October 2019	As of 9 October 2020	As of 9 October 2021
Grade 3	\$13.94	\$14.22	\$14.51
Grade 4	\$14.72	\$15.01	\$15.31
Grade 5	\$15.54	\$15.86	\$16.17
Grade 6	\$16.53	\$16.86	\$17.20
Grade 7	\$17.45	\$17.71	\$17.98
4 Messenger	note 1	note 1	note 1
5 Dismantler			
Grade 1	\$12.47	\$12.84	\$13.28
Grade 2	\$12.79	\$13.18	\$13.51
Grade 3	\$13.76	\$14.03	\$14.32
6 Washer	note 1	note 1	note 1
7 Semiskilled worker			
Grade 1	\$13.40	\$13.67	\$13.94
Grade 2	\$14.55	\$14.84	\$15.13
Grade 3	\$15.69	\$16.00	\$16.32
8 Pump attendant	note 1	note 1	note 1
9 Service attendant			
Grade 1	\$12.47	\$12.84	\$13.28
Grade 2	\$13.06	\$13.32	\$13.58
Grade 3	\$13.83	\$14.11	\$14.39
Grade 4	\$14.64	\$14.93	\$15.23
Grade 5	\$15.38	\$15.69	\$16.00

Note 1: The minimum wage rate not provided for the trades of messenger, washer and pump attendant corresponds to the rate of the minimum wage payable to an employee, in accordance with section 3 of the Regulation respecting labour standards (chapter N-1.1, r. 3), increased by \$0.25 per hour as of the date of adjustment of the minimum wage rate.”

2. Section 12.01 is amended by replacing “31 December 2018” by “9 October 2022” and by replacing “June 2018” and “June”, respectively, by “April 2022” and “April”, with the necessary modifications.

3. This Decree comes into force on the date of its publication in the *Gazette officielle du Québec*.

104113

M.O., 2019

Order number 2019-002 of the Minister of Labour, Employment and Social Solidarity dated 26 September 2019

Pay Equity Act
(chapter E-12.001)

Regulation to amend the Regulation respecting the report on pay equity

THE MINISTER OF LABOUR, EMPLOYMENT AND SOCIAL SOLIDARITY,

CONSIDERING the second paragraph of section 4 of the Pay Equity Act (chapter E-12.001), which provides that the Minister makes a regulation which prescribes in which cases and on which conditions an employer must submit a report on the implementation of the Act in the employer’s enterprise;

CONSIDERING that the Minister made, by order, the Regulation respecting the report on pay equity (chapter E-12.001, r. 1);

CONSIDERING that it is expedient to amend the Regulation;

CONSIDERING that, in accordance with section 4 of the Act, the Commission des normes, de l’équité, de la santé et de la sécurité du travail and the pay equity advisory committee were consulted before the making of the Regulation to amend the Regulation respecting the report on pay equity;

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting the report on pay equity was published in Part 2 of the *Gazette officielle du Québec* of 12 June 2019 with a notice that it could be made by Minister’s order on the expiry of 45 days following that publication;

CONSIDERING that the 45-day period has expired;

CONSIDERING that it is expedient to make the Regulation without amendment;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting the report on pay equity, attached to this Order, is hereby made.

Québec, 26 September 2019

JEAN BOULET,
*Minister of Labour, Employment
and Social Solidarity*

Regulation to amend the Regulation respecting the report on pay equity

Pay Equity Act
(chapter E-12.001, s. 4)

1. The Regulation respecting the report on pay equity (chapter E-12.001, r. 1) is amended in section 2 by adding “, subject to section 3.1” at the end.

2. Section 3 is amended by adding “, subject to section 3.1” at the end.

3. The following is added after section 3:

“**3.1.** An employer having submitted a report on pay equity attesting that adjustments in compensation have been determined, a pay equity plan has been completed or a pay equity audit has been completed is exempt from submitting a report on an annual basis until the date on which the next pay equity audit is to be made pursuant to section 76.1 of the Act, without taking into account any time limit set by the Commission pursuant to section 101.1 of the Act.”

