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Part

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Laws and Regulations

Volume 152

Summary

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PROVINCE OF QUÉBEC

1ST SESSION

42ND LEGISLATURE

QUÉBEC, 8 FEBRUARY 2020

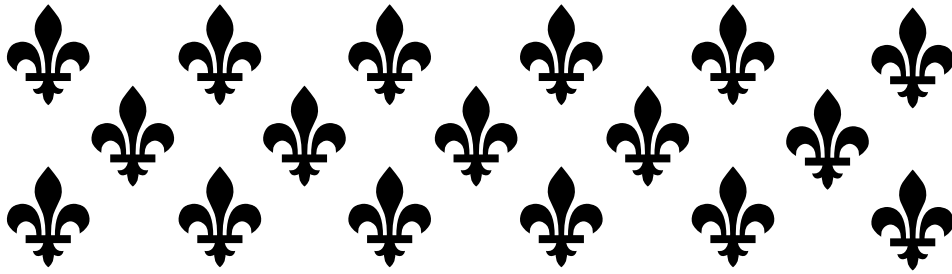
OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 8 February 2020

This day, at a quarter to four o'clock in the morning, His Excellency the Lieutenant-Governor was pleased to assent to the following bill:

40 An Act to amend mainly the Education Act with regard to school organization and governance

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



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 40
(2020, chapter 1)

**An Act to amend mainly the Education
Act with regard to school organization
and governance**

**Introduced 1 October 2019
Passed in principle 28 November 2019
Passed 8 February 2020
Assented to 8 February 2020**

**Québec Official Publisher
2020**

EXPLANATORY NOTES

The purpose of this Act is mainly to revise the organization and governance of the school boards, which become school service centres administered by a board of directors composed of parents, community representatives and school service centre staff members.

The processes for designating or electing parent representatives and community representatives to the board of directors are different according to whether the school service centre is a French-language or English-language one. In the case of a French-language school service centre, its territory will be divided into five districts, each represented by a parent who is on the parents' committee and who is designated by the members of that committee. The community representatives, for their part, will be co-opted by the parent representatives and staff representatives sitting on the board of directors. In the case of an English-language school service centre, the parent representatives and community representatives will be elected by universal suffrage. In both French-language and English-language school service centres, the staff representatives on the board of directors will be designated by their peers in accordance with the terms prescribed by regulation. The process for designating the members of the French-language school service centres' boards of directors is established in the Education Act, and the Act respecting school elections is amended to provide for the process for electing the members of English-language school service centres' boards of directors.

Certain functions of school governing boards are modified, the commitment-to-student-success committee is created and certain functions of the parents' committee and the resource allocation committee are revised.

Members of boards of directors and governing boards are required to undergo training developed by the Minister.

As regards professional conduct, an English-language school service centre's board of directors must adopt a code of ethics and professional conduct for certain categories of its members. The standards of ethics and professional conduct applicable to members of French-language school service centres' boards of directors and to members representing the staff of English-language school service

centres are instead determined in a regulation of the Minister. The Minister may, among other things, impose the amalgamation of services, determine objectives or targets for the administration, organization or operation of one school service centre or all such centres, more easily obtain students' results on the examinations that the Minister imposes at the elementary and secondary levels, and communicate with school service centre employees and parents in the school network.

Various measures are also included, among which the abolition of the Religious Affairs Committee, the withdrawal of certain particulars in the Education Act concerning spiritual development, a requirement that a school service centre obtain the Minister's authorization to acquire an immovable, an obligation for municipalities to transfer land by gratuitous title to the school service centres, a power granted to school service centres to suspend the payment of taxes in the event of a disaster and a streamlining of the enrollment process for students enrolling in a school service centre other than that of the territory of residence.

Lastly, the Act contains various transitional and consequential provisions.

LEGISLATION AMENDED BY THIS ACT:

- Civil Code of Québec;
- Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);
- Act respecting industrial accidents and occupational diseases (chapter A-3.001);
- Financial Administration Act (chapter A-6.001);
- Tax Administration Act (chapter A-6.002);
- Act respecting land use planning and development (chapter A-19.1);
- Archives Act (chapter A-21.1);
- Act respecting prearranged funeral services and sepultures (chapter A-23.001);

- Act respecting the Autorité des marchés publics (chapter A-33.2.1);
- Act respecting the Barreau du Québec (chapter B-1);
- Building Act (chapter B-1.1);
- Act respecting the Caisse de dépôt et placement du Québec (chapter C-2);
- Charter of the French language (chapter C-11);
- Charter of Ville de Longueuil (chapter C-11.3);
- Cities and Towns Act (chapter C-19);
- Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1);
- Code of Civil Procedure (chapter C-25.01);
- Professional Code (chapter C-26);
- Labour Code (chapter C-27);
- Municipal Code of Québec (chapter C-27.1);
- General and Vocational Colleges Act (chapter C-29);
- Act respecting the Commission municipale (chapter C-35);
- Municipal Powers Act (chapter C-47.1);
- Act respecting the conservation and development of wildlife (chapter C-61.1);
- Act respecting the Conservatoire de musique et d’art dramatique du Québec (chapter C-62.1);
- Act respecting contracting by public bodies (chapter C-65.1);
- Forestry Credit Act (chapter C-78);
- Act to promote forest credit by private institutions (chapter C-78.1);
- Act respecting collective agreement decrees (chapter D-2);

- Act respecting the development of Québec firms in the book industry (chapter D-8.1);
- Act to promote workforce skills development and recognition (chapter D-8.3);
- Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1);
- Act respecting duties on transfers of immovables (chapter D-15.1);
- Act respecting elections and referendums in municipalities (chapter E-2.2);
- Act respecting school elections (chapter E-2.3);
- Election Act (chapter E-3.3);
- Act respecting private education (chapter E-9.1);
- Pay Equity Act (chapter E-12.001);
- Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration (chapter E-20.1);
- Expropriation Act (chapter E-24);
- Act respecting Financement-Québec (chapter F-2.01);
- Act respecting municipal taxation (chapter F-2.1);
- Act respecting workforce management and control within government departments, public sector bodies and networks and state-owned enterprises (chapter G-1.011);
- Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03);
- Act respecting the Cree Nation Government (chapter G-1.031);
- Hydro-Québec Act (chapter H-5);
- Taxation Act (chapter I-3);
- Public Infrastructure Act (chapter I-8.3);

- Act respecting the Institut de la statistique du Québec (chapter I-13.011);
- Act respecting the Institut de tourisme et d’hôtellerie du Québec (chapter I-13.02);
- Education Act (chapter I-13.3);
- Derivatives Act (chapter I-14.01);
- Act respecting the laicity of the State (chapter L-0.3);
- Anti-Corruption Act (chapter L-6.1);
- Act respecting the Ministère de l’Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001);
- Act respecting the Ministère des Finances (chapter M-24.01);
- Act respecting the Ministère des Relations internationales (chapter M-25.1.1);
- Act respecting the Ministère du Conseil exécutif (chapter M-30);
- Act respecting labour standards (chapter N-1.1);
- Act to ensure the occupancy and vitality of territories (chapter O-1.3);
- Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1);
- Consumer Protection Act (chapter P-40.1);
- Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);
- Roadside Advertising Act (chapter P-44);
- Environment Quality Act (chapter Q-2);
- Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2);
- Act respecting the Québec Pension Plan (chapter R-9);

- Act respecting the Government and Public Employees Retirement Plan (chapter R-10);
- Act respecting the Teachers Pension Plan (chapter R-11);
- Act respecting the Civil Service Superannuation Plan (chapter R-12);
- Act respecting the Pension Plan of Management Personnel (chapter R-12.1);
- Regulations Act (chapter R-18.1);
- Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20);
- Public Health Act (chapter S-2.2);
- Educational Childcare Act (chapter S-4.1.1);
- Act respecting the Naskapi Development Corporation (chapter S-10.1);
- Act respecting the Makivik Corporation (chapter S-18.1);
- Act respecting the Québec sales tax (chapter T-0.1);
- Transport Act (chapter T-12);
- Securities Act (chapter V-1.1);
- The Cree Villages and the Naskapi Village Act (chapter V-5.1);
- Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1);
- Act respecting the Fédération des commissions scolaires du Québec (1960-61, chapter 140);
- Act to amend the Education Act (2016, chapter 26).

Bill 40

AN ACT TO AMEND MAINLY THE EDUCATION ACT WITH REGARD TO SCHOOL ORGANIZATION AND GOVERNANCE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

EDUCATION ACT

1. Section 4 of the Education Act (chapter I-13.3) is amended

(1) by striking out “of the school board whose jurisdiction the student comes under” in the first paragraph;

(2) by striking out “by the school board” in the second paragraph;

(3) by replacing “the school board” in the last paragraph by “the school service centre”;

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

““School’s capacity” includes the number of students that a school can take in according to the premises available, the school service centre’s resources and the rules applicable to group formation.”

2. Section 6 of the Act is repealed.

3. Section 9 of the Act is amended by replacing “council of commissioners, the executive committee”, “of the school board” and “council of commissioners to” by “school service centre’s board of directors”, “of the school service centre” and “school service centre’s board of directors to”, respectively.

4. Section 11 of the Act is amended by replacing the first paragraph by the following paragraph:

“The school service centre’s board of directors shall dispose of the request within 45 days after receiving it.”

5. Section 19 of the Act is amended

(1) by inserting “and the programs of activities or of studies established by the Minister,” after “school” in the first paragraph;

(2) by replacing the introductory clause of the second paragraph by the following introductory clause:

“The teacher, having key educational expertise, is entitled, in particular.”

6. The Act is amended by inserting the following section after section 19:

“**19.1.** Only the teacher is responsible for assigning a result following the evaluation of the achievement of the students entrusted to the teacher’s care, except for the purposes of section 463 in the case where the teacher does not correct the examination and of section 470, and in the event of a review under the last paragraphs of sections 96.15 and 110.12.”

7. The Act is amended by inserting the following section after section 22:

“**22.0.1.** Teachers must undergo at least 30 hours of continuing education activities per period of two school years beginning on 1 July of every odd-numbered year. They shall choose the continuing education activities that best meet their needs in connection with developing their skill set.

“Continuing education activity” means participating in a structured activity, including a course, seminar, convention or conference organized by the Minister, a university-level educational institution, a school service centre, an educational institution governed by the Act respecting private education (chapter E-9.1), another body or a peer, or under section 96.21.

Reading specialized literature is also recognized as a continuing education activity as is participating as an instructor in such an activity.”

8. Section 36 of the Act is amended by striking out the last sentence of the first paragraph.

9. Section 37 of the Act is amended

(1) in the first paragraph,

(a) by replacing “academic” in subparagraph 1 by “educational”;

(b) by replacing “student” in subparagraph 2 by “educational”;

(c) by replacing “the school board” in subparagraph 5 by “the school service centre”;

(2) by replacing “the school board’s” in the second paragraph by “the school service centre’s”.

10. Section 45 of the Act is repealed.

11. Section 47 of the Act is amended

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

“At the meeting, the parents shall also elect at least two substitute members to the governing board to replace members who are unable to take part in a governing board meeting. However, the number of substitute members may not be greater than the number of parent representatives.”;

(2) by replacing “At the meeting, the parents shall elect” in the second paragraph by “The parents shall also elect”;

(3) by striking out the last paragraph.

12. Section 51.1 of the Act is amended by replacing “47” by “48”.

13. Section 52 of the Act is amended by replacing “the required number of” in the first paragraph by “at least four”.

14. Section 53 of the Act is amended by adding the following paragraph at the end:

“They must, as soon as possible after taking office for a first term, undergo the training for governing board members developed by the Minister in accordance with the second paragraph of section 459.5.”

15. Section 54 of the Act is amended by replacing the second paragraph by the following paragraph:

“Half of the parent representatives are elected for a term beginning on an odd-numbered year and the other half, for a term beginning on an even-numbered year. In the case of a new governing board, the elected parents shall determine who among them is to have a one-year term.”

16. Section 56 of the Act is amended

(1) by inserting “and its vice-chair” after “chair”;

(2) by replacing “of the school board” by “of the school service centre”.

17. Section 58 of the Act is amended by inserting “and the vice-chair” after “chair”.

18. Section 59 of the Act is replaced by the following section:

“59. The chair of the governing board shall see to the proper operation of the board, preside at its meetings and see to their preparation jointly with the principal.

The chair of the governing board is the board's representative and, in that capacity, shall keep the parents informed of the board's activities."

19. Section 60 of the Act is replaced by the following section:

"60. If the chair is absent or unable to act, the vice-chair shall replace the chair.

If the vice-chair is absent or unable to act, the governing board shall designate a person from among the members who are eligible for the office of chair to exercise the chair's functions and powers."

20. Section 67 of the Act is amended by adding the following paragraph at the end:

"Unless the internal management rules provide otherwise, the agenda for a meeting and the accompanying documents must be sent to the governing board members and their substitutes at least two days before the meeting is to be held."

21. Section 74 of the Act is amended by replacing both occurrences of "student success" and both occurrences of "school board" by "educational success" and "school service centre", respectively.

22. Section 75 of the Act is amended by replacing "to the school board" and "on the expiry of 60 to 90 days after sending it or of another period if the governing board and school board so agree" in the first paragraph by "to the school service centre" and "within 30 days after sending it", respectively.

23. Section 75.1 of the Act is amended by replacing "approving" in the first paragraph by "adopting".

24. The Act is amended by inserting the following section after section 77.1:

"77.2. Based on the principal's proposal, the governing board shall, for childcare referred to in section 256, adopt operating rules established in compliance with the organization framework agreed under that section."

25. Section 78 of the Act is amended

(1) by replacing all occurrences of "school board" by "school service centre", with the necessary modifications;

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

"If the school service centre does not follow up on an advisory opinion of the governing board which requires follow-up, the school service centre must give reasons to the board."

26. The Act is amended by inserting the following sections after section 78:

“78.1. The governing board may also, if authorized to do so by a vote of at least two-thirds of its members, advise the principal on any matter likely to facilitate the proper operation of the school. An advisory opinion of the board may not, however, pertain to the subjects referred to in sections 19, 96.15, 96.20 and 96.21.

If the principal does not follow up on an advisory opinion of the governing board which requires follow-up, the principal must give reasons to the board.

“78.2. The governing board may establish committees to support it in the exercise of its functions. Section 65 applies to those committees, with the necessary modifications.”

27. Section 82 of the Act is amended

(1) by replacing “to the school board” by “to the school service centre”;

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

“The annual report shall be prepared in accordance with the regulation made under section 457.6.”

28. The Act is amended by inserting the following section after section 89.1:

“89.2. At least once per school year, the governing board must consult the students or a group of students on matters relevant to the operation of the school, including the extracurricular activities proposed, the design and organization of premises and of the schoolyard and the social climate. The consultation must also allow students to comment on matters of their choosing.

The board may also consult with the student committee or the association representing the students, and may request its collaboration in developing the list of matters to be submitted to student consultation.”

29. Section 96.2 of the Act is amended by replacing “fostering their child’s success” by “their child’s educational success”.

30. Section 96.6 of the Act is amended, in the first paragraph,

(1) by replacing “fostering success” by “their educational success”;

(2) by inserting “as well as in the student consultation held by the governing board under the first paragraph of section 89.2” at the end.

31. Section 96.13 of the Act is amended, in the first paragraph,

(1) by inserting the following subparagraph after subparagraph 2.1:

“(2.2) send parents any document the governing board addresses to them;”;

(2) by replacing “, their participation in the life of the school and their collaboration in fostering success” in subparagraph 3 by “and their participation in school life and in educational success”.

32. Section 96.15 of the Act is amended

(1) by replacing “the school board” in subparagraph 4 of the first paragraph by “the school service centre”;

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

“The standards and procedures for the evaluation of achievement referred to in subparagraph 4 of the first paragraph may not have the effect of allowing a student’s result to be reviewed by the principal. However, they must allow the principal to ask the teacher to whose care the student is entrusted to review the result assigned to the student or, if the teacher is absent or unable to act, to entrust the review to another teacher, in accordance with the conditions and procedures determined by regulation of the Minister. The principal must give reasons in writing for his or her request for the grade review.”

33. Sections 96.17 and 96.18 of the Act are amended

(1) by replacing “following a request, with reasons, made by” by “with the consent of”;

(2) by inserting “, after consulting with the teacher,” after “the principal may”.

34. Section 96.21 of the Act is amended

(1) by replacing “the school board” in the first paragraph by “the school service centre”;

(2) by adding “, and shall ensure that all teachers fulfill their continuing education obligation” at the end of the third paragraph.

35. Section 97.1 of the Act is amended

(1) in the first paragraph,

(a) by replacing “academic” in subparagraph 1 by “educational”;

(b) by replacing “student” in subparagraph 2 by “educational”;

(c) by replacing “the school board” in subparagraph 5 by “the school service centre”;

(2) by replacing “the school board’s” in the second paragraph by “the school service centre’s”.

36. Section 102 of the Act is amended

(1) by replacing “the school board” in subparagraphs 3 and 5 of the second paragraph by “the school service centre”;

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

“They must, as soon as possible after taking office for a first term, undergo the training for governing board members developed by the Minister in accordance with the second paragraph of section 459.5.”

37. Section 104 of the Act is repealed.

38. Section 107 of the Act is amended

(1) by inserting “and its vice-chair” after “chair”;

(2) by replacing “of the school board” by “of the school service centre”.

39. Section 109 of the Act is amended

(1) by replacing “student success” and “school board’s” in the first paragraph by “educational success” and “school service centre’s”, respectively;

(2) by replacing “student success” and “school board” in the second paragraph by “educational success” and “school service centre”, respectively.

40. Section 109.1 of the Act is amended by replacing “to the school board” and “on the expiry of 60 to 90 days after sending it or of another period if the governing board and school board so agree” in the first paragraph by “to the school service centre” and “within 30 days after sending it”, respectively.

41. Section 110 of the Act is amended

(1) by replacing all occurrences of “school board” by “school service centre”, with the necessary modifications;

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

“If the school service centre does not follow up on an advisory opinion of the governing board which requires follow-up, the school service centre must give reasons to the board.”

42. The Act is amended by inserting the following sections after section 110:

“110.0.1. The governing board may also, if authorized to do so by a vote of at least two-thirds of its members, advise the principal on any matter likely to facilitate the proper operation of the centre. An advisory opinion of the board may not, however, pertain to the subjects referred to in sections 19, 96.20, 96.21 and 110.12.

If the principal does not follow up on an advisory opinion of the governing board which requires follow-up, the principal must give reasons to the board.

“110.0.2. The governing board may establish committees to support it in the exercise of its functions. Section 65 applies to those committees, with the necessary modifications.”

43. Section 110.4 of the Act is amended

(1) by replacing “80 to 82” by “75.1 to 75.3, 77, 80 to 82, 83.1, 89.2”;

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

“The document referred to in the fourth paragraph of section 75.1 and the second paragraph of section 83.1 must also be distributed to the students.”

44. Section 110.12 of the Act is amended

(1) by replacing “the school board” in subparagraph 3 of the first paragraph by “the school service centre”;

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

“The standards and procedures for the evaluation of achievement referred to in subparagraph 3 of the first paragraph may not have the effect of allowing a student’s result to be reviewed by the principal. However, they must allow the principal to ask the teacher to whose care the student is entrusted to review the result assigned to the student or, if the teacher is absent or unable to act, to entrust the review to another teacher, in accordance with the conditions and procedures determined by regulation of the Minister. The principal must give reasons in writing for his or her request for the grade review.”

45. Section 110.13 of the Act is amended by inserting “Section 96.7.1, the third, fourth, fifth and sixth paragraphs of section 96.12, subparagraph 1.2 of the first paragraph of section 96.13 and” before “Sections”.

46. Section 111 of the Act is amended

(1) by replacing “French language school boards and the other, of territories for English language school boards” and “the Commission scolaire du Littoral established” in the first paragraph by “French-language school service centres and the other, of territories for English-language school service centres” and “Centre de services scolaire du Littoral established”, respectively;

(2) by replacing “school board” in the second and third paragraphs by “school service centre”, with the necessary modifications.

47. Sections 116 to 120 of the Act are replaced by the following:**“DIVISION 1.1****“CHANGES TO SCHOOL SERVICE CENTRE TERRITORIES**

“116. The Government may, by order, at the request of a school service centre or of a majority of parents of students or electors, as applicable, domiciled in the territory of a same school service centre, or of its own motion after consulting with the interested school service centres, make any change to the school service centre territories concerned.

The Government shall determine the school service centre having jurisdiction over any changed or new territory and may, to that end, prescribe that a school service centre cease to exist or establish a new school service centre. It shall determine, after consulting with the interested school service centres, the name of the new school service centre, if applicable.

The order comes into force on 1 July following the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the order.

Until the coming into force of the territorial changes, a school service centre established under the second paragraph shall exercise only the functions necessary to prepare its first school year. On the coming into force of the territorial changes, it shall acquire all the attributes conferred on a school service centre under this Act.

Similarly, until the coming into force of the territorial changes, an existing school service centre whose territory is changed in accordance with the first paragraph or that acquires jurisdiction over a new territory in accordance with the second paragraph shall exercise, with respect to the new territory, only the functions necessary to prepare the school year as of which the territorial changes come into force. On the coming into force of the territorial changes, it shall fully exercise its jurisdiction over the entirety of the new territory.

The termination of a school service centre ordered pursuant to the second paragraph takes effect on the date of coming into force of the territorial changes.

“117. The Minister may, by regulation, establish a transitional scheme applicable to the school service centres affected by the territorial changes for the period beginning on the day of publication of the order, or on any later date indicated in the order, and ending one year after the day of coming into force of those changes.

The scheme may prescribe rules relating to the transition, which may, in particular, concern the establishment, composition or operation of a transitional board of directors. If applicable, such rules apply despite the Act respecting school elections (chapter E-2.3). Such rules may also concern a school service centre’s functions and powers during the transition period.

In particular, the Minister may, in the scheme, specify the rules allowing a school service centre to succeed another and the manner in which the rights and obligations of a school service centre whose territory is changed are transferred.

“118. The Minister shall rule on any dispute among the school service centres during the transition period preceding the coming into force of the territorial changes, except disputes relating to the distribution and transfer of employees who are represented by a certified association within the meaning of the Labour Code (chapter C-27) or of employees for whom a regulation of the Minister made under section 451 provides a special recourse.

“119. In the event of territorial changes that cause a transfer of ownership to a school service centre, the latter becomes the owner of the immovable covered by the registration in the land register of a notice stating the facts which resulted in the transfer, including the order for territorial changes, and describing the immovable concerned.

“120. Any judicial or administrative proceedings to which a school service centre that ceases to exist on the coming into force of the territorial changes is a party are continued by the school service centre determined by the Government under section 116, without continuance of suit.”

48. Section 121 of the Act is repealed.

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

“SCHOOL SERVICE CENTRE’S BOARD OF DIRECTORS”.

50. Sections 143 to 143.2 of the Act are replaced by the following:

“143. A French-language school service centre shall be administered by a board of directors composed of 15 members, as follows:

(1) five parent representatives who are parents of students attending an institution under the school service centre’s jurisdiction, who are members of

the parents' committee, who are not members of the school service centre's staff and each of whom represents a district;

(2) five members of the school service centre's staff, including one teacher, one non-teaching professional staff member, one support staff member, one principal of an educational institution and one member of the executive staff; and

(3) five community representatives who are domiciled in the school service centre's territory and who are not members of the school service centre's staff, that is,

(a) one person with expertise in governance, in ethics, in risk management or in human resources management;

(b) one person with expertise in finance or accounting or in financial or physical resources management;

(c) one person from the community, sport or cultural sector;

(d) one person from the municipal, health, social services or business sector; and

(e) one person aged 18 to 35.

The members are designated in accordance with this Act and the regulation made under section 455.2.

“143.1. An English-language school service centre shall be administered by a board of directors composed of the following members:

(1) between 8 and 17 parent representatives who are parents of students attending an institution under the school service centre's jurisdiction, who are not members of the school service centre's staff and who sit as parent representatives on the governing board of a school or vocational training centre;

(2) between 4 and 13 community representatives who are domiciled in the school service centre's territory and who are not members of the school service centre's staff, including

(a) at least one person with expertise in governance, in ethics, in risk management or in human resources management;

(b) at least one person with expertise in finance or accounting or in financial or physical resources management;

(c) at least one person from the community, municipal, sport, cultural, health, social services or business sector; and

(d) at least one person aged 18 to 35; and

(3) four members of the school service centre's staff, including one teacher, one non-teaching professional staff member, one support staff member and one principal of an educational institution.

The members referred to in subparagraph 1 or 2 of the first paragraph are elected or appointed in accordance with the Act respecting school elections (chapter E-2.3), whereas those referred to in subparagraph 3 of the first paragraph are designated in accordance with this Act and the regulation made under section 455.2.

“143.2. In addition to having the qualifications required by sections 143 and 143.1, candidates for a seat on a French-language school service centre's board of directors and candidates for a staff representative seat on an English-language school service centre's board of directors must meet the conditions prescribed by the regulation made under section 455.2.

“143.3. The members of a school service centre's board of directors are designated for three-year terms.

Designation processes shall be held in two of every three years to allow two or three members of each category to be designated each time.

The members designated shall take office on 1 July following their designation, except those referred to in subparagraph 3 of the first paragraph of section 143, who shall take office as and when they are designated. They must, within 30 days after taking office, swear an oath before the school service centre's director general, or before the person designated by the latter, to fulfill the duties of their office faithfully and to the best of their judgment and ability. An entry of the oath is made in the Minutes of Proceedings of the school service centre.

This section does not apply to members whose election is governed by the Act respecting school elections (chapter E-2.3), which provides for the duration of their term and for their taking office. The second paragraph does not apply to representatives of English-language school service centre staff.

“143.4. Despite subparagraph 1 of the first paragraph of section 143, a parent representative who is no longer a member of the parents' committee may apply for the renewal of his or her term as a parent representative on the school service centre's board of directors, provided that one of his or her children is still attending the school of whose governing board he or she was a member.

“143.5. The fact that the representatives of a group fall short of the required number shall not prevent the formation of the school service centre's board of directors.

“§1.1. — Process for designating parent representatives to French-language school service centres’ boards of directors

“143.6. The parent representatives referred to in subparagraph 1 of the first paragraph of section 143 shall be designated by the parents’ committee, in accordance with the regulation made under section 455.2.

“143.7. The French-language school service centre’s director general must ensure that the parent representatives to the board of directors are designated within the required time.

The director general must see to the application of the rules prescribed by this Act and by the regulation made under section 455.2.

“143.8. The school service centre’s director general shall divide the school service centre’s territory into five districts, in accordance with the criteria and terms determined by the regulation made under section 455.2.

“143.9. The school service centre’s director general shall send the Minister a report indicating the names of the persons designated to sit on the school service centre’s board of directors as parent representatives and shall publish it on the school service centre’s website.

“§1.2. — Process for designating school service centre staff representatives

“143.10. The school service centre staff members referred to in subparagraph 2 of the first paragraph of section 143 shall be designated by their peers, in accordance with the regulation made under section 455.2.

“143.11. The school service centre’s director general must ensure that the staff representatives to the board of directors as well as their substitutes are designated within the required time.

The director general must see to the application of the rules prescribed by this Act and by the regulation made under section 455.2.

“143.12. The school service centre’s director general shall send the Minister a report indicating the names of the persons designated to sit on the school service centre’s board of directors as staff representatives and the names of their substitutes and shall publish it on the school service centre’s website.

“§1.3. — Process for designating community representatives to French-language school service centres’ boards of directors

“143.13. The community representatives referred to in subparagraph 3 of the first paragraph of section 143 shall be designated by the members referred to in subparagraphs 1 and 2 of the first paragraph of that section, in accordance with the regulation made under section 455.2.

“143.14. The school service centre’s director general must ensure that the community representatives to the board of directors are designated within the required time.

The director general must see to the application of the rules prescribed by this Act and by the regulation made under section 455.2.

“143.15. The school service centre’s director general shall send the Minister a report indicating the names of the persons designated as community representatives to sit on the school service centre’s board of directors and shall publish it on the school service centre’s website.”

51. Sections 144 to 153 of the Act are repealed.

52. Sections 154 and 155 of the Act are replaced by the following sections:

“154. The chair of the school service centre’s board of directors or, in the chair’s absence, the director general, shall call the members of the school service centre’s board of directors to a first meeting which must be held not later than 1 September of each school year.

“155. At its first meeting, the school service centre’s board of directors shall appoint a chair and a vice-chair, if those seats are vacant, from among its members sitting as parent representatives.

The terms of office of the chair and the vice-chair end at the same time as their terms as members of the school service centre’s board of directors, unless they are removed by a vote of at least two-thirds of the board members.”

53. Section 155.1 of the Act is repealed.

54. Section 157 of the Act is amended by replacing “vice-chair shall be filled within 30 days” by “chair or vice-chair shall be filled within 30 days in accordance with the rules governing the appointment of the member to be replaced”.

55. Section 158 of the Act is amended by replacing “another commissioner designated by the council of commissioners for that purpose” by “another member sitting on the school service centre’s board of directors as a parent representative designated by the board of directors for that purpose”.

56. Section 160 of the Act is amended

(1) by replacing “council of commissioners” by “school service centre’s board of directors”;

(2) by striking out “entitled to vote”.

57. Section 161 of the Act is amended, in the first paragraph,

(1) by replacing “council of commissioners” by “school service centre’s board of directors”;

(2) by striking out “and entitled to vote”.

58. Section 162 of the Act is amended

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

“The school service centre’s board of directors must, by by-law, set its operating rules.”;

(2) by replacing “council of commissioners” in the second paragraph by “school service centre’s board of directors”;

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

“Unless the operating rules provide otherwise, the agenda for a meeting and the accompanying documents must be sent to the members at least two days before the meeting is to be held.”

59. Section 163 of the Act is amended by replacing the first two paragraphs by the following paragraphs:

“The chair or two members of the school service centre’s board of directors may ask that a special meeting of the board be called.

The meeting is called by a notice sent to each member of the school service centre’s board of directors by the secretary general, at least two days before the meeting is to be held. The notice must be accompanied by the documents necessary for the meeting.”

60. Section 164 of the Act is amended by replacing “commissioners” by “members of the school service centre’s board of directors”.

61. Section 165 of the Act is amended by replacing “commissioner” in the second paragraph by “member of the school service centre’s board of directors”.

62. The Act is amended by inserting the following section after section 167:

“**167.1.** The school service centre’s director general and a member of the centre’s executive staff designated by his or her peers shall take part in the meetings of the centre’s board of directors but they are not entitled to vote.”

63. Section 168 of the Act is amended

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

“Only board members, the school service centre’s director general, the executive staff member referred to in section 167.1, and the persons authorized to do so by the board of directors may take part in the deliberations of the school service centre’s board of directors.”;

(2) by replacing “commissioners” in the second paragraph by “members of the school service centre’s board of directors”;

(3) by replacing “council of commissioners” in the third paragraph by “school service centre’s board of directors”.

64. Section 169 of the Act is amended by replacing all occurrences of “council of commissioners” and “commissioner” by “school service centre’s board of directors” and “board member”, respectively.

65. Section 174 of the Act is amended

(1) by replacing “or to the resource allocation committee” in the third paragraph by “, to the resource allocation committee or to the commitment-to-student-success committee”;

(2) by replacing both occurrences of “council of commissioners” by “school service centre’s board of directors”.

66. Section 175 of the Act is replaced by the following section:

175. The members of the school service centre’s board of directors are not remunerated.

However, they are entitled, according to the standards established by the Government, to an attendance allowance and to the reimbursement of reasonable expenses incurred in the exercise of their functions.

The allowance and reimbursement are borne by the school service centre.”

67. Section 175.1 of the Act is amended

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

“The English-language school service centre’s board of directors must, by by-law, adopt a code of ethics and professional conduct for its members sitting as parent representatives or community representatives.”;

(2) in the second paragraph,

(a) by replacing “commissioners, and may prescribe standards that vary according to the various classes of commissioners or that apply only to certain classes of commissioners” in the introductory clause by “members of the school service centre’s board of directors referred to in the first paragraph, and may prescribe standards that vary according to the categories of members or that apply only to certain categories of members”;

(b) by adding “held by the members of the school service centre’s board of directors” at the end of subparagraph 1;

(c) by striking out subparagraph 3;

(3) by replacing “the council of commissioners or employee of a school board” in the third paragraph by “the school service centre’s board of directors or employee of the centre”;

(4) by replacing “The school board” in the fourth paragraph by “The school service centre”;

(5) by replacing “commissioner’s” in the last paragraph by “board member’s”;

(6) by replacing both remaining occurrences of “commissioners” by “members of the school service centre’s board of directors”, with the necessary modifications.

68. Section 175.3 of the Act is amended by inserting “or 457.8” after “175.1”.

69. Section 175.4 of the Act is amended

(1) by replacing “Any member of the council of commissioners” and both occurrences of “of the school board” in the first paragraph by “Any member of an English-language school service centre’s board of directors sitting on the board as a parent representative or community representative” and “of the school service centre”, respectively;

(2) by replacing all occurrences of “council” in the second paragraph by “board”.

70. The Act is amended by inserting the following after section 175.4:

“§3.— *Vacancies*

“**175.5.** This subdivision applies to members of a French-language school service centre’s board of directors and to members of an English-language school service centre’s board of directors referred to in subparagraph 3 of the first paragraph of section 143.1.

The rules concerning a vacancy in another seat on an English-language school service centre's board of directors are provided for in Chapter IX of the Act respecting school elections (chapter E-2.3).

“175.6. A vacancy on a school service centre's board of directors occurs when a member no longer has a qualification required by section 143 or 143.1, becomes ineligible for the seat he or she holds, is disqualified from sitting, becomes incapable, resigns, dies or has his or her term revoked.

However, the following do not entail the loss of qualification as a member:

(1) in the case of a parent representative, the fact that the representative's child ceases to attend a school that comes under the school service centre's jurisdiction or that the representative ceases to be a member of the parents' committee; or

(2) in the case of a community representative, the fact that the representative establishes his or her domicile outside the school service centre's territory or that the representative no longer meets the profile for the seat to which he or she was designated.

“175.7. A vacancy on a school service centre's board of directors occurs when a member fails to attend three consecutive meetings of the board of directors without a reason considered valid by the board. The member's term ends at the close of the next meeting, unless the member attends that meeting.

However, the board of directors may, at that meeting, grant the member a period of grace until the next regular board meeting if he or she was in fact unable to attend the meetings. In such a case, the member's term ends on the day of that next meeting, unless the member attends that meeting.

“175.8. A member of a school service centre's board of directors may resign from office by notifying the school service centre's secretary general in writing.

The member's term ends on the date the notice is sent or on any later date indicated in it.

The secretary general shall send the notice to the school service centre's board of directors at the next meeting.

“175.9. On ascertaining a fact referred to in either section 175.6 or 175.7, the school service centre's secretary general shall notify the board of directors accordingly at the next meeting.

“175.10. A vacancy in a parent representative seat on a school service centre's board of directors is filled, for the unexpired portion of the term, by following the prescribed procedure for designating the member to be replaced.

“175.10.1. A vacancy in a community representative seat on a school service centre’s board of directors is filled, for the unexpired portion of the term, by all the members of the school service centre’s board of directors designating a person who has the required qualifications and meets the conditions required to fill the seat.

