

Gazette
officielle
DU Québec

Part

2

No. 47

18 November 2020

Laws and Regulations

Volume 152

Summary

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Regulations and other Acts
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Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
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Regulations and other Acts

Gouvernement du Québec

O.C. 1156-2020, 4 November 2020

Environment Quality Act
(chapter Q-2)

Waste water disposal systems for isolated dwellings — Amendment

Regulation to amend the Regulation respecting waste water disposal systems for isolated dwellings

WHEREAS, under paragraph 4 of section 46 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, prohibit or limit the dumping into any sewer system or rainwater management system of any matter that it considers harmful;

WHEREAS, under paragraph 5 of section 46 of the Act, the Government may, by regulation, determine the mode of discharging and treating waste water and rainwater;

WHEREAS, under paragraph 6 of section 46 of the Act, the Government may, by regulation, regulate the production, sale, distribution and use of any water purification device and any product or material for establishing or operating a water management or treatment facility;

WHEREAS, under paragraph 9 of section 46 of the Act, the Government may, by regulation, determine construction standards for water management or treatment facilities;

WHEREAS, under paragraph *c* of section 87 of the Act, the Government may make regulations to regulate, as regards all or any part of the territory of Québec, construction, use of materials, location, relocation and maintenance in respect of septic facilities and private or public toilets, private sewers, drains and cesspools and other installations intended to receive or eliminate waste water, to prohibit the construction of certain classes of immovable if the area or other characteristics of the land do not permit compliance with the standards established or if the building is not served by certain classes of disposal and treatment of waste water systems and to prohibit equipment that does not comply;

WHEREAS, under paragraph *d* of section 87 of the Act, the Government may make regulations to prescribe for each class of immovables or installations contemplated

in paragraphs *a* and *c* of the section, the issuance of a permit by the Minister or by any municipality or class of municipalities;

WHEREAS, under the first paragraph of section 115.34 of the Act, the Government may determine in particular the regulatory provisions made under the Act whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting waste water disposal systems for isolated dwellings was published in Part 2 of the *Gazette officielle du Québec* of 6 May 2020 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of the Environment and the Fight Against Climate Change:

THAT the Regulation to amend the Regulation respecting waste water disposal systems for isolated dwellings, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting waste water disposal systems for isolated dwellings

Environment Quality Act
(chapter Q-2, s. 46, pars. 4, 5, 6 and 9, s. 87, pars. *c*
and *d*, and s. 115.34)

1. The Regulation respecting waste water disposal systems for isolated dwellings (chapter Q-2, r. 22) is amended in section 1

(1) by striking out paragraph *a*;

(2) by inserting the following after paragraph *c*:

“(c.0.1) “toilet” means an appliance designed to receive urine or feces, or both;”;

(3) by inserting the following after paragraph *c.1*:

“(c.1.1) “cementation class” means the “weakly cemented class”, the “strongly cemented class” or the “indurated class” of a soil as defined in The Canadian System of Soil Classification;

(c.1.2) “textural class” means a class described in Schedule 1 and established on the basis of soil texture;”;

(4) by striking out paragraph *d*;

(5) by striking out “or an aerated waste treatment plant” in paragraph *e*;

(6) by replacing paragraph *f* by the following:

“(f) “grey water” means kitchen, bathroom and laundry water, water from household appliances other than a toilet, including when the water is evacuated through a floor drain, including the floor drain in a residential garage, or the floor drain of an isolated residence and of a building or site referred to in section 2. In the latter case, the building or location must evacuate only grey water, sanitary wastewater or water from a toilet;”;

(7) by replacing paragraph *g* by the following:

“(g) “domestic waste water” means water from a toilet combined with grey water;

(g.1) “non-domestic waste water” means waste water discharged by a building or site, other than domestic waste water, water from toilets, grey water or rainwater;”;

(8) by replacing “a work” in paragraph *l* by “an absorption work”, and by adding “and that discharges an effluent” at the end of the paragraph;

(9) by striking out “chemical or” in paragraph *n*;

(10) by replacing “waste water” in paragraph *o* by “domestic waste water”;

(11) by striking out paragraph *r*;

(12) by inserting the following before paragraph *t*:

“(s.1) “municipal wastewater treatment works” means a municipal wastewater treatment works described in the second paragraph of section 1 of the Regulation respecting municipal wastewater treatment works (chapter Q-2, r. 34.1);”;

(13) by replacing paragraphs *u.1* to *u.4* by the following:

“(u.1) “impermeable soil” means soil whose percolation time is equal to or greater than 45 minutes per centimetre, whose hydraulic conductivity is equal to or less than 6×10^{-5} cm/s or whose texture is in the impermeable zone identified in Schedule 1;

(u.2) “low permeability soil” means soil whose percolation time is equal to or greater than 25 minutes and less than 45 minutes per centimetre, whose hydraulic conductivity is greater than 6×10^{-5} cm/s and equal to or less than 2×10^{-4} cm/s or whose texture is in the low permeability zone identified in Schedule 1;

(u.3) “permeable soil” means soil whose percolation time is equal to or greater than 4 minutes and less than 25 minutes per centimetre, whose hydraulic conductivity is greater than 2×10^{-4} cm/s and equal to or less than 4×10^{-3} cm/s or whose texture is in the permeable zone identified in Schedule 1;

(u.4) “high permeability soil” means soil whose percolation time is less than 4 minutes per centimetre, whose hydraulic conductivity is greater than 4×10^{-3} cm/s or whose texture is in the high permeability zone identified in Schedule 1;

(u.5) “rainwater management system” means any man-made works used for collecting and transporting rainwater to a hydrographic network;”;

(14) by inserting the following after paragraph *w*:

“(w.1) “hydraulic loading rate” means the volume of effluent applied to the soil of a disposal site or a treatment system component, expressed in litres per surface unit per day ($L/(m^2.d)$);

(w.2) “linear hydraulic loading rate” means the volume of effluent applied to the soil of a disposal site or a treatment system component, expressed in litres per unit length per day ($L/(m.d)$);”;

(15) by replacing “waste water” in paragraph *x* by “domestic waste water”;

(16) by inserting the following after paragraph *x*:

“(x.1) “texture” means the size distribution of mineral particles in a soil using percentage by weight of primary particles less than or equal to 2 mm making up the soil, determined with reference to the particle dimensions specified in Schedule 1;

(x.2) “qualified third person” means a professional within the meaning of section 1 of the Professional Code (chapter C-26) whose professional order governs the practise of the professional activity to which this Regulation applies, or a person holding a valid qualification certificate in matters of operation of wastewater treatment works issued under a vocational training and qualification program established by the Minister of Employment and Social Solidarity under section 29.1 of the Act respecting workforce vocational training and qualification (chapter F-5);”;

(17) by striking out paragraph z.

2. Section 1.1 is amended by inserting “Subject to paragraph b of section 39.1.1 and paragraph a of section 87.25.2,” after “**permeability of the soil:**”.

3. The following is inserted after section 1.1:

“1.1.1. Determination of soil consistence and structure: The consistence and structure of a soil must be determined using the methods in The Canadian System of Soil Classification.”.

4. Section 1.2 is amended by striking out the third paragraph.

5. Section 1.3 is amended by replacing “waste water” in subparagraph b of the first paragraph by “domestic waste water”.

6. Section 1.4 is amended

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

“Total daily flow: The total daily flow of domestic waste water from a building or site other than an isolated dwelling referred to in section 2 corresponds to the sum of the flows of domestic waste water produced by each service offered. The flows for each service are calculated by multiplying the unit flow of domestic waste water specified in Schedule 1.1, which varies according to the types of services offered, by the corresponding number of units, which is set based on the maximum operating or utilization capacity of the building or site concerned.”;

(2) by replacing “waste water” in the third paragraph by “domestic waste water”.

7. Section 2 is replaced by the following:

“2. Scope of application: This Regulation applies to the disposal of domestic waste water, grey water and toilet effluents from the following buildings and site if they are not connected to a sewer system authorized by

the Minister under the Act, or the watertight treatment system of the buildings or site is connected to a municipal wastewater treatment works:

(a) an isolated dwelling;

(b) a building other than the building referred to in subparagraph a that discharges domestic waste water, grey water or toilet effluents exclusively, and the total daily flow does not exceed 3,240 litres;

(b.1) a building that does not discharge domestic waste water, grey water or toilet effluents exclusively, whose plumbing system allows waste water to be segregated such that only domestic waste water, grey water or toilet effluents are carried to a domestic waste water discharge, collection or disposal system, and the total daily flow of the domestic waste water does not exceed 3,240 litres; and

(c) camping and caravanning grounds where domestic waste water, grey water or toilet effluents are discharged, and the total daily flow does not exceed 3,240 litres.

It does not, however, apply to the disposal of non-domestic waste water from a building referred to in subparagraph b.1 of the first paragraph. That water must be carried to a discharge, collection or disposal system compliant with the Act or the Agricultural Operations Regulation (chapter Q-2, r. 26).

It also applies to the development and use of a privy and a compost toilet, and to the management of the compost from the compost toilet if such a toilet serves a building or site referred to in the first paragraph or serves a building or site that is not supplied with water, to the extent that the building or site would discharge a total daily flow of domestic waste water that would not exceed 3,240 litres per day if it were supplied with water.

