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**Québec**

**Part**

**2**

**No. 3**

20 January 2021

## **Laws and Regulations**

Volume 153

### **Summary**

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Acts 2020

Draft Regulations

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**PROVINCE OF QUÉBEC**

1ST SESSION

42ND LEGISLATURE

QUÉBEC, 8 OCTOBER 2020

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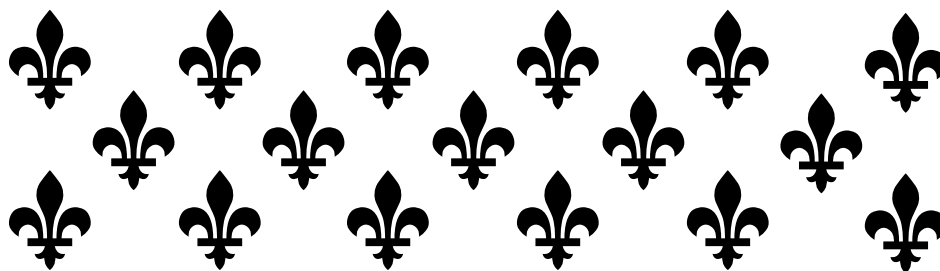
**OFFICE OF THE LIEUTENANT-GOVERNOR***Québec, 8 October 2020*

This day, at twenty to four o'clock in the afternoon, His Excellency the Lieutenant-Governor was pleased to assent to the following bills:

- 35      An Act to modernize certain rules relating to land registration and to facilitate the dissemination of geospatial information
- 50      An Act respecting the leasing of part of the water power of the Shipshaw River

To these bills the Royal assent was affixed by His Excellency the Lieutenant-Governor.





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# NATIONAL ASSEMBLY OF QUÉBEC

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FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 35  
(2020, chapter 17)

**An Act to modernize certain rules  
relating to land registration and to  
facilitate the dissemination of  
geospatial information**

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Introduced 19 September 2019  
Passed in principle 22 September 2020  
Passed 7 October 2020  
Assented to 8 October 2020

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Québec Official Publisher  
2020

## EXPLANATORY NOTES

*This Act introduces various measures to phase in a requirement that applications for registration in the land register be filed by a technological means.*

*The registry offices established in the different registration divisions are replaced by the Land Registry Office.*

*Measures are also introduced to limit the presence, in the land register, of certain personal information and of particulars relating to physical or psychological impairments. The Land Registrar must, on request, redact such information appearing in documents already published.*

*Lastly, amendments are also proposed to facilitate the dissemination of geospatial information.*

## 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 the acquisition of farm land by non-residents (chapter A-4.1);
- Land Surveyors Act (chapter A-23);
- Building Act (chapter B-1.1);
- Unclaimed Property Act (chapter B-5.1);
- Act respecting registry offices (chapter B-9);
- Cadastre Act (chapter C-1);
- Charter of Ville de Longueuil (chapter C-11.3);
- Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4);



- Charter of Ville de Québec, national capital of Québec (chapter C-11.5);
- Cities and Towns Act (chapter C-19);
- Code of Civil Procedure (chapter C-25.01);
- Municipal Code of Québec (chapter C-27.1);
- Act respecting the Commission municipale (chapter C-35);
- Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01);
- Act respecting the Communauté métropolitaine de Québec (chapter C-37.02);
- Natural Heritage Conservation Act (chapter C-61.01);
- Act respecting the conservation and development of wildlife (chapter C-61.1);
- Cooperatives Act (chapter C-67.2);
- Religious Corporations Act (chapter C-71);
- Public Curator Act (chapter C-81);
- Territorial Division Act (chapter D-11);
- Act respecting duties on transfers of immovables (chapter D-15.1);
- Land Transfer Duties Act (chapter D-17);
- Act respecting threatened or vulnerable species (chapter E-12.01);
- Expropriation Act (chapter E-24);
- Act respecting municipal taxation (chapter F-2.1);
- Public Infrastructure Act (chapter I-8.3);
- Education Act (chapter I-13.3);
- Disorderly Houses Act (chapter M-2);

- Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2);
- Act respecting the Ministère des Transports (chapter M-28);
- Pesticides Act (chapter P-9.3);
- Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);
- Act to promote the reform of the cadastre in Québec (chapter R-3.1);
- Act respecting the Régie des installations olympiques (chapter R-7);
- Watercourses Act (chapter R-13);
- Act respecting property tax refund (chapter R-20.1);
- Act respecting the Société d’habitation du Québec (chapter S-8);
- Act respecting the Société des établissements de plein air du Québec (chapter S-13.01);
- Act respecting public transit authorities (chapter S-30.01);
- Act respecting agricultural lands in the domain of the State (chapter T-7.1);
- Act respecting the lands in the domain of the State (chapter T-8.1);
- Act respecting land titles in certain electoral districts (chapter T-11);
- Act to amend the Civil Code and other legislative provisions relating to land registration (2000, chapter 42).

**REGULATIONS AMENDED BY THIS ACT:**

- Regulation respecting land registration (chapter CCQ, r. 6);
- Regulation respecting standards of practice for location certificates (chapter A-23, r. 10);
- Regulation respecting standards of practice for staking and layout (chapter A-23, r. 11);

- Tariff of fees of court bailiffs (chapter H-4.1, r. 13.1);
- Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2);
- Regulation respecting the signing of certain deeds, documents and writings of the Ministère des Ressources naturelles et de la Faune (chapter M-25.2, r. 1);
- Regulation respecting the water property in the domain of the State (chapter R-13, r. 1);
- Regulation respecting the alienation of agricultural lands in the domain of the State to certain occupants (chapter T-7.1, r. 1);
- Regulation respecting the alienation and leasing of agricultural lands in the domain of the State (chapter T-7.1, r. 2);
- Regulation respecting public blueberry fields (chapter T-7.1, r. 3).



## Bill 35

### AN ACT TO MODERNIZE CERTAIN RULES RELATING TO LAND REGISTRATION AND TO FACILITATE THE DISSEMINATION OF GEOSPATIAL INFORMATION

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### CIVIL CODE OF QUÉBEC

**1.** Article 2654 of the Civil Code of Québec is amended by replacing “registry office” in the first paragraph by “Personal and Movable Real Rights Registry Office”.

**2.** Article 2730 of the Code is amended

(1) by replacing the last sentence of the second paragraph by the following sentence: “The notice must be served on the debtor.”;

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

“The notice must be filed with a copy of the judgment, unless the purpose of the notice is to acquire a legal hypothec on immovable property following a judgment rendered in a family matter. In that case, the notice must instead reproduce the pertinent extract from the operative part of the judgment and, as the case may be, the pertinent extract from the agreement or draft agreement to which the operative part refers. In addition, the accuracy of the content of the notice must be certified by a notary or an advocate. If the notice is notarial, the mere signature of the notary is sufficient certification.”