“175.11. A vacancy in a staff representative seat on a school service centre’s board of directors is filled, for the unexpired portion of the term, by a substitute member previously designated for that purpose or, where there is no designated substitute, by following the prescribed procedure for designating the member to be replaced.”

71. Section 176 of the Act is amended

(1) by replacing “the council of commissioners” in the first paragraph by “an English-language school service centre’s board of directors as a parent representative or a community representative”;

(2) by replacing “members of the council of commissioners”, “the council of commissioners” and “the school board is deemed” in the third paragraph by “members of an English-language school service centre’s board of directors sitting as parent representatives or community representatives”, “an English-language school service centre’s board of directors” and “an English-language school service centre is deemed”, respectively.

72. The Act is amended by inserting the following heading before section 176.1:

“§4. — Functions, duties and responsibilities of the members of a school service centre’s board of directors”.

73. Section 176.1 of the Act is amended

(1) by replacing “The members of the council of commissioners shall exercise” and “the members of the council of commissioners” in the introductory clause by “The members of the school service centre’s board of directors shall exercise” and “the board members”, respectively;

(2) by striking out paragraph 1;

(3) by replacing “school board” in paragraph 2 and “school board’s” in paragraph 3 by “school service centre” and “school service centre’s”, respectively;

(4) by replacing “council of commissioners” and “council members” in paragraph 4 by “school service centre’s board of directors” and “board members”, respectively;

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

“They must, as soon as possible after taking office for a first term, undergo the training developed by the Minister for members of boards of directors, in accordance with the second paragraph of section 459.5.”

74. Section 177.3 of the Act is repealed.

75. The heading of Division IV of Chapter V of the Act is amended by striking out “SCHOOL BOARD”.

76. Sections 179 to 182 of the Act are repealed.

77. The Act is amended by inserting the following heading before section 183:

“§1.—*Advisory committee on management*”.

78. Section 184 of the Act is amended

(1) by replacing “Every school board that divides its territory into administrative regions may, for the same purposes, replace” and “of the school board” in the first paragraph by “Every school service centre may replace” and “of the school service centre”, respectively;

(2) by replacing “The school board” in the second paragraph by “The school service centre”.

79. The Act is amended by inserting the following heading before section 185:

“§2.—*Advisory committee on services for handicapped students and students with social maladjustments or learning disabilities*”.

80. Section 187 of the Act is amended

(1) in the first paragraph,

(a) by replacing “the school board” in subparagraph 1 by “the school service centre”;

(b) by striking out “and the school board” in subparagraph 2;

(c) by replacing “the school board on its” in subparagraph 3 by “the commitment-to-student-success committee on the”;

(2) by replacing “the school board” in the second paragraph by “the school service centre”.

81. The Act is amended by inserting the following heading before section 188:

“§3.—*Advisory committee on transportation*”.

82. The Act is amended by inserting the following heading before section 189:

“§4.—*Parents’ committee*”.

83. Section 191 of the Act is amended

(1) by replacing “Every school board that divides its territory into administrative regions may, for the same purposes, replace” in the first paragraph by “Every school service centre may replace”;

(2) by replacing “The school board” in the third paragraph by “The school service centre”.

84. Section 192 of the Act is replaced by the following section:

“**192.** The functions of the parents’ committee are

(1) to raise awareness of the value of public education among all the parents of students attending one of the school service centre’s schools;

(2) to propose to the school service centre ways of supporting parents’ involvement in their role with their child in order to foster their child’s success at school;

(3) to propose to the school service centre ways of facilitating communication between parents and school staff members;

(4) to promote parents’ participation in the activities of the school and of the school service centre and, to that end, to designate parents to take part in the various committees established by the school service centre;

(5) to inform the school service centre of parents’ needs, especially their training needs, as identified by the school representatives and by the representative of the advisory committee on services for handicapped students and students with social maladjustments or learning disabilities;

(6) to develop, with the school service centre’s support, a policy on financial contributions and propose the policy to the school service centre for adoption; and

(7) to advise the school service centre on the special school projects offered or considered in its schools, on any matter likely to ensure the best possible operation of the school service centre and on any matter on which it must be consulted.”

85. Section 193 of the Act is amended

(1) in the first paragraph,

(a) by striking out subparagraph 3.1;

(b) by inserting the following subparagraph after subparagraph 7:

“(7.1) the childcare provided at school;”;

(c) by striking out subparagraphs 8 to 10;

(d) by replacing both remaining occurrences of “school board” and “school board’s” by “school service centre” and “school service centre’s”, respectively;

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

“Moreover, the parents’ committee may, on its own initiative, make recommendations to the school service centre regarding the matters referred to in the first paragraph. It may also waive a consultation on a matter referred to in subparagraph 1, 2, 3, 5, 5.1, 6 or 6.1 of the first paragraph. In such a case, it must so inform the school service centre in writing, and it shall do the same if it wishes to put an end to the waiver.”

86. The Act is amended by inserting the following section after section 193:

“193.0.1. At the request of the parents’ committee, the school service centre shall send parents any document that the parents’ committee addresses to them.

The school service centre shall also forward to the parents’ committee any document that a parent wishes to send to the committee.”

87. The Act is amended by inserting the following heading before section 193.1:

“§5. — *Governance and ethics committee, audit committee and human resources committee*”.

88. Section 193.1 of the Act is amended

(1) by replacing “council of commissioners” in the introductory clause of the first paragraph by “school service centre’s board of directors”;

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

“The governance and ethics committee shall, among other things, assist the members of the school service centre’s board of directors in applying the standards of ethics and professional conduct. It shall also develop the criteria and terms for evaluating the operation of the school service centre’s board of directors. Lastly, it shall ensure that all the members of the board of directors and of the governing boards undergo the training developed by the Minister under the second paragraph of section 459.5.

The audit committee shall, among other things, assist the members of the school service centre’s board of directors in seeing to the establishment of internal control mechanisms and to the optimal use of the school service centre’s resources. The committee must secure the assistance of at least one member of the school service centre’s staff with accounting or financial expertise.

The human resources committee shall, among other things, assist the members of the school service centre’s board of directors in developing an expertise and experience profile and selection criteria for persons to be appointed by the school service centre under section 96.8, 110.5 or 198. It shall also propose to the school service centre’s board of directors criteria for evaluating the school service centre’s director general. In addition, it shall develop a management succession planning program for the school service centre.”;

(3) by replacing “council of commissioners” in the last paragraph by “school service centre’s board of directors”.

89. The Act is amended by inserting the following heading before section 193.2:

“§6.—*Resource allocation committee*”.

90. Section 193.3 of the Act is amended

(1) by replacing “The resource allocation committee must set up a consultation process” in the first paragraph by “The function of the resource allocation committee is to make recommendations to the school service centre’s board of directors”;

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

“To that end, the committee shall set up a consultation process allowing it to obtain all the necessary information on the needs of the various sectors.”;

(3) by replacing “Each school board” in the third paragraph by “Under the consultation process, each school service centre”;

(4) by replacing all occurrences of “council of commissioners” in the last paragraph by “school service centre’s board of directors”.

91. The Act is amended by inserting the following after section 193.5:

“§7.— *Commitment-to-student-success committee*

“193.6. The school service centre must establish a commitment-to-student-success committee composed of not more than 18 members, as follows:

- (1) the school service centre’s director general or the person the director general designates;
- (2) at least two members of a school’s teaching staff;
- (3) at least one member of an adult education centre’s teaching staff;
- (4) at least one member of a vocational training centre’s teaching staff;
- (5) at least one non-teaching professional staff member;
- (6) at least one support staff member;
- (7) at least one principal of a school providing preschool education or elementary education;
- (8) at least one principal of a school providing secondary education;
- (9) at least one principal of a vocational training centre;
- (10) at least one principal of an adult education centre;
- (11) one member of the executive staff responsible for educational services; and
- (12) one member from the education research sector.

One of the members must have experience working with handicapped students or students with social maladjustments or learning disabilities.

The leadership of the commitment-to-student-success committee is entrusted to the school service centre’s director general or the person the director general designates under subparagraph 1 of the first paragraph.

“193.7. The functions of the commitment-to-student-success committee are

- (1) to develop and propose to the school service centre a commitment-to-success plan in accordance with section 209.1;
- (2) to analyse students’ results and make recommendations to the school service centre on the implementation of the commitment-to-success plan approved by the school service centre;

(3) to promote, among the institutions of the school service centre, educational practices, including evaluation practices, that are based on research and relevant to the policy directions set out in the commitment-to-success plan; and

(4) to advise the school service centre on any matter relating to student success.

“193.8. In developing the commitment-to-success plan, the commitment-to-student-success committee shall consult with, in particular, the parents’ committee, the advisory committee on services for handicapped students and students with social maladjustments or learning disabilities, the advisory committee on management, the governing boards, the teachers and other staff members, and the student committees.

The parents’ committee and advisory committee on management may, among other things, make recommendations on the content of the school service centre’s commitment-to-success plan.

“193.9. The director general or any other member designated by the commitment-to-student-success committee must present the commitment-to-success plan proposed by the committee to the school service centre’s board of directors for approval. If the board of directors does not approve the plan, it must give reasons for its decision at the meeting where the plan is rejected. A copy of the minutes of the meeting of the board of directors containing the decision with reasons must be sent to the commitment-to-student-success committee.

“§8. — General provisions”.

92. Section 200 of the Act is amended by replacing “voting members of the council of commissioners” by “members of the school service centre’s board of directors”.

93. Section 201 of the Act is amended

(1) by replacing “council of commissioners and the executive committee in the exercise of their” in the first paragraph by “school service centre’s board of directors in the exercise of its”;

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

“The director general is responsible for the day-to-day management of the school service centre’s activities and resources. He shall see that the decisions of the school service centre’s board of directors are carried out and shall perform the duties that the board assigns to him.

The director general shall also see to the establishment of such relations as are conducive to the implementation of partnerships with the municipalities for the benefit of communities and more specifically, in this regard, to compliance with section 211 and subparagraph 4 of the first paragraph of section 266. To that end, he shall meet, at least twice per year, with the representatives of the following municipalities whose territory is situated entirely or partially within the school service centre's territory:

- (1) the regional county municipalities;
- (2) the local municipalities whose territory is not situated within the territory of a regional county municipality or within that of an urban agglomeration referred to in subparagraph 3; and
- (3) the central municipality of the urban agglomerations of Îles-de-la-Madeleine, La Tuque, Longueuil, Montréal and Québec.

The director general is the school service centre's official spokesperson. As such, the director general shall publicly state the position of the school service centre on any matter affecting it, such as when the director general is involved, on the school service centre's behalf, in various organizations devoted to local and regional development."

94. Section 202 of the Act is amended by replacing "council of commissioners or the executive committee, as the case may be" by "school service centre's board of directors".

95. Section 204 of the Act is amended

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

"To that end, despite the first paragraph, any person residing in the territory of another school service centre to whom the school service centre provides services comes under the jurisdiction of the school service centre.";

- (2) by replacing all occurrences of "school board" by "school service centre".

96. Section 207.1 of the Act is replaced by the following section:

"207.1. The mission of a school service centre is to establish educational institutions in its territory, to support those institutions and to accompany them by procuring access to the goods and services and offering the optimal conditions enabling them to provide students with quality educational services and see to their educational success, so that the population may attain a higher level of knowledge, social development and qualification.

To that end, while showing due regard for the principle of subsidiarity, the school service centre organizes the educational services offered in its institutions and ensures their quality as well as the effective, efficient, fair and environmentally responsible management of its human, physical and financial resources.

The school service centre also sees to the promotion and enhancement of public education in its territory, in collaboration with its educational institutions and the parents' committee, and contributes, to the extent provided for by law, to its region's social, economic and cultural development.

For the purposes of the second paragraph, "principle of subsidiarity" means the principle whereby powers and responsibilities must be delegated to the appropriate level of authority so that decision-making centres are adequately distributed and brought as close as possible to the students."

97. Section 209 of the Act is amended

(1) in the first paragraph,

(a) by replacing "213 to 215.1" in subparagraph 2 by "213, 214, 214.3 or 215.1";

(b) by replacing all occurrences of "school board" by "school service centre", with the necessary modifications;

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

"In addition, a school service centre shall provide the educational services provided for in an agreement referred to in section 213 or 214. It shall also provide the services provided for in a decision of the Minister pursuant to section 468, to the extent indicated in that decision."

98. Section 209.1 of the Act is amended

(1) by replacing "school board shall establish" in the first paragraph by "school service centre shall approve, on the proposal of the commitment-to-student-success committee,";

(2) by replacing the introductory clause and subparagraph 1 of the second paragraph by the following:

"The commitment-to-success plan that the school service centre may update as needed, on the recommendation of the commitment-to-student-success committee, must contain

(1) a description of the context in which the school service centre acts, particularly the needs of its institutions, the main challenges it faces, and the characteristics and expectations of the community it serves;"

(3) by striking out the third paragraph;

(4) by replacing all occurrences of "school board" in the fourth paragraph by "school service centre".

99. Section 209.2 of the Act is replaced by the following section:

“209.2. The school service centre must ensure that any terms prescribed by the Minister under the first paragraph of section 459.3 are complied with.”

100. Section 210.1 of the Act is amended by replacing “The school board” and both occurrences of “schools” by “The school service centre” and “institutions”, respectively, with the necessary modifications.

101. Section 212 of the Act is amended

(1) by replacing “the school board” in the introductory clause of the first paragraph by “the school service centre”;

(2) by replacing “chair of the school board and the commissioner of the electoral division concerned” in subparagraph 4 of the second paragraph by “chair of the school service centre’s board of directors and of a parent representative sitting on that board”.

102. Section 212.1 of the Act is amended

(1) by replacing “After consulting with the parents’ committee, the school board” in the first paragraph by “On the proposal of the parents’ committee, the school service centre”;

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

“If the parents’ committee fails or refuses to submit a proposal to the school service centre within the period specified by the school service centre, which must be of at least 30 days, the latter may act without such a proposal.”

103. Section 213 of the Act is amended

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

“Under the terms of an agreement entered into under this section, a school service centre may also organize on-the-job training and apprenticeship internships.”;

(2) by replacing all occurrences of “school board” by “school service centre”, with the necessary modifications.

104. Section 214 of the Act is amended

(1) by replacing “A school board” in the first paragraph by “A school service centre”;

(2) by replacing “A school board” and “it determines” in the second paragraph by “A school service centre” and “the latter determines”, respectively;

(3) by replacing “of the school board” in the third paragraph by “of the school service centre”;

(4) by striking out the last paragraph.

105. The Act is amended by inserting the following sections after section 215.1:

“215.2. The school service centres must facilitate the sharing of resources and services, especially administrative resources and services, with each other, with other public bodies, including municipalities, or with educational institutions governed by the Act respecting private education (chapter E-9.1) if sharing allows them, in pursuing their mission, to fulfill efficiency and cost-benefit requirements in the management of human, financial and physical resources.

For those purposes, the Minister may request a school service centre to produce an analysis evaluating opportunities to share resources and services with another school service centre.

Following this analysis, the Minister may make recommendations or require that measures facilitating the sharing of resources or services be put in place between two school service centres.

“215.3. A school service centre may, within the framework of an agreement by which another school service centre undertakes to provide services to it, delegate in writing to that school service centre or to a member of its staff any power allowing the agreement to be carried out.”

106. The Act is amended by inserting the following section after section 219:

“219.1. At the Minister’s request and subject to the terms the Minister determines, the school service centre sends parents or members of its staff any document that the Minister addresses to them.”

107. Section 220 of the Act is amended

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

“Every school service centre shall prepare an annual report in accordance with the regulation made under section 457.6 in order to give the population in its territory an account of the implementation of its commitment-to-success plan and the results obtained measured against the objectives and targets it contains.”;

(2) by replacing “In the report, the school board shall state separately for each school the nature of the complaints reported to the director general of the school board by the principal” in the second paragraph by “In the report, the school service centre must state separately, for each of its educational institutions, the nature of the complaints reported to its director general by their principals”;

(3) by replacing “The school board” in the third paragraph by “The school service centre”.

108. Section 220.1 of the Act is amended

(1) by replacing “Every school board” in the first paragraph by “Every school service centre”;

(2) by inserting the following sentence at the end of the second paragraph: “The school service centre’s annual report must have been made public in accordance with the third paragraph of section 220 at the time of the public notice, which must mention the report.”;

(3) by replacing “commissioners” in the third paragraph by “school service centre’s board members”.

109. Section 226 of the Act is repealed.

110. Section 239 of the Act is amended

(1) by replacing both occurrences of “school board” in the first paragraph by “school service centre”, with the necessary modifications;

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

“The enrollment criteria must give priority to students coming under the jurisdiction of the school service centre under the first paragraph of section 204 and, from among them, as far as possible, to students whose place of residence is nearest to the school premises, to those who have a sister, a brother or another student who they live with attending the school and to other students who already attend the school.

If the number of enrollment applications for students referred to in the second paragraph does not exceed the school’s capacity, the enrollment criteria must then give priority to students from another territory who already attend the school.

The enrollment criteria must be adopted and put into force at least 15 days before the beginning of the student enrollment period; a copy of them must be sent to each governing board by the same time limit.”

III. Section 240 of the Act is amended

(1) by replacing “a school board” in the first paragraph by “a school service centre” and “qu’il” in that paragraph in the French text by “que ce dernier”;

(2) in the second paragraph,

(a) by replacing “The school board” by “The school service centre”;

(b) by adding the following sentence at the end: “It must give priority to students coming under its jurisdiction within the meaning of the first paragraph of section 204.”

II2. Section 243 of the Act is amended

(1) by replacing “Every school board” by “Every school service centre”;

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

“The school service centre shall send the Minister the results obtained by students on each examination imposed by the Minister.”

II3. Section 250 of the Act is amended

(1) by replacing “Every school board shall arrange and offer reception and referral services” in the first paragraph by “Every school service centre shall organize and offer reception, referral, counselling and support services”;

(2) by replacing “Elle” in the second paragraph in the French text by “Il”.

II4. Section 253 of the Act is amended

(1) by replacing “Every school board” by “Every school service centre”;

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

“The school service centre shall send the Minister the results obtained by students on each examination imposed by the Minister.”

II5. Section 259 of the Act is amended

(1) by replacing “Every school board” in the first paragraph by “Every school service centre”, with the necessary modifications;

(2) by replacing “Every school board” and “of the council of commissioners and of the executive committee and those determined by the school board” in the second paragraph by “Every school service centre” and “of the school service centre’s board of directors and those determined by the school service centre”, respectively.

116. Section 267 of the Act is amended

(1) by replacing all occurrences of “school board” in the first and second paragraphs by “school service centre”, with the necessary modifications;

(2) by replacing “The school board may also, with the authorization of and subject to the conditions determined by the Minister, enter into an agreement with another school board, a general and vocational college, a private educational institution governed by the Act respecting private (chapter E-9.1) or an enterprise that meets the conditions determined by the Minister in a regulation under paragraph 7 of section 111 of that Act and offers a vocational training program” in the third paragraph by “The school service centre may also, with the authorization of and subject to the conditions determined by the Minister, enter into a partnership agreement”.

117. Section 272 of the Act is amended, in the first paragraph,

(1) by replacing “school board” by “school service centre”;

(2) by inserting “acquire an immovable, grant a dismemberment of the right of ownership, or” after “Minister,”.

118. The Act is amended by inserting the following sections after section 272:

“272.1. A school service centre may not, without the authorization of the Minister, construct, enlarge, develop, convert, demolish, replace or substantially renovate its immovables if the estimated total cost of the project is greater than the amounts determined by the regulation made under section 457.7.

This section does not apply to asset maintenance work, whatever the estimated cost of the work.

For the purposes of this section, “asset maintenance work” means all the work required to ensure the security of persons and property, stop the deterioration of immovables and ensure their conservation.

“272.2. A school service centre may, in accordance with sections 272.3 to 272.13, require a local municipality to transfer an immovable to it, by gratuitous title, for the purpose of building or enlarging a school or centre.

It may not, however, require that there be a building on the immovable concerned.

“272.3. Each school year, the school service centre shall send the local municipalities and regional county municipalities whose territory is situated entirely or partially within its own a forecast of its space requirements compliant with the regulation of the Minister.

On receiving the forecast, the municipalities shall send the school service centre any information relating to their development that is likely to influence the school service centre's space requirement forecast. The regional county municipalities must also send the school service centre any relevant information relating to school infrastructure planning that is entered on their land use and development plans.

For the purposes of this section and sections 272.5 and 272.10, the powers and responsibilities conferred on a regional county municipality or its council are, in the case of the urban agglomerations of Îles-de-la-Madeleine, La Tuque, Longueuil, Montréal and Québec, exercised by the central municipality or its urban agglomeration council, respectively.

“272.4. After revising its forecast if need be, the school service centre shall determine its needs in terms of immovables to be acquired for the purpose of building or enlarging a school or centre and, where applicable, it shall establish a draft space requirement plan.

The draft space requirement plan must delimit the sector within which any immovable to be acquired must be situated and describe the required characteristics of the immovable, including its minimum area. The characteristics must at least include those prescribed by government regulation.

“272.5. The school service centre shall send its draft space requirement plan to each local municipality whose territory includes, in whole or in part, the sector delimited by the draft plan. It shall also send it to any local municipality a portion of whose territory is likely to be served by the proposed school or centre as well as to each regional county municipality in whose territory a local municipality referred to in this section is situated.

The council of a local municipality or regional county municipality must send the school service centre an opinion on the draft space requirement plan within 45 days after receiving it.

“272.6. At the expiry of the 45-day period, the school service centre shall adopt the space requirement plan, with or without amendments, and send it to each local municipality and each regional county municipality whose territory includes, in whole or in part, the sector delimited by the plan. If applicable, the school service centre shall indicate the amendments that were made to the plan to take into account any opinion received from a municipal council.

“272.7. The council of a local municipality referred to in section 272.6 must approve or refuse the school service centre's space requirement plan within 45 days after receiving it. A copy of the resolution must be sent by the municipality to the school service centre and to the regional county municipality whose territory includes that of the municipality.

If the council fails to approve or refuse the plan within that period, the plan is deemed to have been approved.

“272.8. Once the space requirement plan has been approved or refused by the municipalities, the school service centre shall submit it to the Minister for approval. To that end, the school service centre shall inform the Minister of whether the plan was approved or refused by the municipalities and, if it was refused, the reasons for the refusal. It shall also send the Minister the opinions received from the municipalities with respect to the draft plan and indicate, if applicable, the amendments made to the plan to take those opinions into account.

The Minister may require that the school service centre amend its plan and order that the local municipalities referred to in section 272.6 be consulted on such amendments.

The Minister shall approve the plan after consulting with the Minister of Municipal Affairs, Regions and Land Occupancy and any other minister concerned.

“272.9. The school service centre’s space requirement plan takes effect on the date it is approved by the Minister.

The school service centre shall, as soon as possible, notify the local municipalities and the regional county municipalities referred to in section 272.6 of the date on which the plan takes effect and send them a copy of it.

“272.10. If the sector identified in the school service centre’s space requirement plan is included in the territory of only one local municipality, that municipality must, within two years after the plan takes effect, transfer to the school service centre an immovable that is situated in that sector and that meets the characteristics set out in the plan.

Subject to the third paragraph, if the sector delimited in the space requirement plan is situated within the territory of two or more local municipalities, those municipalities must determine together which of them must transfer an immovable and the choice must be approved by the council of each municipality.

If all the municipalities referred to in the second paragraph are situated in the territory of the same regional county municipality, the latter’s council shall determine which municipality must transfer an immovable.

The school service centre and the municipality that is required to transfer an immovable may, in accordance with the regulation made under section 452.1, agree on a time limit other than the one prescribed in the first paragraph and on the transfer of an immovable that is not situated in the sector delimited in the plan.

They may also, with the Minister’s approval, agree on the transfer of an immovable that does not meet the characteristics set out in the school service centre’s space requirement plan. The Minister shall approve the transfer after consulting with the Minister of Municipal Affairs, Regions and Land Occupancy and any other minister concerned.

“272.11. The school service centre may refuse the transfer of an immovable on which there is a building. Such a refusal does not terminate the municipality’s obligation to transfer an immovable.

If the school service centre accepts the transfer of an immovable that includes a building, it must pay to the municipality the market value of the building established by a chartered appraiser mandated by the school service centre.

“272.12. If the local municipality has not transferred an immovable to the school service centre on the expiry of the time limit prescribed in the first paragraph of section 272.10, the school service centre may itself acquire an immovable situated in the territory of that municipality in the sector delimited in the school service centre’s space requirement plan at that municipality’s expense. However, if no local municipality has been designated in accordance with the second or third paragraph of section 272.10, the immovable may be acquired in the territory of any of the municipalities referred to in those paragraphs.

The municipality in whose territory the immovable is situated must reimburse the amount corresponding to the cost of acquiring the land to the school service centre.

The other conditions and procedures governing the acquisition of an immovable by a school service centre or the reimbursement by a local municipality of the cost of acquiring the immovable are prescribed by a government regulation made under section 452.1.

An immovable acquired under this section is deemed to be usable for its intended purpose.

“272.13. Despite sections 272.3 to 272.11, the Minister may, following the loss or deterioration, by superior force, of an immovable or building or for serious health or safety reasons, order that section 272.2 applies according to the conditions and procedures that the Minister determines.

If the municipality fails to transfer an immovable, section 272.12 applies, with the necessary modifications.

“272.14. If warranted by the circumstances, the Minister may cancel the obligation to transfer an immovable.

“272.15. The school service centre to which a local municipality has transferred an immovable or reimbursed the cost of acquiring land must, if it decides to divest itself of that immovable, offer the local municipality to acquire the immovable by gratuitous title.

“272.16. A local municipality that has incurred expenses to comply with its obligations under section 272.2 may require a financial contribution from another local municipality if the school or centre established is intended to serve students from the territory of that other local municipality.

If a municipality has transferred to a school service centre an immovable that the municipality did not need to acquire in order to fulfill its obligation under section 272.10, the value of the municipal assessment of the transferred immovable is considered to be an expense incurred by the municipality.

The expenses incurred by a municipality are reduced by any payment received from a school service centre under the second paragraph of section 272.11.

The amount of the financial contribution is set by agreement, taking into account such things as the distribution of students by their municipalities of origin. The school service centre concerned shall, on request, provide the municipalities with data on the municipalities of origin of the students served by the school or centre as well as any other data that it holds which could be useful for the purpose of entering into the agreement.

If the municipality requires a contribution from two or more municipalities, a single agreement must be entered into by all the municipalities concerned. The amount of the contribution may vary between municipalities.

If the municipalities are unable to enter into an agreement setting the amount of the contribution, the municipality that incurred the expenses may ask the Minister of Municipal Affairs, Regions and Land Occupancy to mandate the Commission municipale du Québec to conduct a study on the contribution to be paid by each municipality concerned. Sections 24.7 to 24.15 of the Act respecting the Commission municipale (chapter C-35) apply, with the necessary modifications.

“272.17. A local municipality may exercise a pre-emptive right with respect to any immovable in its territory that it is likely to acquire with a view to transferring the immovable to a school service centre to comply with its obligations under section 272.2, excluding immovables owned by a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

The local municipality’s pre-emptive right may only be exercised to acquire an immovable for which a notice of the municipality’s pre-emptive right has been registered. It is exercised by preference over any other holder of such a right in the immovable, subject to section 56 of the Cultural Heritage Act (chapter P-9.002) and section 68.3 of the Act respecting the Société d’habitation du Québec (chapter S-8).

“272.18. The notice of the municipality’s pre-emptive right must identify the immovable concerned and describe the purpose for which it may be acquired.

The notice must be notified to the owner of the immovable and takes effect on being registered in the land register. It is valid for a period of 10 years from the registration date.

“272.19. The owner of an immovable for which a notice of the municipality’s pre-emptive right has been issued may not, on pain of nullity, alienate the immovable for the benefit of a person other than a person to whom the owner is related within the meaning of the Taxation Act (chapter I-3) if the owner has not notified to the municipality a notice of intention to alienate the immovable.

The owner’s notice must state the price of the proposed alienation, the conditions to which it is subject, and the name of the person who intends to acquire the immovable. If the immovable is alienated, in whole or in part, for a non-monetary consideration, the notice must include a reliable and objective estimate of the value of that consideration.

“272.20. The municipality may, not later than 90 days following notification of the notice of intention to alienate, notify a notice to the owner of its intention to exercise its pre-emptive right and to acquire the immovable at the price and on the conditions stated in the notice of intention to alienate, subject to any modifications subsequently agreed on with the owner. If the notice of intention to alienate contains an estimate of the value of a non-monetary consideration, the price must be increased by an equal amount.

The municipality may, during that period, require from the owner any information allowing it to assess the condition of the immovable. It may also, after giving 48 hours’ prior notice, access the immovable to conduct, at its own expense, any study or analysis it considers useful.

If the municipality does not notify the notice provided for in the first paragraph to the owner within the 90-day period, it is deemed to have waived its pre-emptive right.

If the municipality decides not to exercise its pre-emptive right and the proposed alienation occurs, it shall have the notice of its pre-emptive right removed from the land register.

“272.21. If the municipality exercises its pre-emptive right, it must pay the price of the immovable within 60 days after notifying the notice of its intention to acquire the immovable. If the municipality cannot pay the amount to the owner, it may deposit it, on the owner’s behalf, at the office of the Superior Court.

Sections 53.15 to 53.17 of the Expropriation Act (chapter E-24) apply, with the necessary modifications.

In the absence of a notarial contract, the municipality becomes the owner of the immovable by registering a notice of transfer of ownership in the land register; the notice must include a description of the immovable, the price and conditions of its acquisition, and the date on which the municipality will take possession of the immovable.

The notice of transfer must be served on the owner at least 30 days before it is registered in the land register.

To be registered, the notice must be accompanied by documents confirming that the price has been paid to the owner or deposited at the office of the Superior Court and proof that the notice has been served on the owner.

The school service centre may exercise the pre-emptive right registered by a municipality in the land register, to the extent and on the conditions determined by government regulation.

“272.22. If the municipality exercises its pre-emptive right, it must compensate the person who intended to acquire the immovable for reasonable expenses incurred during negotiation of the price and conditions of the proposed alienation.”

119. Section 275 of the Act is amended by replacing “After consulting with the governing boards and the parents’ committee and taking into account the recommendations of the resource allocation committee under the fourth paragraph of section 193.3, the school board” by “Taking into account the recommendations made by the resource allocation committee under the fifth paragraph of section 193.3, the school service centre”.

120. Section 275.1 of the Act is amended

(1) by replacing “The school board” and “fourth” in the first paragraph by “The school service centre” and “fifth”, respectively;

(2) by replacing “of the school board” in the last paragraph by “of the school service centre”.

121. Section 277 of the Act is amended

(1) by replacing “as he determines” in the first paragraph by “as the latter determines”;

(2) by replacing all occurrences of “school board” and “school board’s” by “school service centre” and “school service centre’s”, respectively, with the necessary modifications.

122. Section 279 of the Act is amended by replacing “he determines” and “of the school board” by “the latter determines” and “of the school service centre”, respectively.

123. Section 282 of the Act is amended by replacing “Every school board” and “he determines” by “Every school service centre” and “the latter determines”, respectively.

124. Section 288 of the Act is amended

(1) by replacing “as he prescribes” in the first paragraph by “as the latter prescribes”;

(2) by replacing all occurrences of “school board” by “school service centre”, with the necessary modifications.

125. Section 300 of the Act is amended

(1) by replacing “he may request” in the fifth paragraph by “he requests”;

(2) by replacing all occurrences of “school boards” and “school board” by “school service centres” and “school service centre”, respectively, with the necessary modifications.

126. Section 305 of the Act is amended by replacing “of a school board” and “that school board” by “of an English-language school service centre” and “that school service centre”, respectively.

127. Section 306 of the Act is amended

(1) by replacing “list of electors of another school board” in the last paragraph by “list of electors of the English-language school service centre having jurisdiction over the territory where the immovable is situated”;

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

“An owner referred to in the first paragraph who has not made an election in accordance with the second paragraph is presumed to have elected to pay the school tax to the French-language school service centre in the territory where the owner’s immovable is situated.”;

(3) by replacing all occurrences of “school board” by “school service centre”, with the necessary modifications.

128. Section 315 of the Act is amended

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

“The school service centre may, at the request of an owner who shows that by reason of the occurrence of a disaster in the school service centre’s territory, the owner has been recognized as eligible, for the owner’s immovables, under a financial assistance or compensation program referred to in Division II of Chapter VII of the Civil Protection Act (chapter S-2.3), extend the payment deadline by fixing another date when the single payment or each of the equal payments may be made.”;

(2) by replacing “the school board” in the last paragraph by “the school service centre”.

129. Section 402 of the Act is amended

(1) in the first paragraph,

(a) by replacing subparagraph 1 by the following subparagraph:

“(1) each school service centre on the island of Montréal shall designate one person from among the members of its board of directors sitting as parent representatives or community representatives;”;

(b) by replacing “school boards” in subparagraph 2 by “school service centres”;

(2) by replacing “a school board” and “commissioners of that school board” in the second paragraph by “a school service centre” and “members of that school service centre’s board of directors”, respectively.

130. Section 403 of the Act is amended by replacing “A school board may designate another of its commissioners as a substitute to sit and vote in the commissioner’s stead when that commissioner” by “A school service centre may designate another member of its board of directors as a substitute to sit and vote in the member’s stead when that member”.

131. Section 411 of the Act is amended by replacing all occurrences of “Council” and “school board” by “Comité” and “school service centre”, respectively.

132. Section 415 of the Act is amended by replacing “176” and ““commissioner”” by “175.3” and ““member of a school service centre’s board of directors””, respectively.

133. Section 420 of the Act is amended by replacing “Sections 200 to 201.2” in the second paragraph by “Section 200, the first and second paragraphs of section 201 and sections 201.1 and 201.2”.

134. Sections 424 to 427 of the Act are repealed.

135. Section 428 of the Act is replaced by the following section:

“**428.** The Comité shall receive the government subsidies required to repay the loans it has contracted for its purposes and for the purposes of the school service centres on the island of Montréal.”

136. The Act is amended by inserting the following section after section 452:

“452.1. The Government may, by regulation, determine any conditions or procedures other than those provided for in sections 272.3 to 272.15, for the purposes of section 272.2.

The regulation may prescribe or provide for, in particular,

(1) the information that the school service centre and the municipalities concerned must exchange, at specified intervals and within specified time limits;

(2) the authorizations that the school service centre must obtain from the Minister;

(3) the conditions and procedures allowing a school service centre and a local municipality to agree on a time limit other than the one prescribed in the first paragraph of section 272.10 or on the transfer of an immovable that is not situated in the sector delimited in the school service centre’s space requirement plan;

(4) the school service centre’s powers, including exercising the pre-emptive right registered in the land register by the municipality, and the financial obligations incumbent on the municipality when it fails to transfer an immovable within the prescribed time limit;

(5) the characteristics that an immovable acquired by a school service centre for the purpose of building or enlarging a school or centre must have; and

(6) the conditions and procedures governing the acquisition of an immovable by a school service centre under section 272.12 and for the determination and reimbursement of amounts owing to the school service centre by the local municipality following the application of that section as well as, failing payment by the local municipality, the terms for payment of the amounts owing to the school service centre, the interest payable by the local municipality and the possibility for the Government to offset those amounts against any amount owing to the local municipality by the Government or a government department or body.”