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

104114

Draft Regulations

Notice

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

Automotive services industry — Monthly report of certain parity committees

Notice is hereby given, in accordance with subparagraph *h* of the second paragraph of section 22 of the Act respecting collective agreement decrees (chapter D-2), that the Comité paritaire sur l'industrie des services automobiles des Cantons de l'Est, the Comité paritaire de l'industrie des services automobiles de la région Saguenay–Lac-Saint-Jean, the Comité paritaire de l'industrie de l'automobile de la Mauricie, the Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides and the Comité paritaire de l'industrie des services automobiles de la région de Québec applied to have their regulation respecting the respective monthly report replaced. In accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the Regulation, appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The draft Regulation replaces the regulation respecting the monthly report of those parity committees of the automotive services industry to modernize the method of transmission of the monthly reports.

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

Further information may be obtained by contacting Louis-Philippe Roussel, Direction des politiques du travail, Ministère du Travail, de l'Emploi et de la Solidarité sociale by telephone: 418 644-2206; by fax: 418 643-9454; by email: louis-philippe.roussel@mtess.gouv.qc.ca; by mail: 200, chemin Sainte-Foy, 5^e étage, Québec (Québec), G1R 5S1.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to the Deputy Minister of Labour, Employment and Social Solidarity, 425, rue Jacques-Parizeau, 4^e étage, Québec (Québec) G1R 4Z1.

BRIGITTE PELLETIER,
*Deputy Minister of Labour, Employment
and Social Solidarity*

Regulation to replace various regulations respecting the monthly report of parity committees of the automotive services industry

An Act respecting collective agreement decrees (chapter D-2, s. 22, 2nd par., subpar. *h*)

1. The Règlement relatif au rapport mensuel du Comité paritaire de l'industrie de l'automobile des Cantons de l'Est (1971)¹ is replaced by the following:

“Regulation respecting the monthly report of the Comité paritaire sur l'industrie des services automobiles des Cantons de l'Est

1. A professional employer governed by the Decree respecting the automotive services industry in the Arthabaska, Granby, Sherbrooke and Thetford Mines regions (chapter D-2, r. 6) must submit a monthly report using the form prescribed by the committee and containing the following information:

(1) the surname, given name, address and social insurance number of each employee in the employer's employ, the employee's competency, the nature of the work, the number of regular and overtime hours worked each week, the total number of such hours, hourly wage rate and total earnings;

(2) the allowances paid to each employee for annual vacations with pay and paid holidays and any other allowance or benefit of a monetary value.

2. The monthly report must be signed by the employer or a representative authorized by the employer. It is sent to the head office of the committee not later than the 15th of each month and it covers the preceding monthly work period.

The professional employer must send a report for every monthly work period even if no work has been carried out by the employer or the employer's employees.

¹ The only amendments to the Règlement relatif au rapport mensuel du Comité paritaire de l'industrie des services automobiles des Cantons de l'Est (1971), including the notice of approval published in the *Gazette officielle du Québec* of 10 April 1978, were made by a notice of adoption published in the French version of the *Gazette officielle du Québec* of 3 December 1980.

3. The monthly report may be sent to the committee by mail, given in person or sent by any means using an information technology medium.

The method of transmission used by the professional employer must first be authorized by the committee so that the method is compatible with the technological equipment owned by the committee.”

2. The Regulation respecting the monthly report of the Comité paritaire de l’industrie des services automobiles de la région Saguenay–Lac-Saint-Jean² is replaced by the following:

“Regulation respecting the monthly report of the Comité paritaire de l’industrie des services automobiles de la région Saguenay–Lac-Saint-Jean

1. A professional employer governed by the Decree respecting the automotive services industry in Chapais, Chibougamau, Lac Saint-Jean and Saguenay (chapter D-2, r. 7) must submit a monthly report using the form prescribed by the committee and containing the following information:

(1) the surname, given name, address and social insurance number of each employee in the employer’s employ, the employee’s competency, the nature of the work, the number of regular and overtime hours worked each week, the total number of such hours, hourly wage rate and total earnings;

(2) the allowances paid to each employee for annual vacations with pay and paid holidays and any other allowance or benefit of a monetary value.

2. The monthly report must be signed by the employer or a representative authorized by the employer. It is sent to the head office of the committee not later than the 15th of each month and it covers the preceding monthly work period.

The professional employer must send a report for every monthly work period even if no work has been carried out by the employer or the employer’s employees.

3. The monthly report may be sent to the committee by mail, given in person or sent by any means using an information technology medium.

The method of transmission used by the professional employer must first be authorized by the committee so that the method is compatible with the technological equipment owned by the committee.”