More specifically, it applies to a system for the discharge, collection or disposal of domestic waste water, grey water and toilet effluents from a building or site referred to in the first paragraph for the purpose of its installation, during its installation, as part of its operation, its abandonment and in the cases referred to in the second paragraph of section 4.

Despite the foregoing, the standards relating to the installation of a system serving a building or site referred to in the first paragraph already built or developed do not apply if the domestic waste water, grey water and toilet effluents do not constitute a nuisance, a source of contamination of well or spring water used for drinking water supply or a source of contamination of surface water, except in the cases referred to in the second paragraph of section 4.”.

8. Section 3 is amended

(1) by replacing “waste water” in the first paragraph by “domestic waste water”;

(2) by replacing “waste water” in the second paragraph by “domestic waste water”;

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

“No person may build a building or develop a site referred to in section 2, build an additional bedroom in an isolated dwelling already built, change the use or increase the operating or utilization capacity of a building or site already built or developed if the change or increase serves to increase the total daily flow of domestic waste water beyond the capacity of the system for the discharge, collection or disposal of domestic waste water, grey water or toilet effluents without being in compliance with this Regulation.”;

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

“No person may rebuild, renovate, modify or move any part of a system without the part being in compliance with this Regulation.”;

(5) by replacing “waste water” in the fourth paragraph by “domestic waste water”.

9. Section 3.01 is amended

(1) by replacing “waste water” in the portion before subparagraph *a* of the first paragraph by “domestic waste water”;

(2) by striking out “already built” in subparagraph *i* of subparagraph *b* of the first paragraph;

(3) by striking out “already built” in subparagraph *ii* of subparagraph *b* of the first paragraph, and by inserting “of domestic waste water” after “total daily flow”;

(4) by striking out “already built” in subparagraph *iii* of subparagraph *b* of the first paragraph, and by inserting “of domestic waste water” after “total daily flow”.

10. Section 3.02 is amended by replacing “waste water” in paragraph *b* by “domestic waste water”.

11. Section 3.04 is amended by replacing “is not covered by the third paragraph of section 4.1” in the second paragraph by “must be considered to be an isolated dwelling for the purposes of section 4.3”.

12. Section 3.1 is amended by replacing “waste water by” by “domestic waste water, grey water or toilet effluents”.

13. Section 3.2 is replaced by the following:

“3.2 Disposal system maintenance: The owner or user of a waste water disposal system must see to its maintenance, which includes seeing that any defective system part is repaired or replaced and any part whose service life has been reached is replaced. Every replacement part must have the identical characteristics as the original part.”.

14. Section 3.3 is amended

(1) by adding “so as to achieve the expected system performance” at the end of the first paragraph;

(2) by replacing “the isolated dwelling or the other building” in the second paragraph by “the building or site referred to in section 2”;

(3) by striking out “pursuant to section 25.1 of the Municipal Powers Act (chapter C-47.1)” in the fourth paragraph.

15. Section 4 is replaced by the following:

“4. Permit: Every person intending to build a building referred to in section 2 or develop a site referred to in that section must, before starting the work required for that purpose, obtain a permit from the local municipality having jurisdiction in the territory in which the construction or development is to take place.

A permit is also required prior to

(*a*) the construction of an additional bedroom in an isolated dwelling or a change in its use;

(*b*) an increase in the operating or utilization capacity of a building or site other than an isolated dwelling referred to in section 2 or a change in its use;

(*c*) the construction, renovation, modification, reconstruction, moving or enlargement of a discharge, collection or disposal installation for domestic waste water, grey water or toilet effluents serving a building or site referred to in section 2;

(*d*) the construction of a privy serving a building or site referred to in section 2; and

(*e*) the installation of a compost toilet serving a building or site referred to in section 2.

Such a permit is not required for the reconstruction of a building referred to in section 2 or the redevelopment of a site referred to in that section after a fire or other disaster, to the extent set forth in the fifth paragraph of section 3.

When processing a permit application for the construction of an additional bedroom in an isolated dwelling, a change in use of a building or site or an increase in the operating or utilization capacity of another building or site referred to in section 2 that serves to increase the total daily flow of domestic waste water beyond the capacity of the system for the discharge, collection or disposal of domestic waste water, grey water or toilet effluents, the municipality is to re-evaluate the standards applicable to the system under this Regulation or, as applicable, inform the applicant that the applicant's project is subject to section 22 of the Act.

The municipality must issue a permit under this section if the project provides for the building or site referred to in section 2 to be equipped with a system for the discharge, collection or disposal of domestic waste water, grey water or toilet effluents that conforms to this Regulation.

The municipality must also issue a permit under this section if the work does not serve to increase the total daily flow of domestic waste water beyond the capacity of the system for the discharge, collection or disposal of domestic waste water, grey water or toilet effluents.

The permit must also be issued to the extent the applicant demonstrates that any parts of the system not covered by the reconstruction, renovation, modification or moving comply with the following conditions:

(a) they are designed to receive domestic waste water, grey water or toilet effluents from the building or site based on the number of bedrooms or the maximum operating or utilization capacity;

(b) they show no sign of alteration likely to compromise the system's expected performance or, in the case of tanks and watertight systems, their watertightness; and

(c) they do not constitute a nuisance, a source of contamination of well water or spring water used for drinking water supply or a source of contamination of surface water.

This section does not apply to a municipality that has passed a by-law providing for the issue of a municipal building or enlargement permit for a building or site referred to in section 2 or for a discharge, collection or disposal installation for domestic waste water, grey water or toilet effluents under general or special legislation

granting it regulatory authority for that purpose. In that case, the municipality must issue the municipal building or enlargement permit in accordance with section 118.3.5 of the Act.

In unorganized territories, the permits under this section are issued by the regional county municipality.”

16. Section 4.1 is replaced by the following:

“4.1. Content of the permit application: For the purposes of section 4, an application for a permit to install a system for the discharge, collection or disposal of domestic waste water, grey water or toilet effluents from a building or site referred to in section 2 must include

(1) the name and contact information of the person referred to in section 4;

(2) the cadastral designation of the lot on which the project is to be carried out or, if there is no cadastral designation, the most precise identification of the site where the project is to be carried out;

(3) the number of bedrooms in the isolated dwelling or, in other cases, the total daily flow of discharged domestic waste water;

(4) a characterization study of the site and natural land containing the following elements:

(a) the topography of the site;

(b) the grade of the disposal site;

(c) the level of soil permeability at the disposal site, the methodology used to determine the soil permeability and the results obtained, unless a watertight system is being replaced by another watertight system or the project provides for another discharge to the environment because the conditions at the site do not allow for the siting of a soil absorption system or a leaching field;

(d) the level of bedrock, underground water or any layer of permeable soil, low permeability soil or impermeable soil, as applicable, below the surface of the disposal site. For the replacement of a watertight system by another watertight system or a project providing for another discharge to the environment because the conditions at the site do not allow for the siting of a soil absorption system or a leaching field, only the level of bedrock and underground water is required; and

(e) an indication of any element likely to influence the siting or construction of a disposal system;

(5) a site plan to scale showing

(a) the elements identified in the reference point column in sections 7.1 and 7.2 on the lot on which a system for the discharge, collection or disposal of domestic waste water, grey water or toilet effluents is proposed and on the contiguous lots;

(b) the siting proposed for the system parts;

(c) the installation depth of each system component; and

(d) the installation depth of the soil absorption system, the standard sand-filter bed, the absorption field or the leaching field in relation to the level of bedrock, underground water or any layer of impermeable soil or low permeability soil below the surface of the disposal site;

(6) a copy of the agreement referred to in the first paragraph of section 3.03 if the application pertains to a system serving a group of buildings that involve different owners; and

(7) proof of the registration of the agreement referred to in subparagraph 6 in the land register.

In the case of a project providing for another discharge to the environment, the information and plan must describe the receiving area and,

(1) in the case of discharge to a watercourse, specify the watercourse flow rate and the effluent dilution rate in the watercourse in low-water periods, the hydrographic network to which the watercourse belongs, as well as the location of the discharge site and the effluent sampling site. The flow rate and the effluent dilution rate are not required for a tertiary treatment system with disinfection or a tertiary treatment system with phosphorous removal and disinfection; and

(2) in the case of discharge to a rainwater management system, show the water pathway up to the discharge site, and the location of the effluent sampling site.

This section applies to all permit applications, pursuant to section 4, for the construction of an additional bedroom in an isolated dwelling, a change in the use of a building or site or an increase in the operating or utilization capacity of a building or site referred to in section 2 where the construction, change or increase serves to increase the total daily flow of domestic waste water beyond the capacity of the system for the discharge, collection or disposal of domestic waste water, grey water or toilet effluents.

This section also applies to all permit applications, pursuant to section 4, for the reconstruction, renovation, modification or moving of any part of a system.

Subparagraph 4 of the first paragraph does not apply to installations covered by Divisions XII, XIII and XIV or to a watertight treatment system to which this Regulation applies that is connected to a municipal wastewater treatment works.