137. The Act is amended by inserting the following section after section 455.1:

“455.2. The Government may, by regulation, determine the terms, conditions and standards for designating the members of a French-language school service centre’s board of directors and for designating the members of an English-language school service centre’s board of directors referred to in subparagraph 3 of the first paragraph of section 143.1.

The Government may, in particular, prescribe

(1) the criteria and terms applicable to the division of a French-language school service centre's territory into districts; and

(2) the time limits and terms applicable to the process for designating members of a school service centre's board of directors as well as the conditions they must satisfy.

The regulation may establish standards that vary according to the categories of members on school service centres' boards of directors. It may also allow certain designation terms to be determined by the persons responsible for designating a category of members."

138. Section 457.1 of the Act is amended by adding the following paragraph at the end:

"(4) the conditions and procedures governing the review of a result as provided for in section 96.15 or 110.12."

139. The Act is amended by inserting the following sections after section 457.5:

"457.6. The Minister may, by regulation, prescribe the information that a school service centre's or governing board's annual report must contain as well as the form of the report.

"457.7. The Government may, by regulation, determine the amounts applicable for the purposes of the authorization required by the school service centre for work mentioned in section 272.1.

"457.7.1. The Minister may, by regulation, determine the standards and procedures applicable to a school service centre's space requirement forecast provided for in section 272.3.

"457.8. The Minister shall determine, by regulation, the standards of ethics and professional conduct applicable to the members of a French-language school service centre's board of directors and to the members of an English-language school service centre's board of directors sitting as staff representatives.

The regulation may, in particular,

(1) determine the duties and obligations of board members referred to in the first paragraph as well as those they must comply with after the expiry of their terms and the period of compliance;

(2) establish prevention measures, in particular rules concerning the disclosure of interests;

(3) deal with the identification of conflict of interest situations;

(4) regulate or prohibit practices relating to the attendance allowance and to the reimbursement of reasonable expenses incurred by board members, subject to section 175;

(5) establish the procedure governing examinations of and inquiries into conduct that may contravene the standards determined by the Minister, prescribe appropriate penalties and designate the authorities that are to determine or impose such penalties; and

(6) determine the cases in and procedure according to which board members may be temporarily relieved of their duties.

The regulation may establish standards that vary according to the categories of board members referred to in the first paragraph.”

140. Section 459.4 of the Act is amended

(1) by replacing “and the school board” in the second paragraph by “and the school service centre, after consulting with the commitment-to-student-success committee,”;

(2) by replacing all occurrences of “school board” by “school service centre”, with the necessary modifications.

141. Section 459.5 of the Act is amended

(1) by replacing “school boards” by “school service centres”;

(2) by striking out “, and shall see that it is distributed”;

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

“The Minister shall also develop the content of the training for governing board members and members of the boards of directors of school service centres.

The Minister shall distribute the documents provided for in the first and second paragraphs to the persons they are intended for.”

142. The Act is amended by inserting the following sections after section 459.5.3:

“459.5.4. The Minister may determine, for all the school service centres or in light of the situation of one or certain centres, objectives or targets relating to their administration, organization or operation.

“459.5.5. At the request of a local municipality or on the Minister’s own initiative, the Minister may require that a school service centre report to him, within the time he indicates, on the means implemented by the school service centre to encourage the use of its immovables by the municipality, in accordance with section 266. The Minister may, after receiving the report, make recommendations to the school service centre and the municipality or order that the municipality be given access to the school service centre’s facilities, on the conditions he determines.”

143. Section 461 of the Act is amended by striking out the fourth paragraph.

144. Section 466 of the Act is amended

(1) by replacing “determined by him” in the last paragraph by “the latter determines”;

(2) by replacing all occurrences of “school boards” and “school board” by “school service centres” and “school service centre”, respectively, with the necessary modifications.

145. Section 474 of the Act is amended

(1) by striking out “as the result of a disaster, theft or vandalism” at the end of the first paragraph;

(2) by inserting “up to the amount of the subsidy granted or that the Minister is called on to grant” at the end the second paragraph;

(3) by replacing all occurrences of “school board” by “school service centre”, with the necessary modifications.

146. The heading of Division II.1 of Chapter VII of the Act is replaced by the following heading:

“COMITÉ D’AGRÉMENT DES PROGRAMMES DE FORMATION À L’ENSEIGNEMENT”.

147. The Act is amended by striking out the following headings before section 477.13:

“§3.— *Comité d’agrément des programmes de formation à l’enseignement*

“1.— *Establishment*”.

148. Section 477.14 of the Act is amended

(1) in the first paragraph,

(a) by replacing “nine” in the introductory clause by “10”;

(b) by replacing subparagraph 2 by the following subparagraph:

“(2) four preschool-, elementary- or secondary-level teachers;”;

(2) by replacing “school boards” in the fifth paragraph by “school service centres”.

149. The Act is amended by striking out the following heading after section 477.14:

“2. — *Mission and functions*”.

150. Section 477.15 of the Act is amended

(1) by replacing “for the elementary and secondary levels” at the end of the first paragraph by “for the preschool, elementary and secondary levels”;

(2) by replacing “at the elementary and secondary levels” in subparagraph 3 of the second paragraph by “at the preschool, elementary and secondary levels”.

151. Subdivision 4.1 of Division II.1 of Chapter VII of the Act, comprising sections 477.18.1 to 477.18.3, is repealed.

152. The Act is amended by striking out the following heading before section 477.19:

“§5. — *Operation*”.

153. Section 477.19 of the Act is amended by replacing “of the committees” in the first paragraph by “of the committee”.

154. Section 477.22 of the Act is amended by replacing “of the committees” by “of the committee”.

155. Section 477.24 of the Act is amended by replacing “of a committee” by “of the committee”.

156. Section 477.25 of the Act is amended by replacing “The committees may hold their meetings” by “The committee may hold its meetings”.

157. Section 477.26 of the Act is amended by replacing “of the committees”, “they need” and “their” by “of the committee”, “it needs” and “its”, respectively.

158. The Act is amended by striking out the following heading after section 477.26:

“§6. — *Annual report*”.

159. Section 477.27 of the Act is amended by replacing “The committees shall” by “The committee may” and “leurs activités” in the French text by “ses activités”.

160. Section 477.28 of the Act is amended by replacing “the reports” and “receiving them” by “the report” and “receiving it”, respectively.

161. Section 480 of the Act is amended, in the first paragraph,

(1) by inserting “member of the school service centre’s board of directors,” before “commissioner”;

(2) by replacing all occurrences of “school board” by “school service centre”, with the necessary modifications.

162. Section 706 of the Act is repealed.

163. The Act is amended by replacing all occurrences of “council of commissioners” by “school service centre’s board of directors”.

AMENDING PROVISIONS

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

164. Section 10 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is amended by replacing “, or by the school board, where the institution comes under such a board” by “or, where the institution comes under the jurisdiction of a school service centre or school board, by that centre or board”.

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

165. Section 5 of the Act respecting land use planning and development (chapter A-19.1) is amended by inserting “, a school service centre” before “or a school board” in the last paragraph.

166. Section 117.15 of the Act is amended by adding the following paragraph at the end:

“Despite the first and third paragraphs, a municipality may, to comply with its obligations under sections 272.10 and 272.12 of the Education Act (chapter I-13.3),

(1) transfer any land referred to in the first paragraph to a school service centre; and

(2) use the amounts paid into the special fund provided for in the second paragraph to acquire an immovable with a view to transferring it to a school service centre or to pay the amount owing to the school service centre that has acquired an immovable in its place.”

167. The Act is amended by inserting the following section after section 117.16:

“**117.16.1.** A municipality may use the regulatory powers provided for in this division to obtain land or amounts to enable it to comply with its obligations under sections 272.10 and 272.12 of the Education Act (chapter I-13.3). When a municipality uses those powers for such a purpose, sections 117.1 to 117.16 apply, with the necessary modifications and subject to the following:

(1) despite section 117.4, the municipality may in all cases require the transfer of land whose area exceeds 10% of the area of the site, but must then pay the owner an amount equivalent to the value of the portion of land that exceeds that percentage, calculated in accordance with section 117.6;

(2) except in the case provided for in subparagraph 1, if, with respect to the same site, the municipality requires the transfer of land or the payment of an amount under this section and section 117.1, the total contribution required from the owner may not exceed the limits provided for in section 117.4; and

(3) transferred land and amounts paid into the special fund referred to in the second paragraph of section 117.15 must be used only for the purposes set out in the fourth paragraph of that section.

If it appears that land or amounts cannot be used for the purposes set out in the first paragraph, the municipality may use them in accordance with the first and third paragraphs of section 117.15.”

ACT RESPECTING PREARRANGED FUNERAL SERVICES AND SEPULTURES

168. Section 26 of the Act respecting prearranged funeral services and sepultures (chapter A-23.001) is amended by inserting “, school service centre” before “or school board” in the second paragraph.

ACT RESPECTING THE AUTORITÉ DES MARCHÉS PUBLICS

169. Section 32 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) is amended by inserting “school service centre,” and “governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)” after “However, in the case of a” and “school board”, respectively, in the second paragraph.

ACT RESPECTING THE BARREAU DU QUÉBEC

170. Section 136 of the Act respecting the Barreau du Québec (chapter B-1) is amended by inserting “, a school service centre” after “municipality” in paragraph *h*.

CIVIL CODE OF QUÉBEC

171. Article 1339 of the Civil Code of Québec is amended

(1) by inserting “a school service centre or” after “in Canada, or” in paragraph 2;

(2) by inserting “, school service centres” after “municipalities” in paragraph 6.

172. Article 2651 of the Code is amended by inserting “, school service centres” after the first occurrence of “claims of municipalities” in paragraph 5.

173. Article 2654.1 of the Code is amended by inserting “, school service centres” after “municipalities” in the first paragraph.

CHARTER OF THE FRENCH LANGUAGE

174. Section 208.1 of the Charter of the French language (chapter C-11) is amended by inserting “as a member of a school service centre’s board of directors or” after “office” in the first paragraph.

CHARTER OF VILLE DE LONGUEUIL

175. Section 25 of Schedule C to the Charter of Ville de Longueuil (chapter C-11.3) is amended by replacing “any school board, regional or local,” by “any school service centre”.

CITIES AND TOWNS ACT

176. The Cities and Towns Act (chapter C-19) is amended by inserting the following section after section 556:

“556.1. A loan by-law relating to any of the following objects requires only the approval of the Minister:

(1) the acquisition of an immovable for the purpose of transferring it to a school service centre in accordance with section 272.10 of the Education Act (chapter I-13.3) as well as the work done on the immovable before the transfer; or

(2) the payment of the amount owing to a school service centre under section 272.12 of that Act.”

177. Section 570 of the Act is amended by adding the following subparagraph after subparagraph *c* of the first paragraph:

“(d) expropriate any immovable property or part thereof that it intends to transfer to a school service centre under section 272.2 of the Education Act (chapter I-13.3).”

CODE OF ETHICS AND CONDUCT OF THE MEMBERS OF THE NATIONAL ASSEMBLY

178. Section 10 of the Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1) is amended by replacing “or a school board” by “, a school service centre’s board of directors or a school board council”.

179. Section 56 of the Code is amended by replacing “any school board governed by the Education Act (chapter I-13.3) or” in paragraph 5 by “any school service centre governed by the Education Act (chapter I-13.3), any school board governed by”.

CODE OF CIVIL PROCEDURE

180. Article 36 of the Code of Civil Procedure (chapter C-25.01) is amended

(1) by inserting “, a school service centre” after “municipality” in the first paragraph;

(2) by inserting “, a school service centre” after “municipality” in the second paragraph.

PROFESSIONAL CODE

181. Section 37 of the Professional Code (chapter C-26) is amended by inserting “, to school service centres” after “municipalities” in paragraph *j*.

MUNICIPAL CODE OF QUÉBEC

182. The Municipal Code of Québec (chapter C-27.1) is amended by inserting the following article after article 1061:

“**1061.0.1.** A loan by-law relating to any of the following objects requires only the approval of the Minister:

(1) the acquisition of an immovable for the purpose of transferring it to a school service centre in accordance with section 272.10 of the Education Act (chapter I-13.3) as well as the work done on the immovable before the transfer; or

(2) the payment of the amount owing to a school service centre under section 272.12 of that Act.”

183. Article 1097 of the Code is amended by adding the following subparagraph after subparagraph 3 of the first paragraph:

“(4) expropriate any immovable or part of an immovable that it intends to transfer to a school service centre under section 272.2 of the Education Act (chapter I-13.3).”

GENERAL AND VOCATIONAL COLLEGES ACT

184. Section 6 of the General and Vocational Colleges Act (chapter C-29) is amended

(1) by inserting “, including an immovable under co-ownership” at the end of subparagraph *h* of the first paragraph;

(2) by inserting “or acquire an immovable under co-ownership” after “paragraph” in the second paragraph.

ACT RESPECTING THE COMMISSION MUNICIPALE

185. Section 76 of the Act respecting the Commission municipale (chapter C-35) is amended by replacing “school board or *fabrique*” in the second paragraph by “school service centre, school board or *fabrique*”.

ACT RESPECTING CONTRACTING BY PUBLIC BODIES

186. Section 8 of the Act respecting contracting by public bodies (chapter C-65.1) is amended by inserting “governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)” after “school board” in the second paragraph.

ACT TO PROMOTE WORKFORCE SKILLS DEVELOPMENT AND RECOGNITION

187. Section 7 of the Act to promote workforce skills development and recognition (chapter D-8.3) is amended by replacing paragraph 1 by the following paragraph:

“(1) the schools, vocational training centres and adult education centres of the school service centres and of the school boards as well as the school service centres and the school boards;”.

ACT TO FACILITATE THE DISCLOSURE OF WRONGDOINGS RELATING TO PUBLIC BODIES

188. Section 2 of the Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1) is amended by replacing “school boards governed by the Education Act (chapter I-13.3) or” in paragraph 5 by “school service centres governed by the Education Act (chapter I-13.3), school boards governed by”.

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

189. Section 285.2 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by inserting “, school service centres” before “and school boards” in the first paragraph.

ACT RESPECTING SCHOOL ELECTIONS

190. The title of the Act respecting school elections (chapter E-2.3) is replaced by the following title:

“ACT RESPECTING SCHOOL ELECTIONS TO ELECT CERTAIN
MEMBERS OF THE BOARDS OF DIRECTORS OF ENGLISH-
LANGUAGE SCHOOL SERVICE CENTRES”.

191. Section 1 of the Act is replaced by the following section:

“**1.** This Act applies to all English-language school service centres as regards the election of parent representatives and community representatives to their boards of directors.

It also applies to French-language school service centres but only for the purpose of updating the permanent list of electors.”

192. Section 1.1 of the Act is amended, in the second paragraph,

(1) by replacing “of a school board chooses to vote at the election of the commissioners of an English language school board” by “of a school service centre chooses to vote at the election of members to the board of directors of an English-language school service centre”;

(2) by replacing “that school board, or runs for office within an English language school board,” by “or runs for office in that school service centre”.

193. Section 2 of the Act is replaced by the following section:

“**2.** An election shall be held every three years on the first Sunday of June.”

194. Section 3 of the Act is repealed.

195. Section 4 of the Act is amended, in the first paragraph,

(1) by replacing “the commissioners” and “qualified to be commissioners” in the first paragraph by “the parent representatives and community representatives who are to sit on the English-language school service centre’s board of directors” and “who have the required qualifications to be eligible”, respectively;

(2) by adding the following sentence at the end: “The persons appointed are deemed to have been elected and declared elected on the day of their appointment and take office on the same day.”

196. The Act is amended by inserting the following after section 4:

“CHAPTER II.1

“ELECTION TERRITORY

“**4.1.** Parent representatives shall be elected to the board of directors of an English-language school service centre by universal suffrage of the electors in the territory of the electoral division concerned.

Community representatives shall be elected to the board of directors by universal suffrage of the electors in the entire territory of the English-language school service centre.”

197. The heading of Chapter III of the Act is replaced by the following heading:

“DIVISION INTO ELECTORAL DIVISIONS FOR THE PURPOSE OF ELECTING PARENT REPRESENTATIVES”.

198. The Act is amended by inserting the following section after the heading of Chapter III:

“**5.** Every English-language school service centre’s territory shall be divided into electoral divisions for the purpose of electing parent representatives to the school service centre’s board of directors.”

199. Section 6 of the Act is amended

(1) by replacing the introductory clause by the following introductory clause:

“**6.** The number of electoral divisions shall vary from 8 to 12 according to the number of electors of the English-language school service centre set out in the document referred to in section 7.4. There shall be”;

(2) by striking out paragraph 1;

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

“(2) 8 divisions if there are fewer than 30,000 electors;”.

200. Section 7.3 of the Act is amended by replacing “of the school board” and “15 February of the year” by “of the English-language school service centre” and “30 September of the second year”, respectively.

201. Section 7.5 of the Act is amended by replacing “council of commissioners shall, after 15 February but not later than 1 June of the year preceding the year in which the general election is to be held, adopt” by “English-language school service centre’s board of directors shall, after 30 September of the second year preceding the year in which the general election is to be held but not later than 1 February of the year preceding that election, adopt”.

202. Section 9.5 of the Act is amended

(1) by replacing “council of commissioners” in the first paragraph by “English-language school service centre’s board of directors”;

(2) by replacing “of the council” and “of the school board” in the second paragraph by “of the board” and “of the English-language school service centre”, respectively;

(3) by replacing “of the school board”, “council members” and “sitting of the council” in the third paragraph by “of the English-language school service centre’s board of directors”, “board members” and “sitting of the board”, respectively;

(4) by replacing “council” in the fourth paragraph by “board”.

203. Section 9.6 of the Act is amended

(1) by replacing “31 December” in the first paragraph by “31 August”;

(2) by replacing all occurrences of “council of commissioners”, “school board” and the short form “council” by “English-language school service centre’s board of directors”, “English-language school service centre” and “board”, respectively, with the necessary modifications;

(3) by striking out both occurrences of “who have the right to vote”.

204. Section 9.7 of the Act is amended

(1) by replacing “council of commissioners” and both occurrences of “of the school board” in the introductory clause of the first paragraph by “English-language school service centre’s board of directors” and “of the English-language school service centre”, respectively;

(2) by striking out the fourth paragraph.

205. Section 9.13 of the Act is amended by replacing “of the school board into electoral divisions comes into force on 31 March of the year in which” by “of the English-language school service centre into electoral divisions comes into force on 1 November of the year preceding the year in which”.

206. Section 9.14 of the Act is amended

(1) by replacing “of any school board whose council” in the first paragraph by “of any English-language school service centre whose board of directors”;

(2) by replacing “of the school board” and “ask the school board” in the third paragraph by “of the English-language school service centre” and “ask the latter”, respectively;

(3) by replacing “school board” in the fourth paragraph by “English-language school service centre”, with the necessary modifications.

207. Section 10.3 of the Act is amended

(1) by replacing “of the school board into electoral divisions, the director general of the school board” in the first paragraph by “of the English-language school service centre into electoral divisions, the director general of the centre”, with the necessary modifications;

(2) by replacing “1 June” in the second paragraph by “2 January”;

(3) by replacing both occurrences of “of the school board” in the second and third paragraphs by “of the English-language school service centre”.

208. The Act is amended by inserting the following after section 10.3:

“CHAPTER III.0.1

“ATTRIBUTION OF EXPERTISE PROFILES FOR THE PURPOSE OF ELECTING COMMUNITY REPRESENTATIVES

“II.0.1. The number of community representative seats shall vary from 4 to 13 according to the number of electoral divisions established in the school service centre’s territory in accordance with sections 6 and 7, minus the number of staff representative seats on the board of directors of the English-language school service centre under subparagraph 3 of the first paragraph of section 143.1 of the Education Act (chapter I-13.3).

“11.0.2. The profiles shall be attributed to the community representative seats in the order in which they are set out in subparagraph 2 of the first paragraph of section 143.1 of the Education Act (chapter I-13.3). If the number of community representative seats is greater than four, the profiles shall be attributed to the additional seats according to the same order, and this is repeated until a profile has been attributed to each of the seats.”

209. Section 11.1 of the Act is amended

(1) by replacing “every school board” and “the school board” in the first paragraph by “every English- or French-language school service centre” and “the school service centre”, respectively;

(2) by replacing “A school board” in the second paragraph by “An English-language school service centre”.

210. Sections 11.2 and 11.3 of the Act are amended by replacing “school board” by “English- or French-language school service centre”.

211. Section 11.4 of the Act is amended by replacing “The school board” by “The English- or French-language school service centre”.

212. Section 15 of the Act is amended

(1) by replacing “a school board” and “commissioners of that school board” in the first paragraph by “an English-language school service centre” and “the members of that centre’s board of directors”, respectively;

(2) by replacing “by any school board having jurisdiction over the territory in which the elector is domiciled may vote at the election of the commissioners of the French language school board, unless he has chosen to vote at the election of the commissioners of the English language school board having jurisdiction over the territory in which he is domiciled” in the second paragraph by “by an English- or French-language school service centre having jurisdiction over the territory in which the elector is domiciled may vote at the election of the members of the English-language school service centre’s board of directors, if the elector so chooses”;

(3) by replacing “English language school board” and “that school board” in the third paragraph by “English-language school service centre” and “that English-language school service centre”, respectively, with the necessary modifications;

(4) by replacing “by either of the school boards” in the fourth paragraph by “by either of the school service centres”.

213. Section 17 of the Act is amended by replacing “a school board” in the second paragraph by “a school service centre”.

214. Section 18 of the Act is amended by replacing “of the English language school board, who shall inform the returning officer or, outside election proceedings, the director general of the French language school board” in the first paragraph by “of the English-language school service centre”.

215. Section 18.1 of the Act is amended by replacing “at an English language school board”, “of another English language school board” and “of the latter school board” by “at an English-language school service centre”, “of another English-language school service centre” and “of the latter English-language school service centre”, respectively.

216. Section 20 of the Act is replaced by the following sections:

“20. Every person who, on polling day, meets the following conditions may be elected to a parent representative seat on an English-language school service centre’s board of directors:

(1) be the parent of a child referred to in section 1 of the Education Act (chapter I-13.3) and admitted to educational services provided by the school service centre;

(2) be entitled to have his name entered on the school service centre’s list of electors;

(3) have been domiciled in the school service centre’s territory for six months or more; and

(4) sit as a parent representative on the governing board of a school or of a vocational training centre that is under the jurisdiction of the school service centre or as a parent representative on the school service centre’s board of directors.

“20.1. Every person who, on polling day, meets the following conditions may be elected to a community representative seat on an English-language school service centre’s board of directors:

(1) be entitled to have his name entered on the school service centre’s list of electors;

(2) have been domiciled in the school service centre’s territory for six months or more; and

(3) meet the profile set out in subparagraph 2 of the first paragraph of section 143.1 of the Education Act (chapter I-13.3), for the seat for which he is running.”

217. Section 21 of the Act is amended

(1) in the first paragraph,

(a) by replacing “school commissioner” in the introductory clause by “elected member of an English-language school service centre’s board of directors”;

(b) by inserting the following subparagraph after subparagraph 2:

“(2.1) municipal council members;”;

(c) by replacing “of the school board” in subparagraphs 4 and 4.1 by “of the English-language school service centre”;

(2) by replacing “school commissioner of any school board” in the last paragraph by “elected member of an English-language school service centre’s board of directors”.

218. Section 38 of the Act is amended

(1) in the first paragraph,

(a) by replacing subparagraph 0.1 by the following subparagraph:

“(0.1) the seats on the English-language school service centre’s board of directors that are open for nominations and, if applicable, the profiles for the community representative seats for which a poll must be held;”;

(b) by replacing “for the office of chair or for another seat on the council” in paragraph 3 by “for a parent representative or community representative seat”;

(2) by replacing “by any school board” in the second paragraph by “by an institution that is under the jurisdiction of any of the school service centres”.

219. Section 39 of the Act is amended

(1) by replacing “of the school board and indicating whether an elector may exercise his right to vote at a French language or English language school board, and whether” in the first paragraph by “of the English-language school service centre and indicating whether”;

(2) by replacing “to the school board” in the fifth paragraph by “to the English-language school service centre”.

220. Section 53 of the Act is repealed.

221. Section 58.2 of the Act is amended by replacing “of the English language school board or, if the English language school board in the territory of the division in which the domicile of the elector is situated has no board of revisors, to a board of revisors of the French language school board” in the second paragraph by “of the English-language school service centre”.

222. Section 60 of the Act is amended by replacing “the office of chair, a copy of the list of electors for the school board” by “a community representative seat, a copy of the list of electors for the English-language school service centre”.

223. Section 69 of the Act is amended

- (1) by replacing “the division for which” by “the seat for which”;
- (2) by striking out “except in the case of a candidate for the office of chair.”.

224. Section 71 of the Act is amended, in the first paragraph,

- (1) by inserting “, in the case of a candidate for a parent representative seat,” after “10 electors”;
- (2) by replacing “the office of chair, by at least 50 electors from the territory of the school board for which the nomination paper is filed” by “a community representative seat, from the English-language school service centre’s territory”.

225. Section 72 of the Act is amended, in the first paragraph,

- (1) by inserting “, in the case of a candidate for a parent representative seat,” after “knowledge”;
- (2) by replacing “the office of chair, electors from the territory of the school board” by “a community representative seat, they are electors from the English-language school service centre’s territory”.

226. Section 74 of the Act is amended by replacing “one school board or for more than one electoral division of a school board” by “one English-language school service centre or for more than one seat on its board of directors”.

227. Section 85 of the Act is amended, in the first paragraph,

- (1) by replacing “for an electoral division” in the introductory clause by “for a parent representative seat in an electoral division or for a community representative seat”;
- (2) by replacing “for the office of chair and for each division where” in subparagraph 1 by “for each community representative seat, according to the profile required, and for each parent representative seat in an electoral division where”.

228. Section 99 of the Act is amended by replacing “for the election of the chair and ballot papers for the election of the other commissioners” in the first paragraph by “for the parent representative seats and ballot papers for each of the community representative seats”.

229. Section 102 of the Act is amended

(1) in the first paragraph,

(a) by replacing “of the school board” in subparagraph 3 by “of the English-language school service centre”;

(b) by replacing “the election of the chair, a mention of the office of chair” in subparagraph 4 by “a community representative seat, an indication of the profile concerned”;

(2) by replacing “concerned” in the second paragraph by “or profile concerned”.

230. Section 116 of the Act is replaced by the following section:

“**116.** The deputy returning officer shall give the elector who has been admitted to vote a ballot paper for the parent representative seat and, if applicable, a ballot paper for each of the community representative seats. The deputy returning officer must detach the counterfoil of each ballot paper after initialling it in the spaces reserved for that purpose.”

231. Section 147 of the Act is amended by inserting “or, in the case of a candidate for a community representative seat, in which all or part of the territory of the English-language school service centre is situated” at the end.

232. Section 156 of the Act is amended

(1) by replacing “office of chair” in the second paragraph by “community representative seat concerned”;

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

233. Section 160 of the Act is amended

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

“The members elected to the board of directors shall take office on 1 July following the declaration of election.”;

(2) by replacing “Every commissioner” and “his” in the second paragraph by “They” and “their”, respectively.

234. Section 160.1 of the Act is amended

(1) in the first paragraph,

(a) by striking out “office of commissioner for”;

(b) by replacing “council of commissioners or the executive committee” by “English-language school service centre’s board of directors”;

(2) by striking out “office of commissioner for” in the second paragraph.

235. Section 163 of the Act is amended by replacing “the electoral division he represents” by “his seat on the English-language school service centre’s board of directors”.

236. Section 164 of the Act is amended

(1) by replacing “school commissioner” in the first paragraph by “elected member of the English-language school service centre’s board of directors”;

(2) by replacing “of the school board” in the second paragraph by “of the English-language school service centre”.

237. Section 171 of the Act is amended by replacing “of a school board” and “of commissioners of the school board” by “of an English-language school service centre” and “for a seat on the school service centre’s board of directors”, respectively.

238. Section 173 of the Act is amended by replacing “of a school commissioner” and “of the school commissioner” by “of a member of an English-language school service centre’s board of directors” and “of such a member”, respectively.

239. Section 181 of the Act is amended by replacing “as a school commissioner” by “as a member of an English-language school service centre’s board of directors”.

240. The heading of Chapter IX of the Act is replaced by the following heading:

“VACANCIES, BY-ELECTIONS AND APPOINTMENTS”.

241. The heading of Division I of Chapter IX of the Act is replaced by the following heading in the French text:

“VACANCE”.

242. Section 191 of the Act is amended

(1) by replacing “a school commissioner” in the introductory clause by “an elected member of an English-language school service centre’s board of directors”;

(2) by replacing “council of commissioners, unless the council” in paragraph 3 by “English-language school service centre’s board of directors, unless the board”;

(3) by replacing “council” in paragraph 4 by “board”;

(4) by replacing “commissioner” in paragraph 5 by “elected member of an English-language school service centre’s board of directors”;

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

“However, the term of an elected member of an English-language school service centre’s board of directors does not end,

(1) in the case of a parent representative, because the representative’s child ceases to attend an institution that comes under the school service centre’s jurisdiction or the representative ceases to be a member of a governing board; or

(2) in the case of a community representative, because the representative establishes his domicile outside the school service centre’s territory or no longer meets the profile for the seat to which he was elected.”

243. Section 193 of the Act is amended

(1) by replacing “term of a commissioner”, “of the council of commissioners” and “commissioner attends” in the first paragraph by “term of an elected member of an English-language school service centre’s board of directors”, “of the board” and “member attends”, respectively;

(2) by replacing “council may”, “commissioner”, “council sitting” and “commissioner’s term” in the second paragraph by “board may”, “member”, “sitting of the board” and “board member’s term”, respectively;

(3) by replacing both occurrences of “council”, both occurrences of “commissioner’s” and “of the school board” in the third paragraph by “board”, “member’s” and “of the English-language school service centre”, respectively;

(4) by replacing “commissioner” in the fourth paragraph by “member”.

244. Section 194 of the Act is amended

(1) by replacing “a commissioner who ceases after his election to meet the requirements for election set forth in section 20” in the first paragraph by “an elected member of an English-language school service centre’s board of directors who, after being elected, ceases to meet the eligibility requirements set forth in section 20 or 20.1, as applicable.”;

(2) by replacing “of a school board in which a person is a candidate for, holds or has held a seat on the council of commissioners may bring an action to declare that person” in the second paragraph by “of the English-language school service centre may bring an action to have a person who is running for, holds or has held a seat on the school service centre’s board of directors declared”;

(3) by replacing “the school board” in the third paragraph by “the English-language school service centre”.

245. Section 199 of the Act is amended

(1) by replacing “on the council of commissioners”, “council of commissioners shall” and “of a school commissioner” in the first paragraph by “in a seat reserved for an elected member”, “English-language school service centre’s board of directors shall” and “to fill that seat”, respectively;

(2) by replacing “on the council of commissioners” and “council of commissioners may” in the second paragraph by “in a seat reserved for an elected member” and “English-language school service centre’s board of directors may”, respectively;

(3) by replacing “The school board” in the third paragraph by “The English-language school service centre”;

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

“The person thus appointed is deemed to have been elected and is declared elected on the day of his appointment and takes office on that same day.”

246. Section 200 of the Act is amended

(1) by replacing “on the council of commissioners” in the first paragraph by “in a seat reserved for an elected member on an English-language school service centre’s board of directors” and by striking out “of the school board”;

(2) by replacing “council of commissioners” in the third paragraph by “English-language school service centre’s board of directors”;

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

“Despite section 160, the member elected to an English-language school service centre’s board of directors in a by-election shall take office on the date of the declaration of election.”

247. Section 200.1 of the Act is repealed.

248. Section 200.2 of the Act is amended

(1) by replacing “of the school board” in the first paragraph by “of the English-language school service centre”;

(2) by replacing “are declared elected on the day of their appointment” in the third paragraph by “declared elected on the day of their appointment and take office on the same day”.

249. Section 203.1 of the Act is amended

(1) by replacing “a member of the council of commissioners of a school board” in the first paragraph by “an elected member of an English-language school service centre’s board of directors”;

(2) by replacing “eight” in the third paragraph by “six”.

250. Section 206.6 of the Act is amended by replacing “from 1 January of the year in which” in the second paragraph by “from 1 October of the year preceding the year in which”.

251. Section 206.7 of the Act is amended

(1) in the first paragraph,

(a) by replacing subparagraph 2 by the following subparagraph:

“(2) the name of the English-language school service centre where he intends to be a candidate for election to the board of directors”;

(b) in subparagraph 4,

i. by replacing “of the school board for which” by “of the English-language school service centre for which”;

ii. by striking out the last sentence;

(2) by replacing “the school board mentioned” in the third paragraph by “the English-language school service centre mentioned”.

252. Section 206.9 of the Act is amended by replacing both occurrences of “31 December” by “2 August”.

253. Section 206.14 of the Act is amended by replacing the last sentence by the following sentence: “He shall remit the balance to the director general of the English-language school service centre, who shall deposit it into the centre’s general fund.”

254. Section 206.47 of the Act is amended

(1) in the first paragraph,

(a) by replacing “for the election to the office of chair of the board” and “of the school board” in subparagraph 1 by “in the case of an election for a community representative seat” and “of the English-language school service centre”, respectively;

(b) by replacing “for any other office of commissioner” in subparagraph 2 by “in the case of an election for a parent representative seat”;

(2) by replacing “of a school board” in the second paragraph by “of an English-language school service centre”;

(3) by replacing “31 December”, “school boards”, “the office of the chair” and “per school board” in the third paragraph by “30 July”, “English-language school service centres”, “community representative seats” and “per English-language school service centre”, respectively;

(4) by replacing “school boards” in the fifth paragraph by “English-language school service centres”.

255. Section 206.56 of the Act is amended by replacing “31 December” by “2 August”.

256. Section 209.3 of the Act is amended by replacing “of the school board not later than 1 April of the year immediately following each fiscal year” in the first paragraph by “of the English-language school service centre not later than 1 October of the year following the last fiscal year”.

257. Section 209.6 of the Act is replaced by the following section:

“209.6. The balance of the sums held by an authorized candidate in his election fund on 2 August of the year following that of polling day must be remitted to the director general of the English-language school service centre to be deposited into the centre’s general fund. The goods held by the authorized candidate on that date belong and shall be remitted to the centre.”

258. Section 209.33 of the Act is amended

(1) by replacing “on 31 December” and “council of commissioners” in the first paragraph by “on 2 August” and “English-language school service centre’s board of directors”, respectively;

(2) by replacing “council of commissioners” in the second paragraph by “English-language school service centre’s board of directors”.

259. Section 209.34 of the Act is amended

(1) by replacing “of the school board” and “council of commissioners” in the first paragraph by “of the English-language school service centre” and “English-language school service centre’s board of directors”, respectively;

(2) by replacing “31 December”, “of the school board” and “council member” in the second paragraph by “2 August”, “of the English-language school service centre” and “board member”, respectively.