3. The Regulation respecting the monthly report of the Comité paritaire de l’industrie de l’automobile de la Mauricie³ is replaced by the following:

“Regulation respecting the monthly report of the Comité paritaire de l’industrie de l’automobile de la Mauricie

1. A professional employer governed by the Decree respecting the automotive services industry in the Drummond and the Mauricie regions (chapter D-2, r. 8) must submit a monthly report using the form prescribed by the committee and containing the following information:

(1) the surname, given name, address and social insurance number of each employee in the employer’s employ, the employee’s competency, the nature of the work, the number of regular and overtime hours worked each week, the total number of such hours, hourly wage rate and total earnings;

(2) the allowances paid to each employee for annual vacations with pay and paid holidays and any other allowance or benefit of a monetary value.

2. The monthly report must be signed by the employer or a representative authorized by the employer. It is sent to the head office of the committee not later than the 15th of each month and it covers the preceding monthly work period.

The professional employer must send a report for every monthly work period even if no work has been carried out by the employer or the employer’s employees.

3. The monthly report may be sent to the committee by mail, given in person or sent by any means using an information technology medium.

The method of transmission used by the professional employer must first be authorized by the committee so that the method is compatible with the technological equipment owned by the committee.”

² The Regulation respecting the monthly report of the Comité paritaire de l’industrie des services automobiles de la région Saguenay–Lac-Saint-Jean was approved by Order in Council 782-2005 dated 17 August 2005 (2005, *G.O.* 2, 3627) and amended by Order in Council 442-2013 dated 24 April 2013 (2013, *G.O.* 2, 1106).

³ The Regulation respecting the monthly report of the Comité paritaire de l’industrie de l’automobile de la Mauricie was approved by Order in Council 1347-87 dated 26 August 1987 (1987, *G.O.* 2, 3378) and has not been amended since.

4. The Regulation respecting the monthly report of the Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides⁴ is replaced by the following:

“Regulation respecting the monthly report of the Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides

1. A professional employer governed by the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (chapter D-2, r. 9) must submit a monthly report using the form prescribed by the committee and containing the following information:

(1) the surname, given name, address and social insurance number of each employee in the employer's employ, the employee's competency, the nature of the work, the number of regular and overtime hours worked each week, the total number of such hours, hourly wage rate and total earnings;

(2) the allowances paid to each employee for annual vacations with pay and paid holidays and any other allowance or benefit of a monetary value.

2. The monthly report must be signed by the employer or a representative authorized by the employer. It is sent to the head office of the committee not later than the 15th of each month and it covers the preceding monthly work period.

The professional employer must send a report for every monthly work period even if no work has been carried out by the employer or the employer's employees.

3. The monthly report may be sent to the committee by mail, given in person or sent by any means using an information technology medium.

The method of transmission used by the professional employer must first be authorized by the committee so that the method is compatible with the technological equipment owned by the committee.”

5. The By-law Respecting the Monthly Report Number 3 of the Automobile Parity committee, Québec region⁵ is replaced by the following:

“Regulation respecting the monthly report of the Comité paritaire de l'industrie des services automobiles de la région de Québec

1. A professional employer governed by the Decree respecting the automotive services industry in the Québec region (chapter D-2, r. 11) must submit a monthly report using the form prescribed by the committee and containing the following information:

(1) the surname, given name, address and social insurance number of each employee in the employer's employ, the employee's competency, the nature of the work, the number of regular and overtime hours worked each week, the total number of such hours, hourly wage rate and total earnings;

(2) the allowances paid to each employee for annual vacations with pay and paid holidays and any other allowance or benefit of a monetary value.

2. The monthly report must be signed by the employer or a representative authorized by the employer. It is sent to the head office of the committee not later than the 15th of each month and it covers the preceding monthly work period.

The professional employer must send a report for every monthly work period even if no work has been carried out by the employer or the employer's employees.

3. The monthly report may be sent to the committee by mail, given in person or sent by any means using an information technology medium.

The method of transmission used by the professional employer must first be authorized by the committee so that the method is compatible with the technological equipment owned by the committee.”

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

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⁴ A notice of adoption of the Regulation respecting the monthly report of the Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides was published in the *Gazette officielle du Québec* of 19 May 1982 (1982, G.O. 2, 1562) and has not been amended since.