4.2. Content of the permit application: A permit application made under section 4 for the construction of an additional bedroom in an isolated dwelling, a change in the use of a building or site or an increase in the operating or utilization capacity of a building or site referred to in section 2 and the construction, change or increase does not serve to increase the total daily flow of domestic waste water beyond the capacity of the system for the discharge, collection or disposal of domestic waste water, grey water or toilet effluents, must include

(1) the information required by subparagraphs 1, 2 and 3 of the first paragraph of section 4.1; and

(2) an attestation from a professional certifying that the system for the discharge, collection or disposal of domestic waste water, grey water or toilet effluents is able to treat the additional volume. For an isolated dwelling, the attestation must be provided by a professional within the meaning of section 1 of the Professional Code (chapter C-26) whose professional order governs the practise of the professional activity. For a building other than an isolated dwelling, the attestation must be provided by an engineer.

4.3. Characterization study of the site and natural land and site plan for an isolated dwelling or a hunting or fishing camp: If the system for the discharge, collection or disposal of domestic waste water, grey water or toilet effluents is to serve an isolated dwelling or a hunting or fishing camp, the characterization study of the site and natural land and the site plan referred to in section 4.1 must be signed by a professional within the meaning of section 1 of the Professional Code (chapter C-26) whose professional order governs the practise of the professional activity. In the permit application under section 4, the professional must state the number of bedrooms in the case of an isolated dwelling or the total daily flow of domestic waste water discharged in the case of a hunting or fishing camp.

Despite the foregoing, if the system consists of an above-ground sand-filter bed or a leaching field built in soil having a texture in the impermeable zone, the characterization study of the site and natural land must, in all cases, be signed by a member of the Ordre des ingénieurs

du Québec or the Ordre des géologues du Québec, and the site plan must be signed by a member of the Ordre des ingénieurs du Québec. In the permit application, the latter member must state the number of bedrooms in the case of an isolated dwelling or the total daily flow of domestic waste water discharged in the case of a hunting or fishing camp.

The first paragraph does not apply to installations covered by Divisions XII, XIII and XIV or to a watertight treatment system to which this Regulation applies that is connected to a municipal wastewater treatment works.

4.4. Characterization study of the site and natural land and site plan for a building or a site other than an isolated dwelling or a hunting or fishing camp: If the system for the discharge, collection or disposal of domestic waste water, grey water or toilet effluents is to serve a building or a site other than an isolated dwelling or a hunting or fishing camp, the characterization study of the site and natural land must be signed by a member of the Ordre des ingénieurs du Québec or the Ordre des géologues du Québec, and the site plan must be signed by a member of the Ordre des ingénieurs du Québec. In the permit application, the latter member must state the total daily flow of domestic waste water discharged and include with the application a document certifying that the system will be compliant with this Regulation and will be capable of disposing of the domestic waste water having regard to its specific characteristics.

The first paragraph does not apply to installations to which Divisions XII, XIII and XIV apply or to a watertight treatment system to which this Regulation applies that is connected to a municipal wastewater treatment works.

4.5. Segregated plumbing system attestation: For a building referred to in subparagraph *b.1* of the first paragraph of section 2, the owner must, within 30 days after the end of construction of the building, provide the municipality with a written statement signed by a professional within the meaning of section 1 of the Professional Code (chapter C-26) whose order governs the practice of that professional activity attesting that the plumbing system allows waste water to be segregated such that only domestic waste water, grey water or toilet effluent is carried to the domestic waste water discharge, collection or disposal system.

That requirement also applies to all plumbing work creating waste water segregation in an isolated dwelling or an existing building referred to in section 2 as well as to all work altering existing plumbing allowing waste water to be segregated.”

17. Section 6 is amended

(1) by replacing “waste water” by “domestic waste water”;

(2) by inserting “recycled,” after “treated.”

18. The heading of Division III is amended by striking out “WASTE”.

19. Section 7 is amended

(1) by inserting “and XII” after “XI” in the portion before subparagraph 1 of the first paragraph;

(2) by replacing “waste water” in the portion before subparagraph 1 of the first paragraph by “domestic waste water”;

(3) by replacing “waste water” in subparagraph 1 of the first paragraph by “domestic waste water”;

(4) by replacing “or a leaching field that complies with Division XV.3 or XV.4” in subparagraph 4 of the first paragraph by “, a leaching field or an above-ground leaching field built with borrowed sand that complies with Divisions XV.3, XV.4 and XV.4.1.”;

(5) by replacing “that complies with Division XV.4” in subparagraph 5 of the first paragraph by “or towards an above-ground leaching field built with borrowed sand that complies with Division XV.4 or XV.4.1, whichever applies”;

(6) by replacing “in Division XV.4 do not allow for the installation of a leaching field” in the second paragraph by “in subdivision 1 of Division XV.4 or Division XV.4.1 do not allow for the installation of a leaching field or an above-ground leaching field built with borrowed sand, as the case may be”;

(7) by replacing “ditch” in the second paragraph by “rainwater management system”.

20. Section 7.1 is amended by replacing “haulage” in paragraph *c* by “maintenance”.

21. The Regulation is amended by inserting the following after section 7.1:

“7.1.1. Special watertight system siting standards: Insofar as the characterization study of the site and natural land and the site plan referred to in subparagraphs 4 and 5 of the first paragraph of section 4.1 establish that it is not possible, as regards a building or site referred to in the

first paragraph of section 2 that is already built or developed, to install a watertight treatment system off the bank or shore of a lake or watercourse, such a system or part of the system may, despite the provisions of paragraph *d* of section 7.1 dealing with the minimum distances from the bank or shore of a lake or watercourse, be installed on the bank or shore of a lake or watercourse.

The watertight treatment system may not, in any circumstances, be installed in the littoral zone or a zone where there is a risk of erosion or landslide. The encroachment of the watertight treatment system on the bank or shore must be limited to what is necessary for its installation.”

22. Section 7.2 is amended

(1) by replacing “haulage” in subparagraph *c* of the first paragraph by “maintenance”;

(2) by replacing “Residence or underground drainage line” in the fifth line in the table in subparagraph *d* of the first paragraph by “Dwelling, underground drainage line or drainage trench”;

(3) by replacing “a talus” in the sixth line in the table in subparagraph *d* of the first paragraph by “an embankment or ditch”.

23. Section 8 is amended

(1) by replacing “waste water” in the first and third paragraphs by “domestic waste water”;

(2) by striking out “chemical or” in the first paragraph.

24. Section 9.1 is amended by inserting the following after the first paragraph:

“For the purposes of this Regulation, a system whose effluent is carried to a municipal wastewater treatment works is also a primary treatment system if it

(a) is composed of a septic tank certified CSA B66-16 or a septic tank meeting the requirements of BNQ standard 3680-905, other than the requirements as to the outlet device and marking, and installed in compliance with the standards provided for in paragraphs *l*, *m*, *m.1* and *o* of section 10; or

(b) is composed of a septic tank cast on site in accordance with section 10, other than the provisions of paragraph *h* of that section dealing with the outlet device.

In the cases described in subparagraphs *a* and *b*, if a pump is added, the volume of the septic tank compartment housing the pump is not to be considered in calculating the minimum total capacity of the tank and no scum or sludge may be allowed to enter the system serving the municipal wastewater treatment works.”

25. Section 11.1 is amended

(1) by replacing “waste water” in the first paragraph by “domestic waste water”;

(2) by replacing the words “in section 10” wherever they appear by “in the second paragraph of section 9.1, section 10”.

26. Section 11.2 is amended

(1) by inserting “so as to achieve the expected system performance” after “used and maintained”;

(2) by striking out “in accordance with the manufacturer’s manuals”.

27. Section 12 is amended by inserting “, subject to section 7.1.1,” after “for that purpose and”.

28. Section 13 is replaced by the following:

“13. Emptying: A septic tank referred to in the second paragraph of section 9.1, section 10 or section 11 that is used only seasonally must be pumped out at least once every 4 years.

A septic tank referred to in the second paragraph of section 9.1, section 10 or section 11 that is used year-round must be pumped out at least once every 2 years.

Despite the foregoing, if a municipality provides a septic tank pumping service, a septic tank may be pumped out as provided in the first and second paragraphs or as indicated by the measurement of the scum or sludge layer. In the latter case, a septic tank must be pumped out when the thickness of the scum layer is equal to or greater than 12 cm or the thickness of the sludge layer is equal to or greater than 30 cm.”

29. Section 14 is amended by inserting “the second paragraph of section 9.1,” after “referred to in”.

30. Section 15 is amended by inserting “the second paragraph of section 9.1,” after “referred to in” in the first and second paragraphs.

31. Section 16 is amended by replacing “3.2” in the third paragraph by “3.38”.

32. Section 16.1 is amended by replacing “waste water” by “domestic waste water”.

33. Section 16.3 is replaced by the following:

“16.3. Watertightness and siting: The watertightness of a secondary treatment system must be such that water is able to flow only through the holes intended for that purpose and, subject to section 7.1.1, the secondary treatment system must be sited as required by section 7.1.

A secondary treatment system that is not watertight must be sited as required by section 7.2.”.

34. Section 16.4 is amended

(1) by inserting “so as to achieve the expected system performance” after “used and maintained”;

(2) by striking out “in accordance with the manufacturer’s manuals”.

35. Section 17 is amended by replacing “**Disposal site:**” in the portion before paragraph a by “**Installation conditions:**”.