260. Section 209.36 of the Act is amended by replacing “council of commissioners consequently loses the right to receive the remuneration or allowance provided for” by “English-language school service centre’s board of directors consequently loses the right to receive the allowance or reimbursement provided for”.

261. Section 210 of the Act is amended by replacing “a candidate for the office of school commissioner” and “the office of chair or another seat on the council” in the first paragraph by “running for a seat reserved for an elected member on an English-language school service centre’s board of directors” and “a community representative or parent representative seat”.

262. Section 211 of the Act is amended, in the first paragraph,

(1) by replacing “of the school board” by “of the English-language school service centre”;

(2) by inserting “for a parent representative seat” after “by-election”.

263. Section 213 of the Act is amended

(1) by replacing “is not eligible as a commissioner” in paragraph 1 by “does not have the required qualifications to be an elected member of an English-language school service centre’s board of directors”;

(2) by replacing “the office of chair of a school board, is not an elector of the school board” in paragraph 2 by “a community representative seat, is not an elector of the English-language school service centre”;

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

“(3) offers himself as a candidate in more than one electoral division of a same English-language school service centre,

“(3.1) offers himself simultaneously as a candidate for a parent representative seat and a community representative seat.”;

(4) by replacing “the office of chair of the school board, that they are electors of the school board,” in paragraph 6 by “a community representative seat, that they are electors of the English-language school service centre,”.

264. Unless the context indicates otherwise, the Act is amended

(1) by replacing all occurrences of “school board” and “school boards” by “English-language school service centre” and “English-language school service centres”, respectively, with the necessary modifications;

(2) by replacing all occurrences of “the council of commissioners” in sections 21.3, 21.4, 84 and 209 by “an English-language school service centre’s board of directors” and both remaining occurrences of “council” in section 21.3 by “board”;

(3) by replacing all occurrences of “council of commissioners” and the short form “council” by “English-language school service centre’s board of directors” and “board”, respectively;

(4) by replacing “a commissioner” in sections 195 and 197 by “an elected member of an English-language school service centre’s board of directors”;

(5) by replacing all occurrences of “commissioner” and “school commissioner” by “elected member of the English-language school service centre’s board of directors” and by replacing “school commissioners” by “elected members of the English-language school service centre’s board of directors”, with the necessary modifications.

ACT RESPECTING PRIVATE EDUCATION

265. Section 36 of the Act respecting private education (chapter E-9.1) is amended by inserting “and, for the purposes of the evaluation referred to in section 243 of the Education Act (chapter I-13.3), to the transmission to the Minister of students’ results for each of those examinations” at the end of the first paragraph.

266. The Act is amended by inserting the following after section 54.11:

“DIVISION V.1

**“PRESCHOOL-, ELEMENTARY- AND SECONDARY-LEVEL
TEACHERS**

“54.12. Teachers must undergo at least 30 hours of continuing education activities per period of two school years beginning on 1 July of every odd-numbered year. They shall choose the continuing education activities that best meet their needs in connection with developing their skill set.

“Continuing education activity” means participating in a structured activity, including a course, seminar, convention or conference organized by the Minister, a university-level educational institution, a school service centre, an educational institution governed by this Act, another body or a peer.

Reading specialized literature is also recognized as a continuing education activity as is participating as an instructor in such an activity.

The institution must see to it that teachers fulfill their continuing education obligation.”

PAY EQUITY ACT

267. Section 21.1 of the Pay Equity Act (chapter E-12.001) is amended by inserting “, school service centres” after “colleges” in subparagraph 3 of the second paragraph.

EXPROPRIATION ACT

268. Section 36 of the Expropriation Act (chapter E-24) is amended by inserting “, school service centre” before “or school board” in the last paragraph.

ACT RESPECTING FINANCEMENT-QUÉBEC

269. Section 4 of the Act respecting Financement-Québec (chapter F-2.01) is amended by replacing “Montréal and school boards” in paragraph 2 by “Montréal and school service centres”.

ACT RESPECTING MUNICIPAL TAXATION

270. Section 1 of the Act respecting municipal taxation (chapter F-2.1) is amended

(1) by inserting “, a school service centre” before “or a school board” in the definition of “public body”;

(2) by replacing “classified as a school board” in the second paragraph by “considered to be a school service centre”.

271. Section 124 of the Act is amended by inserting “, school service centre” before “or school board” in the third paragraph.

272. Section 125 of the Act is amended by inserting “, school service centre” before “or school board”.

273. Section 210 of the Act is amended

(1) by inserting “, school service centre” before “or school board” in the second paragraph;

(2) by inserting “, school service centre” before “or school board” in the fourth paragraph.

274. Section 220.4 of the Act is amended by inserting “, the school service centre” before “or the school board”.

275. Section 245 of the Act is amended, in the first paragraph,

(1) by inserting “, school service centre” before “or school board”;

(2) by replacing “the municipality or board” by “the municipality, school service centre or school board”.

**ACT RESPECTING WORKFORCE MANAGEMENT AND CONTROL
WITHIN GOVERNMENT DEPARTMENTS, PUBLIC SECTOR BODIES
AND NETWORKS AND STATE-OWNED ENTERPRISES**

276. Section 2 of the Act respecting workforce management and control within government departments, public sector bodies and networks and state-owned enterprises (chapter G-1.011) is amended by replacing “school boards governed by the Education Act (chapter I-13.3) or” in paragraph 2 by “school service centres governed by the Education Act (chapter I-13.3), school boards governed by”.

277. Section 16 of the Act is amended by inserting “governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)” after “school board” in the last paragraph.

ACT RESPECTING THE GOVERNANCE AND MANAGEMENT OF THE
INFORMATION RESOURCES OF PUBLIC BODIES AND
GOVERNMENT ENTERPRISES

278. Section 8 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03) is amended by inserting “governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)” after “school board” in the last paragraph.

ACT RESPECTING THE CREE NATION GOVERNMENT

279. The Schedule to the Act respecting the Cree Nation Government (chapter G-1.031) is amended by replacing “by a school board” in paragraph 1 by “, school service centre or school board”.

TAXATION ACT

280. Section 39.3 of the Taxation Act (chapter I-3) is amended by inserting “, a member of a school service centre’s board of directors” after “administering such a service”.

281. Section 358.0.3 of the Act is amended by inserting “, a member of a school service centre’s board of directors” after “administering such utilities” in subparagraph *a* of the second paragraph.

282. Section 716.0.1.2 of the Act is amended by replacing “a school board governed by the Education Act (chapter I-13.3) or” in subparagraph *b* of the second paragraph by “a school service centre governed by the Education Act (chapter I-13.3) or a school board governed by”.

283. Section 752.0.10.15.2 of the Act is amended by replacing “a school board governed by the Education Act (chapter I-13.3) or” in subparagraph *b* of the second paragraph by “a school service centre governed by the Education Act (chapter I-13.3) or a school board governed by”.

ACT RESPECTING THE INSTITUT DE LA STATISTIQUE DU QUÉBEC

284. Section 4 of the Act respecting the Institut de la statistique du Québec (chapter I-13.011) is amended

(1) by inserting “school service centres,” before “school boards” in the first paragraph;

(2) by inserting ““school service centres,”” before ““school boards”” in the last paragraph.

ACT RESPECTING THE LAICITY OF THE STATE

285. Schedule III to the Act respecting the laicity of the State (chapter L-0.3) is amended, in paragraph 4,

(1) by replacing “commissioners of school boards established” by “members of the board of directors of a school service centre established”;

(2) by replacing “the Commission scolaire du Littoral” by “the Centre de services scolaire du Littoral”.

ANTI-CORRUPTION ACT

286. Section 3 of the Anti-Corruption Act (chapter L-6.1) is amended by replacing “any school board governed by the Education Act (chapter I-13.3) or” in paragraph 5 by “any school service centre governed by the Education Act (chapter I-13.3) or any school board governed by”.

ACT RESPECTING THE MINISTÈRE DES FINANCES

287. Section 24 of the Act respecting the Ministère des Finances (chapter M-24.01) is amended by replacing “Montréal or a school board” in subparagraph 2 of the first paragraph by “Montréal or a school service centre”.

ACT RESPECTING THE MINISTÈRE DES RELATIONS INTERNATIONALES

288. Section 23 of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1) is amended, in the first paragraph,

(1) by inserting “school service centre,” before “school board”;

(2) by inserting “centres,” after “formed of such”.

ACT RESPECTING THE MINISTÈRE DU CONSEIL EXÉCUTIF

289. Section 3.6.2 of the Act respecting the Ministère du Conseil exécutif (chapter M-30) is amended by inserting the following paragraph before paragraph 1 of the definition of “school body”:

“(0.1) a school service centre;”.

ACT RESPECTING LABOUR STANDARDS

290. Section 39.0.1 of the Act respecting labour standards (chapter N-1.1) is amended by inserting the following paragraph before paragraph 4 of the definition of “employer subject to contribution”:

“(3.1) a school service centre;”.

ROADSIDE ADVERTISING ACT

291. Section 1 of the Roadside Advertising Act (chapter P-44) is amended by inserting “, by a school service centre” before “or by a school board” in subparagraph 1 of the first paragraph.

ENVIRONMENT QUALITY ACT

292. Section 2 of the Environment Quality Act (chapter Q-2) is amended by inserting “, school service centres” before “and school boards” in paragraph g.

ACT RESPECTING THE PROCESS OF NEGOTIATION OF THE COLLECTIVE AGREEMENTS IN THE PUBLIC AND PARAPUBLIC SECTORS

293. Section 1 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) is amended

(1) by inserting “a school service centre,” before “a school board” in the first paragraph;

(2) by replacing “A school board includes a school board within the meaning of the Education Act (chapter I-13.3) or, subject to section 35, within the meaning of” in the second paragraph by ““School service centre” and “school board” include school service centres governed by the Education Act (chapter I-13.3) or, subject to section 35, school boards governed by”.

294. Section 70 of the Act is amended, in the first paragraph,

(1) by inserting “school service centres and” before “school boards”;

(2) by replacing “to the school board or, as the case may be,” by “, as the case may be, to the school service centre, to the school board or”.

295. Schedule A to the Act is amended

(1) by inserting “SCHOOL SERVICE CENTRES AND” before “SCHOOL BOARDS SECTOR” in the heading of Division II;

(2) by inserting “school service centre premises or” before “school board” in paragraph 3 of Division II.

296. Schedule B to the Act is amended

(1) by inserting “SCHOOL SERVICE CENTRES AND” before “SCHOOL BOARDS SECTOR” in section 2 of Division II;

(2) by inserting “school service centre premises or” before “school board” in paragraph 2 of section 2a of Division II.

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

297. Schedule II to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended by replacing “the School boards within the meaning of the Education Act (chapter I-13.3) or” by “School service centres within the meaning of the Education Act (chapter I-13.3), school boards within the meaning of”.

298. Schedule II.2 to the Act is amended by replacing “School boards within the meaning of the Education Act (chapter I-13.3) or” by “School service centres within the meaning of the Education Act (chapter I-13.3) and school boards within the meaning of”.

ACT RESPECTING THE TEACHERS PENSION PLAN

299. Schedule I to the Act respecting the Teachers Pension Plan (chapter R-11) is amended by replacing “every school board and” in paragraph 1 of Division 1 by “every school service centre, school board and”.

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

300. Schedule I to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended by replacing “school boards within the meaning of the Education Act (chapter I-13.3) or within the meaning of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)” in paragraph 2 of section 11 by “school service centres within the meaning of the Education Act (chapter I-13.3), school boards within the meaning of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)”.

301. Schedule IV to the Act is amended by replacing “School boards within the meaning of the Education Act (chapter I-13.3) or the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)” by “School service centres within the meaning of the Education Act (chapter I-13.3) or school boards within the meaning of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)”.

REGULATIONS ACT

302. Section 3 of the Regulations Act (chapter R-18.1) is amended by inserting “of school service centres and” before “of school boards” in paragraph 3.

ACT RESPECTING THE NASKAPI DEVELOPMENT CORPORATION

303. The Schedule to the Act respecting the Naskapi Development Corporation (chapter S-10.1) is amended by inserting “, a school service centre” before “or a school board” in section 1.

ACT RESPECTING THE MAKIVIK CORPORATION

304. The Schedule to the Act respecting the Makivik Corporation (chapter S-18.1) is amended by inserting “, a school service centre” before “or a school board” in section 1.

TRANSPORT ACT

305. Section 88.11 of the Transport Act (chapter T-12) is amended by inserting “, school service centre” before “or school board” in the second paragraph.

ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK REGIONAL GOVERNMENT

306. Section 351.1 of the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1) is amended by inserting “, a school service centre” before “or a school board” in the first paragraph.

ACT TO AMEND THE EDUCATION ACT

307. The Act to amend the Education Act (2016, chapter 26) is amended by striking out sections 22 to 24, section 61, as amended by section 6 of the Act to defer the next general school election and to allow the Government to provide for the use of a remote voting method (2018, chapter 15), and paragraph 3.1 of section 62, as enacted by section 7 of the Act to defer the next general school election and to allow the Government to provide for the use of a remote voting method.

ACT RESPECTING THE FÉDÉRATION DES COMMISSIONS SCOLAIRES DU QUÉBEC

308. Section 2 of the Act respecting the Fédération des commissions scolaires du Québec (1960-61, chapter 140), amended by section 1 of chapter 102 of the statutes of 1969, section 1 of chapter 102 of the statutes of 1974, section 1 of chapter 101 of the statutes of 1991 and section 1 of chapter 104 of the statutes of 1999, is again amended

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

“3. “School service centre” means any school service centre governed by the Education Act (chapter I-13.3), any school board governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14) or the Centre de services scolaire du Littoral governed by the Act respecting the Centre de services scolaire du Littoral (1966-67, chapter 125);”;

(2) by replacing “commissions scolaires” and “school boards” by “centres de services scolaires” and “school service centres”, respectively.

OTHER AMENDING PROVISIONS

309. The following provisions are amended in the following manner, with the necessary modifications:

(1) by inserting “school service centres,” before “regional school boards” in the first paragraph of section 6 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);

(2) by inserting “a school service centre,” before “a school board” in subparagraph *a* of subparagraph 2 of the first paragraph of section 83.1 of the Financial Administration Act (chapter A-6.001);

(3) by inserting “the school service centres,” before “the school boards” in the first paragraph of section 31.1.4 of the Tax Administration Act (chapter A-6.002);

(4) by inserting “School service centres,” before “School boards” in paragraph 6 of the Schedule to the Archives Act (chapter A-21.1);

(5) by inserting “a school service centre,” before “a school board,” in subparagraph 4 of the first paragraph of section 65.4 of the Building Act (chapter B-1.1);

(6) by inserting “a school service centre,” before “a school board” in subparagraph *a* of the first paragraph of section 20 of the Act respecting the Caisse de dépôt et placement du Québec (chapter C-2) and “school service centres,” before “school boards” in section 20.4 of that Act;

(7) by inserting “The school service centres,” before “The school boards” in subparagraph *c* of paragraph 3 of Division A of the Schedule to the Charter of the French language (chapter C-11);

(8) by inserting “a school service centre,” before “a school board” in subsection 1.1 of section 28, in subparagraph 1.1 of the first paragraph of section 29, in the first paragraph of section 29.5 and in subparagraph 2 of the first paragraph of section 500.2 of the Cities and Towns Act (chapter C-19), “for school service centres,” before “for school boards” in the second paragraph of section 29.9.2 of that Act and “by school service centres,” before “by school boards” in the third paragraph of section 99 of that Act;

(9) by inserting “school service centres,” before “school boards” in paragraph 1 of section 111.2 of the Labour Code (chapter C-27) and “a school service centre” before “a school board” in the first paragraph of section 111.6 of that Act;

(10) by inserting “a school service centre,” before “a school board” in article 6.2, in subparagraph 1.1 of the first paragraph of article 7, in the first paragraph of article 14.3 and in subparagraph 2 of the first paragraph of article 1000.2 of the Municipal Code of Québec (chapter C-27.1), “for school service centres,” before “for school boards” in the second paragraph of article 14.7.2 of that Act and “school service centres or” before “school boards” in the second paragraph of article 203 of that Act;

(11) by inserting “a school service centre,” before “a school board” in the first paragraph of section 8 of the Municipal Powers Act (chapter C-47.1);

(12) by inserting “a school service centre,” before “a school board” in paragraph 2 of section 151 of the Act respecting the conservation and development of wildlife (chapter C-61.1);

(13) by inserting “school service centres,” before “school boards” in subparagraph 7 of the first paragraph of section 41 of the Act respecting the Conservatoire de musique et d’art dramatique du Québec (chapter C-62.1);

(14) by inserting “school service centres,” before “school boards” in subparagraph 5 of the first paragraph of section 4 of the Act respecting contracting by public bodies (chapter C-65.1);

(15) by inserting “school service centres,” before “school boards” in the first paragraph of section 46.2 of the Forestry Credit Act (chapter C-78);

(16) by inserting “school service centres,” before “school boards” in the first paragraph of section 55 of the Act to promote forest credit by private institutions (chapter C-78.1);

(17) by inserting “a school service centre,” before “a school board” in paragraph *d* of section 29 of the Act respecting collective agreement decrees (chapter D-2);

(18) by inserting “school service centre,” before both occurrences of “school board” in paragraph *f* of section 17 of the Act respecting duties on transfers of immovables (chapter D-15.1);

(19) by inserting “School service centres,” before “School boards” in section 189 of the Act respecting elections and referendums in municipalities (chapter E-2.2);

(20) by inserting “school service centre,” before “school board” in section 89 of the Act respecting private education (chapter E-9.1);

(21) by inserting “school service centres,” before “school boards” in subparagraph 3 of the second paragraph of section 3 of the Pay Equity Act (chapter E-12.001);

(22) by inserting “a school service centre,” before “a school board” in the first paragraph of section 21 and in section 26.4 of the Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration (chapter E-20.1), “school service centres,” before “school boards” in paragraph *a* of section 26 of that Act and “school service centre,” before “school board” in subparagraph *b* of the first paragraph of section 75 of that Act;

(23) by inserting “school service centre,” before “school board” in section 3 of the Act respecting municipal taxation (chapter F-2.1), “the school service centre,” before “the school board” in subparagraph 3 of the second paragraph of section 138.5, “the school service centre,” before both occurrences of “the school board” in subparagraph 4 of the fourth paragraph of section 138.5 of that Act, and “a school service centre,” before “a school board” in paragraph 13 of section 204, in subparagraph *c* of paragraph 1 of section 236 and in subparagraph 5 of the fourth paragraph of section 255 of that Act;

(24) by inserting “school service centres,” before “school boards” in subparagraph 4 of the first paragraph of section 2 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03);

(25) by inserting “school service centres,” before “school boards” in subparagraph 5 of the first paragraph of section 3 of the Public Infrastructure Act (chapter I-8.3);

(26) by inserting “a school service centre,” before “a school board” in the second paragraph of section 17 of the Act respecting the Institut de tourisme et d’hôtellerie du Québec (chapter I-13.02);

(27) by inserting “a school service centre,” before “a school board” in paragraph 2 of the definition of “accredited counterparty” in section 3 of the Derivatives Act (chapter I-14.01) and “school service centre” before “or school board” in paragraph 2 of section 176.1 of that Act;

(28) by inserting “a school service centre,” before “a school board” in subparagraph 12 of the first paragraph of section 1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);

(29) by inserting “a school service centre,” before “a school board” in section 25, in the second paragraph of section 26 and in the introductory clause of section 29 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) and “school service centres and” before “school boards” in paragraph 1 of section 29 of that Act;

(30) by inserting “school service centres,” before “school boards” in paragraph *h* of section 81 of the Act respecting the Québec Pension Plan (chapter R-9);

(31) by inserting “a school service centre,” before both occurrences of “a school board” in the second paragraph of section 99 of the Act respecting the Civil Service Superannuation Plan (chapter R-12);

(32) by inserting “school service centres,” before “school boards” in subparagraph 8 of the first paragraph of section 19 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20);

(33) by inserting “a school service centre,” before “a school board” in the third paragraph of section 11 of the Educational Childcare Act (chapter S-4.1.1);

(34) by inserting “a school service centre,” before “a school board” in the definition of “school authority” in section 1 of the Act respecting the Québec sales tax (chapter T-0.1);

(35) by inserting “a school service centre,” before “a school board” in subparagraph *a* of paragraph 2 of section 41 of the Securities Act (chapter V-1.1);

(36) by inserting “a school service centre,” before “a school commission” in the first paragraph of section 18 of the Cree Villages and the Naskapi Village Act (chapter V-5.1).

310. The following provisions are amended in the following manner, with the necessary modifications:

(1) by inserting “school service centre or” before “school board” in subparagraph *c* of paragraph 9 of section 1 and in paragraph 2 of section 53.17 of the Act respecting land use planning and development (chapter A-19.1);

(2) by inserting “school service centre or” before “school board” in article 765 of the Code of Civil Procedure (chapter C-25.01);

(3) by inserting “school service centre or” before “school board” in the first paragraph of section 11 of the Labour Code (chapter C-27), “school service centres or” before “school boards” in the latter paragraph and in the second paragraph of section 68 of that Act and “school service centres,” before “or school boards” in section 40 of that Act;

(4) by inserting “school service centre or” before “school board” in subparagraph 4 of the first paragraph of article 1022, in the second paragraph of article 1023 and in the first paragraph of article 1024 of the Municipal Code of Québec (chapter C-27.1);

(5) by inserting “school service centre or” before “school board” in section 6.1 of the General and Vocational Colleges Act (chapter C-29);

(6) by inserting “school service centre or” before both occurrences of “school board” in section 65 of the Act respecting the Commission municipale (chapter C-35);

(7) by inserting “school service centre or” before “school board” in paragraph *e* of the definition of “public body” in section 1 of the Act respecting duties on transfers of immovables (chapter D-15.1);

(8) by inserting “school service centre or” before “school board” in the first paragraph of section 306 of the Election Act (chapter E-3.3);

(9) by inserting “school service centre or” before “school board” in section 38 of the Act respecting private education (chapter E-9.1);

(10) by inserting “school service centre or” before “school board” in the first paragraph of section 53.15 of the Expropriation Act (chapter E-24);

(11) by inserting “school service centre or” before “school board” in section 149, in subparagraph 1 of the second paragraph of section 179, in section 213, in subparagraph 2 of the first paragraph of section 250, in subparagraph 1 of the fourth paragraph of section 255, in the last paragraph of section 264 and in section 495 of the Act respecting municipal taxation (chapter F-2.1);

(12) by inserting “school service centres or” before “school boards” in the third paragraph of section 40 of the Hydro-Québec Act (chapter H-5);

(13) by inserting “school service centre or” before “school board” in subparagraph 3 of the first paragraph of section 40 of the Act respecting the Ministère de l’Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001);

(14) by inserting “, the board of directors of a school service centre” before “or the council of a school board” in subparagraph 2 of the third paragraph of section 5 of the Act to ensure the occupancy and vitality of territories (chapter O-1.3);

(15) by inserting “school service centre or” before “school board” in section 2.3 of Schedule I to the Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1);

(16) by inserting “school service centres,” before “school boards” in paragraph *a* of section 188 of the Consumer Protection Act (chapter P-40.1);

(17) by inserting “school service centre or” before “school board” in the first paragraph of section 28, before both occurrences of “school board” in section 28.1, and before “school board” in subparagraph 1 of the second paragraph of section 34 and in the first paragraph of section 213.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10);

(18) by inserting “school service centre or” before “school board” in paragraph 1 of section 7, in the first paragraph of section 23 and before both occurrences of “school board” in section 23.1 of the Act respecting the Teachers Pension Plan (chapter R-11);

(19) by inserting “school service centre or” before “school board” in subparagraph 1 of the second paragraph of section 50 and in the first paragraph of section 128, and before both occurrences of “school board” in section 129 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1);

(20) by inserting “school service centre or” before “school board” in subparagraph *g* of paragraph 1 of section 64 of the Public Health Act (chapter S-2.2).

311. The following provisions are amended in the following manner, with the necessary modifications:

(1) by inserting “school service centre and” before “school board” in section 110.3.2 of the Act respecting land use planning and development (chapter A-19.1);

(2) by inserting “school service centres and” before “school boards” in subparagraph *a* of the first paragraph of section 8, in subparagraph *b* of the first paragraph of section 33 and in subparagraph *a* of the second paragraph of section 48 of the General and Vocational Colleges Act (chapter C-29);

(3) by inserting “school service centres,” before “school boards” in paragraph *b* of the Schedule to the Act respecting the development of Québec firms in the book industry (chapter D-8.1);

(4) by inserting “, school service centres” before “and school boards” in the third paragraph of section 11 of the Pay Equity Act (chapter E-12.001);

(5) by inserting “school service centre and” before “school board” in section 58 of the Public Infrastructure Act (chapter I-8.3);

(6) by inserting “school service centres and” before “school boards” in section 57 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2);

(7) by inserting “school service centres and” before “school boards” in subparagraph 3 of the first paragraph of section 103.6 of the Educational Childcare Act (chapter S-4.1.1).

312. Unless the context indicates otherwise or otherwise provided for by this Act, the expressions “school board”, “School Board” and “school boards” in any Act, regulation or other document are replaced by “school service centre”, “School Service Centre” and “school service centres”, respectively, with the necessary modifications.

However, the first paragraph does not apply to the occurrences of those expressions in the following:

(1) paragraph *b* of subsection 2 of section 2 and subsection 4 of section 7 of the Workers’ Compensation Act (chapter A-3), wherever they appear;

(2) section 53.18 of the Act respecting land use planning and development (chapter A-19.1), wherever they appear;

(3) section 88 of the Charter of the French language (chapter C-11), wherever they appear;

(4) the third paragraph of section 13 of the Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1);

(5) section 4 of the Act to establish the permanent list of electors (chapter E-12.2), wherever they appear;

(6) section 36 of the Act respecting workforce management and control within government departments, public sector bodies and networks and state-owned enterprises (chapter G-1.011);

(7) section 312 and the second paragraph of section 737.25 of the Taxation Act (chapter I-3);

(8) subparagraph 4 of the second paragraph of section 11 of the Act respecting the Institut national des mines (chapter I-13.1.2), wherever they appear;

(9) sections 722 and 723 of the Education Act (chapter I-13.3), wherever they appear;

(10) the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14), wherever they appear;

(11) section 160 of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2), wherever they appear;

(12) section 35 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2), wherever they appear;

(13) Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), wherever they appear;

(14) Schedule II to the Act respecting the Teachers Pension Plan (chapter R-11);

(15) Schedule II to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1);

(16) paragraph *b* of section 1 of the Act respecting property tax refund (chapter R-20.1);

(17) the provisions of any regulation other than a regulation made under the Education Act (chapter I-13.3).

313. Unless the context indicates otherwise, in any Act or regulation, a reference to the Act respecting school elections (chapter E-2.3) or any of its provisions is replaced by a reference to the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3) or to the corresponding provision of that Act.

The first paragraph does not apply to the provisions of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14).

TRANSITIONAL AND FINAL PROVISIONS

314. Proceedings to which a school board is a party are continued under its new name, without continuance of suit.

315. The terms of the commissioners of the French-language school boards end on 8 February 2020. From that date until 30 June 2020, they form an advisory committee.

Until 30 June 2020, they receive the remuneration that was paid to them in accordance with section 175 of the Education Act (chapter I-13.3), as it read before being amended by section 66.

316. The Act respecting school elections (chapter E-2.3) continues to apply as it read on 7 February 2020 to every school commissioner in office after that date.

317. From 9 February 2020 to 15 June 2020, the director general of a French-language school board assumes the functions assigned by law to the council of commissioners and to the commissioners.

In exercising the functions referred to in the first paragraph, the director general may consult the advisory committee formed under section 315.

318. From 9 February 2020 to 15 June 2020, the person designated by the director general of a French-language school board on the island of Montréal sits on the Comité de gestion de la taxe scolaire de l'île de Montréal in accordance with subparagraph 1 of the first paragraph of section 402 of the Education Act.

319. Despite any inconsistent provision, the directors general of the French-language school boards which are members of the group of French-language school boards recognized on 9 February 2020 under section 31 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) are, from that date, exclusively responsible for representing those school boards within that group. From 15 June 2020, they represent the French-language school service centres within the group of school service centres recognized under that same section.

The directors general referred to in the first paragraph represent the same number of votes as were held by all the school board representatives they are replacing, in accordance with the applicable rules, and they remain in office under this section until the rules governing the representation of members within that group are amended to take into account the coming into force of this Act.

320. From 15 June 2020 until the coming into force of section 46, section 111 of the Education Act is to be read as follows:

“111. The Government shall, by order, divide the territory of Québec into two groups of territories: one of territories for French-language school service centres and the other of territories for English-language school boards. However, the territory of the Cree School Board, that of the Kativik School Board and that of the Centre de services scolaire du Littoral established by chapter 125 of the Statutes of Québec, 1966-67, are excluded from such division.

A school service centre or school board, as the case may be, shall be established in each territory.

The order shall assign a name temporarily to each French-language school service centre or English-language school board, which name may contain a number.

The order shall be published in the *Gazette officielle du Québec* not later than 31 August and comes into force on the date of its publication.”

321. Despite section 47 of the Education Act, amended by section 11, the governing boards of the institutions that come under the jurisdiction of an English-language school board must be established before 18 September 2020.

322. Despite section 2 of the Act respecting school elections, replaced by section 193, the general school election that follows the 1 November 2020 election is to be held on 4 June 2023.

323. Expenses related to the 1 November 2020 school election and incurred by an authorized candidate before 8 February 2020 are reimbursed to him or her in full on the filing of his or her financial report and return of election expenses. The first and fourth paragraphs of section 207 and section 208 of the Act respecting school elections apply to such a reimbursement, with the necessary modifications.

The authorized candidate must, within 30 days after his or her expenses have been reimbursed, reimburse the electors who made contributions to him or her and send the director general of the school board a second report showing that he or she has received a reimbursement of his or her expenses, that the contributions have been reimbursed and that all the debts arising from those expenses have been paid.

Sections 209 to 209.8 of the Act respecting school elections regarding candidates' reports and returns apply, with the necessary modifications.

An authorization granted under section 206.6 of the Act respecting school elections before 8 February 2020 expires on that date.

324. Despite section 335 of this Act, for the purposes of the 1 November 2020 general election, the provisions of the Act respecting school elections pertaining to the dates and time limits associated with the electoral process and with the division into electoral divisions remain applicable as they read before being amended by this Act.

For the purposes of this section, the electoral process includes all the stages and all the procedures that precede and follow an election including, among other things, the rules governing the financing of candidates and the control of election expenses.

325. Despite section 154 of the Education Act, replaced by section 52, the first sitting of an English-language school service centre's board of directors must be held not later than 13 November 2020.

326. The Minister may, until 8 February 2022, order a local municipality to transfer an immovable to a school service centre, by gratuitous title, for the purpose of building a school or a centre, according to the conditions and procedures the Minister imposes. The Minister may not, however, require that there be a building on the transferred immovable.

If the local municipality has not transferred an immovable to the school service centre at the expiry of the time limit set by the Minister, the school service centre may itself acquire an immovable situated in the territory of that municipality, in the sector determined by the Minister.

The municipality in whose territory the immovable is situated must reimburse the amount corresponding to the cost of acquiring the land to the school service centre.

An immovable acquired under this section is deemed to be usable for its intended purpose.

327. The first regulations made under sections 452.1 and 457.7.1 of the Education Act, enacted by sections 136 and 139, respectively, are not subject to sections 8 and 17 of the Regulations Act (chapter R-18.1).

328. Until the coming into force of the regulation to be made under section 457.8 of the Education Act, as enacted by section 139,

(1) the codes of ethics and professional conduct adopted under section 175.1 of the Education Act apply to the members of the boards of directors of the French-language school service centres, with the necessary modifications;

(2) the first paragraph of section 175.6 of the Education Act, enacted by section 70, is to be read, for the French-language school boards, as if “has his or her term revoked” were replaced by “is divested of office”, with the necessary modifications;

(3) the codes of ethics and professional conduct adopted by the English-language school boards apply to the staff representatives sitting on an English-language school service centre’s board of directors; and

(4) a staff representative sitting on a school service centre’s board of directors must, on pain of removal from office, abstain from voting on any matter relating to the hiring, employment status, remuneration, employee benefits and other conditions of employment, whether individual or collective, of any employee of a school service centre. He or she must also, after having had an opportunity to submit observations, withdraw from the meeting while the matter is discussed or voted on.

329. The Minister may, after an inquiry under section 478.3 of the Education Act, on the Minister’s own initiative or following a disclosure from a school board commissioner or staff member, annul any decision made by a school board governed by this Act or a director general referred to in section 199 of the Education Act that has an impact on the school board’s human, financial, physical or information resources that the Minister considers contrary to the future interests of a school service centre.

Such an annulment may apply to any decision made between 1 October 2019 and 15 June 2020 in the case of a French-language school board or made between 1 October 2019 and 5 November 2020 in the case of an English-language school board. It must be rendered within 60 days after the decision and has effect from the date on which it is rendered. However, a decision made before 8 February 2020 may be annulled within 60 days after the latter date.

330. A person making a disclosure or cooperating in an inquiry referred to in section 329 of this Act may do so despite any communication restrictions under the laws of Québec or any duty of loyalty or confidentiality that may be binding on the person, in particular toward his or her employer.

However, the lifting of professional secrecy authorized under this Act does not apply to professional secrecy between a lawyer or a notary and a client.

The Minister must take all necessary measures to protect the identity of a person who has made a disclosure.

It is forbidden to take a reprisal against a person who makes a disclosure or cooperates in the inquiry, or to threaten to take a reprisal against a person so that he or she will abstain from making a disclosure or cooperating in the inquiry.

The demotion, suspension, dismissal or transfer of a person or any other disciplinary measure or measure that adversely affects his or her employment or working conditions is presumed to be a reprisal.

Anyone who contravenes the fourth paragraph is guilty of an offence and is liable to a fine of

- (1) \$2,000 to \$20,000 in the case of a natural person; and
- (2) \$10,000 to \$250,000 in all other cases.

The fines are doubled for a subsequent offence.

331. The Government may, by regulation, take, before 8 August 2021, any measure useful for carrying out this Act or fully achieving its purpose. Such a regulation may, in particular, provide for any amendment required for the purpose of harmonizing the terminology of any regulation that includes a reference to a school board or school commissioner.

Such a regulation may, if it so provides, apply from a date not prior to 8 February 2020.

332. The first boards of directors of the French-language school service centres are formed and the first processes for designating representatives of the English-language school service centres' staff are conducted in accordance with sections 143 to 143.15 of the Education Act, as enacted by section 50, with the following modifications:

- (1) a reference to the regulation made under section 455.2 of the Education Act is a reference to Schedule I or Schedule II, as applicable;

(2) a reference to the director general of a school service centre is a reference to the director general of a school board; and

(3) the date of 1 July specified in the third paragraph of section 143.3 of the Education Act is replaced by 15 June 2020 for French-language school service centres and 5 November 2020 for English-language school service centres.

In addition, for the purposes of Schedules I and II, a reference to a school service centre is a reference to a school board where

(1) a provision of Schedule I applies before 15 June 2020; or

(2) a provision of Schedule II applies before 5 November 2020.