**3.** Article 2971 of the Code is amended by replacing “in registry offices” by “by the registrars”.

**4.** Article 2971.1 of the Code is amended by replacing “in registry offices” by “by the registrars”.

**5.** Article 2978 of the Code is amended

(1) by replacing “registrar” in the first paragraph by “Land Registrar”;

(2) by striking out “de la publicité” in the third paragraph in the French text.

**6.** Article 2982 of the Code is amended

(1) by replacing “or, if the application is presented in paper form, at the registry office established for the registration division in which the immovable is situated” in the first paragraph by “on a technological medium”;

(2) in the third paragraph,

(a) by replacing “données relatives” in the French text by “renseignements relatifs”;

(b) by replacing “inscrites” in the French text by “inscrits”;

(c) by striking out the last sentence.

**7.** Article 2982.1 of the Code is replaced by the following article:

**“2982.1.** An application for registration in the land register made by presenting a document resulting from a transfer of information to a technological medium may not be accepted by the registrar unless the signature of the notary, advocate, land surveyor or bailiff who made the transfer is affixed in accordance with the regulations made under this Book.

Documentation attesting that the transfer was made in accordance with section 17 of the Act to establish a legal framework for information technology (chapter C-1.1) must be attached to the application for registration.”

**8.** Article 2995 of the Code is amended by inserting “notices required for the registration of a right, for the cancellation or reduction of an entry resulting from a judgment in a family matter or for the cancellation of a declaration of family residence,” after “movable hypothec,” in the second paragraph.

**9.** Article 2999 of the Code is amended by striking out “of birth and” in the first paragraph.

**10.** The Code is amended by inserting the following article after article 2999.1:

**“2999.1.1.** For land registration purposes, the registration of rights resulting from a judgment in a family matter is obtained by filing a notice with the Land Registrar.

The notice must indicate the right whose registration is required and contain the description of the immovable, the pertinent extract from the operative part of the judgment and, as the case may be, the pertinent extract from the agreement or draft agreement to which the operative part refers.

The accuracy of the content of the notice must be certified by a notary or an advocate. If the notice is notarial, the mere signature of the notary is sufficient certification.”

**11.** Article 3005 of the Code is amended by striking out “, and the date and place of birth of the persons named in the act,” in the second paragraph.

**12.** Article 3006.1 of the Code is amended, in the first paragraph,

(1) by replacing “For purposes of land registration, the registrar” by “The Land Registrar”;

(2) by striking out the last sentence.

**13.** The Code is amended by inserting the following article after article 3010:

**“3010.1.** In an application or its accompanying documents and on the written request of any person named in them or of his successors, the Land Registrar redacts that person’s name, the name of any other person and any particular relating to a physical or psychological impairment of those persons.

However, the name of a creditor, debtor or other holder of a right that is the subject of the application or any other particular required for publication purposes may not be redacted.”

**14.** Article 3011 of the Code is amended by replacing “in the Land Registry Office” by “by the Land Registrar”.

**15.** Article 3012 of the Code is amended by replacing the second and third paragraphs by the following paragraphs:

“Applications received in bulk are deemed presented simultaneously; however, they bear the date, hour and minute of receipt of the last application so received. If several applications are delivered to the Personal and Movable Real Rights Registry Office by the same mail delivery or are presented by the same bearer, they are also deemed presented simultaneously.

Applications delivered to the registry office outside the hours for presenting documents or when the office is closed are deemed presented at the time the office’s activities resume.”

**16.** Article 3019 of the Code is amended

(1) by replacing “a land registrar” in the first paragraph by “the Land Registrar”;

(2) by replacing “documents kept at the registry offices” in the second paragraph by “the documents kept by him for publication purposes”.

**17.** Article 3021 of the Code is amended, in the first paragraph,

(1) in subparagraph 1,

(a) by striking out “at the registry offices,”;

(b) by inserting “and required” after “transmitted to them”;

(2) by replacing “safe place other than the registry offices” and “a computer system” in subparagraph 4 by “separate safe place” and “a technological medium”, respectively.

**18.** Article 3021.1 of the Code is amended

(1) by striking out “in the registry offices or in any other place,”;

(2) by replacing “converted to electronic form” by “reproduced on a technological medium”.

**19.** Article 3025 of the Code is replaced by the following article:

**“3025.** Where required by the circumstances, the Land Registrar may change the business hours of the registry office or close the registry office temporarily.”

**20.** Article 3027 of the Code is amended by striking out the third paragraph.

**21.** Article 3045 of the Code is amended

(1) by replacing “registrar” in the first paragraph by “Land Registrar”;

(2) in the second paragraph,

(a) by replacing “what is shown” by “the information”;

(b) by replacing “the registrar” by “the Registrar”.

**22.** Articles 3055 and 3056 of the Code are repealed.

**23.** Article 3062 of the Code is amended by replacing the second paragraph by the following paragraph:

“Except where the spouses consent to the cancellation and where the application is based on a judgment, the application shall be accompanied, as the case may be, by a death certificate and a certified declaration of the liquidation of the succession or a copy of the joint notarial declaration of dissolution. An application that is based on a judgment is made by presenting a notice reproducing the pertinent extract from the operative part of the



judgment. The accuracy of the content of the notice must be certified by a notary or an advocate. If the notice is notarial, the mere signature of the notary is sufficient certification.”

**24.** Article 3072 of the Code is amended by replacing “a registration” by “an entry”.

**25.** Article 3073 of the Code is amended

(1) by replacing “a registration” in the first paragraph by “an entry”;

(2) by replacing “correction, reduction or cancellation of a registration” in the second paragraph by “cancellation of a registration or correction or reduction of an entry”.

**26.** The Code is amended by inserting the following article after article 3073:

**“3073.1.** For land registration purposes, an application based on a judgment in a family matter that orders the cancellation of a published right or the reduction of an entry is made by filing a notice with the Land Registrar.

The notice must contain the pertinent extract from the operative part of the judgment and, as the case may be, the pertinent extract from the agreement or draft agreement to which the operative part refers.

The accuracy of the content of the notice must be certified by a notary or an advocate. If the notice is notarial, the mere signature of the notary is sufficient certification.”