36. Section 25.1 is amended by striking out “. The maximum length must be provided in the manufacturer’s manuals and have been certified by an engineer who is a member of the Ordre des ingénieurs du Québec” in paragraph b.

37. Section 26 is amended by replacing “**Disposal site:**” by “**Installation conditions:**”.

38. Section 31.1 is amended by striking out “. The maximum length must be provided in the manufacturer’s manuals and have been certified by an engineer who is a member of the Ordre des ingénieurs du Québec” in paragraph b.

39. Section 32 is amended by replacing “**Disposal site:**” in the portion before paragraph a by “**Installation conditions:**”.

40. Section 36 is amended by replacing “**Disposal site:**” in the portion before paragraph a by “**Installation conditions:**”, and by replacing “must” by “may”.

41. Section 36.1 is amended by striking out “The distribution method must be provided in the manufacturer’s manuals and have been certified by an engineer who is a member of the Ordre des ingénieurs du Québec.” in the second paragraph.

42. Section 39 is amended by replacing “, trees and shrubs” in the first paragraph by “or trees”.

43. The Regulation is amended by inserting the following after section 39.1:

“§1.1. Provisions specific to above-ground sand-filter beds built in soil having a texture in the impermeable zone

39.1.1. Installation conditions in structured clay or silty clay soils: A primary or secondary treatment system may also be connected to an above-ground sand-filter bed in the following conditions:

(a) a soil absorption field or a seepage bed cannot be built because it is impossible to comply with section 17 or 26;

(b) using the correlation method in Schedule 1, the soil at the disposal site is impermeable solely because its texture is in the impermeable zone and, based on the hydraulic conductivity test or the percolation time test, the soil at the disposal site is permeable or low permeability soil. For the determination of the level of soil permeability, the result obtained by the correlation method must, however, be excluded;

(c) the soil at the disposal site,

i. according to its textural class, is structured as described in the following table:

Textural class of the soil	Required soil structure	
	Type	Grade
Silt, silt loam, clay loam or silty clay loam	Prismatic, blocky or granular	Weak
		Moderate or strong
Sandy clay, silty clay or clay	Prismatic, blocky or granular	Moderate or strong

ii. in a moist state has a consistence that is loose, very friable, friable or firm and is not in a cementation class; and

iii. is not in the smectitic mineral class; and

(d) the disposal site complies with the conditions described in paragraphs b and c of section 36.

39.1.2. Construction standards: An above-ground sand-filter bed must be built with a low pressure feed system,

(a) applying a maximum hydraulic loading rate to the soil at the disposal site that does not exceed the rates in the following tables, based on the hydraulic conductivity or percolation time and the soil characteristics at the disposal site:

Soil characteristics at disposal site		Maximum hydraulic loading rate L/(m ² .d)		
Textural class	Structure	Effluent from a primary treatment system	Effluent from a secondary treatment system	
	Type			
Silt loam	Prismatic, blocky or granular	Moderate or strong	24	33
		Weak	16	24
Silt, clay loam or silty clay loam	Prismatic, blocky or granular	Moderate or strong	16	24
		Weak	8	12
Sandy clay, silty clay or clay	Prismatic, blocky or granular	Moderate or strong	8	12

Hydraulic conductivity (cm/s)	Percolation time (min/cm) treatment system	Maximum hydraulic loading rate L/(m ² .d)	
		Effluent from a primary treatment system	Effluent from a secondary treatment system
4X10 ⁻³ to 4 X10 ⁻⁴	4 to 15	24	33
4X10 ⁻⁴ to 2 X10 ⁻⁴	15 to 25	16	24
2X10 ⁻⁴ to 6 X10 ⁻⁵	25 to 45	8	12

(b) applying a maximum linear hydraulic loading rate to the soil at the disposal site that does not exceed the rate in the following table based on the soil characteristics and grade at the disposal site:

Soil characteristics at disposal site			Linear hydraulic loading rate L/(m.d)		
Textural class	Structure Type	Grade	Grade at disposal site		
			< 5%	≥ 5% < 10%	10%
Silt loam	Prismatic, blocky or granular	Moderate or strong	41	50	53
		Weak	37	41	50
Silt, clay loam or silty clay loam	Prismatic, blocky or granular	Moderate or strong	42	41	50
		Weak	37	40	42
Sandy clay, silty clay or clay	Prismatic, blocky or granular	Moderate or strong	37	40	42

The above-ground sand-filter bed must also comply with the construction standards set out in subparagraphs *d* to *g.2* of the first paragraph of section 21 and subparagraphs *a* and *b* of the second paragraph of that section, subparagraphs *a*, *b*, *c* and *f* to *i* of the first paragraph of section 37 and section 39.1, with the necessary modifications.

39.1.3. Siting and backfill: Sections 7.2 and 24 apply, with the necessary modifications, to an above-ground sand-filter bed, except for the siting standards specific to embankments or trees.

The distances referred to in section 7.2 are measured from the edge of the earth backfill surrounding the sand-filter bed.

39.1.4. Characterization study and site plan: The characterization study of the site and natural land referred to in subparagraph 4 of the first paragraph of section 4.1 to be submitted with a permit application must also contain

(a) a description of the soil stratigraphy at the disposal site using the methods recognized by The Canadian System of Soil Classification, except for the texture and associated textural class which must be referenced using Schedule 1. The description must, for each soil horizon, include an indication of its thickness, depth, colour, texture, associated textural class, structure, consistence, thickness of organic deposit, moisture condition of its profile and a root description; and

(b) the hydraulic conductivity of the soil at the disposal site or the percolation time.”

44. Section 39.2 is amended

(1) in the French text by striking out “de” after “au moins” in paragraph *a*;

(2) by replacing “(litres/linear metre)” in the first line in the table in paragraph *c* by “L/(m.d)”;

(3) by replacing “(litres/square metre by day)” in the first line in the table in paragraph *f* by “L/(m².d)”.

45. Section 39.3 is amended by replacing “, trees and shrubs” in the first paragraph by “or trees”.

46. Section 40 is amended by replacing “Disposal site:” by “Installation conditions:”.

47. The heading of Division XI is replaced by the following: “PRIVIES COMBINED WITH REDUCED AREA SOIL ABSORPTION FIELD OR A SEEPAGE PIT”.

48. Section 47 is amended by replacing “Disposal site:” in the portion before paragraph *a* by “Installation conditions:”.

49. Section 52.2 is amended by replacing “in accordance with the manufacturer’s manuals” in paragraph *d* by “so as to achieve the expected system performance”.

50. Section 52.3 is amended by replacing the words “waste water” wherever they appear by the words “domestic waste water”.

51. Section 54.1 is replaced by the following:

“**54.1. Other standards:** The toilets in a building, site or hunting or fishing camp served by a hauled sewage system referred to in section 53 must be low-flush toilets.”.

52. Section 56 is amended

(1) by replacing “connected and maintained in good working order” in subparagraph *g* of the first paragraph by “maintained in operation”;

(2) by replacing “in accordance with the manufacturer’s manuals” in subparagraph *h* of the first paragraph by “so as to fulfill their respective functions”;

(3) by replacing the words “in accordance with the manufacturer’s manuals” wherever they appear in the second paragraph by the words “so as to fulfill their respective functions”.

53. Section 57 is amended

(1) by replacing “minimum capacity” in the first paragraph by “minimum total capacity”;

(2) by replacing “Other building used throughout the year” in the table in the second paragraph by “Other building or site used throughout the year” and “Other building used seasonally” by “Other building or site used seasonally”.

54. Section 59 is amended

(1) by replacing “waste water” in the first paragraph by “domestic waste water”;

(2) by striking out “under section 25.1 of the Municipal Powers Act (chapter C-47.1)” in the second paragraph.

55. Section 63 is amended by replacing “, a tree or a shrub” in the first paragraph by “or a tree”.

56. Section 87.7 is amended by replacing “waste water” by “domestic waste water”.

57. Section 87.9 is replaced by the following:

“**87.9. Watertightness and siting:** The watertightness of an advanced watertight secondary treatment system must be such that water is able to flow only through the holes intended for that purpose and, subject to section 7.1.1, the system must be sited as required by section 7.1.

An advanced secondary treatment system that is not watertight must be sited as required by section 7.2.”.

58. Section 87.10 is amended by replacing “in accordance with the manufacturer’s manuals” by “so as to achieve the expected system performance”.

59. Section 87.13 is amended by replacing “waste water” by “domestic waste water”.

60. Section 87.14.1 is amended by striking out “pursuant to section 25.1 of the Municipal Powers Act (chapter C-47.1)” in the second paragraph.

61. Section 87.15 is replaced by the following:

“**87.15. Watertightness and siting:** The watertightness of a watertight tertiary treatment system must be such that water is able to flow only through the holes intended for that purpose and, subject to section 7.1.1, the system must be sited as required by section 7.1.

A tertiary treatment system that is not watertight must be sited as required by section 7.2.”

62. Section 87.16 is amended

(1) by replacing “in accordance with the manufacturer’s manuals” in the first paragraph by “so as to achieve the expected system performance”;

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

“The ultraviolet disinfection system must be kept in operation at all times except when being maintained.”

63. The following heading is inserted before section 87.19:

“§1. *General*”.