Schedules I and II may provide for the delegation of certain powers to the director general of the school service centre.

333. Despite the coming into force of sections 1, 95, 110 and 111, sections 4, 204, 239 and 240 of the Education Act continue to apply, as they read before being amended, for the purposes of the 2020–2021 school year.

334. A reference to a school service centre in the provisions enacted by sections 118, 136, 139, 142, 166, 176, 177 and 326 includes, until 5 November 2020, a reference to an English-language school board.

335. The provisions of this Act come into force on 8 February 2020, except

(1) sections 1, 3, 4 and 9, paragraph 3 of section 11, paragraph 2 of section 16, sections 21, 22, 25 and 27, paragraph 1 of section 32, paragraph 1 of section 34, section 35, paragraph 1 of section 36, paragraph 2 of section 38, sections 39 and 41, paragraph 1 of section 44, paragraph 2 of section 46, sections 49, 50 and 52 to 64, paragraph 2 of section 65, sections 66, 70 to 76 and 78, subparagraphs *a* and *b* of paragraph 1 and paragraph 2 of section 80, sections 83, 84 to 86, 88, 90 and 92 to 96, subparagraph *b* of paragraph 1 and paragraph 2 of section 97, sections 99 to 104, 106 to 108 and 110 to 116, paragraph 1 of section 117, sections 119 to 125, 127, 129 to 133 and 135, section 139 insofar as it enacts sections 457.6 and 457.8, sections 141 and 144, paragraph 3 of section 145, paragraph 2 of section 148, and sections 161, 163 to 181, 185 to 188, 265, 267 to 306, 308 to 312 and 314, which come into force on 15 June 2020 insofar as they concern a French-language school service centre and on 5 November 2020 insofar as they concern an English-language school service centre;

(2) sections 2, 5 and 6, section 33, section 51, paragraph 1 of section 65, subparagraph *c* of paragraph 1 of section 80, sections 109, 118 and 136, section 139 insofar as it enacts section 457.7.1, paragraph 2 of section 142, section 143, paragraphs 1 and 2 of section 145, and sections 151, 166, 167, 176, 177, 182 and 183, which come into force on 1 July 2020;

(3) section 10, paragraphs 1 and 2 of section 11, sections 12 to 15, paragraph 1 of section 16, sections 17 to 19, 20, 23, 24, 26 and 28 to 31, paragraph 2 of section 36, section 37, paragraph 1 of section 38, sections 42 and 43 and section 45, which come into force on 1 August 2020;

(4) section 40, paragraph 1 of section 46, sections 47, 48, 67 and 69, paragraph 2 of section 117, sections 126 and 128, section 139 insofar as it enacts section 457.7, and paragraph 1 of section 142, which come into force on 5 November 2020;

(5) sections 91, 98 and 140, which come into force on 1 July 2020 insofar as they concern a French-language school service centre and on 1 July 2021 insofar as they concern an English-language school service centre;

(6) section 105, which comes into force on 1 July 2020 insofar as it concerns a French-language school service centre and on 5 November 2020 insofar as it concerns an English-language school service centre; and

(7) sections 6, 7, paragraph 2 of section 32, paragraph 2 of section 34, paragraph 2 of section 44, and sections 138 and 266, which come into force on 1 July 2021.

SCHEDULE I
(Section 332)

**PROCEDURE FOR DESIGNATING THE MEMBERS OF THE FIRST
BOARDS OF DIRECTORS OF THE FRENCH-LANGUAGE SCHOOL
SERVICE CENTRES**

Division 1 — Division into districts

- 1.** The school service centre's director general must divide the school service centre's territory into five districts in accordance with section 143.8 of the Education Act (chapter I-13.3), not later than 9 March 2020.
- 2.** The director general must make sure that at least one school is situated in each of the districts. The director general must also, as far as possible, promote a fair distribution of the number of students in each of the districts.

The director general may take into account other factors such as the existence of common characteristics or physical barriers and municipalities' territorial limits.

- 3.** Each district is described by the list of educational institutions situated within it.

The director general may assign names to the districts.

- 4.** The director general may consult the parents' committee with respect to the division into districts and the names assigned to the districts, if applicable.

The parents' committee must submit its observations within the period the director general indicates.

- 5.** The director general must inform the parents' committee of the division into districts and make the information available on the school service centre's website.

Division 2 — Eligibility requirements

- 6.** In addition to having the qualifications required under section 143 of the Education Act, any candidate for a seat as a member of a French-language school service centre's board of directors must meet the following conditions:

(1) have the qualifications set out in section 12 of the Act respecting school elections (chapter E-2.3), subject to section 9 of this schedule; and

(2) not be disqualified within the meaning of sections 21, 21.3 and 21.4 of the Act respecting school elections, with the necessary modifications.

However, paragraph 3 of section 12 and subparagraph 4 of the first paragraph of section 21 of the Act respecting school elections do not apply to a candidate for a school service centre staff representative seat. Furthermore, such a candidate may not be an employee, officer or other representative of an association representing school service centre employees.

Division 3—Designation of parent representatives

7. Not later than 1 May 2020, the director general must send a notice of designation to each member of the parents' committee.

The notice of designation must indicate the seats that are open for nominations as well as the qualifications required and conditions to be met to become a candidate.

The notice must include a description of the districts and specify that the parents' committee must designate the parent representatives who will sit on the board of directors for each district of the school service centre not later than 1 June 2020.

8. The members are elected in accordance with the process determined by the parents' committee, subject to sections 9 to 13.

9. Any member of a parents' committee sitting on the governing board of a school situated in a given district who has the qualifications and meets the conditions required by section 6 may become a candidate to represent that district.

10. Each candidate is designated by all the members of the parents' committee.

11. If no person has come forward to become a candidate to represent a given district in accordance with section 9, the seat may be filled by a member of the parents' committee sitting on the governing board of a school situated in another district, in accordance with the process determined by the parents' committee.

12. The parents' committee must notify the director general of the result of the designation process conducted.

The notice must contain the names of the persons who were designated and the district each person represents.

The notice must be accompanied, for each person designated, by a statement attesting that the person has the qualifications and meets the conditions required by section 6.

13. Where regional parents' committees are established under section 191 of the Education Act, all the members of those committees are deemed to form the parents' committee for the purposes of this division.

The chair of that committee is the chair of the central parents' committee.

Division 4—Designation of staff representatives

14. The teaching staff representative is designated by and from among the teaching staff members sitting in that capacity on a governing board of the school service centre.

The non-teaching professional staff representative is designated by and from among the non-teaching professional staff members sitting in that capacity on a governing board of the school service centre.

The support staff representative is designated by and from among the support staff members sitting in that capacity or as staff members assigned to childcare services on a governing board of the school service centre.

The principals' representative is designated by and from among all the principals of the educational institutions of the school service centre.

The executive staff representative is designated by and from among all the executive staff members of the school service centre.

15. The persons referred to in section 14 must be designated not later than 1 June 2020 in accordance with the procedure determined by the director general of the school service centre.

16. Each person designated must provide a statement attesting that the person has the qualifications and meets the conditions required by section 6.

Division 5—Designation of community representatives

17. Not later than 1 May 2020, the director general must publish a notice on the school service centre's website, inviting the persons who reside in the school service centre's territory to become a candidate for a seat as a community representative on the board of directors referred to in subparagraph 3 of the first paragraph of section 143 of the Education Act.

18. The notice must indicate the number of seats to be filled, the profiles sought, the qualifications required and conditions to be met, the period for filing nomination papers and the other instructions necessary for filing them.

19. A nomination form must be made available at the school service centre's head office and on the school service centre's website.

The form must provide spaces for the candidate to enter his or her name and contact information and specify the seat for which he or she is filing nomination papers. It must contain a section for the candidate to attest that he or she has the qualifications and meets the conditions referred to in section 6.

The form must indicate that a self-introduction text of not more than one page may be attached to the form at the time the nomination papers are filed.

20. The community representatives are designated by co-optation by the parent representatives and staff representatives designated in accordance with divisions 3 and 4, at a meeting called by the director general and held not later than 10 June 2020.

21. At least three parent representatives and three staff representatives must attend the meeting, which is to be chaired by the director general.

The members in attendance determine the procedure to be followed. The director general is not entitled to vote.

22. The director general must make the nomination forms he or she received available.

23. For the purposes of the designation, the members are not limited to the forms received, unless they decide otherwise.

However, they must ensure that any member who is designated without having filed nomination papers has the qualifications and meets the conditions required by section 6.

24. Any seat that is not filled at the time of the first meeting of the board of directors held in accordance with section 154 of the Education Act is to be considered a vacancy within the meaning of section 175.10.1 of that Act.

Division 6 — Length of terms

25. At the first meeting of the board of directors, the members are to determine which of them will have a two-year term; there must be two or three such members for each category of members.

SCHEDULE II
(Section 332)

**PROCEDURE FOR DESIGNATING THE STAFF REPRESENTATIVES
ON THE FIRST BOARDS OF DIRECTORS OF THE ENGLISH-
LANGUAGE SCHOOL SERVICE CENTRES**

1. In addition to having the qualifications required under section 143.1 of the Education Act (chapter I-13.3), any candidate for a staff representative seat on an English-language school service centre's board of directors must meet the following conditions:

(1) have the qualifications set out in paragraphs 1, 2, 4 and 5 of section 12 of the Act respecting school elections (chapter E-2.3);

(2) not be disqualified within the meaning of subparagraphs 1 to 3.2, 4.1 and 5 of the first paragraph and the second and third paragraphs of section 21, and of sections 21.3 and 21.4 of the Act respecting school elections; and

(3) not be an employee, officer or other representative of an association representing school service centre employees.

2. The teaching staff representative is designated by and from among the teaching staff members sitting in that capacity on a governing board of the school service centre.

The non-teaching professional staff representative is designated by and from among the non-teaching professional staff members sitting in that capacity on a governing board of the school service centre.

The support staff representative is designated by and from among the support staff members sitting in that capacity or as staff members assigned to childcare services on a governing board of the school service centre.

The principals' representative is designated by and from among all the principals of the educational institutions of the school service centre.

3. The persons referred to in section 2 must be designated not later than 1 June 2020 in accordance with the procedure determined by the director general of the school service centre.

4. Each person designated must provide a statement attesting that the person has the qualifications and meets the conditions required by section 1.

Regulations and other Acts

Gouvernement du Québec

O.C. 132-2020, 26 February 2020

An Act respecting the Régie du logement
(chapter R-8.1)

Régie du logement — Remuneration and other conditions of office of commissioners — Amendment

Regulation to amend the Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement

WHEREAS, under subparagraph 1 of the first paragraph of section 7.14 of the Act respecting the Régie du logement (chapter R-8.1), the Government determines, by regulation, the mode of remuneration of the commissioners of the Régie du logement and the applicable standards and scales, as well as the other conditions of office of those commissioners;

WHEREAS, under the second paragraph of section 7.14, the Government may similarly determine other conditions of office for all or certain commissioners, including social benefits other than the pension plan;

WHEREAS, under the third paragraph of section 7.14, the regulatory provisions may vary according to whether they apply to full-time or part-time commissioners or to a commissioner charged with an administrative office within the board;

WHEREAS the Government made the Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement (chapter R-8.1, r. 5.1);

WHEREAS it is expedient to amend the Regulation following the amendments made by Order in Council 1255-2019 of 18 December 2019 to the Règles concernant la rémunération et les autres conditions de travail des titulaires d'un emploi supérieur à temps plein (in French only), which was made by Order in Council 450-2007 of 20 June 2007;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Housing:

THAT the Regulation to amend the Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement

An Act respecting the Régie du logement
(chapter R-8.1, s. 7.14)

1. The Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement (chapter R-8.1, r. 5.1) is amended in section 3 by replacing the first paragraph by the following:

“When a full-time commissioner takes office at the Board, his starting salary is determined by taking into account the level of the position to be filled and their employment income, in accordance with the standards prescribed in Schedule II. An amount representing 10% of the maximum of the salary scale applicable is added to that starting salary, subject to having reached the maximum of that salary scale.”

2. Section 4 is amended by adding the following paragraphs at the end:

“The deduction of an amount corresponding to half the amount of the retirement pension, provided for in the first paragraph, is applicable for the 2 years following the retirement date.

In the case of a part-time commissioner, the deduction of an amount corresponding to half the amount of the retirement pension is not applicable.”

3. Section 7 is amended by replacing “salary of the” by “or greater than the regular maximum of the salary” everywhere it appears.

4. Section 15 is amended by adding the following paragraph at the end:

“The vacation days accumulated by a full-time commissioner or a vice-chairman in the context of their functions at the Board and that are unused upon their departure will be reimbursed to the full-time commissioner or vice-chairman by the Board at that time.”

5. Section 16 is amended by adding the following paragraph at the end:

“The vacation days accumulated by the chairman of the Board in the context of his functions at the Board and that are unused upon his departure will be reimbursed to the chairman by the Board at that time.”

6. The following subdivision is inserted after subdivision 4 of Division II:

“§4.1. Other days off

17.1. Full-time commissioners are entitled to paid days of absence, the duration of which must be agreed upon in advance with the chairman of the Board, for the purpose of a marriage or civil union, a birth, the adoption of a child, a death, moving or for any other reason considered appropriate, in accordance with the Directive concernant l'ensemble des conditions de travail des cadres de la fonction publique (C.T. 208914, 2010-04-20, in French only) and its amendments.

17.2. Full-time commissioners benefit from the provisions concerning parental rights that are provided under chapter 13 of the Directive concernant l'ensemble des conditions de travail des cadres de la fonction publique, to the extent that they are compatible with the provisions of this Regulation.”

7. Section 24 is amended by adding the following paragraph at the end:

“Such an allowance is paid in a lump-sum payment and is not part of the pensionable salary for the purposes of pension plans and insurance.”

8. Section 26 is amended by inserting “or is bound by a service contract” after “Schedule III” in the first paragraph.

9. Schedule II is amended

(1) by striking out “or work done outside regular hours” in paragraph 4;

(2) by replacing paragraph 6 by the following:

“6. If more advantageous, calculating the average of the income received during the 3 previous years that varies notably from one year to the next because that income is

in the form of profit sharing or another form. The same applies to the regular salary received, in the event of variations in salary or changes in employment during the 3 previous years.”

10. Schedule III is amended by adding the following paragraph at the end:

“16. The federal public sector referred to in paragraphs 11 to 14 of Schedule I to the Règles concernant la rémunération et les autres conditions de travail des titulaires d'un emploi supérieur à temps plein (D. 450-2007, 2007-06-20, in French only)”.

11. This Regulation comes into force on 1 April 2020.

Level 4 commissioners of the Board who have been in office for at least 4 months as at 1 April 2020 and who receive a salary that is less than the minimum of the salary scale applicable as at 2 April 2020 will obtain a salary adjustment on that date in order that it corresponds to the minimum of the salary scale.

Level 4 commissioners of the Board who have been in office for at least 4 months as at 1 April 2020 benefit, if applicable, from a salary increase on 2 April 2020, in accordance with section 9 of the Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement, provided that the revised salary does not exceed the maximum of the salary scale applicable to the level of the position held.

104281

Gouvernement du Québec

O.C. 149-2020, 26 February 2020

An Act respecting administrative justice
(chapter J-3)

Administrative Tribunal of Québec
— Remuneration and other conditions of office
of members
— Amendment

Regulation to amend the Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec

WHEREAS, under subparagraph 1 of the first paragraph of section 56 of the Act respecting administrative justice (chapter J-3), the Government determines, by regulation, the mode of remuneration of the members of the Administrative Tribunal of Québec and the applicable standards and scales;

WHEREAS, under the second paragraph of section 56, the Government may similarly determine other conditions of office for all or certain members of the Tribunal, including their social benefits other than the pension plan;

WHEREAS, under the third paragraph of section 56, the regulatory provisions may vary according to whether they apply to full-time or part-time members;

WHEREAS the Government made the Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec Tribunal (chapter J-3, r. 3.1);

WHEREAS it is expedient to amend the Regulation following the amendments made by Order in Council 1255-2019 of 18 December 2019 to the Règles concernant la rémunération et les autres conditions de travail des titulaires d'un emploi supérieur à temps plein (in French only), which was made by Order in Council 450-2007 of 20 June 2007;

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

THAT the Regulation to amend the Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec

An Act respecting administrative justice
(chapter J-3, s. 56)

1. The Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec (chapter J-3, r. 3.1) is amended in section 3 by replacing the first paragraph by the following:

“When a full-time member of the Tribunal takes office, his starting salary is determined by taking into account the level of the position to be filled and their employment income, in accordance with the standards prescribed in Schedule II. An amount representing 10% of the maximum of the salary scale applicable is added to that starting salary, subject to having reached the maximum of that salary scale.”

2. Section 4 is amended by adding the following paragraphs at the end:

“The deduction of an amount corresponding to half the amount of the retirement pension, provided for in the first paragraph, is applicable for the 2 years following the retirement date.

In the case of a part-time member, the deduction of an amount corresponding to half the amount of the retirement pension is not applicable.”

3. Section 7 is amended by replacing “salary of the” by “or greater than the regular maximum of the salary” everywhere it appears.

4. Section 15 is amended by adding the following paragraph at the end:

“The vacation days accumulated by a full-time member or a vice-president in the context of their functions at the Tribunal and that are unused upon their departure will be reimbursed to the full-time member or vice-president by the Tribunal at that time.”

5. Section 16 is amended by adding the following paragraph at the end:

“The vacation days accumulated by the president in the context of his functions at the Tribunal and that are unused upon his or her departure will be reimbursed to the president by the Tribunal at that time.”

6. The following subdivision is inserted after subdivision 4 of Division II:

“§4.1. *Other days off*

17.1. Full-time members are entitled to paid days of absence, the duration of which must be agreed upon in advance with the president of the Tribunal, for the purpose of a marriage or civil union, a birth, the adoption of a child, a death, moving or for any other reason considered appropriate, in accordance with the Directive concernant l'ensemble des conditions de travail des cadres de la fonction publique (C.T. 208914, 2010-04-20, in French only) and its amendments.

17.2. Full-time members benefit from the provisions concerning parental rights that are provided for in chapter 13 of the Directive concernant l'ensemble des conditions de travail des cadres de la fonction publique, to the extent that they are compatible with the provisions of this Regulation.”

7. Section 26 is revoked.

8. Schedule II is amended

(1) by striking out “or work done outside regular hours” in paragraph 4;

(2) by replacing paragraph 6 by the following:

“6. If more advantageous, calculating the average of the income received during the 3 previous years that varies notably from one year to the next because that income is in the form of profit sharing or another form. The same applies to the regular salary received, in the event of variations in salary or changes in employment during the 3 previous years.”

9. Schedule III is amended by adding the following paragraph at the end:

“16. The federal public sector referred to in paragraphs 11 to 14 of Schedule I to the Règles concernant la rémunération et les autres conditions de travail des titulaires d’un emploi supérieur à temps plein (D. 450-2007, 2007-06-20, in French only).”

10. This Regulation comes into force on 1 April 2020.

Level 4 members of the Tribunal, including physicians, who have been in office for at least 4 months as at 1 April 2020 and who receive a salary that is less than the minimum of the salary scale applicable as at 2 April 2020 will obtain a salary adjustment on that date in order that it corresponds to the minimum of the salary scale.

Level 4 members of the Tribunal, including physicians, who have been in office for at least 4 months as at 1 April 2020 benefit, if applicable, from a salary increase on 2 April 2020, in accordance with section 9 of the Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec, provided that the revised salary does not exceed the maximum of the salary scale applicable to the level of the position held.

104282

Gouvernement du Québec

O.C. 154-2020, 26 February 2020

Police Act
(chapter P-13.1)

Sûreté du Québec — Amounts payable by municipalities for the services provided — Amendment

Regulation to amend the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec

WHEREAS the first paragraph of section 77 of the Police Act (chapter P-13.1) provides in particular that the cost of the police services provided by the Sûreté du Québec shall be established using the calculation methods or rate schedule prescribed by regulation of the Government and shall be borne by the local municipality or municipalities concerned;

WHEREAS the Government made the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec (chapter P-13.1, r. 7);

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 amounts payable by municipalities for the services provided by the Sûreté du Québec was published in Part 2 of the *Gazette officielle du Québec* of 4 December 2019 with a notice that it could be made by the Government on the expiry of 45 days following its 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 amounts payable by municipalities for the services provided by the Sûreté du Québec, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec

Police Act
(chapter P-13.1, s. 77)

1. The Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec (chapter P-13.1, r. 7) is amended in the heading of Division 1 by replacing “CONTRIBUTION” by “AMOUNT”.

2. The heading of subdivision 1 is amended by replacing “method” by “methods”.

3. Section 1 is replaced by the following:

“**1.** This Division sets out the calculation methods for determining the amount payable to the Government by a municipality, pursuant to section 77 of the Police Act (chapter P-13.1), for police services provided by the Sûreté du Québec.”

4. Section 1.1 is replaced by the following:

“**1.1.** The amount payable by a municipality for the police services provided by the Sûreté du Québec that are covered by the Regulation respecting the police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction (chapter P-13.1, r. 6), excluding the supplementary services referred to in section 19, for a municipal fiscal year, is obtained using the following formula:

$$A \times [B \times D \times ((E \times T \times F) / G)]$$

$$A = 50\%;$$

B = the amount established as letter B for the preceding year adjusted according to the rate established by the letter C;

C = the variation between the consumer price index for the second year preceding the fiscal year concerned and that of the year preceding that fiscal year, as established for the whole of Québec by Statistics Canada for April of that year, to which is added a progressivity stabilization coefficient of 0.01;

D = the number of police officers of the Sûreté du Québec assigned by agreement to local or regional municipalities as at 1 January of the municipal fiscal year concerned;

E = the average of the municipality’s standardized property value established pursuant to section 2;

F = 1 or, where the municipality receives police services for only part of the fiscal year, the number of days during which it receives those services over the number of days in the fiscal year;

G = the sum of the products obtained by multiplying the letter E by the letter T for each municipality receiving police services from Sûreté du Québec;

T = the rate established pursuant to sections 4 and 5.”

5. Section 1.2 is amended

(1) by replacing, in the first paragraph,

(a) “The contribution of a” by “The amount payable, established pursuant to section 1.1, by a”;

(b) “by an amount calculated using the following formula” by “by an amount obtained using the following formula”;

(c) by replacing “the amount of the contribution of” in letter B by “the amount payable by”;

(2) by replacing “the contribution of the municipality is not increased” in the last paragraph by “the amount payable by the municipality pursuant to section 1.1 is not increased”.

6. Section 1.3 is replaced by the following:

“**1.3.** The amount payable by a municipality, established pursuant to section 1.1, is increased by 4% for the fiscal year following that during which the population of the municipality reaches or exceeds 50,000 inhabitants.

It is then increased, for the consecutive fiscal years that follow, where the population of the municipality is still 50,000 inhabitants or more, by 8% and 12% then, for all the subsequent fiscal years, by 15%.

Where the population of the municipality drops under 50,000 inhabitants during a fiscal year, the amount payable by a municipality for the following fiscal year is that established pursuant to section 1.1, without it being increased.”

7. Section 2 is amended

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

“The municipality’s standardized property value is that established for the second fiscal year preceding the fiscal year concerned in accordance with the regulation made under paragraph 7 of section 262 of the Municipal Taxation Act (chapter F-2.1).

The average of a municipality’s standardized property value is calculated from the standardized property value of that municipality for the fiscal year referred to in the first paragraph and for the 5 preceding fiscal years.”;

(2) by replacing “the estimated contribution is payable” in the last paragraph by “the amount is payable”.

8. Section 4 is amended by replacing “for which the contribution is payable” at the end by “prior to the fiscal year concerned”.

9. Section 5 is amended

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

“(1) the sum of the products obtained by multiplying, for each municipality whose territory has been amalgamated, the standardized property value established for the last fiscal year before the amalgamation came into force, by the rate established pursuant to section 4.”;

(2) by striking out “when that fiscal year precedes the 2002 fiscal year, the Schedule I referred to is that of the Regulation replaced under section 25” in subparagraph 2 of the second paragraph;

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

“For the purposes of the second paragraph, the municipalities concerned are deemed to have received services from the Sûreté du Québec for the entire last fiscal year before the amalgamation came into force.”;

(4) by striking out the last paragraph.

10. Sections 5.1 to 5.3 are revoked.

11. The heading of Division 2 is amended by replacing “CONTRIBUTION” by “AMOUNT PAYABLE”.

12. Section 6 is amended by replacing “contribution” by “amount payable”.

13. Section 7 is amended by replacing “referred to in section 2” at the end of the first paragraph by “for each fiscal year referred to in section 2”.

14. Section 9 is amended

(1) by striking out “of the contribution” at the end of the first paragraph;

(2) by replacing “contribution is payable” at the end of the second paragraph by “amount is payable”.

15. Section 10 is amended by replacing “contribution” by “amount payable”.

16. Section 11 is amended

(1) by replacing “contribution is payable” in the first paragraph, by “amount is payable”;

(2) by replacing “contribution” in the second paragraph by “amount”.

17. Section 13 is replaced by the following:

“**13.** Where, within the time limits prescribed by this Regulation, the municipalities of a regional county municipality paid in full the amount payable established in accordance with section 1.1 for a municipal fiscal year, the regional county municipality is eligible for a refund if the total of the amounts established in accordance with section 1.1 for each municipality of the regional county municipality exceeds 80% of the product obtained by multiplying the number of police officers assigned by agreement to the regional county municipality by the amount established pursuant to the letter B in the formula provided for in section 1.1. The refund paid by the Minister to the eligible regional county municipality represents the difference between the amount established as being 80% of the product and the total of the amounts established in accordance with section 1.1 for each municipality of the regional county municipality.”.

18. Section 16 is amended by replacing “du montant” in the French text by “de la somme”.

19. The heading of Division 4 is replaced by “AMOUNT PAYABLE FOR SUPPLEMENTARY SERVICES”.

20. Section 19 is amended by replacing “The contribution payable for partial services provided by the Sûreté du Québec is calculated using the following formula:” in the first paragraph by “The amount payable by a municipality, pursuant to section 82 of the Police Act (chapter P-13.1), for the supplementary services provided by the Sûreté du Québec, is obtained by using the following formula:”.

21. The heading of Schedule I is amended by striking out “FOR THE STANDARDIZED PROPERTY VALUE”.

TRANSITIONAL

22. To calculate the amount payable by a municipality, pursuant to section 1.1 of the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as replaced by section 4 of this Regulation,

(1) for the 2020 fiscal year:

(a) the letter A is equal to 49.575%;

(b) the letter B is equal to \$196,070;

(c) the letter C is not applicable;

(d) an amount equal to 46.35% of the difference between the amount paid by the municipality for the 2019 fiscal year and the amount obtained following the application of the first paragraph of section 5.1 and sections 5.2 and 5.3, as they read before their revocation by this Regulation, is added thereto;

(2) for the 2021 fiscal year:

(a) the letter A is equal to 49.575%;

(b) the letter C is equal to 6.774%;

(3) for the 2022, 2023 and 2024 fiscal years:

(a) the letter A is equal to 49.575%;

(b) the letter C is equal to 4.899%.

23. For each of the 2020, 2021, 2022, 2023 and 2024 fiscal years, if the amount payable by the municipality pursuant to the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as amended by this Regulation, is

(1) equal to or greater than the amount paid by the municipality for the fiscal year preceding the fiscal year concerned, increased by 2%, but equal to or less than the amount paid by the municipality for the fiscal year preceding the fiscal year concerned, increased by 7%, the amount payable by the municipality is equal to the amount obtained pursuant to the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as amended by this Regulation;

(2) less than the amount paid by the municipality for the fiscal year preceding the fiscal year concerned, increased by 2%, the amount payable by the municipality is equal to the amount paid for the fiscal year preceding the fiscal year concerned, increased by 2%;

(3) greater than the amount paid by the municipality for the fiscal year preceding the fiscal year concerned, increased by 7%, the amount payable by the municipality is equal to the amount paid for the fiscal year preceding the fiscal year concerned, increased by 7%.

24. For the purposes of subparagraph *d* of subparagraph 1 of the first paragraph of section 22 and section 23 of this Regulation, for the 2020 fiscal year, the amount paid by a municipality for the 2019 fiscal year is that established pursuant to the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as it read before being amended by this Regulation, for that fiscal year, without taking into account any amount granted to that municipality by the Minister of Municipal Affairs and Housing to cover part of the increase of the costs of police service of the municipality by the Sûreté du Québec for the 2019 fiscal year.

25. To calculate the amount payable by a municipality pursuant to section 1.1 of the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as replaced by section 4 of this Regulation, for the 2025 fiscal year, the value of the letter B, for that fiscal year, is obtained by determining the value of the letter B, for each preceding fiscal year as of 2020, considering that the letter B, for that last fiscal year, is equal to \$203,274.

26. Despite section 1.3 of the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as replaced by section 6 of this Regulation, the amount payable by a municipality for the 2020 fiscal year, established pursuant to section 1.1 of the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as replaced by section 4 ***of this Regulation, is increased by

(1) 15%, if the population of the municipality was 50,000 inhabitants or more during the 2019, 2018, 2017 and 2016 fiscal years;

(2) 12%, if the population of the municipality was 50,000 inhabitants or more during the 2019, 2018 and 2017 fiscal years;

(3) 8%, if the population of the municipality was 50,000 inhabitants or more during the 2019 and 2018 fiscal years.

27. The regional county municipality that was eligible for a refund for the 2019 fiscal year pursuant to section 13 of the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as it read before being amended

by section 17 of this Regulation, must pay the Minister, before 31 December 2020, an amount equal to the difference between the amount of that refund and the amount obtained using the following formula:

$$[A + (B \times 46.35\%)] - (C \times 80\%)$$

A = the amount paid by all the municipalities of the regional county municipality for the 2019 fiscal year pursuant to the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, without taking into account any amounts granted to those municipalities by the Minister of Municipal Affairs and Housing to cover part of the increase of the costs of police service of those municipalities by the Sûreté du Québec for the 2019 fiscal year;

B = the difference between the amount obtained pursuant to sections 5.1 to 5.3 of the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as they read before being revoked by section 10 of this Regulation, for all the municipalities of the regional county municipality, and the amount corresponding to the letter A;

C = the actual cost of the services of the Sûreté du Québec for the regional county municipality, established on the basis of the sum of the income indicated, as police services charged to the municipalities and the contribution of the Sûreté du Québec, in the income statement filed in the financial statements of the police services fund for the fiscal year of the fund that ended in 2019.

The Minister may make deductions from any amount owed to the regional county municipality to compensate for the amount obtained pursuant to the first paragraph.

28. Sections 22 to 26 do not apply to a municipality served by a municipal police force before 26 March 2020.

To calculate the amount payable by a municipality referred to in the first paragraph, pursuant to section 1.1 of the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as replaced by section 4 of this Regulation, for the fiscal year during which it begins receiving the services of the Sûreté du Québec, the value of the letter B, for that fiscal year, is obtained by determining the value of the letter B, for each of the preceding fiscal years as of 2020, taking into consideration that the letter B, for that last fiscal year, is equal to \$203,274.

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

Gouvernement du Québec

O.C. 156-2020, 26 February 2020

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

Automotive services industry — Lanauidière-Laurentides — Amendment

Decree to amend the Decree respecting the automotive services industry in the Lanauidière-Laurentides 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 Lanauidière-Laurentides regions (chapter D-2, r. 9);

WHEREAS, under the first paragraph of section 6.1 of the Act respecting collective agreement decrees, sections 4 to 6 apply to an application for amendment;

WHEREAS, under the first paragraph of section 4 of the Act, the contracting parties addressed an application for amendment to the Minister of Labour, Employment and Social Solidarity;

WHEREAS, under the first paragraph of section 6 of the Act, at the expiry of the time specified in the notice provided for in section 5 of the Act, the Minister may recommend that the Government issue a decree ordering the extension of the agreement, with such changes as are deemed expedient;

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 Lanauidière-Laurentides regions was published in Part 2 of the *Gazette officielle du Québec* of 25 September 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, 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 automotive services industry in the Lanaudière-Laurentides 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 Lanaudière-Laurentides regions

An Act respecting collective agreement decrees (chapter D-2, ss. 2, 4, 6 and 6.1)

1. The Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (chapter D-2, r. 9) is amended in section 1.01

(1) by inserting the following after paragraph 11:

“(11.1) “relative” means the employee’s spouse, the child, father, mother, brother, sister and grandparents of the employee or the employee’s spouse as well as those persons’ spouses, their children and their children’s spouses. The following are also considered to be an employee’s relative for the purposes of this Decree:

(a) a person having acted, or acting, as a foster family for the employee or the employee’s spouse;

(b) a child for whom the employee or the employee’s spouse has acted, or is acting, as a foster family;

(c) a tutor or curator of the employee or the employee’s spouse or a person under the tutorship or curatorship of the employee or the employee’s spouse;

(d) an incapable person having designated the employee or the employee’s spouse as mandatary;

(e) any other person in respect of whom the employee is entitled to benefits under an Act for the assistance and care the employee provides owing to the person’s state of health;”;

(2) by striking out paragraph 12.

2. Section 3.01 is amended by striking out “and the pump attendant” in subparagraph 4 of the first paragraph.

3. Section 3.05 is amended

(1) by replacing “4” in paragraph 1 by “2”;

(2) by adding the following at the end:

“(4) if the employee was not informed at least 5 days in advance that the employee would be required to work, unless the nature of the duties requires the employee to remain available or that the employee’s services are required within the limits set out in paragraphs 1 and 2.”.

4. Section 4.03 is amended by striking out “pump attendants,”.

5. Section 7.04 is amended by replacing “5” in the first paragraph by “3”.

6. Section 7.05 is amended by replacing “owing to sickness or accident” in the third paragraph by “for a reason referred to in section 8.07”.

7. Section 7.10 is amended by replacing “owing to sickness or accident” in the first paragraph by “for a reason referred to in section 8.07”.

8. Section 7.12 is amended by replacing “the other employees” by “the employer’s other employees”.

9. Section 8.05 is amended by striking out “the employee is credited with 60 days of uninterrupted service” at the end of the second sentence of the first paragraph.

10. Section 8.06 is amended

(1) by striking out “, without pay,” in the first paragraph;

(2) by replacing “the employee’s spouse, father, mother, brother, sister or one of the employee’s grandparents” in the first paragraph by “a relative or a person for whom the employee acts as a caregiver, as attested by a professional working in the health and social services sector and governed by the Professional Code (chapter C-26)”;

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

“If it is warranted, by the duration of the absence for instance, the employer may request that the employee furnish a document attesting to the reasons for the absence.”;

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

“The first 2 days taken annually are remunerated according to the calculation formula described in section 6.03, with any adjustments required in the case of division. The employee becomes entitled to such remuneration on being credited with 3 months of uninterrupted service, even if the employee was absent previously.”.

11. Section 8.07 is amended by replacing the first paragraph by the following:

“An employee may be absent from work for a period of not more than 26 weeks over a period of 12 months owing to sickness, an organ or tissue donation for transplant, an accident, domestic violence or sexual violence of which the employee has been a victim.