**27.** The Code is amended

(1) by replacing “registry office” by “Land Registry Office” in the following provisions:

(a) the second paragraph of article 1006;

(b) the first paragraph of article 1060;

(c) the second paragraph of article 1725;

(d) the second paragraph of article 2885;

(e) the first paragraph of article 2997;

(f) article 3029;

(2) by replacing “registrar” by “Land Registrar” in the following provisions:

(a) the first paragraph of article 2934.1;

(b) the first paragraph of article 3061;

(c) the first paragraph of article 3071;

(3) by replacing “a land registrar” by “the Land Registrar” in the following provisions:

(a) the second paragraph of article 3018;

(b) the first paragraph of article 3075.1.

#### ACT RESPECTING ACCESS TO DOCUMENTS HELD BY PUBLIC BODIES AND THE PROTECTION OF PERSONAL INFORMATION

**28.** Section 2 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) is amended by replacing “in registry offices” in paragraph 2 by “by the registrars”.

#### LAND SURVEYORS ACT

**29.** Section 62 of the Land Surveyors Act (chapter A-23) is amended by replacing “a registry office” in the first paragraph by “the Land Registry Office”.

#### BUILDING ACT

**30.** Section 126 of the Building Act (chapter B-1.1) is amended

(1) by replacing “registry office” in the first paragraph by “Land Registry Office”;

(2) by replacing “registrar” in the second paragraph by “Land Registrar”.

#### ACT RESPECTING REGISTRY OFFICES

**31.** Section 1 of the Act respecting registry offices (chapter B-9) is amended, in the first paragraph,

(1) by striking out “and the registry offices established for the registration divisions in Québec”;

(2) by replacing “those registry offices” by “that registry office”.

**32.** Section 1.1 of the Act is amended by striking out “and the registry offices established for the registration divisions in Québec” in the first paragraph.

**33.** Section 2 of the Act is amended

(1) by striking out the last sentence of the first paragraph;

(2) by replacing “as the Registrar and act under the authority of the Registrar” in the second paragraph by “as the registrar concerned and act under the authority of that registrar”;

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

“The Minister may, in writing, delegate the power to appoint deputy registrars to the Registrar or to any public servant under the latter’s supervision.”

**34.** Section 7 of the Act is amended

(1) by replacing “a public servant designated” in the first paragraph by “a person designated”;

(2) in the third paragraph,

(a) by replacing “of registry offices” by “of the registry office”;

(b) by replacing “The public servant designated” by “The person designated”.

**35.** Section 10 of the Act is amended by replacing paragraphs 2 and 3 by the following paragraphs:

“(2) for consultations in connection with such immovable hypothecs at the Land Registry Office or for consultations in connection with such movable hypothecs made in person at the Personal and Movable Real Rights Registry Office;

“(3) for the issue by the registrar of certified statements, of extracts or of copies of applications for registration that relate to such hypothecs.”

**36.** Section 11 of the Act is amended by striking out “in which registry offices are established”.

**37.** Sections 1 to 4 of Schedule I to the Act are replaced by the following sections:

“**1.** The fee for filing an application for the registration of rights is \$70.

“**2.** Despite section 1, the fee for filing an application for the registration of rights that is in the form of a summary is \$70 per summarized document.

“**3.** The fee for filing an application for the cancellation of a registration or reduction of an entry—including the cancellation or reduction of the rights set out in the corresponding initial application for registration—is \$87, plus \$53 for every additional application.

“**4.** The fee for filing a prior notice of sale for non-payment of property taxes is \$69, plus \$10 per lot or part of a lot.”

**38.** Section 5 of Schedule I to the Act is amended by replacing “for the filing of” in the first paragraph by “for filing”.

**39.** Section 6 of Schedule I to the Act is amended

(1) by replacing “or reduction of the registration of a notice of address” in paragraph 1 by “of the registration of a notice of address or reduction of an entry”;

(2) by replacing all occurrences of “immovable taxes” by “property taxes”.

**40.** Section 9 of Schedule I to the Act is amended by replacing “at the registry office for a registration division, under section 245 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, chapter 42),” in the second paragraph by “under section 114 of the Act to modernize certain rules relating to land registration and to facilitate the dissemination of geospatial information (2020, chapter 17)”.

**41.** Section 11 of Schedule I to the Act is repealed.

**42.** Sections 14 and 15 of Schedule I to the Act are replaced by the following sections:

“**14.** No fee is payable for consulting registers, plans and other documents at the Land Registry Office for the purpose of preparing cadastres under the Act to promote the reform of the cadastre in Québec (chapter R-3.1) or the Act respecting land titles in certain electoral districts (chapter T-11).”

“**15.** The fee for consulting registers, plans and other documents kept on a technological medium is \$1 per lot, document, name, registration division or other keyword search, according to the document or register consulted.”

**43.** Section 16 of Schedule I to the Act is repealed.

**44.** The Act is amended by replacing “registrar” by “Land Registrar” in the following provisions:

(1) the first paragraph of section 12;

(2) the first paragraph of section 12.2, wherever it appears;

(3) the second paragraph of section 13.

#### CADASTRE ACT

**45.** Section 4.4 of the Cadastre Act (chapter C-1) is amended

(1) by replacing “registry office” in the first paragraph by “Land Registry Office,”;

(2) by replacing “registrar” in the second paragraph by “Land Registrar”.

**46.** Section 5 of the Act is amended by replacing “Every registrar” by “The Land Registrar”.

**47.** Section 19 of the Act is amended by replacing “registrar” in the second paragraph by “Land Registrar”.

**48.** The Act is amended by replacing “registry office” by “Land Registry Office” in the following provisions:

- (1) the first paragraph of section 4.5;
- (2) the introductory clause of section 4.6;
- (3) section 6, wherever it appears;
- (4) section 21.6.

#### CHARTER OF VILLE DE LONGUEUIL

**49.** Section 35 of Schedule C to the Charter of Ville de Longueuil (chapter C-11.3) is amended by replacing “registry office of the land division where the land concerned is located” in subparagraph 2 of the third paragraph by “Land Registry Office”.

**50.** Section 36 of Schedule C to the Charter is amended by replacing “record that plan by filing two copies with the registry office and the registrar” in the third paragraph by “file that plan with the Land Registry Office and the Land Registrar”.

**51.** Section 37 of Schedule C to the Charter is amended by replacing “registry office” by “Land Registry Office”.

**52.** Section 41 of Schedule C to the Charter is amended by replacing “registrar” in the last paragraph by “Land Registrar”.

#### CHARTER OF VILLE DE MONTRÉAL, METROPOLIS OF QUÉBEC

**53.** Section 143 of Schedule C to the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4) is amended by replacing “register that plan by filing two copies with the registry office of the registration division of the immovable affected and the registrar” in the second paragraph by “file that plan with the Land Registry Office and the Land Registrar”.