64. Section 87.19 is amended by replacing “installed” in the portion before paragraph *a* by “built”.

65. Section 87.22 is amended

(1) by inserting “and subparagraph *i* of subparagraph *i*” after “*h.1*” in subparagraph *a* of the first paragraph;

(2) by inserting “and subparagraph *i* of subparagraph *i*” after “*g.4*” in subparagraph *b* of the first paragraph.

66. Section 87.24 is amended

(1) by inserting “and subparagraph *i* of subparagraph *b*” after “subparagraphs *a* and *c*” in subparagraph *a* of the first paragraph;

(2) by inserting “and subparagraph *i* of subparagraph *b*” after “subparagraphs *a* and *c*” in subparagraph *b* of the first paragraph;

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

“The first paragraph does not apply if the seepage bed is located immediately under a standard sand-filter bed, an advanced secondary treatment system or a tertiary treatment system that uniformly distributes the effluent over the leaching field. If the seepage bed exceeds the base of the system, a minimum 15 cm layer of gravel or crushed stone complying with subparagraph *f* of the first paragraph of section 21 must be spread over the entire seepage surface. The seepage bed must not exceed the base of the systems by more than 2.6 m.”

67. The following is inserted after section 87.25.1:

“§2. *Provisions applicable to leaching fields built in soil having a texture in the impermeable zone*

87.25.2. Installation conditions in structured clay or silty clay soil: A leaching field may be installed in the following conditions:

(*a*) the soil at the disposal site is impermeable solely because its texture is in the impermeable zone identified in Schedule 1 and, based on the hydraulic conductivity test or the percolation time test, the soil at the disposal site is permeable or low permeability soil. For the determination of the level of soil permeability, the result obtained by the correlation method must, however, be excluded;

(*b*) the level of bedrock, underground water or any layer of impermeable soil is situated at least 30 cm under the surface of the disposal site;

(*c*) the grade of the disposal site meets the requirements of paragraph *a* of section 87.19;

(*d*) the leaching field meets the requirements of paragraph *b* section 87.19; and

(*e*) the soil at the disposal site meets the requirements of paragraph *c* of section 39.1.1.

87.25.3. Grade of the disposal site: A leaching field built at a disposal site whose grade is less than 10% must consist of absorption trenches or a seepage bed.

If the leaching field is built at a disposal site whose grade is between 10% and 30%, it must consist of absorption trenches.

87.25.4. Construction standards: A leaching field installed in the conditions described in section 87.25.2 must be built with a low pressure feed system,

(*a*) applying a maximum hydraulic loading rate to the soil at the disposal site that does not exceed the rates in the following table based on the hydraulic conductivity or percolation time and the soil characteristics at the disposal site:

Hydraulic conductivity (cm/s)	Percolation time (min/cm)	Maximum hydraulic loading rate L/(m ² .d)
4X10 ⁻³ to 4 X10 ⁻⁴	4 to 15	33
4X10 ⁻⁴ to 2 X10 ⁻⁴	15 to 25	24
2X10 ⁻⁴ to 6 X10 ⁻⁵	25 to 45	12

Soil characteristics at disposal site		Maximum hydraulic loading rate L/(m ² .d)	
Textural class	Structure		
	Type Grade		
Silt loam	Prismatic, blocky or granular	Moderate or strong	33
		Weak	24
Silt, clay loam or silty clay loam	Prismatic, blocky or granular	Moderate or strong	24
		Weak	12
Sandy clay, silty clay or clay granular	Prismatic, blocky or granular	Moderate or strong	12

(b) applying a maximum linear hydraulic loading rate to the soil at the disposal site that does not exceed the rate in the following table based on the soil characteristics and grade at the disposal site as well as the thickness of the soil at the disposal site above the level of bedrock, underground water or any layer of impermeable soil available under the leaching field's seepage surface:

Soil characteristics at disposal site		Linear hydraulic loading rate L/(m.d)						
Textural class	Structure Type	Grade	Grade at disposal site					
			< 5%		≥ 5% < 10%		≥ 10% < 30%	
			Thickness of disposal site (cm)		Thickness of disposal site (cm)		Thickness of disposal site (cm)	
			30-60	60-120	30-60	60-120	30-60	60-120
Silt loam	Prismatic, blocky or granular	Moderate or strong	37	41	43	50	47	53
		Weak	34	37	37	41	43	50
Silt, clay loam or silty clay loam	Prismatic, blocky or granular	Moderate or strong	36	42	37	41	43	50
		Weak	31	37	34	40	36	42
Sandy clay, silty clay or clay	Prismatic, blocky or granular	Moderate or strong	31	37	34	40	36	42

If the leaching field consists of trenches, it must meet the standards in subparagraphs *b, c, d, e, f, g, g.1* and *g.2* and subparagraph *i* of subparagraph *i* of the first paragraph of section 21 and in subparagraphs *a* and *b* of the second paragraph of that section, those in sections 23 to 25 and those in the third paragraph of section 87.22, with the necessary modifications.

If the leaching field consists of a seepage bed, it must meet the standards in subparagraphs *d, e, f, g, g.1* and *g.2* of the first paragraph of section 21 and in subparagraphs *a* and *b* of the second paragraph of that section, those in sections 24 and 25, those in subparagraphs *a* and *c* and in subparagraph *i* of subparagraph *b* of the first paragraph of section 27 and those in the fourth paragraph of section 87.24, with the necessary modifications.

87.25.5. Characterization study and site plan: Section 39.1.4 applies to a leaching field installed in the conditions described in section 87.25.2.

DIVISION XV.4.1

ABOVE-GROUND LEACHING FIELD BUILT WITH BORROWED SAND

87.25.6. Installation conditions: An above-ground leaching field built with borrowed sand may be installed in the following conditions:

- (a) the grade of the disposal site is less than 10%;
- (b) the leaching field meets the siting standards in section 7.2; and
- (c) the disposal site is composed of high permeability soil and the level of bedrock, underground water or any layer of impermeable soil, low permeability or permeable soil is less than 60 cm but more than 30 cm.

87.25.7. Construction standards: An above-ground leaching field built with borrowed sand must be built with a low pressure feed system.

It must meet the construction standards in subparagraphs *d, e, f, g, g.1* and *g.2* of the first paragraph of section 21 and in subparagraphs *a* and *b* of the second paragraph of that section, those in section 24, those in subparagraphs *a, b, c* and *f* to *h* of the first paragraph of section 37 and those in section 39.1, as well as the following standards:

- (a) the bottom of the gravel or crushed stone layer must be at least 60 cm above bedrock, impermeable or low permeability soil and underground water;

- (b) the maximum width of the sand-filter bed or section of it must be not more than 3.1 metres;

- (c) the area of the sand-filter bed must meet the standards in the following table for an isolated dwelling:

Number of bedrooms	Minimum area of sand-filter bed in square metres
1	12
2	18
3	26
4	35
5	44
6	52

- (d) in other cases, the area of the sand-filter bed must meet the standards in the following table:

Daily total flow total (in litres)	Minimum area of sand-filter bed in square metres
0 to 540	12
541 to 1080	18
1081 to 1620	26
1621 to 2160	35
2161 to 2700	44
2701 to 3240	52

”.

68. Section 87.26.1 is amended by replacing “an attestation by a professional within the meaning of the Professional Code (chapter C-26) indicates” by “a professional within the meaning of section 1 of the Professional Code (chapter C-26) whose professional order governs the practise of a professional activity to which this section applies certifies”.

69. Section 87.27 is amended by replacing “towards a leaching field that complies with Division XV.4” in the portion before subparagraph 1 of the first paragraph by “towards a leaching field that complies with subdivision 1 of Division XV.4 or towards an above-ground leaching field built with borrowed sand that complies with Division XV.4.1”.

70. Section 87.28 is amended by replacing “towards a leaching field that complies with Division XV.4” in the first paragraph by “towards a leaching field that complies with subdivision 1 of Division XV.4 or towards an above-ground leaching field built with borrowed sand that complies with Division XV.4.1”.

71. Section 87.29 is amended

(1) by replacing “towards a leaching field that complies with Division XV.4” in the portion before paragraph 1 by “towards a leaching field that complies with subdivision 1 of Division XV.4 or towards an above-ground leaching field built with borrowed sand that complies with Division XV.4.1”;

(2) by replacing the word “ditch” wherever it appears by the words “rainwater management system”.

72. Section 87.30 is amended

(1) by replacing “towards a leaching field that complies with Division XV.4” in the portion before paragraph 1 by “towards a leaching field that complies with subdivision 1 of Division XV.4 or towards an above-ground leaching field built with borrowed sand that complies with Division XV.4.1”;

(2) by replacing “ditch” in paragraph 2 by “rainwater management system”.

73. Section 88 is amended by replacing “municipality referred to in the first and third paragraphs of section 4” in the first paragraph by “local municipality or regional county municipality referred to in section 4”.