An employee may, however, be absent from work for a period of not more than 104 weeks if the employee suffers a serious bodily injury during or resulting directly from a criminal offence that renders the employee unable to hold the employee’s regular position. In that case, the period of absence does not begin before the date on which the criminal offence was committed, or before the expiry of the period provided for in the first paragraph, where applicable, and does not end later than 104 weeks after the commission of the criminal offence.”.

12. The following is inserted after section 8.07:

“**8.07.1.** The second paragraph of section 8.07 applies if it may be inferred from the circumstances of the event that the employee’s serious bodily injury is probably the result of a criminal offence.

However, an employee may not take advantage of such a period of absence if it may be inferred from the circumstances that the employee was probably a party to the criminal offence or probably contributed to the injury by a gross fault.

8.07.2. The second paragraph of section 8.07 applies if the employee suffered the injury

(1) while lawfully arresting or attempting to arrest an offender or suspected offender or assisting a peace officer making an arrest; or

(2) while lawfully preventing or attempting to prevent the commission of an offence or suspected offence, or assisting a peace officer who is preventing or attempting to prevent the commission of an offence or suspected offence.”.

13. Section 8.08 is amended

(1) by replacing “In the case mentioned in section 8.07, the” by “The”;

(2) by inserting the following paragraphs at the end:

“If it is warranted by the duration of the absence or its repetitive nature, for instance, the employer may request that the employee furnish a document attesting to those reasons.

During a period of absence under the second paragraph of section 8.07, the employee may return to work intermittently or on a part-time basis if the employer consents to it.”.

14. Section 8.10 is amended by replacing “the sickness or accident” in the second paragraph by “an absence for a reason described in section 8.07”.

15. Section 8.13 is amended

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

“An employee may be absent from work for a period of not more than 16 weeks over a period of 12 months where the employee must stay with a relative or a person for whom the employee acts as a caregiver, as attested by a professional working in the health and social services sector and governed by the Professional Code (chapter C-26), because of a serious illness or a serious accident. Where the relative or person is a minor child, the period of absence is not more than 36 weeks over a period of 12 months.

An employee may be absent from work for a period of not more than 27 weeks over a period of 12 months where the employee must stay with a relative, other than his minor child, or a person for whom the employee acts as a caregiver, as attested by a professional working in the health and social services sector and governed by the Professional Code (chapter C-26), because of a serious and potentially mortal illness, attested by a medical certificate.”;

(2) by striking out the fourth paragraph.

16. The following is inserted after section 8.13:

“**8.14.** The employee is entitled to an extension of the absence provided for in the first paragraph of section 8.13, which ends not later than 104 weeks after the beginning of the absence, where the employee must stay with the employee’s minor child who has suffered a serious bodily injury during or resulting directly from a criminal offence that renders the employee unable carry on regular activities.

8.15. In accordance with the Act respecting labour standards (chapter N-1.1), an employee may be absent from work

(1) if the employee’s minor child has disappeared or by reason of the death of the employee’s minor child;

(2) if the employee’s spouse, father, mother or child of full age commits suicide; or

(3) if the death of the employee’s spouse or child of full age occurs during or results directly from a criminal offence.

8.16. Except with respect to the death of the employee’s minor child, sections 8.14 and 8.15 apply if it may be inferred from the circumstances of the event that the serious bodily injury is probably the result of a criminal offence, the death is probably the result of such an offence or of a suicide, or the person who has disappeared is probably in danger.

However, an employee may not take advantage of the provisions if it may be inferred from the circumstances that the employee or, in the case of paragraph 3 of

section 8.15, the deceased person was probably a party to the criminal offence or probably contributed to the injury by a gross fault.

Section 8.14 and paragraph 3 of section 8.15 apply if the injury or death occurs in one of the situations described in section 8.07.2.

A period of absence under sections 8.14 and 8.15 must not begin before the date on which the criminal offence that caused the serious bodily injury was committed or before the date of the death or disappearance and must not end later than 104 weeks after that date. However, during the period of absence, the employee may return to work intermittently or on a part-time basis if the employer consents to it.

If, during the same 104-week period, a new event occurs, affecting the same child and giving entitlement to a new period of absence, the maximum period of absence for those two events may not exceed 104 weeks from the date of the first event.

8.17. Sections 8.08 to 8.12 apply to the periods of absence provided for in sections 8.13, 8.14 and 8.15, with the necessary modifications.

The entitlement provided for in the fifth paragraph of section 8.06 applies in the same manner to absences authorized under section 8.07. However, the employer is not required to remunerate more than 2 days of absence in the same year, if the employee is absent from work for a reason referred to in those sections.”

17. Section 9.01 is replaced by the following:

“**9.01.** The minimum hourly wage rates are as follows:

Trades	As of 11 March 2020	As of 11 March 2021	As of 11 March 2022	As of 11 March 2023
1. Apprentice				
1st grade	\$13.00	\$13.39	\$13.72	\$14.07
2nd grade	\$13.88	\$14.30	\$14.65	\$15.02
3rd grade	\$15.43	\$15.89	\$16.29	\$16.70
2. Journeyman				
A	\$23.68	\$24.39	\$25.00	\$25.63
B	\$20.45	\$21.06	\$21.59	\$22.13
C	\$18.51	\$19.07	\$19.54	\$20.03
D	\$16.20	\$16.69	\$17.10	\$17.53

Trades	As of 11 March 2020	As of 11 March 2021	As of 11 March 2022	As of 11 March 2023
3. Parts clerk				
1st grade	\$12.75	\$13.12	\$13.45	\$13.79
2nd grade	\$12.90	\$13.29	\$13.62	\$13.96
3rd grade	\$13.45	\$13.85	\$14.20	\$14.55
4th grade	\$14.26	\$14.69	\$15.05	\$15.43
4th class	\$15.57	\$16.04	\$16.44	\$16.85
3rd class	\$16.74	\$17.24	\$17.67	\$18.12
2nd class	\$17.30	\$17.82	\$18.26	\$18.72
1st class	\$17.83	\$18.36	\$18.82	\$19.29
4. Messenger				
	\$12.75	\$13.12	\$13.45	\$13.79
5. Dismantler				
1st grade	\$14.27	\$14.70	\$15.07	\$15.44
2nd grade	\$14.69	\$15.13	\$15.51	\$15.90
3rd grade	\$15.13	\$15.58	\$15.97	\$16.37
6. Washer				
	\$12.75	\$13.12	\$13.45	\$13.79
7. Semi-skilled worker				
1st grade	\$14.27	\$14.70	\$15.07	\$15.44
2nd grade	\$14.69	\$15.13	\$15.51	\$15.90
3rd grade	\$15.13	\$15.58	\$15.97	\$16.37
8. Service attendant				
1st grade	\$12.75	\$13.12	\$13.45	\$13.79
2nd grade	\$13.64	\$14.05	\$14.40	\$14.76
3rd grade	\$14.00	\$14.42	\$14.78	\$15.15
4th grade	\$14.82	\$15.26	\$15.65	\$16.04

”.

18. Section 9.01.1 is amended by replacing the third paragraph by the following:

“They are entitled to the following minimum hourly wage rates:

Trades	As of 11 March 2020	As of 11 March 2021	As of 11 March 2022	As of 11 March 2023
Service attendant				
2nd class	\$16.02	\$16.50	\$16.91	\$17.34
1st class	\$17.37	\$17.89	\$18.34	\$18.80

”.

19. Section 9.02 is amended by replacing the first paragraph by the following:

“Wages must be paid in cash in a sealed envelope, by cheque or by bank transfer.”.

20. Section 9.10.1 is amended

(1) by replacing “to other” in the first paragraph by “to the employer’s other” and “for the sole reason that the employee” by “solely because of the employee’s employment status, and in particular because the employee”, respectively;

(2) by striking out the second paragraph.

21. Section 13.01 is amended by replacing “31 December 2018” by “11 March 2024” and by replacing “June 2018” and “June” respectively by “September 2023” and “September”.

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

104284

Gouvernement du Québec

O.C. 157-2020, 26 February 2020

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

Automotive services industry

— Various regulations respecting the monthly report of parity committees

— Replace

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

WHEREAS, in accordance with section 16 of the Act respecting collective agreement decrees (chapter D-2), a parity committee is formed for the purpose of overseeing and ascertaining compliance with a decree;

WHEREAS, in accordance with subparagraph *h* of the second paragraph of section 22 of the Act:

— the Comité paritaire sur l’industrie des services automobiles des Cantons de l’Est made the Règlement relatif au rapport mensuel du Comité paritaire de l’industrie de l’automobile des Cantons de l’Est (1971) by a notice of

adoption published in the *Gazette officielle du Québec* of 10 April 1978 and its amendments were published by means of a notice of adoption in the French version of the *Gazette officielle du Québec* of 3 December 1980;

— the Comité paritaire de l’industrie des services automobiles de la région Saguenay–Lac-Saint-Jean made the Regulation respecting the monthly report of the Comité paritaire de l’industrie des services automobiles de la région Saguenay–Lac-Saint-Jean, approved by Order in Council 782-2005 dated 17 August 2005 and amended by Order in Council 442-2013 dated 24 April 2013;

— the Comité paritaire de l’industrie de l’automobile de la Mauricie made the Regulation respecting the monthly report of the Comité paritaire de l’industrie de l’automobile de la Mauricie, approved by Order in Council 1347-87 dated 26 August 1987;

— the Comité paritaire de l’industrie de l’automobile des régions Lanaudière-Laurentides made the Regulation respecting the monthly report of the Comité paritaire de l’industrie de l’automobile des régions Lanaudière-Laurentides by a notice of adoption published in the *Gazette officielle du Québec* of 19 May 1982;

— the Comité paritaire de l’industrie des services automobiles de la région de Québec made the By-law Respecting the Monthly Report Number 3 of the Automobile Parity committee, Québec region, by a notice of adoption published in the *Gazette officielle du Québec* of 25 May 1977;

WHEREAS it is expedient to replace the Regulations and By-law;

WHEREAS the Comité paritaire sur l’industrie des services automobiles des Cantons de l’Est made the Regulation respecting the monthly report of the Comité paritaire sur l’industrie des services automobiles des Cantons de l’Est at its meeting of 6 February 2019;

WHEREAS the Comité paritaire de l’industrie des services automobiles de la région Saguenay–Lac-Saint-Jean made the Regulation respecting the monthly report of the Comité paritaire de l’industrie des services automobiles de la région Saguenay–Lac-Saint-Jean at its meeting of 12 February 2019;

WHEREAS the Comité paritaire de l’industrie de l’automobile de la Mauricie made the Regulation respecting the monthly report of the Comité paritaire de l’industrie de l’automobile de la Mauricie at its meeting of 11 February 2019;

WHEREAS the Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides made the Regulation respecting the monthly report of the Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides at its meeting of 15 January 2019;

WHEREAS the Comité paritaire de l'industrie des services automobiles de la région de Québec made the Regulation respecting the monthly report of the Comité paritaire de l'industrie des services automobiles de la région de Québec at its meeting of 28 January 2019;

WHEREAS, in accordance with subparagraph *h* of the second paragraph of section 22 of the Act respecting collective agreement decrees, the Regulation must be approved by the Government;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to replace various regulations respecting the monthly report of parity committees of the automotive services industry was published in Part 2 of the *Gazette officielle du Québec* of 19 June 2019 in French and 9 October 2019 in English, with a notice that it could be approved by the Government on the expiry of 45 days following those publications;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to replace various regulations respecting the monthly report of parity committees of the automotive services industry, attached to this Order in Council, be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

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., subparagraph *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.

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.

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.

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.”

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 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.”

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:

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 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.

“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*.

104285

Gouvernement du Québec

O.C. 158-2020, 26 February 2020

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

**Building service employees – Québec
—Amendment**

Decree to amend the Decree respecting building service employees in the Québec region

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;

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.

WHEREAS the Government made the Decree respecting building service employees in the Québec region (chapter D-2, r. 16);

WHEREAS, under section 6.1 of the Act respecting collective agreement decrees, sections 4 to 6 apply to an application for amendment;

WHEREAS, under the first paragraph of section 4 of the Act, the contracting parties addressed to the Minister of Labour, Employment and Social Solidarity an application to amend the Decree;

WHEREAS, under the first paragraph of section 6 of the Act, on the expiry of the time specified in the notice provided for in section 5 of the Act, the Minister may recommend that the Government issue a decree ordering the extension of the agreement, with such changes as are deemed expedient;

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 building service employees in the Québec region was published in Part 2 of the *Gazette officielle du Québec* of 30 October 2019 and in a French-language newspaper and 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 notwithstanding 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 building service employees in the Québec region, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting building service employees in the Québec region

An Act respecting collective agreement decrees (chapter D-2, ss. 2, 4, 6 and 6.1)

1. The Decree respecting building service employees in the Québec region (chapter D-2, r. 16) is amended in section 3.01 by adding the following paragraphs at the end:

“An employer may schedule the working hours of employees on a basis other than a weekly basis if

(1) the employee occupies a position with irregular working hours;

(2) the purpose of the schedule is not to avoid the payment of overtime hours to employees who occupy positions with regular working hours;

(3) the employer has obtained the written consent of the employee concerned;

(4) the schedule gives the employee the opportunity to obtain, in particular, more stability with regard to wages, insofar as possible;

(5) the average number of hours worked is equivalent to the number of hours of the standard workweek;

(6) working hours are scheduled and paid over a maximum period of 4 weeks; and

(7) the employer has forwarded a written notice to the Comité paritaire de l’entretien d’édifices publics de la région de Québec at least 15 days before the application of the schedule.

A scheduled period may be changed or renewed by the employer on its expiry on the same conditions as those provided for in the second paragraph.”.

2. The following is inserted after section 3.02:

“**3.02.1.** No employee is required to accept a work assignment of 7 or more consecutive days.”.

3. The following is inserted after section 4.01:

“All overtime requires prior authorization by the employer.”.

4. Section 5.01 is amended by replacing the table by the following:

“

Class of employment	11 March 2020	1 Nov. 2020	1 Nov. 2021	1 Nov. 2022	1 Nov. 2023	1 Nov. 2024	1 Nov. 2025
A	\$18.59	\$19.06	\$19.58	\$20.07	\$20.57	\$21.09	\$21.62
B	\$18.25	\$18.75	\$19.32	\$19.85	\$20.40	\$20.96	\$21.57
C	\$19.11	\$19.58	\$20.12	\$20.63	\$21.14	\$21.67	\$22.23

”.

5. Section 5.02 is amended by replacing the table by the following:

“

Class of employment	11 March 2020	1 Nov. 2020	1 Nov. 2021	1 Nov. 2022	1 Nov. 2023	1 Nov. 2024	1 Nov. 2025
5 or fewer	\$0.58	\$0.60	\$0.61	\$0.63	\$0.64	\$0.66	\$0.68
From 6 to 11	\$0.88	\$0.90	\$0.93	\$0.95	\$0.97	\$1.00	\$1.03
12 or more	\$1.18	\$1.20	\$1.23	\$1.26	\$1.29	\$1.32	\$1.35

”.

6. Section 5.03 is amended by striking out “cheque or”.

7. Section 5.04 is replaced by the following:

“**5.04.** The pay slip provided for in section 5.05 is sent at the employee’s request by electronic mail. Failing that, the pay slip is mailed to the employee’s residence or distributed on the work premises, provided that the pay slip is given to the employee in a sealed envelope so that the employee’s personal information is protected. Only representatives of the employer whose duties require it may have access to the employee’s personal information.”.

8. Section 5.05 is amended:

(1) by striking out “sick” in subparagraph l;

(2) by adding the following at the end:

“(m) the employee’s hiring date;

(n) the amount of the employer’s contribution to the group registered retirement savings plan during the period and the total contribution during the calendar year;

(o) the amount of the employee’s voluntary contribution to the group registered retirement savings plan that was deducted by the employer during the period and the total contribution during the calendar year.”.

9. Section 5.06 is revoked.

10. The following is added after section 5.09:

“DIVISION 5.1.00
GROUP REGISTERED RETIREMENT
SAVINGS PLAN

5.1.01. The group registered retirement savings plan is administered by the Comité paritaire de l’entretien d’édifices publics de la région de Québec.

5.1.02. On the day the employee is hired, the employer must have the employee complete, date and sign the enrollment form for the group registered retirement savings plan provided by the parity committee.

It is incumbent on the employer to ask the parity committee to renew their supply of forms in a timely manner.

5.1.03. The employer’s mandatory contribution to the group registered retirement savings plan is

(1) five cents (\$0.05) per hour paid as of 1 November 2023;

(2) ten cents (\$0.10) per hour paid as of 1 November 2024;

(3) twenty cents (\$0.20) per hour paid as of 1 November 2025.

5.1.04. The amount of the employer's mandatory contribution to the group registered retirement savings plan applies from the employee's first hour of work.

5.1.05. The employer must withhold the employee's voluntary contribution from the employee's wages as soon as the employer receives a writing to that effect. The employee may not end the contribution or change its amount more than once a year.

5.1.06. The employer must send to the parity committee, not later than the 15th day of each month, the employer's contribution to the group registered retirement savings plan for the preceding month as well as any voluntary contribution from the employee.

5.1.07. Sections 5.1.01 to 5.1.06 do not apply to an employee who has reached 71 years of age. However, the contribution provided for in section 5.1.03 must be added to the employee's hourly rate."

11. Section 6.02 is amended by replacing "Employees having worked 320 hours in the enterprise" by "Regular employees".

12. Section 6.05 is replaced by the following:

"**6.05.** The indemnity for each general holiday referred to in sections 6.02 and 6.03 is paid as follows:

(a) the payment owed the employee for a general holiday with pay is equal to the amount to which the employee would have been entitled had the employee worked on that day;

(b) despite subparagraph a, if an employee is entitled to it and the employee's working hours are scheduled over less than 5 days per week, the employee is remunerated as follows: 20% of the wages earned in the pay period preceding the holiday. If the pay period is every 2 weeks, the percentage is 10%.

An employee may renounce to take a general holiday if working on that general holiday does not entail a 50% increase in wages."

13. Section 6.06 is amended:

(1) by replacing "employee who has worked 320 hours in the enterprise" in the portion before paragraph a by "regular employee";

(2) by replacing paragraph c by the following:

"(c) the employee is absent owing to sickness or an accident for a period of less than 5 days. The employer reserves the right to request a medical certificate from the employee justifying the absence."

14. Sections 6.10 and 6.12 to 6.14 are amended by replacing the words "employee who has not worked 320 hours in the enterprise" wherever they appear by the words "probationary employee".

15. The following is inserted after section 7.03:

"**7.03.1.** The employee who, at the end of the qualifying period, has 3 year of continuous service with his employer, is entitled to an annual vacation of a minimum duration of 3 consecutive weeks. The vacation pay is equal to 6% of the employee's gross wages during the qualifying period."

16. The following is inserted after section 7.04:

"**7.04.1.** The employee who, at the end of the qualifying period, has 33 years of continuous service, is entitled to an annual vacation of 5 weeks. The vacation pay is equal to 10% of the employee's gross wages during the qualifying period."

17. Section 7.07 is replaced by the following:

"**7.07.** Should an employee be absent owing to one of the reasons listed in the first paragraph of section 79.1 of the Act respecting labour standards (chapter N-1.1) or on maternity or paternity leave during the qualifying period and should that absence result in the reduction of that employee's annual leave indemnity, the employee is then entitled to an indemnity equal, as the case may be, to 2, 3, 4 or 5 times the weekly average of the wage earned during the period worked. The employee referred to in section 7.02 whose annual leave is less than 2 weeks is entitled to that amount in proportion to the days of leave credited to the employee's accounts.

Despite the first paragraph, the annual leave indemnity may not exceed the indemnity to which the employee would have been entitled if the employee had not been absent or on leave owing to a reason set out in the first paragraph."

18. Section 7.08 is replaced by the following:

"**7.08.** The annual leave indemnity is paid to an employee by bank transfer during the employer's regular pay period.

An employee who divides annual leave may, if the employee so wishes, receive by bank transfer, at the time of each elected period of leave, the indemnity to which the employee is entitled for the duration of each of those periods.”

19. The heading of Division 8.00 is replaced by the following:

“LEAVE OWING TO SICKNESS, AN ACCIDENT, FAMILY OBLIGATIONS OR PERSONAL REASONS”.

20. Section 8.01 is replaced by the following:

“8.01. The regular employee acquires a leave credit equal to 2.31% of the hours paid, including annual leave, holidays, leave owing to sickness, an accident, family obligations or personal reasons, and overtime hours, for each month of service with the employer. The leave hour credit is computed as a number of hours at the end of each month of service. ”.

21. Section 8.03 is amended by replacing the words “sick leave” and “accumulated sick leave” wherever they appear by the words “accumulated leave”.

22. Section 8.03.1 is replaced by the following:

“8.03.1. Except in the case of a resignation or dismissal, the employer pays all the leave hour credits accumulated by an employee

- (1) whose employment is terminated due to a layoff lasting longer than 13 months;
- (2) who was laid off and cannot work more than 35 km from the employee’s residence;
- (3) who retires.”.

23. Section 8.07 is revoked.

24. Section 8.08 is replaced by the following:

“8.08. An employee may, on approval of the employer, use accumulated days of leave to make up for a lack of work owing to a power failure or fire at the employee’s workplace. ”.

25. The following is added after section 8.08:

“8.09. An employee who has 3 months of uninterrupted service may be absent from work for a period of not more than 26 weeks over a period of 12 months owing

to one of the reasons provided for in section 79.1 of the Act respecting labour standards (chapter N-1.1), in particular, sickness, an accident, domestic violence or sexual violence.

The first paragraph does not apply to accidents covered by the Act respecting industrial accidents and occupational diseases (chapter A-3.001).

An employee must advise the employer as soon as possible of a period of absence from work, giving the reasons for it. If it is warranted by the duration of the absence or its repetitive nature, for instance, the employer may request that the employee furnish a document attesting to those reasons.

8.10. An employee who has 3 months of uninterrupted service may be absent from work 10 days a year to fulfil family obligations, in accordance with section 79.7 of the Act respecting labour standards (chapter N-1.1).

The leave may be divided into days. A day may also be divided if the employer consents thereto.

The employee must advise the employer of the absence as soon as possible and take reasonable steps within the employee’s power to limit the leave and its duration.

8.11. The first 2 days of leave taken annually by a probationary employee who has 3 months of uninterrupted service owing to one of the reasons provided for in section 8.09 or 8.10 are paid according to the following formula: 1/20 of the wages earned during the 4 complete weeks of pay preceding the week of the holiday excluding overtime hours.

The wages paid are deducted from the employee’s accumulated leave hour credits. If there are no or insufficient credits, the employee repays them using subsequent accumulated leave hour credits.

8.12. On 1 January of each year, if a regular employees who has 3 months of uninterrupted service and no accumulated leave hour credits must be absent owing to one of the reasons provided for in section 8.09 or 8.10, the first 2 days of absence are paid by the employer according to the formula provided for in section 8.11.”.

26. Section 9.01 is amended by inserting the following after paragraph 1:

“(1.1) where the employer requires the employee to work 12 continuous hours, the employee is entitled to a paid 30-minute period for meals; ”.

27. The following is inserted after section 9.05.1:

“**9.05.2.** For the purposes of sections 9.02 to 9.05, the employee may exercise the right to be absent as of the death or funeral, without exceeding the following periods, taking the special conditions into account:

(1) beyond the week after the date of the funeral where the death or funeral occurs inside the country. However, on presentation of a supporting document, the employee may have 2 days of leave to attend the interment or cremation of the body or its placement in a public vault. The employee must advise the employer of the absence as soon as the date becomes known;

(2) beyond 30 days after the date of the death where the death or funeral occurs outside the country.

In the event that a death for which the employee is entitled to a vacation under sections 9.02 to 9.05 occurs during the employee’s annual vacation, unless there is an agreement between the employee and the employer concerning the resumption of the vacation at a later date, the employee’s annual vacation must be extended by a period equivalent to the vacation to which the employee is entitled.”

28. Section 9.07 is amended by striking out “sick”.**29.** Section 9.09 is amended

(1) by striking out “sick” in the fourth paragraph;

(2) by striking out the fifth paragraph.

30. Section 9.11 is revoked.**31.** Section 9.12 is amended by replacing “, 9.09 and 9.11” by “and 9.09”.**32.** Section 9.13 is replaced by the following:

“**9.13.** When moving to a new address, an employee may, once every year, use a day of leave with pay that the employee has to the employee’s credit and that is provided for in section 8.01.”

33. Section 12.03 is replaced by the following:

“**12.03.** The employer pays the cost of safety shoes where the employer’s client requires that they be worn on the work premises, up to \$100.00 per year.

That amount is increased by \$2.00 on 1 November of each year until the expiry of the Decree.”

34. Section 12.04 is replaced by the following:

“**12.04.** The employer must place at the disposal of the employees a first aid kit, the content of which must comply with the First-aid Minimum Standards Regulation (chapter A-3.001, r. 10), if no such kit is already accessible in the establishment. The kit must be available on the work premises at all times and the employees must be informed of its location.”

35. The following is added after section 12.04:**“DIVISION 12.1.00
MISCELLANEOUS**

12.1.01. The employer may not require, directly or indirectly, to have an employee repay the cost of a document or certificate required by the employer or a third person after the employee is hired.”

36. Section 13.01 is amended by replacing “2018” wherever it appears by “2025”.**37.** Schedule I is amended

(1) by replacing “Matane” in the Municipalité régionale de comté de Matane subsection of the RÉGION 01 — BAS-SAINT-LAURENT section by “La Matanie”;

(2) by striking out “Le Bic,” in the Municipalité régionale de comté de Rimouski-Neigette subsection of the RÉGION 01 — BAS-SAINT-LAURENT section;

(3) by striking out “Cabano,” and “Notre-Dame-du-Lac,” and by adding “, Témiscouata-sur-le-Lac” at the end of the Municipalité régionale de comté de Témiscouata subsection of the RÉGION 01 — BAS-SAINT-LAURENT section;

(4) by striking out “La Baleine,” and “Saint-Joseph-de-la-Rive,” in the Municipalité régionale de comté de Charlevoix subsection of the RÉGION 03 — CAPITALE-NATIONALE section;

(5) by striking out “paroisse et village de” in the Municipalité régionale de comté de Charlevoix-Est subsection of the RÉGION 03 — CAPITALE-NATIONALE section;

(6) by adding the following subsection after the heading of the RÉGION 08 — ABITIBI-TÉMISCAMINGUE section:

«**Hors municipalité régionale de comté**

Rouyn-Noranda. »;

(7) by striking out the heading and content of the Municipalité régionale de comté de Rouyn-Noranda subsection of the RÉGION 08 — ABITIBI-TÉMISCAMINGUE section;

(8) by striking out “Angliers,” in the Municipalité régionale de comté de Témiscamingue subsection of the RÉGION 08 — ABITIBI-TÉMISCAMINGUE section and by replacing “Laverlochère” by “Laverlochère-Angliers”;

(9) by replacing “Carleton-Saint-Omer” in the Municipalité régionale de comté d’Avignon subsection of the RÉGION 11 — GASPÉSIE-ÎLES-DE-LA-MADELEINE section by “Carleton-sur-Mer”;

(10) by replacing “de l’Amiante” in the heading of the Municipalité régionale de comté de l’Amiante subsection of the RÉGION 12 — CHAUDIÈRE-APPALACHES section by “des Appalaches”;

(11) by striking out “Sainte-Germaine-du-Lac-Étchemin,” in the Municipalité régionale de comté des Etchemins subsection of the RÉGION 12 — CHAUDIÈRE-APPALACHES section;

(12) by striking out “Chester-Est,” “Norbertville,” and “Sainte-Anne-du-Sault,” in the Municipalité régionale de comté d’Arthabaska subsection of the RÉGION 17 — CENTRE-DU-QUÉBEC section.

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

(1) section 7.04.1 of the Decree respecting building service employees in the Québec region, introduced by section 16 of this Decree, which comes into force on 1 May 2023;

(2) section 7.07 of the Decree respecting building service employees in the Québec region, introduced by section 17 of this Decree, with regard to the indemnity equal to 5 times the weekly average of the wages earned for employees entitled to a 5-week annual vacation, which comes into force on 1 May 2023;

(3) paragraphs *n* and *o* of section 5.05 of the Decree respecting building service employees in the Québec region (chapter D-2, r. 16), introduced by paragraph 2 of section 8 of this Decree, which come into force on 1 November 2023;

(4) section 5.1.00 of the Decree respecting building service employees in the Québec region, introduced by section 10 of this Decree, which comes into force on 1 November 2023.

104286

Gouvernement du Québec

O.C. 159-2020, 26 February 2020

An Act respecting occupational health and safety (chapter S-2.1)

Occupational health and safety —Amendment

Regulation to amend the Regulation respecting occupational health and safety

WHEREAS, under subparagraphs 3, 7, 19 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter S-2.1), the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations

—listing contaminants or dangerous substances, classifying them, identifying the biological or chemical agents and determining for each class or each contaminant a maximum permissible quantity or concentration of emission, deposit, issuance or discharge at a workplace, prohibiting or restricting the use of a contaminant or prohibiting any emission, deposit, issuance or discharge of a contaminant;

—prescribing measures for the supervision of the quality of the work environment and standards applicable to every establishment or construction site in view of ensuring the health, safety and physical well-being of workers, particularly with regard to work organization, lighting, heating, sanitary installations, quality of food, noise, ventilation, variations in temperature, quality of air, access to the establishment, means of transportation used by workers, eating rooms and cleanliness of a workplace, and determining the hygienic and safety standards to be complied with by the employer where he makes premises available to workers for lodging, meal service or leisure activities;

—prescribing standards respecting the safety of such products, processes, equipment, materials, contaminants or dangerous substances as it specifies, indicating the directions for their use, maintenance and repair, and prohibiting or restricting their use;

—generally prescribing any other measure to facilitate the application of the Act;

WHEREAS, under the second paragraph of section 223 of the Act, the content of the regulations may vary according to the categories of persons, workers, employers, workplaces, establishments or construction sites to which they apply;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting occupational health and safety was published in Part 2 of the *Gazette officielle du Québec* of 12 December 2018 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission made the Regulation with amendments at its sitting of 12 December 2019;

WHEREAS, under the first paragraph of section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of the Act is to be submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting occupational health and safety, attached to this Order in Council, be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting occupational health and safety

Act respecting occupational health and safety
(chapter S-2.1, s. 223, 1st par., subpars. 3, 7, 19, 42 and 2nd par.)