**54.** Section 241 of Schedule C to the Charter is amended by replacing “registry office” in the second and third paragraphs by “Land Registry Office”.

**55.** Schedule C to the Charter is amended by replacing “registrar” by “Land Registrar” in the following provisions:

- (1) the second paragraph of section 89;
- (2) the first paragraph of section 150;
- (3) section 182;
- (4) the third paragraph of section 190;
- (5) the second paragraph of section 192;
- (6) the second paragraph of section 193.

#### CHARTER OF VILLE DE QUÉBEC, NATIONAL CAPITAL OF QUÉBEC

**56.** Section 56 of Schedule C to the Charter of Ville de Québec, national capital of Québec (chapter C-11.5) is amended by replacing “registry office. The registrar” in the third paragraph of subsection 2 by “Land Registry Office. The Land Registrar”.

**57.** Section 91 of Schedule C to the Charter is amended by replacing all occurrences of “registry office” and “registrar” by “Land Registry Office” and “Land Registrar”, respectively.

**58.** Section 95 of Schedule C to the Charter is amended by replacing “registry office” in the second paragraph by “Land Registry Office”.

**59.** Section 176 of Schedule C to the Charter is amended, in the second paragraph,

- (1) by replacing “officier de la publicité des droits” in the French text by “Officier de la publicité foncière”;
- (2) by replacing “registrar of real rights” by “Land Registrar”.

#### CITIES AND TOWNS ACT

**60.** Section 514 of the Cities and Towns Act (chapter C-19) is amended

- (1) by striking out both occurrences of “by registered mail”;
- (2) by replacing all occurrences of “registrar” by “Land Registrar”.

**61.** Section 523 of the Act is amended

(1) by replacing both occurrences of “registrar” in the second paragraph by “Land Registrar”;

(2) by replacing “registry office” in the fourth paragraph by “Land Registry Office”.

CODE OF CIVIL PROCEDURE

**62.** Article 15 of the Code of Civil Procedure (chapter C-25.01) is amended by adding the following sentence at the end of the second paragraph: “However, the information necessary to ensure the publication of rights resulting from such judgments may be published in the land register or in the register of personal and movable real rights in accordance with the rules of the Civil Code.”

**63.** Article 139 of the Code is amended by replacing “land registrar, the personal and movable real rights registrar” in the third paragraph by “Land Registrar, the Personal and Movable Real Rights Registrar”.

**64.** Article 410 of the Code is amended

(1) by replacing both occurrences of “land registrar” by “Land Registrar”;

(2) by replacing “notifying” in the second paragraph by “presenting”.

**65.** Article 468 of the Code is amended by replacing “registrar” in the first paragraph by “Land Registrar”.

**66.** Article 705 of the Code is amended, in the second paragraph,

(1) by replacing “registrar” by “Land Registrar”;

(2) by replacing “on receiving notification” by “on presentation”.

MUNICIPAL CODE OF QUÉBEC

**67.** Article 1027 of the Municipal Code of Québec (chapter C-27.1) is amended

(1) by striking out both occurrences of “by registered mail”;

(2) by replacing all occurrences of “registrar” by “Land Registrar”.

**68.** Article 1032 of the Code is amended

(1) by replacing both occurrences of “registrar” in the third paragraph by “Land Registrar”;

(2) by replacing “registry office” in the fifth paragraph by “Land Registry Office”.

#### ACT RESPECTING THE COMMISSION MUNICIPALE

**69.** Section 61 of the Act respecting the Commission municipale (chapter C-35) is amended by replacing “registry office” and “registrar’s” in the second paragraph by “Land Registry Office” and “Land Registrar’s”, respectively.

**70.** Section 64 of the Act is amended

(1) by striking out “, by registered mail,” in the second paragraph;

(2) by replacing all occurrences of “registrar” by “Land Registrar”.

**71.** Section 72 of the Act is amended by replacing “registrar, by registered mail,” by “Land Registrar”.

#### ACT RESPECTING THE CONSERVATION AND DEVELOPMENT OF WILDLIFE

**72.** Section 128.5 of the Act respecting the conservation and development of wildlife (chapter C-61.1) is amended by replacing “registry office of the registration division of the territory included on the chart” in paragraph 4 by “Land Registry Office”.

**73.** The Act is amended by replacing “registry office” by “Land Registry Office” in the following provisions:

(1) the fourth paragraph of section 104;

(2) the third paragraph of section 111;

(3) the third paragraph of section 122;

(4) the second paragraph of section 171.3.

#### TERRITORIAL DIVISION ACT

**74.** Section 11 of the Territorial Division Act (chapter D-11) is amended by striking out any reference to an office.

#### ACT RESPECTING DUTIES ON TRANSFERS OF IMMOVABLES

**75.** Section 9 of the Act respecting duties on transfers of immovables (chapter D-15.1) is amended by inserting “and may, in the case of anonymized land registration information, be disseminated by the minister responsible for natural resources” at the end of the third paragraph.



**76.** The Act is amended by replacing “registrar” by “Land Registrar” in the following provisions:

- (1) the first and second paragraphs of section 9.2;
- (2) the first and third paragraphs of section 10, wherever it appears;
- (3) paragraph *a* of section 23.

#### LAND TRANSFER DUTIES ACT

**77.** Section 10 of the Land Transfer Duties Act (chapter D-17) is amended

- (1) by replacing “registrar” in the first paragraph by “Land Registrar”;
- (2) by replacing “registrar” in the second paragraph by “Land Registrar”;
- (3) in the third paragraph,
  - (a) by replacing “The registrar” by “The Land Registrar”;
  - (b) by striking out “or of another registrar”.

**78.** Section 47 of the Act is amended by replacing “registrars” in paragraph *c* by “the Land Registrar”.

**79.** The Act is amended by replacing “registrar” by “Land Registrar” in the following provisions:

- (1) the first paragraph of section 9;
- (2) paragraph *a* of section 13;
- (3) sections 20 and 21.

#### ACT RESPECTING THREATENED OR VULNERABLE SPECIES

**80.** Section 15 of the Act respecting threatened or vulnerable species (chapter E-12.01) is amended by replacing “the registry office of the registration division of the territory included on the chart” in paragraph 4 by “the Land Registry Office”.

**81.** Section 41 of the Act is amended by replacing “registry office” in the second paragraph by “Land Registry Office”.