74. Section 89 is amended in the first paragraph

(1) by replacing “5, 7.1” by “4.5, 5, 7.1, 7.1.1”;

(2) by inserting “or 39.1,” after “any of paragraphs *a*, *b* and *c* of section 39.1.1, the first paragraph of section 39.1.2.”;

(3) by replacing “70, 73, 74, 87.11, 87.17 or 87.19, the first paragraph of section 87.22, section 87.23, the second paragraph of section 87.24, section 87.25, 87.25.1 or 87.26, the second paragraph of section 87.30.1 or section 87.32” by “70, 73, 74, 87.11, 87.17 or 87.19, the first paragraph of section 87.22, section 87.23, the

second paragraph of section 87.24, section 87.25 or 87.25.1, paragraph *a* or *b* of section 87.25.2, section 87.25.3, the first paragraph of section 87.25.4, paragraph *a* or *c* of section 87.25.6, the first paragraph of section 87.25.7 or any of subparagraphs *b* to *d* of the second paragraph of that section, section 87.26, the second paragraph of section 87.30.1 or section 87.32”.

75. Section 89.2 is amended by replacing “, second or third” by “or second”.

76. Section 89.3 is amended by inserting “or subparagraph *a* of the second paragraph of section 87.25.7” after “section 87.24” in the first paragraph.

77. Section 90 is revoked.

78. Section 90.1 is amended

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

“In addition to the modes of treatment and discharge to the environment referred to in Divisions III to XV.5, domestic waste water, grey water and toilet effluents from a building or site referred to in section 2 may also be carried to an installation for the disposal of waste water that is part of the waste water depollution plan of the municipality or sector of the municipality.”;

(2) by replacing “catchment” in subparagraph 3 of the third paragraph by “withdrawal”;

(3) by adding “and section 4.3 or 4.4” at the end of subparagraph 4 of the third paragraph;

(4) by inserting “of the municipality” after “sectors” in subparagraph 5 of the third paragraph;

(5) by replacing “waste water” in subparagraph 6 of the third paragraph by “domestic waste water”, and by striking out “dwelling.”;

(6) by striking out “dwelling” in subparagraph 7 of the third paragraph, and by replacing “waste water” by “domestic waste water, grey water or toilet effluents”;

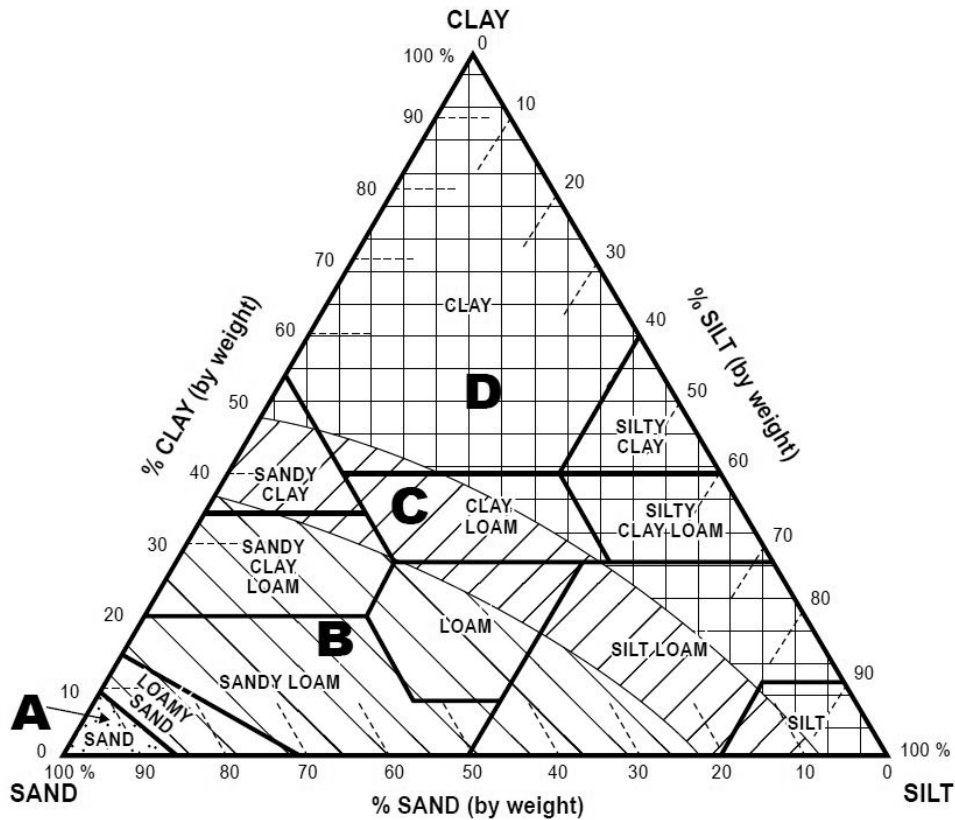
(7) by replacing “is prepared and signed by an engineer who is” in the fourth paragraph by “must be signed by”.

79. Section 95 is amended by replacing “waste water” in the first paragraph by “domestic waste water”.

80. Schedule 1 is replaced by the following:

“SCHEDULE 1
(s.1, pars. u.1, u.2, u.3, u.4)

RELATIONSHIP OF SOIL TYPE TO PERMEABILITY



TEXTURAL CLASS

- Sand
- Loamy sand
- Sandy loam
- Loam
- Silt loam
- Silt
- Clay loam
- Sandy clay loam
- Silty clay loam
- Sandy clay
- Silty clay
- Clay

PERMEABILITY ZONE

- A** :High permeability zone
- B** :Permeable zone
- C** :Low permeability zone
- D** :Impermeable zone

PARTICLE DIMENSION

- SAND** : A soil separate consisting of particles between 0.05 mm et 2 mm in diameter
- SILT** : A soil separate consisting of particles between 0.05 mm et 0.002 mm in diameter
- CLAY** : A soil separate consisting of particles smaller than 0.002 mm

81. Schedule 1.1 is replaced by the following:

“SCHEDULE 1.1

(s. 1.4)

Domestic waste water unit flow¹ according to types of services offered in buildings or on sites other than isolated dwellings

Services offered in a building or on a site other than an isolated dwelling	Unit of measurement	Flow in litres per day ²
Airport ³		
–Passengers and –Employees per 8-hour shift	passenger employee	15 40
Arena ³	seat	15
Bar		
–Autonomous establishment with a minimum of food or –Part of a hotel or motel or –Based on clientele and –Based on number of employees	seat seat client employee	125 75 10 50
Public house or “pub”	seat	130
Laundry facility		
–Public washing machine or –Washing machine in an apartment building	load or machine machine or client	190 2000 1200 190
Sugar shack		
–With meals –Without meals	seat person	130 60

Services offered in a building or on a site other than an isolated dwelling	Unit of measurement	Flow in litres per day ²
Various camps ³		
–Construction camp with flush toilets (including showers) ³ –Youth camp –Day camp without meals –Day and overnight camp –Summer camp with showers, toilets, sinks and kitchen –Seasonal employees camp – central service centre –Primitive camp –Resort, climate station, winter resort, based on clientele and –based on number of non-resident employees	person person person person person person person person employee	200 200 50 150 150 225 40 400 50
Camping		
–without sewer system –with sewer system	site site	190 340
Visitors reception centre	visitor	20
Shopping mall ³		
–Retail store with toilets only or –Retail store based on number of parking spaces and –based on number of employees	square metre of store surface parking space employee	5 6 40
Cinema		
–Indoor cinema –Auditorium or theatre without food –Outdoor cinema without food –Outdoor cinema with food	seat seat parking space parking space	15 20 20 40

Services offered in a building or on a site other than an isolated dwelling	Unit of measurement	Flow in litres per day ²	Services offered in a building or on a site other than an isolated dwelling	Unit of measurement	Flow in litres per day ²
School ³			Park, park for picnicking, beach, public pool		
–Day school without showers or cafeteria, per student	student	30	–Park, park for picnicking with service centre, showers and flush toilets	person	50
–with showers,	student	60	–Park, park for picnicking with flush toilets only	person	20
–with showers and cafeteria,	student	90	–Public pool and beach with toilets and showers	person	40
and					
–non-teaching staff	person	50			
–School with boarders			Residential part of a building other than a single or multi-family dwelling	bedroom	540 ⁴
–resident	resident	300			
and			Restaurant and dining room		
–non-resident employee	person	50	–Regular restaurant (not 24 hours)	seat	125
			–Restaurant open 24 hours	seat	200
Church	seat	10	–Highway restaurant open 24 hours	seat	375
Health institution			–Highway restaurant open 24 hours with showers	seat	400
–Convalescent and rest homes	bed	450	–If presence of mechanical dishwasher or garbage grinder, add		
–Other institution	person	400	–regular restaurant	seat	12
Day care			–restaurant open 24 hours	seat	24
–Including employees and children	person	75	–Cafeteria, based on clientele	client	10
Hotel and motel residential part:			and		
–With all commodities, including kitchen	person	225	based on number of employees	employee	40
or			–Café, based on clientele	client	20
–With private bathroom	person	180	and		
or			based on number of employees	employee	40
–With central bathroom	person	150	–Banquet hall (each banquet)	seat	30
non-residential part:			–Restaurant with car service	seat	125
–See category of establishment concerned (restaurant, bar, etc.)			–Restaurant with car service – disposable items	parking	60
Places of employment ³			–Restaurant with car service – disposable items	Indoor seat	60
–Employees in plant or factory, per day or per shift, including showers, excluding industrial use	person	125	–Tavern, bar, lounge with a minimum of food	seat	125
–Employees in plant or factory, per day or per shift, without showers, excluding industrial use	person	75	–Bar restaurant with show	seat	175
–Various buildings or places of employment, store and office staff on the basis of facilities	person	50-75	Meeting hall	seat or person	20 or 15

Services offered in a building or on a site other than an isolated dwelling	Unit of measurement	Flow in litres per day ²
Dance and meeting hall		
–with toilets only	person or square metre	8 15
–with restaurant	seat	125
–with bar	seat	20
–with restaurant and bar	client	150
Bowling alley		
–without bar or restaurant	lane	400
–with bar or restaurant	lane	800
Gas station ³		
–Gas pump	pair of pumps	1900
or		
based on number of vehicles served	vehicle	40
and		
based on number of employees	employee	50

1. Unit flow considers only domestic waste water discharged by the building or site.
2. Per unit of measure.
3. The building must produce only domestic waste water within the meaning of this Regulation unless the plumbing system allows waste water to be segregated such that only domestic waste water is channelled to the disposal system.
4. The minimum hydraulic capacities in section 1.3 may be used in lieu of the unit flow specified in the table to establish the design flow of treatment systems covered by sections 11.1, 16.2, 87.8 and 87.14.⁷.