1. The Regulation respecting occupational health and safety (chapter S-2.1, r. 13) is amended in Schedule I by

(1) inserting the following after subparagraph 5 of the first paragraph:

“(5.1) Id: inhalable dust.”;

(2) inserting the following after subparagraph 5.1 of the first paragraph:

“(5.2.) IFV: inhalable fraction and vapour.”;

(3) inserting the following after subparagraph 15 of the first paragraph:

“(15.1.) Thord: thoracic dust.”;

(4) striking out the following substances and their characteristics in Part 1:

“

Substance	[#CAS]	TWAEV		STEV/Ceiling		Designation and remarks
		ppm mg/m ³	ppm	ppm	mg/m ³	
Acetic anhydride	[108-24-7]	5	21			
Acetonitrile	[75-05-8]	40	67	60	101	
Adipic acid	[124-04-9]	5				
Allyl alcohol	[107-18-6]	2	4.8	4	9.5	<i>Pc</i>
Allyl glycidyl ether (AGE)	[106-92-3]	5	23	10	47	
Allyl propyl disulfide	[2179-59-1]	2	12	3	18	
Ammonium perfluorooctanoate	[3825-26-1]		0.1			<i>Pc</i>
Barium sulfate	[7727-43-7]		10			<i>Td, note 1</i>
			5			<i>Rd, note 1</i>

Substance	[#CAS]	TWA/EV		STEV/Ceiling		Designation and remarks
		ppm mg/m ³	ppm	ppm mg/m ³	ppm	
Benzyl chloride	[100-44-7]	1	5.2			
Boron tribromide	[10294-33-4]			C1	C10	RP
Boron trifluoride	[7637-07-2]			C1	C2.8	RP
Bromacil	[314-40-9]		10			
Bromoform	[75-25-2]	0.5	5.2			Pc
2-Butoxyethanol	[111-76-2]	20	97			
n-Butyl acetate	[123-86-4]	150	713	200	950	
sec-Butyl acetate	[105-46-4]	200	950			
tert-Butyl acetate	[540-88-5]	200	950			
n-Butyl acrylate	[141-32-2]	2	10			
n-Butyl glycidyl ether (BGE)	[2426-08-6]	25	133			
Calcium sulfate	[7778-18-9]		10			Td, note 1
			5			Rd, note 1
Caprolactam	[105-60-2]					
Dust			1		3	
Vapour		5	23	10	46	
Carbon black	[1333-86-4]		3.5			
Carbon disulfide	[75-15-0]	4	12	12	36	Pc
Catechol	[120-80-9]	5	23			Pc
Chlordane	[57-74-9]		0.5			Pc
Chlorobenzene	[108-90-7]	50	230			
o-Chlorobenzylidene malononitrile	[2698-41-1]			C0.05	C0.39	Pc,RP
Clopidol	[2971-90-6]		10			
Cotton dust, cotton waste processing operation of waste recycling and garnetting.			1.0			
Cotton dust, in yarn manufacturing and cotton washing operations.			0.2			
Cotton dust, in textile mill waste house operations or in yarn manufacturing to dust from “lower-grade washed cotton”.			0.5			
Cotton dust, in textile slashing and weaving operations.			0.75			
Cresol (all isomers)	[1319-77-3]	5	22			Pc
Crotonaldehyde	[4170-30-3]	2	5.7			
Cyanogen	[460-19-5]	10	21			
Cyclonite	[121-82-4]		1.5			Pc
2,6-Di-tert-butyl-p-cresol	[128-37-0]		10			
Diazomethane	[334-88-3]	0.2	0.34			
Dibutyl phosphate	[107-66-4]	1	8.6	2	17	
2-N-Dibutylaminoethanol	[102-81-8]	2	14			Pc
Dichloroacetylene	[7572-29-4]			C0.1	C0.39	RP
o-Dichlorobenzene	[95-50-1]			C50	C301	RP
p-Dichlorobenzene	[106-46-7]	20	120			C3
1,2-Dichloropropane	[78-87-5]	75	347	110	508	
2,2-Dichloropropionic acid	[75-99-0]	1	5.8			
Dieldrin	[60-57-1]		0.25			Pc

Substance	[#CAS]	TWA/VEV		STEV/Ceiling		Designation and remarks
		ppm mg/m ³	ppm mg/m ³	ppm mg/m ³	ppm mg/m ³	
Diethanolamine	[111-42-2]	3	13			<i>Pc</i>
Diethyl ketone	[96-22-0]	200	705			
2-Diethylaminoethanol	[100-37-8]	10	48			<i>Pc</i>
Diglycidyl ether (DGE)	[2238-07-5]	0.1	0.53			
Dimethylamine	[124-40-3]	5	9			
1,1-Dimethylhydrazine	[57-14-7]	0.5	1.2			<i>Pc,C2,RP,EM</i>
Dinitolmide	[148-01-6]		5			
Dinitrobenzene (all isomers) [528-29-0 ; 99-65-0 ; 100-25-4 ; 25154-54-4]		0.15	1			<i>Pc</i>
EPN	[2104-64-5]		0.1			<i>Pc</i>
Ethyl alcohol	[64-17-5]	1000	1880			
Ethyl amyl ketone	[541-85-5]	25	131			
Ethyl benzene	[100-41-4]	100	434	125	543	
Ethyl butyl ketone	[106-35-4]	50	234			
Ethyl chloride	[75-00-3]	1000	2640			
Ethylamine	[75-04-7]	10	18			
Ethylene glycol dinitrate	[628-96-6]			C0.2	C1.2	<i>Pc,RP</i>
Ethylene imine	[151-56-4]	0.5	0.88			<i>Pc</i>
Ethylidene norbornene	[16219-75-3]			C5	C25	<i>RP,EM</i>
Fibres-artificial vitreous mineral fibres						
Fibrous glass, continuous filament			10			<i>Td, note 1</i>
Fibrous glass, microfibres (note 4)		1 fibre/cm ³				1 fibre/cm ³
Insulation wool fibres, glass wool (note 4)		1 fibre/cm ³				
Insulation wool fibres, rock wool (note 4)		1 fibre/cm ³				
Insulation wool fibres, slag wool (note 4)		2 fibre/cm ³				
Refractory fibres (ceramic or others) (note 4)		1 fibre/cm ³				<i>C3</i>
Para-aramides fibres (Kevlar®, Twaron®)		1 fibre/cm ³				
Furfural	[98-01-1]	2	7.9			<i>Pc</i>
Glutaraldehyde	[111-30-8]			C0.1	C0.41	<i>RP,S</i>
Glycidol	[556-52-5]	25	76			
Gypsum	[13397-24-5]		10			<i>Td, note 1</i>
			5			<i>Rd, note 1</i>
n-Heptane	[142-82-5]	400	1640	500	2050	
Hydrogen bromide	[10035-10-6]			C3	C9.9	<i>RP</i>
Hydrogen chloride	[7647-01-0]			C5	C7.5	<i>RP</i>
Hydrogen peroxide	[7722-84-1]	1	1.4			
Hydroquinone	[123-31-9]		2			
2-Hydroxypropyl acrylate	[999-61-1]	0.5	2.8			<i>Pc</i>
Indene	[95-13-6]	10	48			
Isobutyl acetate	[110-19-0]	150	713			
Isophorone	[78-59-1]			C5	C28	<i>RP</i>
Isopropyl acetate	[108-21-4]	250	1040	310	1290	
Kaolin	[1332-58-7]		5			<i>Rd, note 1</i>

Substance	#[CAS]	TWAEV ppm mg/m ³	STEV/Ceiling ppm mg/m ³	Designation and remarks	
Lithium hydride	[7580-67-8]		0.025		
Magnesium oxide fume (as Mg)	[1309-48-4]		10		
Mesityl oxide	[141-79-7]	10	40		
2-Methoxyethyl acetate (EGMEA)	[110-49-6]	5	24		<i>Pc</i>
Methyl bromide	[74-83-9]	5	19		<i>Pc</i>
Methyl n-butyl ketone	[591-78-6]	5	20		<i>Pc</i>
Methyl 2-cyanoacrylate	[137-05-3]	2	9.1	4	18
Methyl hydrazine	[60-34-4]			C0.2	C0.38
Methyl isobutyl ketone	[108-10-1]	50	205	75	307
Methyl isopropyl ketone	[563-80-4]	200	705		
Methyl methacrylate (monomer)	[80-62-6]	50	205		
α-Methyl styrene	[98-83-9]	50	242	100	483
Methylamine	[74-89-5]	5	6.4		
4,4'-Methylene bis (2-chloroaniline) (MOCA)	[101-14-4]	0.02	0.22		
Molybdenum (as Mo)	[7439-98-7]				
Insoluble compounds			10		
Soluble compounds			5		
Naphthalene	[91-20-3]	10	52	15	79
Nickel	[7440-02-0]				
Metal			1		
Insoluble compounds (as Ni)			1		
Soluble compounds (as Ni)			0.1		
Nickel sulfide roasting, fume and dust (as Ni)			1		
Nitrobenzene	[98-95-3]	1	5		
p-Nitrochlorobenzene	[100-00-5]	0.1	0.64		
Nitroglycerin (NG)	[55-63-0]			C0.2	C1.86
Nitrotoluene (all isomers) [88-72-2 ; 99-08-1 ; 99-99-0 ; 1321-12- 6]		2	11		
Octane	[111-65-9]	300	1400	375	1750
n-Pentane	[109-66-0]	120	350		
Pentyl acetates					
n-Amyl acetate	[628-63-7]	50	266	100	532
sec-Amyl acetate	[626-38-0]	50	266	100	532
Isoamyl acetate	[123-92-2]	50	266	100	532
tert-Amyl acetate	[628-63-7]	50	266	100	532
2-Methyl-1-butyl acetate	[624-41-9]	50	266	100	532
3-Pentyl acetate	[620-11-1]	50	266	100	532
Phenyl mercaptan	[108-98-5]	0.5	2.3		
Phosphorus (yellow)	[7723-14-0]		0.1		
m-Phthalodinitrile	[626-17-5]		5		
Picric acid	[88-89-1]		0.1		
Plaster of Paris	[26499-65-0]		10		
			5		
Propoxur	[114-26-1]		0.5		
n-Propyl alcohol	[71-23-8]	200	492	250	614

*C1,RP,EM**Pc**Pc**Pc,RP**Pc**Td, note 1**Rd, note 1**Pc*

Substance	[#CAS]	TWA/VEV		STEV/Ceiling		Designation and remarks
		ppm	mg/m ³	ppm	mg/m ³	
Propylene	[115-07-1]	Simple asphyxiant				
Propylene imine	[75-55-8]	2	4.7			<i>Pc,C2,RP,EM</i>
Propylene oxide	[75-56-9]	20	48			<i>C2,RP,EM</i>
Rosin core solder pyrolysis products (as Formaldehyde)	[8050-09-7]		0.1			<i>S</i>
Rouge			10			<i>Td, note 1</i>
Rubber solvent (Naphtha)	[8030-30-6]	400	1590			
Silicon carbide (non fibrous)	[409-21-2]		10			<i>Td, note 1</i>
Soapstone	[14378-12-2]		6			<i>Td, note 1</i>
			3			<i>Rd, note 1</i>
Sodium azide	[26628-22-8]			C0.11	C0.3	<i>RP</i>
Sodium tetraborate, anhydre	[1330-43-4]		1			
Sodium tetraborate, decahydrate or borax	[1303-96-4]		5			
Sodium tetraborate, pentahydrate	[12045-88-4]		1			
Subtilisins [1395-21-7 ; 9014-01-1] (Proteolytic enzymes as 100% pure crystalline enzyme)					C0.00006	<i>RP</i>
Talc, non fibrous	[14807-96-6]		3			<i>Rd</i>
1,1,2,2-Tetrabromoethane	[79-27-6]	1	14			
1,1,1,2-Tetrachloro-2,2-difluoroethane	[76-11-9]	500	4170			
1,1,2,2-Tetrachloro-1,2-difluoroethane	[76-12-0]	500	4170			
1,1,2,2-Tetrachloroethane	[79-34-5]	1	6.9			<i>Pc</i>
Thallium, elemental [7440-28-0], and soluble compounds (as Tl)			0.1			<i>Pc</i>
4,4'-Thiobis (6-tert-butyl-m-cresol)	[96-69-5]		10			
Tributyl phosphate	[126-73-8]	0.2	2.2			
Trichloroacetic acid	[76-03-9]	1	6.7			
1,1,2-Trichloroethane	[79-00-5]	10	55			<i>Pc</i>
1,2,3-Trichloropropane	[96-18-4]	10	60			<i>Pc</i>
Tri-o-cresyl phosphate	[78-30-8]		0.1			<i>Pc</i>
Triethylamine	[121-44-8]	5	20.5	15	61.5	<i>Pc</i>
Trimellitic anhydride	[552-30-7]				C0.04	<i>S,RP</i>
Trimethyl benzene	[25551-13-7]	25	123			
2,4,6-Trinitrotoluene (TNT)	[118-96-7]		0.5			<i>Pc</i>
Uranium (natural)	[7440-61-1]					
Insoluble compounds (as U)			0.2		0.6	
Soluble compounds (as U)			0.05			
Vanadium pentoxide, fume and respirable dust (as V ₂ O ₅)	[1314-62-1]		0.05			
Vinyl bromide	[593-60-2]	5	22			<i>C2,EM</i>
Vinyl cyclohexene dioxide	[106-87-6]	10	57			<i>Pc,C2,RP,EM</i>
Xylene (o-,m-,p- isomers) [1330-20-7 ; 95-47-6 ; 108-38-3 ; 106-42-3]		100	434	150	651	
Xylidine (mixed isomers)	[1300-73-8]	0.5	2.5			<i>Pc,C2,EM</i>
Zinc chloride, fume	[7646-85-7]		1			
Zinc chromates [13530-65-9 ; 11103-86-9 ; 37300-23-5] (as Cr)			0.01			<i>CI,RP,EM,S</i>

Substance	#[CAS]	TWAEV ppm mg/m ³	STEV/Ceiling ppm mg/m ³	Designation and remarks
Zinc stearate	[557-05-1]	10		
Zinc, oxide	[1314-13-2]			
Dust		10		<i>Td, note 1</i>
Fume		5	10	

(5) inserting the following substances and their characteristics in alphabetical order in Part 1:

Substance	#[CAS]	TWAEV ppm mg/m ³	STEV/Ceiling ppm mg/m ³	Designation and remarks
Acetic anhydride	[108-24-7]	1	3	
Acetonitrile	[75-05-8]	20		<i>Pc</i>
Adipic acid	[124-04-9]		5	
Allyl alcohol	[107-18-6]	0.5		<i>Pc</i>
Allyl glycidyl ether (AGE)	[106-92-3]	1		
Allyl propyl disulfide	[2179-59-1]	0.5		<i>S</i>
Ammonium perfluorooctanoate	[3825-26-1]		0.01	<i>C3,Pc</i>
Barium sulfate	[7727-43-7]		5	<i>Id, note 1</i>
Benzyl acetate	[140-11-4]	10		
Benzyl chloride	[100-44-7]	1		<i>C3</i>
Borate, inorganic compounds, (including boric acid)	[1303-96-4] [1330-43-4] [10043-35-3] [12179-04-3]		2	6 <i>Id</i>
Boron tribromide	[10294-33-4]		C0.7	<i>RP</i>
Boron trichloride	[10294-34-5]		C0.7	<i>RP</i>
Boron trifluoride	[7637-07-2]	0.1	C0.7	<i>RP</i>
Bromacil	[314-40-9]		10	<i>C3</i>
Bromoform	[75-25-2]	0.5		<i>C3</i>
2-Butoxyethanol	[111-76-2]	20		<i>C3</i>
2-Butoxyethyl acetate	[112-07-2]	20		<i>C3</i>
Butyl acetate (all isomers)	[105-46-4] [110-19-0] [123-86-4] [540-88-5]	50	150	
n-Butyl acrylate	[141-32-2]	2		<i>S</i>
n-Butyl glycidyl ether (BGE)	[2426-08-6]	3		<i>Pc,S</i>
Calcium sulfate	[7778-18-9] [13397-24-5] [10034-76-1] [10101-41-4]		10	<i>Id, note 1</i>
Caprolactam	[105-60-2]		5	<i>IFV</i>
Carbon black	[1333-86-4]		3	<i>C3 Id</i>
Carbon disulfide	[75-15-0]	1		<i>Pc</i>
Catechol	[120-80-9]	5		<i>C3,Pc</i>
Chlordane	[57-74-9]		0.5	<i>C3,Pc</i>

Substance	#[CAS]	TWAEV ppm mg/m ³	STEV/Ceiling ppm mg/m ³	Designation and remarks
Chlorinated diphenyl oxide	[31242-93-0]		0.5	
Chlorobenzene	[108-90-7]	10		<i>C3</i>
o-Chlorobenzylidene malononitrile	[2698-41-1]		C0.05	<i>Pc,S,RP</i>
Clopidol	[2971-90-6]		3	<i>IFV</i>
Cotton dust			0.1	<i>Thord</i>
Cresol (all isomers)	[1319-77-3] [95-48-7] [108-39-4] [106-44-5]		20	<i>Pc,IFV</i>
Crotonaldehyde	[4170-30-3]		C0.3	<i>C3,Pc</i>
Cyanogen	[460-19-5]		C5	
Cyanogen bromide	[506-68-3]		C0.3	
Cyclonite	[121-82-4]		0.5	<i>Pc</i>
2,6-Di-tert-butyl-p-cresol	[128-37-0]		2	<i>IFV</i>
Diacetyl	[431-03-8]	0.01	0.02	
Diazomethane	[334-88-3]	0.2		<i>C2,RP,EM</i>
2-N-Dibutylaminoethanol	[102-81-8]	0.5		<i>Pc</i>
Dibutyl phosphate	[107-66-4]		5	<i>Pc,IFV</i>
2,2-Dichloropropionic acid	[75-99-0]		5	<i>Id</i>
Dichloroacetylene	[7572-29-4]		C0.1	<i>C3,RP</i>
o-Dichlorobenzene	[95-50-1]	25	50	
p-Dichlorobenzene	[106-46-7]	10		<i>C3</i>
1,2-Dichloropropane	[78-87-5]	10		<i>S</i>
Dieldrin	[60-57-1]		0.1	<i>C3,Pc,IFV</i>
Diethanolamine	[111-42-2]		1	<i>C3,Pc,IFV</i>
Diethyl ketone	[96-22-0]	200	300	
2-Diethylaminoethanol	[100-37-8]	2		<i>Pc</i>
Diglycidyl ether (DGE)	[2238-07-5]	0.01		
1,1-Dimethylhydrazine	[57-14-7]	0.01		<i>C3,Pc</i>
Dimethylamine	[124-40-3]	5	15	<i>S</i>
Dinitolmide	[148-01-6]		1	
Dinitrobenzene (all isomers)	[528-29-0] [99-65-0] [100-25-4] [25154-54-5]	0.15		<i>Pc</i>
1,3-Dioxolane	[646-06-0]	20		
Dipropyl ketone	[123-19-3]	50		
EPN	[2104-64-5]		0.1	<i>Pc,Id</i>
Ethyl alcohol	[64-17-5]		1000	<i>C3</i>
Ethylamine	[75-04-7]	5	15	<i>Pc</i>
Ethyl amyl ketone	[541-85-5]	10		
Ethyl benzene	[100-41-4]	20		<i>C3</i>
Ethyl butyl ketone	[106-35-4]	50	75	
Ethyl chloride	[75-00-3]	100		<i>C3,Pc</i>
Ethylene glycol dinitrate	[628-96-6]	0.05		<i>Pc</i>

Substance	#[CAS]	TWAEV ppm mg/m ³	STEV/Ceiling ppm mg/m ³	Designation and remarks
Ethylene imine	[151-56-4]	0.05	0.1	<i>C3, Pc</i>
Ethylidene norbornene	[16219-75-3]	2	4	
Fibres-artificial vitreous mineral fibres				
Fibres (refractory ceramic or others) (note 4)	[142844-00-6]	0.2 fibre/cm ³		<i>C2, RP, EM</i>
Fibrous glass, continuous filament (note 4)		1 fibre/cm ³		
Insulation wool fibres, glass wool (note 4)		1 fibre/cm ³		<i>C3</i>
Insulation wool fibres, rock wool (note 4)		1 fibre/cm ³		<i>C3</i>
Insulation wool fibres, slag wool (note 4)		1 fibre/cm ³		<i>C3</i>
Special purpose glass fibres (note 4)		1 fibre/cm ³		<i>C3</i>
Fibrous glass, microfibres (note 4)		1 fibre/cm ³		
Para-aramides fibres (Kevlar®, Twaron®) (note 4)		1 fibre/cm ³		
Furfural	[98-01-1]	2		<i>C3, Pc</i>
Glutaraldehyde	[111-30-8]		C0.05	<i>RP, S</i>
Glycidol	[556-52-5]	2		<i>C3</i>
Gypsum		See Calcium sulfate		
Hard metals containing cobalt and tungsten carbide		0.005		<i>C2, RP, EM, S Thord</i>
Heptane (all isomers)	[108-08-7] [142-82-5] [565-59-3] [589-34-4] [590-35-2] [591-76-4]	400	500	
Hexafluoropropylene	[116-15-4]	0.1		
1-Hexene	[592-41-6]	50		
Hydrogen bromide	[10035-10-6]		C2	<i>RP</i>
Hydrogen chloride	[7647-01-0]		C2	<i>RP</i>
Hydrogen peroxide	[7722-84-1]	1		<i>C3</i>
Hydroquinone	[123-31-9]		1	<i>C3, S</i>
2-Hydroxypropyl acrylate	[999-61-1]	0.5		<i>Pc, S</i>
Indene	[95-13-6]	5		
Iodide		0.01		<i>IFV</i>
Isophorone	[78-59-1]		C5	<i>RP, C3</i>
Isopropyl acetate	[108-21-4]	100	200	
Kaolin	[1332-58-7]		2	<i>Rd, note 1</i>
Lithium hydride	[7580-67-8]			<i>Id</i>
Magnesium oxide	[1309-48-4]		10	<i>Id</i>
Mesityl oxide	[141-79-7]	15	25	
2-Methoxyethyl acetate	[110-49-6]	0.1		<i>Pc</i>
Methyl bromide	[74-83-9]	1		<i>Pc</i>
Methyl hydrazine	[60-34-4]	0.01		<i>C3, Pc</i>

Substance	#[CAS]	TWAEV ppm mg/m ³	STEV/Ceiling ppm mg/m ³	Designation and remarks
Methyl isobutyl ketone	[108-10-1]	20	75	<i>C3</i>
Methyl isopropyl ketone	[563-80-4]	20		
Methyl 2-cyanoacrylate	[137-05-3]	0.2		
4,4'-Methylene bis (2-chloroaniline) (MOCA)	[101-14-4]	0.01		<i>Pc,C2,RP,EM</i>
Methyl methacrylate (monomer)	[80-62-6]	50	100	<i>S</i>
Methyl n-butyl ketone	[591-78-6]	5	10	<i>Pc</i>
1-Methyl naphthalene	[90-12-0]	0.5		<i>Pc</i>
2-Methyl naphthalene	[91-57-6]	0.5		<i>Pc</i>
Methylamine	[74-89-5]	5	15	
α-Methyl styrene	[98-83-9]	10		<i>C3</i>
Molybdenum (as Mo)				
Metal [7439-98-7] and insoluble compounds			10	<i>Id</i>
Metal [7439-98-7] and insoluble compounds			3	<i>Rd</i>
Soluble compounds			0.5	<i>C3,Rd</i>
Naphthalene	[91-20-3]	10		<i>C3,Pc</i>
Nickel and inorganic compounds	[7440-02-0]			
Metal			1.5	<i>Id</i>
Insoluble compounds (as Ni)			0.2	<i>Id,C1,EM,RP</i>
Soluble compounds (as Ni)			0.1	<i>Id</i>
Nickel subsulfide	[12035-72-2]		0.1	<i>Id,C1,EM,RP</i>
Nitrobenzene	[98-95-3]	1		<i>C3,Pc</i>
p-Nitrochlorobenzene	[100-00-5]	0.1		<i>C3,Pc</i>
Nitroglycerin	[55-63-0]	0.05		<i>Pc</i>
Nitrotoluene (all isomers)	[88-72-2] [99-08-1] [99-99-0]			
	[1321-12-6]	2		<i>Pc</i>
Octane (all isomers)	[111-65-9]	300		
Pentane (all isomers)	[109-66-0] [463-82-1] [78-78-4]	1000		
Pentyl acetate (all isomers)	[123-92-2] [620-11-1] [624-41-9] [625-16-1] [626-38-0] [628-63-7]	50	100	
Peracetic acid	[79-21-0]		0.4	<i>IFV</i>
Phenyl isocyanate	[103-71-9]	0.005	0.015	<i>S, Pc</i>
Phenyl mercaptan	[108-98-5]	0.1		<i>Pc</i>
Phosphorus (yellow)	[12185-10-3]		0.1	
m-Phtalodinitrile	[626-17-5]		5	<i>IFV</i>
Picric acid	[88-89-1]		0.1	<i>S</i>

Substance	#CAS	TWAEV ppm mg/m ³	STEV/Ceiling ppm mg/m ³	Designation and remarks
Plaster of Paris		See Calcium sulfate		
Propionaldehyde	[123-38-6]	20		
Propoxur	[114-26-1]		0.5	<i>C3,IFV</i>
n-Propyl alcohol	[71-23-8]	100		
Propylene	[115-07-1]	500		
Propylene imine	[75-55-8]	0.2	0.4	<i>C3,Pc</i>
Propylene oxide	[75-56-9]	2		<i>C3,S</i>
Rosin core solder pyrolysis products	[8050-09-7]	Without applicable permissible exposure value		<i>S</i>
Rubber solvent (Naphtha)	[8030-30-6]		1000	
Silicon carbide (non fibrous)	[409-21-2]		10 3	<i>Id, note 1</i> <i>Rd, note 1</i>
Sodium azide	[26628-22-8]			<i>RP</i>
Sodium azide Hydrazoic acid vapour			C0.11 C0.29	
Stearates	[57-11-4] [557-04-0] [557-05-1] [822-16-2]		10	
Subtilisins (Proteolytic enzymes as 100% pure crystalline enzyme)	[1395-21-7] [9014-01-1]			C0.00006 <i>S,RP</i>
Talc, non fibrous	[14807-96-6]		2	<i>Rd, note 1</i>
Tert-Amyl methyl ether [TAME]	[994-05-8]	20		
1,1,2,2-Tetrabromoethane (Acetylene tetrabromide)	[79-27-6]	0.1		<i>IFV</i>
1,1,1,2-Tetrachloro-2,2-difluoroethane	[76-11-9]	100		
1,1,1,2-Tetrachloro-1,2-difluoroethane	[76-12-0]	50		
1,1,2,2-Tetrachloroethane (Acetylene tetrachloride)	[79-34-5]	1		<i>C3,Pc</i>
Thallium [7440-28-0], and compounds (as Tl)			0.02	<i>Pc,Id</i>
4,4'-Thiobis (6-tert-butyl-m-cresol)	[96-69-5]		1	<i>Id</i>
Tri-n-butyl phosphate	[126-73-8]		5	<i>C3,IFV</i>
Trichloroacetic acid	[76-03-9]	0.5		<i>C3</i>
1,1,2-Trichloroethane	[79-00-5]	10		<i>C3,Pc</i>
1,2,3-Trichloropropane	[96-18-4]	0.005		<i>C2,EM,RP</i>
Tri-o-cresyl phosphate	[78-30-8]		0.02	<i>Pc,IFV</i>
Triethylamine	[121-44-8]	0.5	1	<i>Pc</i>
Trimellitic anhydride	[552-30-7]		0.0005	<i>Pc,S,IFV</i>

Substance	#[CAS]	TWAEV ppm mg/m ³	STEV/Ceiling ppm mg/m ³	Designation and remarks
Trimethyl benzene (mixed isomers)	[25551-13-7]	25		<i>S</i>
2,4,6-Trinitrotoluene (TNT)	[118-96-7]		0.1	<i>Pc</i>
Uranium (natural) soluble and insoluble compounds (as U)	[7440-61-1]		0.2	0.6 <i>C1,RP,EM</i>
Vanadium pentoxide (as V)	[1314-62-1]		0.05	<i>C3,Id</i>
Vinyl bromide	[593-60-2]	0.5		<i>C2,RP,EM</i>
Vinyl cyclohexene dioxide	[106-87-6]	0.1		<i>C3,Pc</i>
N-Vinyl-2-pyrrolidone	[88-12-0]	0.05		<i>C3</i>
Xylene (o-,m-,p- isomers)	[1330-20-7] [95-47-6] [108-38-3] [106-42-3]	100	434	150 651
Xylidine (mixed isomers)	[1300-73-8]	0.5		<i>C3,Pc,IFV</i>
Zinc chloride, fume	[7646-85-7]		1	2
Zinc chromates (as Cr)	[13530-65-9] [11103-86-9] [37300-23-5]		0.01	<i>C1,RP,EM,S</i>
Zinc, oxide	[1314-13-2]		2	10 <i>Rd</i>

(6) striking out the following substances in Part 4:

“105-46-4	sec-Butyl acetate
109-66-0	n-Pentane
110-19-0	Isobutyl acetate
123-86-4	n-Butyl acetate
123-92-2	Isoamyl acetate
142-82-5	n-Heptane
540-88-5	tert-Butyl acetate
557-05-1	Zinc stearate
620-11-1	3-Pentyl acetate
624-41-9	2 Methyl, 1-butyl acetate
625-16-1	Tert-amyl acetate
626-38-0	sec-Amyl acetate
628-63-7	n-Amyl acetate
1303-96-4	Sodium tetraborate, decahydrate
1330-43-4	Sodium tetraborate, anhydrous
7723-14-0	Phosphorus (yellow)
11103-86-9	Zinc chromate
12045-88-4	Sodium tetraborate, pentahydrate
13397-24-5	Gypsum
13530-65-9	Zinc chromate
14378-12-2	Soapstone

25154-54-4 Dinitrobenzene
26499-65-0 Plaster of Paris
37300-23-5 Zinc chromate”;

(7) inserting the following substances in numerical order in Part 4:

“57-11-4 Stearates
78-78-4 Pentane
79-21-0 Peracetic acid
88-12-0 N-Vinyl-2-pyrrolidone
90-12-0 1-Methyl naphthalene
91-57-6 2-Methyl naphthalene
95-48-7 Cresol
103-71-9 Phenyl isocyanate
105-46-4 Butyl acetate
106-44-5 Cresol
108-08-7 Heptane
108-39-4 Cresol
109-66-0 Pentane
110-19-0 Isobutyl acetate
112-07-2 2-Butoxyethyl acetate
116-15-4 Hexafluoropropylene
123-19-3 Dipropyl ketone
123-38-6 Propionaldehyde
123-86-4 Butyl acetate
123-92-2 Pentyl acetate
140-11-4 Benzyl acetate
142-82-5 Heptane
431-03-8 Diacetyl
463-82-1 Pentane
506-68-3 Cyanogen bromide
540-88-5 Butyl acetate
557-04-0 Stearates
557-05-1 Stearates
565-59-3 Heptane
589-34-4 Heptane
590-35-2 Heptane
591-76-4 Heptane
592-41-6 1-Hexene
620-11-1 Pentyl acetate
624-41-9 Pentyl acetate
625-16-1 Pentyl acetate
626-38-0 Pentyl acetate
628-63-7 Pentyl acetate
646-06-0 1,3-Dioxolane

822-16-2	Stearates
994-05-8	Tert-Amyl methyl ether [TAME]
1303-96-4	Borate, inorganic compounds
1330-43-4	Borate, inorganic compounds
10034-76-1	Calcium sulfate
10043-35-3	Borate, inorganic compounds
10101-41-4	Calcium sulfate
10294-34-5	Boron trichloride
11103-86-9	Zinc chromates
12035-72-2	Nickel subsulfide
12179-04-3	Borate, inorganic compounds
12185-10-3	Phosphorus (yellow)
13397-24-5	Calcium sulfate
13530-65-9	Zinc chromates
25154-54-5	Dinitrobenzene
31242-93-0	Chlorinated diphenyl oxide
37300-23-5	Zinc chromates
55720-99-5	Chlorinated diphenyl oxide
59355-75-8	Methyl acetylene-propadiene mixture (MAPP)
60676-86-0	Amorphous silica, fused
74222-97-2	Sulfometuron methyl ¹⁾ .

2. As of 26 March 2022, Schedule 1 is amended by

(1) replacing the following substances and their characteristics in Part 1 by the following:

“

Substance	#[CAS]	TWAEV ppm mg/m ³	STE/Ceiling ppm mg/m ³	Designation and remarks
Arsenic, elemental [7440-38-2] and inorganic compounds (except Arsine), (as As)			0.01	<i>CI,RP,EM</i>
Arsine	[7784-42-1]	0.005		
Benzene	[71-43-2]	0.5	2.5	<i>CI,RP,EM,Pc</i>
Ethyl bromide	[74-96-4]	5		<i>Pc,C3</i>
Ethylene	[74-85-1]	200		
Isopropyl alcohol	[67-63-0]	200	400	
Lead arsenate (as Pb ₃ (AsO ₄) ₂)	[3687-31-8]	See Lead and its inorganic compounds and Arsenic and its inorganic compounds		
Portland cement	[65997-15-1]		1	<i>S,Rd, note 1</i>
Tetrahydrofuran	[109-99-9]	50	100	<i>C3,Pc</i>
Toluene	[108-88-3]	20		

”;

(2) striking out the following substance and its characteristics in Part 1:

“

Substance	#[CAS]	TWAEV ppm mg/m ³	STEV/Ceiling ppm mg/m ³	Designation and remarks
Arsenic trioxide, production	[1327-53-3]	Without applicable permissible exposure value		<i>C2,RP,EM</i>

”;

(3) inserting the following substance and its characteristics in alphabetical order in Part 1:

“

Substance	#[CAS]	TWAEV ppm mg/m ³	STEV/Ceiling ppm mg/m ³	Designation and remarks
Diesel (fuel), (as total hydrocarbons)	[68334-30-5] [68476-34-6] [77650-28-3] [68476-30-2] [68476-31-3]	100		<i>C3,Pc,IFV</i>

”;

(4) striking out “1327-53-3 Arsenic trioxide” in Part 4;

(5) inserting the following substances in numerical order in Part 4:

“68334-30-5 Diesel
68476-34-6 Diesel
77650-28-3 Diesel
68476-30-2 Diesel
68476-31-3 Diesel”.

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

Gouvernement du Québec

O.C. 160-2020, 26 February 2020

An Act to establish the Administrative Labour Tribunal (chapter T-15.1)

Administrative Labour Tribunal — Remuneration and other conditions of employment of the members — Amendment

Regulation to amend the Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal

WHEREAS, under subparagraph 1 of the first paragraph of section 61 of the Act to establish the Administrative Labour Tribunal (chapter T-15.1), the Government determines, by regulation, the mode of remuneration of the members of the Administrative Labour Tribunal and the applicable standards and scales;

WHEREAS, under the second paragraph of section 61, the Government may similarly determine other conditions of employment for all or certain members of the Tribunal, including their employee benefits other than the pension plan;

WHEREAS the Government made the Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal (chapter T-15.1, r. 2);

WHEREAS it is expedient to amend the Regulation following the amendments made by Order in Council 1255-2019 of 18 December 2019 to the Règles concernant la rémunération et les autres conditions de travail des titulaires d'un emploi supérieur à temps plein (in French only), which was made by Order in Council 450-2007 of 20 June 2007;

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

THAT the Regulation to amend the Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal

An Act to establish the Administrative Labour Tribunal (chapter T-15.1, s. 61)

1. The Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal (chapter T-15.1, r. 2) is amended in section 3 by replacing the first paragraph by the following:

“When full-time members of the Tribunal take office, their initial salary is determined by taking into account the level of the position to be filled and their employment income, in accordance with the standards prescribed in Schedule II. An amount representing 10% of the maximum of the salary scale applicable is added to that initial salary, subject to having reached the maximum of that salary scale.”

2. Section 4 is amended by adding the following paragraphs at the end:

“The deduction of an amount corresponding to half the retirement pension, provided for in the first paragraph, is applicable for the 2 years following the retirement date.

In the case of a part-time member, the deduction of an amount corresponding to half the retirement pension is not applicable.”

3. Section 7 is amended by replacing “salary of the” by “or greater than the normal maximum of the salary” everywhere it appears.

4. Section 16 is amended by adding the following paragraph at the end:

“The vacation days accumulated by a full-time member or a vice-president in the context of their functions at the Tribunal and that are unused upon their departure will be reimbursed to the full-time member or vice-president by the Tribunal at that time.”

5. Section 17 is amended by adding the following paragraph at the end:

“The vacation days accumulated by the president in the context of his or her functions at the Tribunal and that are unused upon his or her departure will be reimbursed to the president by the Tribunal at that time.”

6. The following subdivision is inserted after subdivision 4 of Division II:

“§4.1. Other days off

18.1. Full-time members are entitled to paid days of absence, the duration of which must be agreed upon in advance with the president of the Tribunal, for the purpose of a marriage or civil union, a birth, the adoption of a child, a death, moving or for any other reason considered appropriate, in accordance with the Directive concernant l'ensemble des conditions de travail des cadres de la fonction publique (C.T. 208914, 2010-04-20, in French only) and its amendments.

18.2. Full-time members benefit from the provisions concerning parental rights that are provided for in chapter 13 of the Directive concernant l'ensemble des conditions de travail des cadres de la fonction publique, to the extent that they are compatible with the provisions of this Regulation.”.

7. Section 25 is amended by adding the following paragraph at the end:

“Such allocation is paid in a lump-sum payment and is not part of the pensionable salary for the purposes of pension plans and insurance.”.

8. Section 27 is amended by inserting “or is bound by a service contract” after “Schedule III” in the first paragraph.

9. Schedule II is amended

(1) by replacing “an affidavit whereby” in the third dash of paragraph 2 by “a sworn statement whereby”;

(2) by striking out “or employment occupied outside regular working hours” in paragraph 4;

(3) by replacing paragraph 6 by the following:

“6. If more advantageous, calculating the average of the income received during the 3 previous years that varies notably from one year to the next because that income is in the form of profit sharing or another form. The same applies to the regular salary received, in the event of variations in salary or changes in employment during the 3 previous years.”.

10. Schedule III is amended by adding the following paragraph at the end:

“16. The federal public sector referred to in paragraphs 11 to 14 of Schedule I to the Règles concernant la rémunération et les autres conditions de travail des titulaires d'un emploi supérieur à temps plein (D. 450-2007, 2007-06-20, in French only)”.

11. This Regulation comes into force on 1 April 2020.

Level 4 members of the Tribunal who have been in office for at least 4 months as at 1 April 2020 and who receive a salary that is less than the minimum of the salary scale applicable as at 2 April 2020 will obtain a salary adjustment on that date in order that it corresponds to the minimum of the salary scale.

Level 4 members of the Tribunal who have been in office for at least 4 months as at 1 April 2020 benefit, if applicable, from a salary increase on 2 April 2020, in accordance with section 9 of the Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal, provided that the revised salary does not exceed the maximum of the salary scale applicable to the level of the position held.