## ACT RESPECTING MUNICIPAL TAXATION

**82.** Section 263 of the Act respecting municipal taxation (chapter F-2.1) is amended by inserting the following subparagraph after subparagraph 9.1 of the first paragraph:

“(9.2) designate the ministers who or the government bodies, within the meaning of section 2 of the Financial Administration Act (chapter A-6.001), that may obtain a copy of or an extract from any property assessment roll in force or any other information contained in the geographic information system provided for by the regulation made under subparagraph 1; determine the information that may be so obtained; indicate from whom the information is obtainable and the conditions on which it may be sent; prescribe how a minister or body may use or disseminate the information;”.

**83.** The Act is amended by replacing “registry office” by “Land Registry Office” in the following provisions:

- (1) the second paragraph of section 36;
- (2) the first paragraph of section 38;
- (3) the first paragraph of section 39;
- (4) the first paragraph of section 212;
- (5) section 521.

## EDUCATION ACT

**84.** Section 477.1.5 of the Education Act (chapter I-13.3) is amended by replacing “registrar of the registration division in which the immovable is situated” by “Land Registrar”.

**85.** The Act is amended by replacing “registry office” by “Land Registry Office” in the following provisions:

- (1) section 121;
- (2) the first paragraph of section 317.2;
- (3) the third paragraph of section 716.

ACT RESPECTING THE MINISTÈRE DES RESSOURCES  
NATURELLES ET DE LA FAUNE

**86.** Section 12 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) is amended

(1) by inserting “or free of charge” after “in return for payment” in paragraph 8.2 and by replacing “paragraph” in that paragraph by “subparagraph”;

(2) by striking out “and the registry offices established for the registration divisions in Québec” in paragraph 17.1;

(3) by replacing “paragraphs 17.3, 17.4 and paragraph 3 of section 12.2” in paragraph 17.6 by “subparagraphs 17.3 and 17.4”;

(4) by striking out “in the field of land surveying and” in paragraph 17.7 and by replacing “paragraph” in that paragraph by “subparagraph”;

(5) by inserting the following paragraphs after paragraph 17.7:

“(17.7.1) providing, on request and in return for payment or free of charge, specialized goods and services in the field specified in paragraph 3 of section 12.2;

“(17.7.2) supplying, on request and in return for payment or free of charge, information in the fields of cadastres, land registration and land surveying as well as in the field specified in paragraph 3 of section 12.2;”;

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

“The departments and the government bodies governed by section 2 of the Financial Administration Act (chapter A-6.001) as well as Hydro-Québec must, on the Minister’s request, gratuitously send the Minister the information necessary for the exercise of the Minister’s powers and functions in the fields referred to in subparagraphs 8 to 8.2 of the first paragraph.”

**87.** Section 17.4 of the Act is amended, in the first paragraph,

(1) by replacing “paragraphs” by “subparagraphs”;

(2) by inserting “, 17.7.1, 17.7.2” after “17.7”;

(3) by inserting “of the first paragraph” after “17.8”.

**88.** Section 17.18 of the Act is amended by replacing “registrar” in the second paragraph by “Land Registrar”.

## ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

**89.** Section 11.1.2 of the Act respecting the Ministère des Transports (chapter M-28) is amended by replacing “registry office and the registrar” in the second paragraph by “Land Registry Office and the Land Registrar”.

## ACT RESPECTING THE PRESERVATION OF AGRICULTURAL LAND AND AGRICULTURAL ACTIVITIES

**90.** Section 105.1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) is amended

(1) by replacing “registry office” in the first and second paragraphs by “Land Registry Office”;

(2) by replacing “registrar” in the third paragraph by “Land Registrar”.

## ACT TO PROMOTE THE REFORM OF THE CADASTRE IN QUÉBEC

**91.** Section 8.1 of the Act to promote the reform of the cadastre in Québec (chapter R-3.1) is amended

(1) by replacing “Registrars are required” in the introductory clause of the first paragraph by “The Land Registrar is required”;

(2) by replacing “registrars” in the fourth paragraph by “the Land Registrar”.

**92.** Section 8.3 of the Act is amended by replacing “a registry office” by “the Land Registry Office”.

**93.** Section 10.1 of the Act is amended

(1) by replacing “registry office” in the first paragraph by “Land Registry Office”;

(2) by striking out “; it shall be posted at the registry office of the registration division concerned, by the registrar” in the second paragraph.

**94.** Section 16 of the Act is amended

(1) by replacing “registry office” in the first paragraph by “Land Registry Office”;

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

“The prohibition period shall be stated in the land file established for each lot contemplated in the notice.”

**95.** Section 19.1 of the Act is amended by replacing “registrar” in the first paragraph by “Land Registrar”.

**96.** The Act is amended by replacing “registry office” by “Land Registry Office” in the following provisions:

- (1) the second paragraph of section 18;
- (2) section 20.

#### WATERCOURSES ACT

**97.** Form 2 of the Watercourses Act (chapter R-13) is amended by replacing “registry office of the registration division of (*name of registration division concerned*)” in the third paragraph by “Land Registry Office”.

#### ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

**98.** Section 154 of the Act respecting public transit authorities (chapter S-30.01) is amended by replacing “registry office and the registrar” in the second paragraph by “Land Registry Office and the Land Registrar”.

**99.** Section 156 of the Act is amended by replacing “registrar of the registration division concerned” in the second paragraph by “Land Registrar”.

#### ACT TO AMEND THE CIVIL CODE AND OTHER LEGISLATIVE PROVISIONS RELATING TO LAND REGISTRATION

**100.** Section 245 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, chapter 42) is repealed.

**101.** Section 250 of the Act is amended by striking out “in which the registry offices mentioned in that section are established”.

#### REGULATION RESPECTING LAND REGISTRATION

**102.** Section 35 of the Regulation respecting land registration (chapter CCQ, r. 6) is replaced by the following section:

**“35.** Applications for the registration of an authentic copy of an original title issued by the Registrar of Québec or Bibliothèque et Archives nationales du Québec or of a certified true copy of an Order in Council in accordance with section 3 of the Act respecting the Ministère du Conseil exécutif (chapter M-30) are made by presenting that copy or the document resulting from the transfer of the information contained in the copy to a technological medium.

Applications for registration referred to in this section shall not be subject to any other form rule provided for in this division.”

**103.** Section 37 of the Regulation is amended

(1) by replacing “extract of that act or an authentic copy thereof” in the first paragraph by “authentic extract, an authentic copy, a copy certified by the public registrar who is its depositary or the document resulting from the transfer of the information contained in the act to a technological medium”;

(2) in the second paragraph,

(a) by replacing “the form of a notarial act *en brevet* or a private writing shall be made by presenting one original of that act or writing or of” by “any other form shall be made by presenting the act or”;

(b) by replacing “an information technology-based” by “a technological”.