TRANSITIONAL AND FINAL

82. A building referred to in subparagraph *b.1* of the first paragraph of section 2 of the Regulation respecting waste water disposal systems for isolated dwellings (chapter Q-2, r. 22), introduced by section 7 of this Regulation, the construction of which was authorized under section 22 of the Environment Quality Act (chapter Q-2) but that was built after the coming into force of this Regulation, remains governed by the conditions under which the authorization was granted as regards the disposal of domestic waste water, grey water or toilet effluents.

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

104705

Gouvernement du Québec

O.C. 1164-2020, 4 November 2020

Health Insurance Act
(chapter A-29)

Régie de l'assurance maladie du Québec — Eligibility and registration of persons — Amendment

CONCERNING the Regulation to amend the Regulation respecting the eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec

WHEREAS, under subparagraph *a, j, j.1, l, l.2* and *m* of the first paragraph of section 69 of the Health Insurance Act (chapter A-29), the Government may, after consultation with the Régie de l'assurance-maladie du Québec (the Board) or upon its recommendation, in addition to the other regulatory powers entrusted to it under that Act, make regulations to:

— prescribe anything that may be prescribed under that Act;

— determine, for the purposes section 5 of that Act, the conditions to be met by a person referred to therein and the time at which and the conditions subject to which a person becomes a resident of Québec and the time at which and the conditions subject to which a person ceases to be a resident of Québec, and determine the classes of persons referred to in subparagraph 5;

— determine the cases and conditions in and subject to which and the time at which a person becomes a temporary resident of Québec;

— determine the conditions to be met by a person who registers with the Board, the time of registration, and in what cases, conditions and circumstances and by what methods a person must register with the Board and the cases in which an application for registration may be made by one person on behalf of another;

— determine the terms and conditions according to which an application for registration, for renewal of registration or for the replacement of a health insurance card or eligibility card must be authenticated, the categories of persons, the government departments, the public bodies and the institutions which, in addition to the Board, are authorized to authenticate such applications according to the categories of insured persons it indicates as well as the conditions the applicant must fulfil at the time his application is authenticated;

—determine the conditions upon which health insurance cards may be renewed or replaced, and the cases in which they must be returned to the Board, and fix the expiration date thereof;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec was published in Part 2 of the *Gazette officielle du Québec* of 16 October 2019 with a notice that it can be made by the Government upon expiry of the 45-day period following that publication;

WHEREAS the Régie de l'assurance maladie has been consulted with respect to these amendments;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec

Health Insurance Act
(chapter A-29, s. 69, 1st para., subparas. *a, j, j.1, l, l.2* and *m*)

1. The Regulation respecting the eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec (chapter A-29, r. 1) is amended in section 2 by replacing paragraph 1 with the following paragraph:

“(1) persons who hold a temporary resident permit issued by the Canadian immigration authorities under the Immigration and Refugee Protection Act (S.C. 2001, c. 27) with a view to granting landing and identified by code number 86, 87, 88, 89, 90, 91 or 92, as well as a Québec selection certificate, or persons who hold a temporary residence permit issued by the Canadian immigration authorities under the Immigration and Refugee Protection Act with a view to granting landing and identified by code number 93, 94 or 95;”.

2. Section 3 of the Regulation is amended:

(1) by replacing, in paragraph 1, “except Canadian International Development Agency scholars, unless they are receiving only a scholarship supplement from the Agency” with “except Global Affairs Canada scholars, unless they are receiving only a scholarship supplement” and “18 and 19 of the Immigrations Regulations, 1978 (SOR/78-172)” with “8 and 186 of the Immigration and Refugee Protection Regulations (SOR/2002-227)”;

(2) by inserting, in paragraph 3 and after “Mexican seasonal Agricultural Program” “or as agricultural workers from Honduras, Salvador or Guatemala under the Temporary Foreign Worker Program-Agricultural stream”;

(3) by replacing, in paragraph 4, “subparagraph *c* of paragraph 1 of section 19 of the Immigration Regulations, 1978” with “paragraph 1 of section 186 of the Immigration and Refugee protection Regulations (SOR/2002-227)”.

3. Section 4.1 of the Regulation is amended by adding the following paragraph:

“Notwithstanding the first paragraph, a member of the Canadian armed forces, his spouse or dependant who takes up residence in Québec after having left a province with an equivalent plan becomes a resident of Québec on the date he takes up residence in Québec.”.

4. Section 4.2 of the Regulation is amended:

(1) by inserting, in paragraph 4 and after “Mexican seasonal Agricultural Program” “or as an agricultural worker from Honduras, Salvador or Guatemala under the Temporary Foreign Worker Program-Agricultural stream”;

(2) by replacing paragraph 5 with the following paragraph:

“(5) a protected person in Canada within the meaning of section 95 of the Immigration and Refugee Protection Act (S.C. 2001, c. 27) who holds a Québec selection certificate;”;

(3) by inserting, after paragraph 5, the following paragraph:

“(5.1) a foreign national who holds a Québec selection certificate establishing that he is targeted by paragraph 1 or 2 of section 64 or by subparagraph *d* of paragraph 1 of section 65 of the Québec Immigration Regulation (chapter I-0.2.1, r. 3) or, in the case of a minor child only, by subparagraph *a* of paragraph 1 of that section;”;

(4) by replacing paragraph 6 with the following paragraph:

“(6) the foreign national minor who holds a Québec selection certificate establishing that he is targeted by section 59 of the Québec Immigration Regulation.”.

5. Section 4.3 of the Regulation is amended by deleting paragraph 1.

6. Section 15 of the Regulation is amended:

(1) in subparagraph 3 of the first paragraph:

(a) by replacing, in the text preceding paragraph *a*, “one of the following documents” with “the following document or documents, as the case may be”;

(b) by replacing, in paragraph *a*, clauses iii to v with the following clauses:

“iii. the original of the authorization issued by the Canadian immigration authorities allowing the person to be in Canada and the original of the document issued by the Canadian immigration authorities demonstrating that this person is authorized to apply in Canada for landing as well as the original of the Québec selection certificate;

iv. the original of the temporary residence permit issued by the Canadian immigration authorities under the Immigration and Refugee Protection Act (S.C. 2001, c. 27) with a view to granting landing and identified by code number 86, 87, 88, 89, 90, 91 or 92, as well as the original of the Québec selection certificate;

v. the original of the temporary residence permit issued by the Canadian immigration authorities under the Immigration and Refugee Protection Act (S.C. 2001, c. 27) with a view to granting landing and identified by code number 93, 94 or 95;”;

(c) by replacing, in clause ii of paragraph *b*, “Canadian International Development Agency” with “Global Affairs Canada” and by deleting, at the end, “from the Agency”;

(2) by replacing, in the text preceding paragraph *a* of subparagraph 4 of the first paragraph, “the following documents” with “the following document or documents, as the case may be”;

(3) by replacing, in subparagraph 4.1 of the first paragraph, “the Department of Indian Affairs and Northern Development of Canada” with “Crown-Indigenous Relations and Northern Affairs Canada”;

(4) by replacing, in the text preceding paragraph *a* of subparagraph 7 of the first paragraph, “one of the following documents” with “the following document or documents, as the case may be”;

(5) by replacing, in subparagraph 8 of the first paragraph, “; to the effect” with “attesting” and by inserting, after “Québec”, “or the document “Confirmation of Identity and of Domicile in Québec”, duly completed and signed”.

7. Section 18 of the Regulation is amended by deleting, in the second paragraph, “to be registered again”.

8. Section 19 of the Regulation is amended by deleting the second paragraph.

9. The Regulation is amended by inserting, after section 19, the following sections:

“**19.01.** Notwithstanding sections 4 and 4.2, a person referred to in section 19 shall become a temporary resident of Québec on the start date of the period referred to in the first paragraph of section 23, according to the subparagraph applicable to his situation, if 45 days or less have passed between this date and the date on which he ceased to be a temporary resident of Québec within the scope of his previous registration and he sends the Board an application for registration that is admissible within the meaning of section 12 within 45 days following the date on which he contacts the Board in order to obtain a registration form.