⁵ A notice of adoption of the By-law Respecting the Monthly Report Number 3 was published in the *Gazette officielle du Québec* of 25 May 1977 (1977, G.O. 2, 2451) and has not been amended since.

Draft Regulation

An Act respecting prearranged funeral services and sepultures
(chapter A-23.001)

Register of prearranged funeral services contracts and prepurchased sepulture contracts

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the register of prearranged funeral services contracts and prepurchased sepulture contracts, appearing below, may be made by the Minister of Justice on the expiry of 45 days following this publication.

The draft Regulation follows up on section 7 of the Act to amend various legislative provisions concerning consumer protection (2018, chapter 14), which introduces section 81.1 of the Act respecting prearranged funeral services and sepultures (chapter A-23.001). In accordance with that section 81.1, the draft Regulation establishes a register of prearranged funeral services contracts and prepurchased sepulture contracts.

The draft Regulation lists the persons authorized to consult the register, the terms for doing so and the persons who may be informed of the existence of a contract. It also provides for the obligation of a seller, before entering into a contract, to consult the register and inform the potential buyer of the existence of a contract concerning the person for whom the goods or services in the proposed contract are intended.

The draft Regulation also provides for the obligation of the seller to enter in the register certain information on the contracts entered into and the obligation to update the information, where applicable, and the period for doing so. It sets the fees for entering the information in the register.

Lastly, the draft Regulation indicates the provisions the contravention of which constitutes an offence punishable by a fine that may reach \$10,000.

Further information on the draft Regulation may be obtained by contacting Valérie Roy, advocate, Office de la protection du consommateur, 400, boulevard Jean-Lesage, bureau 450, Québec (Québec) G1K 9W4; telephone: 418 643-1484, extension 2423; fax: 418 528-0976; email: valerie.roy@opc.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Marie-Claude Champoux, President, Office de

la protection du consommateur, 400, boul. Jean-Lesage, bureau 450, Québec (Québec) G1K 8W4. The comments will be sent by the Office to the Minister of Justice.

SONIA LEBEL,
Minister of Justice

Regulation respecting the register of prearranged funeral services contracts and prepurchased sepulture contracts

An Act respecting prearranged funeral services and sepultures
(chapter A-23.001, s. 81.1, 1st and 2nd pars.)

CHAPTER I DEFINITIONS

1. In this Regulation, unless the context indicates otherwise,

(1) “buyer” means the party to a contract referred to in section 2 who undertakes to pay for the property, goods or services stipulated in the contract;

(2) “seller” means the party to a contract referred to in section 2 who undertakes to provide the property, goods or services stipulated in the contract.

CHAPTER II ESTABLISHMENT AND USE OF THE REGISTER

2. The register of prearranged funeral services contracts and prepurchased sepulture contracts, comprised of the following contracts, is hereby established:

(1) prearranged funeral services contracts, regardless of whether total or partial payment must be made before or after the death;

(2) prepurchased sepulture contracts, regardless of whether total or partial payment must be made before or after the death;

(3) contracts entered into without intermediary by a buyer and the operator of a religious cemetery for the sole provision of property, an item of goods or a service in the cemetery.

3. The register is computerized.

4. No person may use the register or the information contained therein except in accordance with this Regulation.

CHAPTER III CONSULTATION OF THE REGISTER AND INFORMATION

5. Only the following persons may be informed of the existence of a contract by the seller:

- (1) potential buyers;
- (2) persons for whom the goods or services stipulated in the contract may be intended, as well as their mandataries, liquidators, successors, tutors or curators.

Those persons must show that they have a legitimate interest in being informed of the existence of a contract.

6. At the request of a person referred to in subparagraph 1 or 2 of the first paragraph of section 5, the seller consults the register if the person provides

- (1) his or her name and capacity;
- (2) the information allowing identification of the person for whom the goods or services stipulated in a contract may be intended.

The seller informs that person of the existence of a contract and gives the person proof of the computerized consultation of the register.

7. Despite the absence of a request made by a potential buyer in accordance with section 6, the seller must, prior to entering into a contract referred to in section 2 or a funeral services or sepulture contract entered into after the death, consult the register and inform the potential buyer of the existence of any contract entered into concerning the person for whom the goods or services stipulated in the proposed contract are intended. To that effect, the seller gives the buyer proof of the computerized consultation of the register.

In view of the consultation of the register by the seller, potential buyers must provide the information referred to in subparagraph 2 of the first paragraph of section 6.