**104.** Section 37.1 of the Regulation is amended

(1) by replacing “a notarial act *en brevet* or a private writing” and “an information technology-based” in the first paragraph by “an act, extract, summary or notice and, as the case may be, the information contained in an accompanying document,” and “a technological”, respectively;

(2) by replacing “or advocate” in the second paragraph by “, advocate, land surveyor or bailiff”.

**105.** Section 39 of the Regulation is replaced by the following section:

“**39.** The summaries shall be presented with an authentic extract from, an authentic copy of or a copy certified by the public registrar who is their depositary of the summarized acts, if the latter are authentic acts other than notarial acts *en brevet*. In any other case, they shall be presented with the summarized documents or with the documents resulting from the transfer of the information contained in the summarized documents to a technological medium.”

**106.** The Regulation is amended by inserting the following section after section 42:

“**42.1.** In addition to the particulars required under the third paragraph of article 2730, article 2999.1.1, the second paragraph of article 3062 and article 3073.1 of the Civil Code, the notices referred to in those articles shall specify the judgment date, the court that rendered the judgment and the judicial district in which the judgment was rendered.

The notice referred to in article 2999.1.1 of that Code shall also, as the case may be, specify the term of the rights whose registration is required.”

**107.** The Regulation is amended by inserting the following section after section 53:

**“53.0.1.** Unless otherwise provided by law or regulation, applications and the accompanying documents may not include the date or place of birth of a person, a social insurance, health insurance, passport, driver’s licence or credit card number or the number of an account held at a financial institution.

This section does not apply to acts of civil status required for publication purposes.”

**108.** Section 75 of the Regulation is replaced by the following section:

**“75.** The Land Registry Office

(1) is open every day, but only for consultation purposes on Saturdays and Sundays; and

(2) is closed on holidays within the meaning of subparagraphs *b* to *j* of paragraph 23 of section 61 of the Interpretation Act (chapter I-16), 26 December and 2 January as well as any day to which such a day is postponed or advanced pursuant to the collective agreements in force for government employees.

The days on which the Land Registry Office is closed and any changes to its business hours shall be published on the website of the Ministère des Ressources naturelles et de la Faune.”

**109.** Section 78 of the Regulation is amended by replacing “8:00 a.m. and 11:00 p.m., except on Saturdays where it is allowed between at least 8:00 a.m. and 5:00 p.m.” by “6:00 a.m. and 12:00 a.m.”.

#### REGULATION RESPECTING STANDARDS OF PRACTICE FOR STAKING AND LAYOUT

**110.** Section 11 of the Regulation respecting standards of practice for staking and layout (chapter A-23, r. 11) is amended, in paragraph 1,

(1) by replacing “bureau de la publicité des droits” in the French text by “Bureau de la publicité foncière”;

(2) by replacing “bureau de la publicité des droits” by “Land Registry Office”.

#### OTHER AMENDING PROVISIONS

**111.** The expression “registry office” is replaced by “Land Registry Office” in the following provisions:

(1) subparagraph 4 of the second paragraph of section 16 and paragraph 4 of section 30 of the Natural Heritage Conservation Act (chapter C-61.01);

- (2) section 221.2.7 of the Cooperatives Act (chapter C-67.2);
- (3) section 17 of the Religious Corporations Act (chapter C-71);
- (4) section 8 and subsection 1 of section 20 of the Disorderly Houses Act (chapter M-2);
- (5) the second paragraph of section 25 of the Pesticides Act (chapter P-9.3);
- (6) the first paragraph of section 24, the third paragraph of section 35, the second paragraph of section 36, the third paragraph of section 37, the first paragraph of section 67, section 69 and subparagraph *a* of the fourth paragraph of section 100.1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);
- (7) the first paragraph of section 5 of the Act respecting property tax refund (chapter R-20.1);
- (8) the fourth paragraph of section 58 and the second paragraph of section 68.4 of the Act respecting the Société d'habitation du Québec (chapter S-8);
- (9) the first paragraph of sections 43.1 and 43.8 of the Act respecting agricultural lands in the domain of the State (chapter T-7.1);
- (10) the second paragraph of section 19 and the third and sixth paragraphs of section 45.5 of the Act respecting the lands in the domain of the State (chapter T-8.1);
- (11) subparagraphs 2 and 22 of the first paragraph of section 9 and subparagraph 2 of the first paragraph of section 10 of the Regulation respecting standards of practice for location certificates (chapter A-23, r. 10);
- (12) paragraph 1 of section 4 of the Regulation respecting standards of practice for staking and layout (chapter A-23, r. 11);
- (13) subparagraph 3 of the first paragraph of sections 40 and 55 of the Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2);
- (14) the second paragraph of sections 9 and 37 and the third paragraph of section 38 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1).

**112.** The expression “registrar” is replaced by “Land Registrar” in the following provisions:

- (1) sections 23 and 24 of the Act respecting the acquisition of farm land by non-residents (chapter A-4.1);



- (2) subsection 4 of section 53 of the Land Surveyors Act (chapter A-23);
- (3) the first paragraph of section 17 of the Unclaimed Property Act (chapter B-5.1);
- (4) section 522 of the Cities and Towns Act (chapter C-19), wherever it appears;
- (5) articles 1042 and 1057 of the Municipal Code of Québec (chapter C-27.1), wherever it appears;
- (6) the first paragraph of section 78 of the Act respecting the Commission municipale (chapter C-35);
- (7) the first paragraph of section 31 of the Public Curator Act (chapter C-81);
- (8) the first and fourth paragraphs of section 53.15, the second paragraph of section 55.2 and the first paragraph of section 84 of the Expropriation Act (chapter E-24);
- (9) the fourth paragraph of section 44, section 56 and the first paragraph of section 153 of the Public Infrastructure Act (chapter I-8.3);
- (10) the first paragraph of sections 10 and 21 of the Disorderly Houses Act (chapter M-2);
- (11) the third paragraph of section 11.5.1 of the Act respecting the Ministère des Transports (chapter M-28);
- (12) sections 52 and 68 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);
- (13) the first paragraph of section 17 of the Act respecting the Régie des installations olympiques (chapter R-7);
- (14) section 25 of the Act respecting the Société des établissements de plein air du Québec (chapter S-13.01);
- (15) section 28, the third paragraph of section 40.1, the second paragraph of section 72 and the second paragraph of section 72.1 of the Act respecting the lands in the domain of the State (chapter T-8.1);
- (16) section 6, section 7, wherever it appears, and the second, third and fourth paragraphs of section 8 of the Act respecting land titles in certain electoral districts (chapter T-11);
- (17) section 14 of the Tariff of fees of court bailiffs (chapter H-4.1, r. 13.1);

(18) paragraph 2 of section 59 of the Regulation respecting the signing of certain deeds, documents and writings of the Ministère des Ressources naturelles et de la Faune (chapter M-25.2, r. 1).