19.02. Notwithstanding sections 4 and 4.2, a person referred to in section 19 shall become a resident of Québec, as the case may be, on the start date of the period specified in paragraph *a* of subparagraph 3 of the first paragraph of section 23 or on the date he acquired a status specified in the first or second paragraph of section 5 of the Act if 45 days or less have passed between this date and the date on which he ceased to be a temporary resident of Québec within the scope of his previous registration and he sends the Board an application for registration that is admissible within the meaning of section 12 within 45 days following the date on which he contacts the Board in order to obtain a registration form.”.

10. Section 21 of the Regulation is amended:

(1) by inserting, in subparagraph 2.3 of the first paragraph and after “of section 23” “except in the case of the renewal of a card for a minor child or a person in residential care who is subject to the contributory plan for adults in residential care in a facility operated by a public institution or a private institution under agreement.”;

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

“Notwithstanding the foregoing, where an insured person has his application for renewal of registration authenticated according to one of the methods specified in section 32.1, the document referred to in subparagraph 1 of the first paragraph does not have to be provided.”.

11. Section 23 of the Regulation is amended by replacing, in the second paragraph, “in section 19” with “in sections 19.01 and 19.02”.

12. Section 24 of the Regulation is amended:

(1) by replacing, in subparagraph 6 of the first paragraph, “, to the effect” with “attesting” and by inserting, after “Québec”, “or the document “Confirmation of Identity and of Domicile in Québec”, duly completed and signed”;

(2) by replacing, in the second paragraph, “the documents listed in subparagraphs 4 and 7 of the first paragraph do not have to be provided” with “the document referred to in subparagraph 4 of the first paragraph does not have to be provided”.

13. Section 31 of the Regulation is amended:

(1) by replacing, in the first paragraph, “Act respecting probation and houses of detention (chapter P-26) in the case of an incarcerated person, by a penitentiary within the meaning of the Act respecting corrections and the conditional release and detention of offenders and to establish the office of Correctional Investigator (S.C. 1992, c. 20) in the case of an inmate and by the Ministère de l’Immigration et des Communautés culturelles” with “Act respecting the Québec correctional system (chapter S-40.1) in the case of an incarcerated person, by a penitentiary within the meaning of the Corrections and Conditional Release Act (S.C. 1992, c 20) in the case of an inmate and by the Ministère de l’Immigration, de la Diversité et de l’Inclusion”;

(2) by deleting, in the third paragraph, “, La Francophonie and External Trade”.

14. The Regulation is amended by inserting, after section 32, the following section:

“32.0.1. A person who is unable to provide the means of identification specified in the first paragraph of section 32 and who is homeless may provide a signed and dated statement by a worker of a local employment centre or an establishment attesting that the worker knows the person and that the person lives in Québec or the document “Confirmation of Identity and of Domicile in Québec” duly completed and signed in lieu of these means of identification.”.

15. Section 32.1 of the Regulation is amended, by inserting, in the text preceding paragraph *a* and after “32.”, “for an application for renewal of registration of a person referred to in paragraph 3 of section 3 or a person referred to in paragraph *a* of subparagraph 1 of the first paragraph of section 23 or”.

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

104706

Gouvernement du Québec

O.C. 1176-2020, 11 November 2020

An Act respecting school elections
(chapter E-2.3)

Holding of school elections and dates of the stages required for the holding of the elections

Holding of school elections and dates of the stages required for the holding of the elections

WHEREAS, in accordance with section 2 of the Act respecting school elections (chapter E-2.3), as it read on 7 February 2020, a school election must be held every four years to elect a chair and all the other commissioners who must be elected in accordance with the Act;

WHEREAS, in accordance with section 1 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), the school election was originally scheduled for 1 November 2020;

WHEREAS, in accordance with section 38 of the Act respecting school elections, the notices of election were given not later than 18 September 2020 by the returning officers of the English language school boards;

WHEREAS, in accordance with the first paragraph of section 79 of the Act, the candidates were declared elected on 27 September 2020;

WHEREAS, in accordance with the second paragraph of section 79 of the Act, in cases where more than one nomination paper has been accepted for the same office, a poll must be held;

WHEREAS Order in Council 1020-2020 dated 30 September 2020, amended by orders 2020-074 dated 2 October 2020, 2020-077 dated 8 October 2020, 2020-079 dated 15 October 2020, 2020-080 dated 21 October 2020, 2020-081 dated 22 October 2020, 2020-084 dated 27 October 2020, 2020-085 dated 28 October 2020, 2020-086 dated 1 November 2020 and 2020-087 dated 4 November 2020 and by Order in Council 1039-2020 dated 7 October 2020, postponed any advance poll and any poll to be held in connection with a school election within the meaning of the Act respecting school elections and suspended any election proceedings to be held on the territories referred to in the tenth paragraph of the operative part of the Order in Council;

WHEREAS the polls that were scheduled for 1 November 2020 have not been held;

WHEREAS, under the second paragraph of section 4 of the Act respecting school elections, the Government may, if the election is not held on the prescribed date, order that an election be held and fix the dates of the various proceedings leading to an election;

WHEREAS it is expedient to fix a new date for the holding of the school elections that were not held as well as the dates of the various proceedings leading to the elections;

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

THAT the polls that were not held under subparagraph 22 of the tenth paragraph of Order in Council 1020-2020 dated 30 September 2020, amended by orders 2020-074 dated 2 October 2020, 2020-077 dated 8 October 2020, 2020-079 dated 15 October 2020, 2020-080 dated 21 October 2020, 2020-081 dated 22 October 2020, 2020-084 dated 27 October 2020, 2020-085 dated 28 October 2020, 2020-086 dated 1 November 2020 and 2020-087 dated 4 November 2020 and by Order in Council 1039-2020 dated 7 October 2020, be fixed to 20 December 2020;

THAT the various stages required for the polls take place in accordance with the calendar attached to this Order in Council.

YVES OUELLET,
Clerk of the Conseil exécutif

Schedule

Calendar of the stages required to restart the school elections*

Date	Activities
21 November 2020	<p>Last day to:</p> <ul style="list-style-type: none"> – Give the public notice of revision (s. 51) – Send the notice of registration to each address (s. 52) <p>First day of the potential period to hold sittings of the board of revisors for the purpose of receiving applications to amend the list of electors and the written notices of option and revocation provided for in section 18 (ss. 18, 54, 55, 57 to 58.2 and 58.5.1)</p> <p>First day to receive the applications to amend the list of electors and the notices of option and revocation provided for in section 18 at the office of the returning officer or the office of the person designated for that purpose and send them to the board of revisors (ss. 18 and 58.2)</p>
1 December 2020	<p>Last day to:</p> <ul style="list-style-type: none"> – hold sittings of the board of revisors, in particular from 7:00 p.m. to 10:00 p.m., for the purpose of receiving the applications to amend the list of electors and the written notices of option and revocation provided for in section 18 (ss. 18, 55, 57 to 58.2 and 58.5.1) – receive the applications to amend the list of electors and the written notices of option and revocation provided for in section 18 at the office of the returning officer or the office of the person designated for that purpose and send them, not later than 10:00 p.m., to the board of revisors (ss. 18 and 58.2) – receive the written application to vote at a mobile polling station (s. 90)

Date	Activities
2 December 2020	Organize mobile polling for the electors domiciled in residential and long-term care centres and private seniors' residences, and who have applied to use mobile polling, determine the opening days and hours and notify each candidate (ss. 87 and 89).
5 December 2020	Last day to: <ul style="list-style-type: none"> – finish the board of revisors' work, if applicable (s. 54) – give the public notice of the poll (s. 86) First day to: <ul style="list-style-type: none"> – send the reminder card and the information document on the candidates (s. 86.1) – send to the Chief Electoral Officer the changes made to the list of electors (s. 58.14)
6 December 2020	Last day to: <ul style="list-style-type: none"> – bring the list of electors into force (s. 59) – send the revised list of electors or an abstract of the changes to the candidates (s. 58.15)
10 December 2020	Last day to send the reminder card and the information document on the candidates (s. 86.1)
12 December 2020	Hold the mobile poll if necessary (s. 89)
13 December 2020	Advance poll: <ul style="list-style-type: none"> – Hold the mobile poll (s. 89) – Hold the advance poll (s. 89)
14 December 2020	Hold the mobile poll if necessary (s. 89)
17 December 2020	Last day to send the list of electors who have voted in advance to the candidates (s. 93.1)
20 December 2020 (polling day)	<ul style="list-style-type: none"> – Hold the poll (s. 3) – Count the votes when the poll has closed (8:00 p.m.) (ss. 93.2 and 130) – Add the votes at the office of the returning officer (s. 140)
21 December 2020	First day to follow up on a request for a judicial recount (s. 148)
28 December 2020	Last day to follow up on a request for a judicial recount (s. 148)
29 December 2020	<ul style="list-style-type: none"> – Declare the elected candidates (ss. 79 and 159) – Give a public notice stating the name of the elected candidates and the division they represent (s. 163) – Send the declaration to each candidate and to the Chief Electoral Officer (s. 159)
4 January 2021	Last day to send the changes made to the list of electors the Chief Electoral Officer (s. 58.14)

* The sections mentioned in this Schedule refer to the Act respecting school elections (chapter E-2.3), as it read on 7 February 2020.

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

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