104288

M.O., 2020

Order number AM 2020-001 of the Minister of Forests, Wildlife and Parks dated 25 February 2020

Sustainable Forest Development Act
(chapter A-18.1)

CONCERNING the Regulation to amend the Regulation concerning forestry permits

THE MINISTER OF FORESTS, WILDLIFE AND PARKS,

CONSIDERING the first paragraph of section 73 of the Sustainable Forest Development Act (chapter A-18.1), which provides that a forestry permit is required to carry out the forest development activities mentioned in subparagraphs 1 to 7 of the first paragraph in the forests in the domain of the State;

CONSIDERING subparagraph 8 of the first paragraph of section 73 of the Act, which provides that a forestry permit is required to carry out any other forest development activity determined by the Minister in the forests in the domain of the State;

CONSIDERING paragraphs 1 and 4 of section 87 of the Act, which provide that the Minister may, by regulation, according to the categories of forestry permit, determine

the content of a permit, the conditions for its issue and the cases in and conditions under which it may be transferred, and set the dues to be paid by a given permit holder and the terms of payment;

CONSIDERING paragraphs 2 and 2.1 of section 87 of the Act, which provide that the Minister may, by regulation, according to the categories of forestry permit, determine, for permits other than a sugar bush management permit, the conditions for the modification or renewal of the permit and define the conditions of the permit that may be revised while it is in effect and at the time of its renewal;

CONSIDERING the making of the Regulation respecting forestry permits (chapter A-18.1, r. 8.1);

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting forestry permits was published in Part 2 of the *Gazette officielle du Québec* of 27 February 2019 with a notice that it could be made on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Regulation with amendments;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting forestry permits, attached hereto, is hereby made.

Québec, 25 February 2020

PIERRE DUFOUR,
Minister of Forests, Wildlife and Parks

Regulation to amend the Regulation respecting forestry permits

Sustainable Forest Development Act
(chapter A-18.1, s. 73, 1st par., subpar. 8, s. 87,
subpars. 1 to 2.1 and 4)

1. The Regulation respecting forestry permits (chapter A-18.1, r. 8.1) is amended by striking out “sworn” in subparagraph 3 of the second paragraph of section 26.

2. The following is amended by striking out

(1) “de l’identité” in subparagraphs 1 and 3 of the second paragraph of section 31 of the French text;

(2) “of the identity” in subparagraph 6 of the second paragraph of section 47.

3. The following is inserted before Chapter IV:

“CHAPTER III.1 PROVISIONS RESPECTING THE FORESTRY PERMIT FOR THE HARVEST OF LABRADOR TEA FOR COMMERCIAL PURPOSES

DIVISION I CONDITIONS FOR ISSUE

44.1. An enterprise whose economic activities include marketing products derived from Labrador tea is eligible for the issue of a forestry permit for the harvest of that resource for commercial purposes.

44.2. A permit application must be made in writing to the Minister.

The application contains the following information, as applicable:

(1) in respect of the applicant, in the case of a natural person, the person’s name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application;

(2) in respect of the description of the forest management activity to be carried out, its nature, location, the area concerned, in hectares, the period planned to carry it out and the quantity of Labrador tea applied for;

(3) the proposed harvest methods;

(4) in respect of the person carrying out the work, if not carried out by the applicant, the information listed in subparagraph 1, as applicable, if it is known at the time of the application.

The Minister may require from the applicant an assessment approved by a forest engineer on the quantity of Labrador tea present in the territory covered by the application.

At the request of the Minister, the applicant must send a business plan that includes a description of the project and any other document showing that the applicant is able to operate an enterprise marketing products from that resource and has the financial resources or the financing necessary for carrying out the business plan.

44.3. The Minister may refuse to issue the permit if the applicant has already held a forestry permit issued to carry out a forest management activity listed in section 73 of the Act that was suspended, cancelled or refused at renewal except, in the latter case, for public utility purposes.

DIVISION II **CONTENT OF PERMIT**

44.4. The permit contains at least the following information, as applicable:

- (1) in respect of the permit, its number and term;
- (2) in respect of the holder, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of its representative;
- (3) in respect of the description of the authorized forest management activity, its nature, location, the area concerned, in hectares, and the quantity of Labrador tea that the holder is authorized to harvest;
- (4) the conditions for the authorized forest management activity, including the authorized harvest methods.

DIVISION III **DUES PAYABLE**

44.5. The dues payable by the holder of a forestry permit for the harvest of Labrador tea for commercial purposes are \$20 per green metric ton harvested.

44.6. The dues referred to in section 44.5 are adjusted and published in accordance with section 7 of this Regulation.

44.7. Where no scaling is requested by the Minister, payment of the dues payable is made on the basis of the assessment of the quantities submitted by the applicant. The dues are payable upon issuance of the permit and may not be reimbursed.

Where scaling is requested, the dues are payable as of the billing date or according to the directions appearing on the permit.

DIVISION IV **CONDITIONS FOR MODIFICATION**

44.8. A forestry permit issued under this Chapter may be the subject of an application for modification in one of the following cases:

(1) to modify the location of the forest management activity, insofar as the quantity of Labrador tea that the holder is authorized to harvest may not be entirely harvested at the location initially authorized in accordance with the authorized harvest methods;

(2) to be authorized to harvest new quantities of Labrador tea.

The following conditions may be modified:

(1) in respect of the authorized forest management activity, its location, the area concerned, in hectares, and the quantity of Labrador tea that the holder is authorized to harvest;

(2) the conditions for the authorized forest management activity, including the authorized harvest methods.

44.9. An application for a permit modification must be made in writing to the Minister.

The application contains the following information, as applicable:

- (1) the permit number and the nature of the activity;
- (2) in respect of the applicant, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application;
- (3) a description of the modifications applied for;
- (4) in respect of the person carrying out the work, if not carried out by the applicant and where the person is replaced, the information listed in subparagraph 2, as applicable, if it is known at the time of the application.

In the case of an application for modification in order to modify the location of the forest management activity, an assessment approved by a forest engineer on the quantity of Labrador tea present in the territory covered by the application must, if the Minister requires it, be attached to the application.

44.10. No modification may be authorized if the dues payable at the time of the application have not been paid by the permit holder.

DIVISION V

CONDITIONS FOR RENEWAL AND REVIEW

44.11. A forestry permit issued under this Chapter may be the subject of an application for renewal if the following conditions are met:

- (1) the permit holder has
 - (a) paid the dues payable for the permit;
 - (b) complied with the conditions indicated on the permit, the standards applicable to the forest management activities and the provisions of the Act and its regulations; and
 - (c) harvested at least 50% of the total of the quantity of Labrador tea indicated on the permit for all its term;
- (2) the allowable harvest is sufficient.

44.12. An application for renewal of a permit must be made in writing to the Minister.

The application contains the following information, as applicable:

- (1) the permit number and the nature of the activity;
- (2) in respect of the applicant, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application;
- (3) in respect of the description of the forest management activity to be carried out, its location, the area concerned, in hectares, and the period planned to carry it out;
- (4) the modifications in respect of the harvest methods, if applicable;
- (5) in respect of the person carrying out the work, if not carried out by the applicant and where the person is replaced, the information listed in subparagraph 2, as applicable, if it is known at the time of the application.

The Minister may require from the applicant an assessment approved by a forest engineer on the quantity of Labrador tea present in the territory covered by the application be provided to the Minister.

44.13. The Minister may, upon renewal of the permit and after having given the permit holder the opportunity to make observations, lower the quantity of Labrador tea that the permit holder is authorized to harvest in one of the following cases:

- (1) the permit holder did not harvest at least 90% of the total of the quantity indicated on the permit for all its term;
- (2) the allowable harvest in that territory has been lowered.

44.14. The Minister may add new conditions upon renewal of the permit if the public interest so warrants.”.

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

104291

Draft Regulations

Notice

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

Hairdressers – Outaouais — Revocation

Notice is hereby given, in accordance with sections 5 and 8 of the Act respecting collective agreement decrees (chapter D-2), that the Minister of Labour, Employment and Social Solidarity, after having consulted the Comité paritaire des coiffeurs de la région de l'Outaouais, will recommend to the Government that it revoke the Decree respecting hairdressers in the Outaouais region (chapter D-2, r. 4) and that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Decree to revoke the Decree respecting hairdressers in the Outaouais region, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree revokes the Decree respecting hairdressers in the Outaouais region in order to eliminate, among other things, the minimum prices of hairdressing services, the regulation of opening hours of hairdressing salons and the rules related to the payment of a commission to hairdressers and assistant-hairdressers in the Outaouais administrative region.

The regulatory impact analysis shows that the revocation of the Decree could generate savings for enterprises, in particular, small and medium-sized businesses.

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

Any person wishing to comment on the draft Decree 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.

CAROLE ARAV,
*Deputy Minister of Labour, Employment
and Social Solidarity*

Decree to revoke the Decree respecting hairdressers in the Outaouais region

An Act respecting collective agreement decrees
(chapter D-2, a. 8)

1. The Decree respecting hairdressers in the Outaouais region (chapter D-2, r. 4) is revoked.

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

104275

Draft Regulation

An Act respecting industrial accidents
and occupational diseases
(chapter A-3.001)

Hearing devices and audiology services

Medical aid — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation respecting hearing devices and audiology services and the Regulation to amend the Regulation respecting medical aid, appearing below, may be made by the Commission des normes, de l'équité, de la santé et de la sécurité du travail and submitted to the Government for approval in accordance with section 455 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) on the expiry of 45 days following this publication.

The chief purpose of the draft Regulation respecting hearing devices and audiology services is to provide a framework for the cost of the purchase, adjustment, repair and replacement of hearing devices to which workers are entitled as a result of an employment injury. It also establishes the criteria to apply to costs related to their accessories, and determines the conditions and payment limits for audiology services. Lastly, it specifies the authorizations to which the products or services may be subject.

The draft Regulation to amend the Regulation respecting medical aid makes consequential amendments to ensure consistency with the Regulation respecting hearing devices and audiology services (*insert the reference of the pre-publication*).

The Regulations will entail no direct costs to enterprises in Québec; the proposed rules or amendments do not introduce additional administrative formalities.

Further information may be obtained by contacting Michelle Morin, Commission des normes, de l'équité et de la santé et de la sécurité du travail, 1199, rue de Bleury, Montréal (Québec) H3B 3J1, telephone: 514 906-3006, extension 2409.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Claude Beauchamp, Vice-president for compensation and occupational reintegration, Commission des normes, de l'équité et de la santé et de la sécurité du travail, 524, rue Bourdages, local 220, Québec (Québec) G1K 7E2.

MANUELLE OUDAR,
Chair of the Board of Directors and Chief Executive Officer of the Commission des normes, de l'équité, de la santé et de la sécurité du travail

Regulation respecting hearing devices and audiology services

An Act respecting industrial accidents and occupational diseases
(chapter A-3.001, ss. 189, par. 5, 198.1 and 454, 1st par., subpars. 3.1 and 4.1)

DIVISION I INTERPRETATION

1. In this Regulation,

«**account**» means an invoice, a bill of fees or a payment transaction by electronic link or other technological support authorized by the Commission des normes, de l'équité, de la santé et de la sécurité du travail under section 356 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001); (*compte*)

“**border region**” means a part of the territory of Québec comprised within 80 km of any point along the border with Ontario, New Brunswick or Newfoundland; (*région frontalière*)

“**health worker**” means a member of the Ordre des audioprothésistes du Québec or an audiologist who is a member of the Ordre des orthophonistes et audiologistes du Québec; (*intervenant de la santé*)

“**professional service**” means an act performed by a health worker, other than care or treatment. (*service professionnel*)

DIVISION II GENERAL

2. For the purposes of this Division, “hearing device” means a hearing device and its accessories and the other costs covered by this Regulation.

3. In addition to the medical aid to which a worker is entitled under the Regulation respecting medical aid (chapter A-3.001, r. 1), the professional services and hearing devices covered by this Regulation constitute medical aid to which a worker may be entitled, if the worker's condition requires such aid as a result of an employment injury.

4. This Regulation applies subject to section 198.1 of the Act.

5. The Commission assumes the cost of professional services and hearing devices received in Québec, in accordance with the conditions and amounts set out in this Regulation, if they were prescribed by the physician in charge of the worker before they were received or before the expenditures for them were made.

In addition, every claim submitted to the Commission concerning the professional services or hearing devices must be accompanied by the health worker's recommendation, where applicable, and by vouchers detailing their cost. The health worker must keep the prescription in the worker's record and provide it to the Commission on request.

A claim relating to a hearing device must be accompanied by an audiogram performed by an audiologist or a physician less than one year before the date of purchase of the device.

6. The account for a cost covered by this Regulation must be sent to the Commission within 180 days after the date on which the service is provided or the hearing device is supplied. In the case of a report, the 180-day period begins to run from the date on which it becomes payable.

7. If the employment injury occurs in a border region of Québec, the Commission assumes the cost of the professional services and hearing devices received outside Québec, up to the amounts set by this Regulation and provided that the worker received prior authorization from the Commission.

8. Despite section 5, if the worker sustains an employment injury outside Québec, the Commission assumes the actual cost of the professional services listed in Schedule I, received outside Québec, on presentation of vouchers and a physician's attestation as to necessity.

The Commission also assumes the cost of hearing devices up to the amounts and on the conditions set out in Division IV.

9. The amounts for a service or product covered by this Regulation include the travel costs of the health worker.

10. A claim submitted by an audiologist for a service covered by this Regulation is payable by the Commission only if it is submitted on the form prescribed by the Commission.

11. A claim submitted by a hearing-aid acoustician for a service or product covered by this Regulation is payable by the Commission only if it is submitted on the form prescribed by the Commission.

DIVISION III PROFESSIONAL SERVICES

12. The Commission assumes the cost of the professional services listed in Schedule I, up to the amounts and on the conditions set out in the Schedule, if they are provided personally by a health worker.

The Commission also assumes the cost of professional services provided by a person other than a health worker insofar as Schedule I so provides.

13. If two or more health workers practise as a group on the same premises, the same group number assigned by the Commission must appear on their accounts.

Those health workers must inform the Commission in writing of the name of each person in the group, the address where payment is to be made and the name of the mandatary designated to receive payment from the Commission, as well as any subsequent change in that information.

14. The accounts of a health worker practising alone must state the supplier number assigned to the health worker by the Commission.

15. Subject to a prescription to the contrary from the physician in charge of the worker, the Commission assumes, once every 30 months, the cost of an audiological evaluation listed in Schedule I, according to the amount set out in the Schedule and only if the evaluation is prescribed by a physician.

The Commission also assumes the cost of an audio prosthetic evaluation, according to the amount and conditions set out in Schedule I, if the worker has not had an audiological evaluation in the 12 months preceding the claim and more than 12 months have elapsed since the date of the services for the purchase of the hearing device indicated on the form prescribed by the Commission.

16. The cost of an audiological evaluation is payable by the Commission only if the audiologist fills out the form prescribed by the Commission.

The form must be sent to the Commission and to the physician in charge of the worker.

DIVISION IV HEARING DEVICES, ACCESSORIES AND OTHER COSTS

§1. General rules

17. For the purposes of this Division, the conditions and payment limits are established having regard to the date of purchase of the hearing device indicated on the form prescribed by the Commission.

18. The Commission assumes, at the frequency determined in subdivision 2 of this Division, the cost of a hearing device that is not a continuous wear hearing aid, up to an amount of \$700, if the hearing device is warranted for a minimum period of 2 years.

For the purposes of this Regulation, a hearing device appearing in a program administered by the Régie de l'assurance maladie du Québec is deemed to be under warranty for that period.

19. The Commission assumes the cost of a continuous wear hearing aid or a hearing device the amount of which exceeds \$700 only if the Commission gave prior authorization for the purchase of it.

The Commission authorizes the purchase of such a hearing device if it has been demonstrated to the Commission that the worker's condition prevents the worker from operating or having another type of hearing device adequately adjusted.

To meet that condition, the worker must provide an attestation from a physician holding a specialist's certificate relevant to the worker's condition.

The Commission assumes an amount up to \$1800 per year, but no other amount for products and services relating to a continuous wear hearing aid.

The Commission assumes an amount up to the manufacturer's cost for a hearing device other than a continuous wear hearing aid referred to in the first paragraph, according to the frequency determined in subdivision 2 of this Division.

20. The Commission assumes, at the frequency determined in subdivision 2 of this Division and up to an amount of \$150, the cost of the purchase of one remote control if it is warranted for a minimum period of 30 months.

For the purposes of this Regulation, a remote control appearing in a program administered by the Régie de l'assurance maladie du Québec is deemed to be under warranty for that period.

21. The Commission assumes the cost, up to an amount of \$500, for the purchase of a CROS or BiCROS system if the Commission gave prior authorization for its purchase and the system is warranted for a minimum period of 2 years.

The Commission authorizes the purchase of such a system if it has been demonstrated to the Commission that the worker's condition is such that

- (1) the particular anatomy of the worker's ear does not allow for the fitting of a hearing device;
- (2) the worker is affected by recurring infections that preclude the fitting of a device;
- (3) the worker has substantial discriminatory loss in one ear because of a personal condition that precludes the fitting of a device; or
- (4) the worker is totally deaf in one ear.

To meet the condition, the worker must provide an attestation from a health professional stating that the wearing of a device is impossible in the worker's case and specifying what the worker's condition is. For subparagraphs 3 and 4, the worker may provide an audiological evaluation to that effect instead of an attestation.

For the purposes of this Regulation, a CROS or BiCROS system appearing in a program administered by the Régie de l'assurance maladie du Québec is deemed to be under warranty for the 2-year period.

22. When the Commission authorizes the purchase of a CROS or BiCROS system, it assumes the purchase cost of one hearing device only.

§2. Replacement and repair of hearing devices and their accessories

23. A worker may request the Commission to replace a hearing device the cost of which was assumed by the Commission if at least 5 years have elapsed since the date of purchase of the hearing device indicated on the form prescribed by the Commission and the full warranty for the hearing device has expired.

The worker must provide with the request,

- (1) a prescription from the physician in charge of the worker; and
- (2) an audiogram performed within the past year by an audiologist or a physician.

A worker who has a CROS or BiCROS system at the time the hearing device is replaced is also entitled to have the system replaced.

24. The Commission does not assume the replacement cost for a hearing device that has been lost, destroyed, stolen or used in a manner contrary to the manufacturer's recommendations.

Despite the foregoing, the Commission assumes, on the conditions set out in this Regulation, the cost of the adjustment, maintenance and repair of a device acquired by a worker to replace a device described in the first paragraph if it is compatible with the original device for which the Commission assumed the cost, where applicable. In such a case, the worker must provide the Commission with a voucher containing

- (1) proof of purchase of the device;
- (2) the date of purchase; and
- (3) information on the make and model of the device.

A hearing device acquired by the worker is deemed to be warranted for a period of 2 years from the date of purchase.

25. The Commission assumes the replacement cost of a hearing device before the expiry of the time period referred to in section 23 if the Commission gave prior authorization for the purchase and one of the following conditions is met:

(1) the worker's auditory condition shows a new sensorineural hearing loss of at least 20 dB HL at not fewer than two frequencies between 500 Hz and 4000 Hz in the same ear since the audiogram referred to in section 5 was performed and the device cannot be adjusted to account for the hearing loss;

(2) the worker has a new medical condition preventing the worker from using the hearing device, even with a remote control;

(3) the hearing device has become so deteriorated that it can no longer be used, repaired or cleaned, including because of the worker's acidic perspiration, excess toxic fumes or pollution, such as dust, to which the device is exposed; or

(4) subject to section 113 of the Act, the device was unintentionally and accidentally damaged.

In the case described in subparagraph 1 of the first paragraph, a written document from a hearing aid acoustician explaining the reasons substantiating the fact that the device cannot be adjusted to the worker's auditory condition and an attestation from a physician or an audiological evaluation showing the worker's loss of hearing must be provided to the Commission.

In the case described in subparagraph 2 of the first paragraph, an attestation from a physician specifying the condition that prevents the worker from using the device must be provided to the Commission.

In the case described in subparagraph 3 of the first paragraph, a written document from the hearing aid acoustician describing the state of deterioration of the device and explaining the reason for the deterioration must be provided to the Commission. A hearing aid acoustician must keep the electroacoustic analysis and provide it to the Commission on request.

In the case described in subparagraph 4 of the first paragraph, the worker must provide a written explanation of the circumstances in which the device was damaged and the hearing aid acoustician must provide a written document showing that the manufacturer is unable to repair the device.

If 2 hearing devices must be replaced in the cases described in subparagraphs 1, 3 and 4 of the first paragraph, a written document from a hearing aid acoustician

or a hearing device manufacturer setting forth the reasons substantiating the necessity of replacing both devices must be provided to the Commission.

The request must be made on the form prescribed by the Commission.

26. The Commission assumes the replacement cost of a remote control for a hearing device if the control has been used according to the manufacturer's recommendations and the Commission gave prior authorization for the control.

That authorization is given by the Commission if the warranty period for the remote control has expired and a written document from a hearing aid acoustician substantiating that it cannot be repaired is provided to the Commission.

The Commission also gives that authorization if the worker's hearing device was replaced in accordance with section 23.

27. The Commission assumes the cost of having a hearing device or a CROS or BiCROS system repaired by its manufacturer up to an amount of \$125 if the warranty period has expired or the breakage is not covered by a warranty and once done, the repair will be warranted for a minimum period of one year.

28. The Commission assumes the cost of having a remote control for a hearing device repaired by the manufacturer if

(1) the remote control is used in accordance with the manufacturer's recommendations;

(2) the cost of the repair does not exceed 80% of its replacement cost;

(3) the warranty period for the remote control has expired;

(4) the breakage is not already covered by a warranty; and

(5) the repair is warranted for a minimum period of 30 months.

§3. Other costs

29. The Commission assumes the maintenance costs and the cost of the other accessories listed in Schedule II, up to the amounts and on the conditions set out in the Schedule.

30. The Commission assumes the cost of services to have a hearing device remade by the manufacturer up to an amount of \$175 if the warranty period has expired and the work is warranted for a minimum period of one year.

31. In the case of temporary bilateral deafness, the Commission assumes the rental cost of

- (1) telephone amplifiers; and
- (2) audible warning devices.

32. In the case of temporary bilateral deafness, the Commission assumes the cost of the purchase of a tinnitus masker up to an amount of \$80.

For the purposes of this section, a hearing device that has a feature or program allowing tinnitus to be masked does not constitute a tinnitus masker.

The costs under the first paragraph are not payable by the Commission for the adjustment of such a feature or program when a hearing device is adjusted or fitted.

TRANSITIONAL AND FINAL

33. The 180-day time period referred to in section 6 begins to run as of (*insert the date of coming into force of this Regulation*) in respect of products and services supplied before that date.

34. The products and services supplied before (*insert the date of coming into force of this Regulation*) are paid by the Commission at the rate applicable at the time they are supplied.

35. 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 medical aid

An Act respecting industrial accidents and occupational diseases
(chapter A-3.001, ss. 189 and 454)

1. Section 1 of the Regulation respecting medical aid (chapter A-3.001, r. 1) is amended

(1) by adding “, but excluding a member of the Ordre des audioprothésistes du Québec and an audiologist who is a member of the Ordre des orthophonistes et audiologistes du Québec” at the end of the definition of “**health worker**”;

(2) by striking out the definition of “**statutory holiday**”.

2. Section 2 is amended by inserting “In addition to the medical aid to which a worker is entitled under the Regulation respecting hearing devices and audiology services,” at the beginning.

3. Section 9 is amended by striking out “audiology or” in the first paragraph.

4. Section 30 is revoked.

5. Section 30.1 is replaced by the following:

“**30.1.** The Commission shall assume the cost of purchasing a communication aid listed in Schedule II if the following conditions are met:

(1) the worker has a prescription from the physician in charge of the worker recommending a consultation in speech therapy; and

(2) the use of such an aid is recommended by a speech therapist.”

6. Schedule I is amended by striking out the section on audiology under professional services.

7. Schedule II is amended by striking out paragraph 2 of section 4.

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

SCHEDULE I

Professional Services

Audiology

Audiological evaluation	\$100.00
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Audio prosthetics

Audio prosthetics evaluation, on prior authorization from the CNESST	
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Maximum of 2 evaluations per 5-year period, per worker	\$62.36
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Professional services provided in the first year after purchase of a hearing device, per device	\$749.11
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CROS-BiCROS programming on purchase	\$200.00
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Reprogramming by a hearing aid acoustician following repair of a CROS-BiCROS system	\$85.58
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Remake, payable once per year if more than one year has elapsed since purchase of the device	\$88.69
Repair, payable once per year per device if more than one year has elapsed since purchase of the device	\$88.69
Professional services provided in the first year after purchase of a hearing device, if provided by a hearing aid acoustician other than the acoustician having supplied the device, owing to the worker's change of place of residence	\$56.73
Professional services provided for fitting if the worker dies before the device is supplied	\$121.95

The costs for the adjustment of a hearing device are reimbursable up to an amount of \$165.00 per year per device per worker. The costs cover the following, payable up to the following amounts:

Cleaning of a hearing device, payable if more than 12 months have elapsed since purchase of the device and not payable if the cleaning is done at the time of a remake or repair or within 30 days thereafter The cleaning may be done by a person under the supervision of the hearing aid acoustician	\$22.17
Electroacoustic analysis, payable if more than 12 months have elapsed since purchase of the device and not payable if the analysis is done at the time of a remake or repair or within 30 days thereafter	\$36.59
Reprogramming, payable if more than 12 months have elapsed since purchase of the device and not payable if done at the time of a remake or repair or within 30 days thereafter	\$27.71
Insertion gain, payable only if more than 12 months have elapsed since purchase of the device and not payable if the service is provided at the time of a remake or repair or within 30 days thereafter	\$33.25
Impression taking —On purchase of a device	\$26.01
—As of the second year following purchase of a device	\$13.26

The costs for the repair or replacement of a hearing device accessory are reimbursable up to a total annual amount of \$195.

The repairs may be done by a person under the supervision of the hearing aid acoustician.

The repair costs consist of the following, including the related products and professional services, and are payable up to the following amounts:

Conduction tube without speaker (slim tube) for open-fit hearing aids	\$5.00
Earmolds for conduction tube without speaker (dome receiver) for open-fit hearing aids	\$5.00
Earmolds for conduction tube with speaker (rite dome) for open-fit hearing aids	\$5.00
Microphone protection covers	\$5.00
Cerumen guard (pack)	\$10.00
Conduction tube with speaker (rite receiver) for open-fit hearing aids	\$75.00
Other replacement parts such as battery holders, covers, etc.	\$5.00
Custom earmold for behind-the-ear hearing aid, maximum price	\$45.00

SCHEDULE II

Hearing device maintenance costs:

The costs for the maintenance of a hearing device are reimbursable up to a total annual amount of \$110.00 per worker.

The maintenance costs consist of the following, and are payable up to the following amounts:

	Unit rate
Telephone ear pad, per pad	\$10.00
Insertion cream, for a minimum 15 ml format	\$10.00
Cleansing tablets, pack of 20 tablets	\$10.00
Dehumidifier	\$15.00
Intranet/cleaner, for a minimum 60 ml format	\$5.00
Soothing anti-itch cream, for a minimum 15 ml format	\$15.00

Other accessories for hearing device maintenance:

Earmold blower:

	Unit rate
Earmold blower, once per 5 years per worker	\$15.00

Batteries:

	Unit rate
Zinc air batteries, per hearing device, maximum of 100 paterries per year	\$1.00
Remote control battery, maximum of one battery per year	\$5.00
Zinc air batteries for a CROS-BiCROS system, maximum of 100 batteries per year	\$1.00

104280

Draft regulation

An Act respecting occupational health and safety (chapter S-2.1)

Occupational health and safety
— Amendment

Safety Code for the construction industry
— 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 occupational health and safety and the Regulation to amend the Safety Code for the construction industry, appearing below, may be made by the Commission des normes, de l'équité, de la santé et de la sécurité du travail and submitted to the Government for approval, in accordance with section 224 of the Act respecting occupational health and safety (chapter S-2.1), on the expiry of 45 days following this publication.

The draft regulations reflect the advancements made in designs and knowledge relating to respiratory protection since the related provisions were last amended. The draft regulations make it possible to use certified respiratory protective devices that are available on the market since the last regulatory amendments. The draft regulations also enable Québec workplaces to refer to respiratory protection standards that are recognized in the majority of other Canadian provinces.

The impact associated with the amendments to the Regulation respecting occupational health and safety (chapter S-2.1, r. 13) and the Safety Code for the construction industry (chapter S-2.1, r. 4) is minimal because it makes it possible to meet harmonization requirements. The regulatory impact analysis shows that the adoption of the provisions will generate annual savings in the medium-term for employers (87.3 million dollars in savings). However, implementation costs of 11.8 million dollars are expected for the first year.

Further information on the draft regulations may be obtained by contacting Charles Labrecque, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 1199, rue De Bleury, Montréal (Québec) H3B 3J1; telephone: 514 906-3080, extension 2298; fax 514 906-3081.

Any person wishing to comment on the draft regulations is requested to submit written comments within the 45-day period to Luc Castonguay, vice-president, prevention, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 524, rue Bourdages, local 220, Québec (Québec) G1K 7E2.

MANUELLE OUDAR,
Chair of the board of directors and Chief Executive Officer of the Commission des normes, de l'équité, de la santé et de la sécurité du travail

Regulation to amend the Regulation respecting occupational health and safety

An Act respecting occupational health and safety (chapter S-2.1, s. 223, 1st par., subpars. 3, 4, 7, 9 and 42)

1. The Regulation respecting occupational health and safety (chapter S-2.1, r. 13) is amended in section 1 by inserting the following definition in alphabetical order:

““NIOSH” means the National Institute for Occupational Safety and Health;”

2. The following is inserted after section 39:

“**39.1.** The use of crocidolite, amosite or a product containing either of these substances is prohibited, except where their replacement is not reasonable or practicable.”

3. Sections 40 and 41 are replaced by the following:

“**40.** No worker in an establishment shall be exposed to:

(1) a concentration of airborne oxygen below 19.5% in volume at normal atmospheric pressure;

(2) gases, fumes, vapours, dusts or mists, beyond the limits provided for in Schedule I.

Subparagraph 2 of the first paragraph also applies to a work station located in a vehicle, wherever situated.

41. In order to comply with the values provided in section 40, the employer must control or improve the quality of the air by eliminating air contaminants or replacing dangerous substances, as provided in section 39. Failing that, the employer must take other measures favouring the following:

(1) containment, to prevent the source of contamination from reaching the worker or affecting the percentage of oxygen;

(2) the control of processes such as dust abatement, as well as the installation or improvement of an establishment's local and then general ventilation.

In addition, such measures must be taken by the employer when designing, organizing or making changes to an establishment.”

4. The following is inserted after section 41:

“**41.1.** Notwithstanding section 41, an employer may provide a respirator in compliance with Division VI, without taking other measures, during the period required to perform work on the equipment referred to in section 5, or during the performance of temporary work of the same nature on another type of equipment or facility.”

5. The heading of **DIVISION VI** is replaced by “RESPIRATOR”.

6. Section 45 is replaced by the following:

“**45. Respirator:** The employer must provide the worker with a respirator in the following cases:

(1) during the period required to implement a measure provided for in section 41;

(2) in case of an emergency where the values provided for in section 40 are not complied with;

(3) if no measure makes it possible to comply with the values provided for in section 40.”

7. The following is inserted after section 45:

“**45.1.** Every respirator provided by the employer must be certified by the NIOSH.

When providing such a device, the employer must draft and apply a respiratory protection program in compliance with CAN/CSA Standard Z94.4-11, Selection, Use and Care of Respirators, as published in September 2016.”

8. Section 46 is amended by replacing “45” by “45.1”.

9. Section 47 is revoked.

10. Section 48 is amended by striking out “referred to in section 45” in the first paragraph.

11. Section 69 is amended by inserting “in compliance with Division VI” after “air-supplied abrasive hood” in the first paragraph.

12. Section 101 is amended by replacing the last paragraph by the following:

“Except as part of work provided for in section 41.1, all work stations must be ventilated as to comply with the standards provided for in sections 40.”

13. Section 154 is amended by replacing “in section 41 or 69 or in paragraph 3 of section 124” by “in paragraph 3 of section 45, section 69 or paragraph 3 of section 124 and” in the first paragraph.

14. Section 302 is amended in the second paragraph by replacing

(1) “the respiratory protective equipment” by “a respirator”;

(2) “specified in section 45” by “in accordance with Division VI”.

15. Section 303 is amended in paragraph 3 by replacing

(1) “the respiratory protective equipment” by “a respirator”;

(2) “specified in section 45” by “in accordance with Division VI”.

16. Section 312.52 is amended by adding “, as published in September 2016” at the end.

17. 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 Safety Code for the construction industry

Act respecting occupational health and safety (chapter S-2.1, s. 223, 1st par., subpars. 3, 4, 7, 9 and 42)

1. The Safety Code for the construction industry (chapter S-2.1, r. 4) is amended in section 2.10.8

(1) by replacing “impurities” by “contaminants”;

(2) by inserting “or equal to” after “lower than”;

(3) by adding the following at the end:

“The employer must provide a respirator in compliance with Division VI of the Regulation respecting occupational health and safety (chapter S-2.1, r. 13) in any situation where the values referred to in the first paragraph cannot be complied with.

During periods of work on equipment referred to in section 5 of the Regulation respecting occupational health and safety, or during temporary inspection or maintenance work or work of the same nature performed sporadically on another type of equipment or facility, an employer may provide such a device without the obligation to take other measures to eliminate or reduce contaminants.”

2. Section 2.10.9 is revoked.

3. Section 3.15.9 is amended by replacing “breathing apparatus conforming to section 2.10.9” by “respirator” in subparagraph c of the second paragraph.

4. Section 3.20.1 is amended by striking out “as specified in the Guide des appareils de protection respiratoire utilisés au Québec, published by the Institut de recherche Robert-Sauvé en santé et en sécurité du travail”.

5. Section 3.20.2 is revoked.

6. Section 3.21.2 is amended by replacing “protective breathing equipment” by “a respirator”.

7. Section 3.23.14.1 is amended by striking out the following:

“that meets either of the following standards:

(1) it is specified in the Guide des appareils de protection respiratoire utilisés au Québec, published by the Institut de recherche Robert-Sauvé en santé et en sécurité du travail;

(2) it is certified at a minimum FFP2 in accordance with EN-149, Respiratory protective devices — Filtering half masks to protect against particles — Requirements, testing, marking of the European Committee for Standardization, by a laboratory recognized by the latter.

That equipment shall be selected, adjusted, used and cared for in accordance with CSA Standard Z94.4-93 Selection, Use, and Care of Respirators.”

8. Section 3.23.15 is amended

(1) by replacing “l’employeur doit respecter, outre les obligations prévues aux articles 3.23.3 à 3.23.14” by “outre les obligations prévues aux articles 3.23.3 à 3.23.14, l’employeur doit respecter” in the French text of the part preceding paragraph 1;

(2) by replacing paragraph 1 by the following:

“(1) ensure that any worker present in the work area is wearing a reusable protective respiratory apparatus equipped with a 100 series or HEPA high efficiency filter certified by the NIOSH;”

9. Section 3.23.16 is amended

(1) by replacing paragraph 1 by the following:

“(1) ensure that any worker present in the work area during the use of electric tools not fitted with a dust collector equipped with a high-efficiency filter or during the handling of thoroughly wetted friable materials containing asbestos is wearing a full-facepiece respirator; the respirator must comply with one of the following types:”;

(2) by replacing “high-efficiency” by “HEPA” in subparagraph a of paragraph 1;

(3) by replacing paragraph 2 by the following:

“(2) notwithstanding paragraph 1, a supplied-air and continuous-flow positive-pressure adjusted, or pressure demand and positive pressure, full-facepiece respirator must be worn by any worker who is in one of the following situations:”.

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

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