**113.** The expression “office of the registration division concerned” or “registry office of the registration division concerned”, as applicable, is replaced by “Land Registry Office” in the following provisions:

(1) section 228 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01);

(2) section 215 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02);

(3) paragraph 1 of sections 35 and 60 of the Watercourses Act (chapter R-13);

(4) the third paragraph of section 18 of the Regulation respecting the alienation of agricultural lands in the domain of the State to certain occupants (chapter T-7.1, r. 1);

(5) the first paragraph of section 25 of the Regulation respecting the alienation and leasing of agricultural lands in the domain of the State (chapter T-7.1, r. 2);

(6) the first paragraph of section 19 of the Regulation respecting public blueberry fields (chapter T-7.1, r. 3).

#### TRANSITIONAL AND FINAL PROVISIONS

**114.** The Land Registrar is the depositary of the following registers and documents: the register of farm and forest pledges, the register of commercial pledges, the register of procès-verbaux, deeds of agreement or by-laws relating to roads, bridges and watercourses, the list referred to in paragraph 2 of article 2161 of the Civil Code of Lower Canada, as it read on 31 December 1993, the register of addresses and the list of memorials of presentation.

**115.** The Land Registrar is bound to keep all documents published before 8 November 2021 at the registry offices established for the registration divisions.

**116.** Any document published before 8 November 2021 in a registry office established for a registration division is deemed to have been published in the Land Registry Office.

**117.** The publication of a judgment in a family matter between 31 December 2015 and 1 February 2021 and in accordance with the rules of the Civil Code applicable to the publication of rights complies with article 15 of the Code of Civil Procedure (chapter C-25.01).

**118.** The Land Registrar must redact the information prohibited by section 53.0.1 of the Regulation respecting land registration (chapter CCQ, r. 6), enacted by section 107, contained in a document kept by the Registrar, at the written request of any person the information relates to or their successors.

**119.** An application made by filing an act dated before 1 February 2021 may not be refused at the registry on the ground that the act contains information prohibited by section 53.0.1 of the Regulation respecting land registration, enacted by section 107.

**120.** The fees provided for in section 37 are adjusted by operation of law on 1 April 2021 and published in accordance with section 17 of Schedule I to the Act respecting registry offices (chapter B-9).

**121.** Applications for registration in the land register may be filed in paper form until 5 November 2021.

Such applications are subject to the rules relating to publication in paper form provided for in Book Nine of the Civil Code and in the Regulation respecting land registration, as they read on 31 January 2021.

**122.** From 1 February 2021 to 7 November 2021, section 75 of the Regulation respecting land registration is to be read as follows:

**“75.** Registry offices and the Land Registry Office

(1) are open every day, except Saturdays and Sundays. However, the Land Registry Office is open Saturdays and Sundays, but only for consultation purposes; and

(2) are closed on holidays within the meaning of subparagraphs *b* to *j* of paragraph 23 of section 61 of the Interpretation Act (chapter I-16), 26 December and 2 January as well as any day to which such a day is postponed or advanced pursuant to the collective agreements in force for government employees.

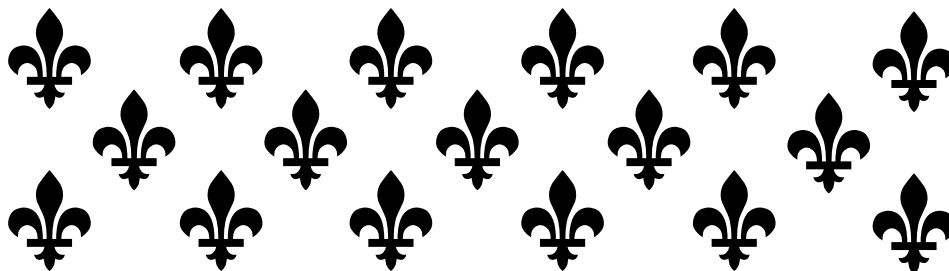
The days on which the registry offices and the Land Registry Office are closed and any changes to their business hours shall be published on the website of the Ministère des Ressources naturelles et de la Faune.”

**123.** The provisions of this Act come into force on 1 February 2021, except

(1) sections 1, 5, 6, 12, 14 to 16, 18, 20, 21 and 27 to 32, paragraph 1 of section 33, subparagraph *a* of paragraph 2 of section 34, sections 35 to 38, 40 to 61 and 63, paragraph 1 of section 64, section 65, paragraph 1 of section 66, sections 67 to 74, 76 to 81, 83 to 85, 88 to 101 and 110 to 116, which come into force on 8 November 2021;

(2) section 13, subparagraph *b* of paragraph 1 of section 17 and section 118, which come into force on 21 March 2022; and

(3) sections 19, 24 and 25, paragraphs 2 and 3 of section 33, paragraph 1 and subparagraph *b* of paragraph 2 of section 34, section 39, paragraph 2 of sections 64 and 66, paragraph 1 of section 87 and sections 108, 109 and 122, which come into force on 8 October 2020.



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# NATIONAL ASSEMBLY OF QUÉBEC

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FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 50  
(2020, chapter 18)

**An Act respecting the leasing of part  
of the water power of the Shipshaw  
River**

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**Introduced 6 February 2020  
Passed in principle 17 September 2020  
Passed 7 October 2020  
Assented to 8 October 2020**

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**Québec Official Publisher  
2020**

**EXPLANATORY NOTES**

*The purpose of this Act is to authorize the Minister of Natural Resources and Wildlife, in accordance with section 3 of the Watercourses Act, to lease part of the water power in the domain of the State of the Shipshaw River to Resolute FP Canada Inc.*

*The Act establishes, among other things, the term of the lease, provides that it is renewable and sets out certain related conditions, including the obligation for the lessee to make developmental manufacturing investments in the Saguenay–Lac-Saint-Jean administrative region and to pay a royalty on the electricity generated through the exploitation of the leased water power.*

## Bill 50

### AN ACT RESPECTING THE LEASING OF PART OF THE WATER POWER OF THE SHIPSHAW RIVER

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Within the scope of the provisions of this Act and subject to the conditions considered by the Minister of Natural Resources and Wildlife to be in keeping with Québec's interests, the Minister is authorized

(1) to lease to Resolute FP Canada Inc. the water power in the domain of the State of the section of the Shipshaw River lying between the extension in that river of the northeast limit of range IV East of the original survey of the township of Falardeau and the southwest limit of block B of the original survey of the Shipshaw River basin; and

(2) to allow Resolute FP Canada Inc. to use that water power by diverting the flow of the Shipshaw River, especially through Jim Gray Lake, up to the south limit of block F of the original survey of the township of Falardeau.