8. The Chief Coroner's office, the Public Curator and the Minister of Health and Social Services may consult the register to be informed of the existence of a contract in respect of a deceased person whose body has not been claimed.

9. The consultation of the register is free of charge.

CHAPTER IV ENTRY AND MODIFICATION IN THE REGISTER

10. The seller must enter the following information in the register not later than 30 days after entering into the contract:

- (1) the number of the contract;
- (2) the date on which the contract was made;
- (3) the nature of the contract;
- (4) the name and address of the seller and, if applicable, the number of the seller's funeral services business licence and Québec business number (QBN) assigned by the enterprise registrar;
- (5) the name, address and date of birth of the buyer or, in the case of a prearranged funeral services contract referred to in paragraph 1 of section 2 and where the goods or services are not intended for the buyer, the name, address and date of birth of the person.

Where a contract concerns more than one person, the information referred to in subparagraph 5 of the first paragraph must be entered in the register for each person.

11. The fees for entering all of the information referred to in section 10 are \$10 for contracts the total payment of which is less than \$1,000.

The fees are \$30 for contracts the total payment of which is \$1,000 or more.

The seller must pay those fees.

12. The seller is required to update the information in the register not later than 30 days after any modification to a contract.

13. The seller must enter the date of cancellation of a contract in the register not later than 30 days after that date.

The seller must also enter the date on which all the obligations stipulated in a contract have been fulfilled or the date on which all the goods and services have been provided.

14. Any modification to the register made in accordance with section 12 or 13 is free of charge.

CHAPTER V ADJUSTMENT OF FEES

15. The fees payable under this Regulation are adjusted on 1 July of each year on the basis of the rate of variation in the general Consumer Price Index for Canada for the preceding calendar year, as determined by Statistics Canada; the fees thus adjusted take effect on that date.

The fees adjusted in the prescribed manner are reduced to the nearest dollar where they comprise a fraction of a dollar less than \$0.50; they are increased to the nearest dollar where they comprise a fraction of a dollar equal to or greater than \$0.50.

Each year, the president of the Office de la protection du consommateur publishes the result of the annual adjustment in Part 1 of the *Gazette officielle du Québec*.

CHAPTER VI OFFENCES

16. Every person who contravenes sections 4 and 6 and the first paragraph of section 7 is guilty of an offence and is liable to a fine of \$1,500 to \$10,000.

17. Every person who contravenes sections 10 to 13 and 18 is guilty of an offence and is liable to a fine of \$500 to \$10,000.

CHAPTER VII TRANSITIONAL AND FINAL

18. The seller must, not later than 6 June 2021, enter in the register any information referred to in section 10 the seller has with regard to all contracts in force entered into before 6 June 2020.

Despite the foregoing, in the case of a contract in force referred to in paragraph 3 of section 2 entered into before 6 June 2020, a seller who operates a religious cemetery and who does not hold a permit issued under the Funeral Operations Act (chapter A-5.02) on that date must, not later than 6 June 2022, enter in the register any information referred to in section 10 the seller has with regard to the contract.

Despite section 11, any entry in the register made in accordance with this section is free of charge.

19. This Regulation comes into force on 6 June 2020.

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Draft Regulation

Professional Code
(chapter C-26)

Notaries

— Compensation fund of the Chambre des notaires du Québec — 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 compensation fund of the Chambre des notaires du Québec, made by the board of directors of the Chambre des notaires du Québec and appearing below, may be examined by the Office des professions du Québec then submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation amends the procedure for the compensation of claimants where funds or property given to a notary were used for purposes other than those agreed upon and increases the amounts of the maximum indemnity that may be paid.

The draft Regulation has no impact on the public and on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Nathalie Provost, Consulting Notary, Services juridiques et relations institutionnelles, Direction Secrétariat et services juridiques, Chambre des notaires du Québec, 101-2045, rue Stanley, Montréal (Québec) H3A 2V4; telephone: 1 800 263-1793 or 514 879-1793, extension 5921; email: servicesjuridiques@cnq.org.

Any person wishing to comment is requested to submit written comments within the 45-day period to Guylaine Couture, Secretary, Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3; email: secretariat@opq.gouv.qc.ca. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the professional order that made the Regulation as well as to interested persons, departments and bodies.

GUYLAINE COUTURE,
Secretary of the Office des professions du Québec

Regulation amending the Regulation respecting the compensation fund of the Chambre des notaires du Québec

Professional Code
(chapter C-26, s. 89.1)

1. Section 2 of the Regulation respecting the compensation fund of the Chambre des notaires du Québec (chapter N-3, r. 8.1) is amended:

1° by replacing, in the first paragraph, “\$500,000” with “\$1,000,000”;

2° by replacing, in subparagraph (5) of the second paragraph, “the Executive Committee” with “the Order”;

3° by inserting, after subparagraph (5) of the second paragraph, the following subparagraph:

“(6) moneys recovered from a notary or from his trust account following application of section 20, as the case may be.”

2. Section 3 of this regulation is amended by replacing “The Executive Committee” with “The Order”.

3. Section 4 of this regulation is replaced with the following:

“4. The keeping of the accounting of the fund is separate from that of the Order.”

4. Section 5 of this regulation is amended:

1° by replacing the text preceding subparagraph (1) with the following:

“The Order invests the moneys making up the fund as follows”;

2° by replacing, in subparagraph (1), “the Executive Committee” with “the Order”.

5. Section 6 of this regulation is replaced with the following:

“6. The compensation fund committee, established by the Board of Directors pursuant to subparagraph (2) of section 86.0.1 of the Professional Code (chapter C-26), is responsible for examining the claims filed against the fund.

The Committee is comprised of no less than 5 members, at least one of whom is a member of the public, that is a person whose name appears on the list from which the Office des professions appoints directors, in accordance with the Professional Code.

The Board of Directors designates the Committee’s chairman, secretary, and, if necessary, one or more assistant secretaries who perform the same duties as the secretary. The secretary and the assistant secretaries are not members of the Committee.

The quorum of the Committee is a majority of its members.”

6. Section 7 of this regulation is amended:

1° by striking out, in the first paragraph, “by division members”;

2° by inserting “by the Committee’s chairman”, in the first paragraph, after “chairman of the division”.

7. Section 9 of this regulation is repealed.

8. Section 15 of this regulation is amended:

1° by striking out “not exceeding \$30,000”;

2° by replacing “final” with “definitive”.

9. Section 16 of this regulation is repealed.

10. Section 18 of this regulation is amended:

1° by replacing, wherever it occurs, “\$100,000” with “\$200,000”;

2° by striking out, in the third paragraph, “in particular but without limiting the foregoing, the acquisition or sale of a family residence or an undivided co-ownership, the settlement of a succession, the creation of a patrimony by appropriation or of the constitution of a legal person, and any investment of a movable or immovable nature.”

11. Section 19 of this regulation is repealed.

12. Section 20 of this regulation is amended by replacing, in the second paragraph, “\$100,000” with “the maximum compensation payable under section 18”.

13. This regulation is amended by inserting the following after section 22:

“**22.1** The maximum compensation of \$100,000 provided under section 18, such as in force on 31 March 2020, continues to apply to any claim arising from a notary’s use, before 1 April 2020, of moneys or property for purposes other than those for which they were entrusted to him by the claimant in the practice of his profession.”.

14. Claims filed up to 31 March 2020 are within the exclusive purview of the compensation fund committee.

In the event where the compensation fund committee has made no recommendation to the Executive Committee in respect of a claim exceeding \$30,000 filed against the fund before 1 April 2020, the new provisions under section 15 of the Regulation respecting the compensation fund of the Chambre des notaires du Québec (chapter N-3, r. 8.1) shall apply to such a claim.

15. This regulation comes into force on 1 April 2020.

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Notices

Notice

Natural Heritage Conservation Act
(chapter C-61.01)

**La Richardière-de-l'Île-Verte Nature Reserve
(Secteur Deschênes)
— Recognition**

Notice is hereby given, pursuant to section 58 of the Natural Heritage Conservation Act (Chapter C-61.01), that the Minister of the Environment and the Fight Against Climate Change has recognized a private property located within the parish municipality of Notre-Dame-des-Sept-Douleurs in the regional county municipality of Rivière-du-Loup, known and designated as lot number 5 351 773 of the Québec cadastre, Témiscouata registry division, as a nature reserve. This property covers an area of 1.17 hectares.

The recognition is in perpetuity and takes effect on the date of publication of this notice in the *Gazette officielle du Québec*.

FRANCIS BOUCHARD,
Director of Protected Areas

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

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