**2.** The lessee is authorized to operate, maintain, alter and rebuild the dams and other works erected before 8 October 2020 to exploit the water power referred to in section 1.

The plans and specifications for altering and rebuilding such dams and works require prior approval by the Government.

**3.** The lease is for a term of 10 years, beginning on 1 January 2022, and may be renewed for a further 10-year term within the scope of the provisions of this Act and subject to the conditions considered by the Minister of Natural Resources and Wildlife to be in keeping with Québec's interests.

**4.** On signing the lease, the lessee must pay \$3,111,900 to the Minister of Natural Resources and Wildlife.

**5.** The lessee must, on 31 December 2031, have made, in the Saguenay–Lac-Saint-Jean administrative region, as described in Schedule I to the Décret concernant la révision des limites des régions administratives du Québec (chapter D-11, r. 1, French only) on 8 October 2020, developmental manufacturing investments which support, in particular, innovation or access to new markets in order to ensure the creation or preservation of quality jobs related to the industry and which, converted into their 2018 values using an annual rate of 8%, total at least \$100,000,000, excluding any form of government assistance

and excluding investments for the repair or maintenance of electric power production or transmission infrastructures. Investments made on or after 1 April 2018 are eligible investments for the purposes of this provision.

Should such investments fall short of the required amount, the lessee must pay to the Minister of Natural Resources and Wildlife, not later than 1 October 2032, an amount which, converted into its 2032 value using an annual rate of 8%, corresponds to 25% of the difference between \$100,000,000 in 2018 values, and the investments made between 1 April 2018 and 31 December 2031, converted into their 2018 values using an annual rate of 8%.

Any eligible investment made in excess of that \$100,000,000 is considered an investment made during the term of the renewal, if applicable.

**6.** If the lease is renewed, the lessee must, on 31 December 2041, have made investments in the same region which are of the same nature as those provided for in the first paragraph of section 5 and which, converted into their 2032 values using the applicable annual rate, total at least \$100,000,000.

Should such investments fall short of the required amount, the lessee must pay to the Minister of Natural Resources and Wildlife, before 1 October 2042, an amount which, converted into its 2042 value using the applicable annual rate, corresponds to 25% of the difference between \$100,000,000 in 2032 values, and the investments made between 1 January 2032 and 31 December 2041, converted into their 2032 values using the applicable annual rate, as well as, if applicable, the investments deferred in accordance with the third paragraph of section 5, converted into their 2032 values using the applicable annual rate.

The applicable annual rate is determined by the Minister on the basis of the average cost of government borrowings combined with the percentage increase, in relation to the preceding year, in the Consumer Price Index for Canada, published by Statistics Canada under the Statistics Act (Revised Statutes of Canada, 1985, chapter S-19) and communicated to the lessee two months before the lease renewal.

**7.** For the determination of investments eligible under sections 5 and 6, the lessee must provide the Minister of Natural Resources and Wildlife with detailed and audited financial data, prepared in keeping with generally accepted accounting principles,

(1) not later than 1 April 2022, concerning the developmental manufacturing investments made between 1 April 2018 and 31 December 2021; and

(2) annually, as of 1 January 2023, concerning the developmental manufacturing investments made in the preceding year.

The Minister must, within three months after the detailed and audited financial data is filed, make public the nature and amount of the developmental manufacturing investments made in the preceding term.



**8.** The lessee must consume, in the plants it operates in Saguenay and Alma, the electricity it generates using the water power referred to in section 1. A strike or lock-out, or flow variations, do not exempt the lessee from that obligation.

The lessee must produce a technical and financial study for modernizing the plants in Saguenay and Alma in order to begin a transition to products of the future and must produce a modernization plan not later than 2023 for the plants located in Saguenay and Alma.

The lease must determine the rules applicable in the event of a failure to comply with the obligation provided for in the first and second paragraphs and may specify the cases that do not constitute such a failure.

**9.** In addition to the charge payable under section 68 of the Watercourses Act (chapter R-13), the lessee must pay to the Minister of Natural Resources and Wildlife an annual royalty whose rate is determined in 2019 at \$0.781 per MWh of electricity generated and is adjusted annually according to the percentage increase, in relation to the preceding year, in the Consumer Price Index for Canada, published by Statistics Canada under the Statistics Act.

**10.** In addition to any grounds stipulated in the lease, the following circumstances are grounds for resiliation of the lease by the Minister of Natural Resources and Wildlife without formality or compensation:

(1) the lessee ceases to operate one of the plants it operated on 8 October 2020 in Saguenay, Alma and Saint-Félicien; or

(2) the total consumption of the plants referred to in paragraph 1 for three consecutive years is below 50% of the electricity generating potential of the water power referred to in section 1.

**11.** The lessee may not assign, transfer or otherwise alienate the rights granted to it under this Act unless it has obtained authorization from and, if applicable, complied with the conditions determined by the Government.

**12.** The lessee is liable for any damage attributable to the exploitation of the water power referred to in section 1, except damage to property in the domain of the State resulting from the use of the flooding rights granted incidentally to the leasing of that water power.

**13.** On the expiry of the lease or of its term of renewal, as applicable, or in the event of resiliation of the lease, ownership of the dams, works and improvements used to exploit the water power referred to in section 1 is, unless previously waived by the Government, transferred to the State without indemnity or compensation.

**14.** This Act comes into force on 8 October 2020.



## Draft Regulations

### Draft Regulation

An Act respecting occupational health and safety  
(chapter S-2.1)

#### **Agreement relating to the protection of professional circus artists in training —Implementation**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the implementation of the Agreement relating to the protection of professional circus artists in training, the text of which appears below, may be made by the Commission des normes, de l'équité, de la santé et de la sécurité du travail, with or without amendment, on the expiry of 45 days from this publication and submitted to the Government for approval.

An agreement must be made between the Conseil des arts et des lettres du Québec and the Commission in order for the council to be deemed the employer of professional circus artists in training, for the sole purposes of indemnification, payment of the assessment determined by the Commission and imputation of the cost of benefits paid by the Commission by reason of an employment injury. The assessments will be paid by the Conseil des arts et des lettres du Québec.

This agreement requires that a regulation be made pursuant to section 170 of the Act respecting occupational health and safety (chapter S-2.1) to give effect thereto.

Analysis of the file reveals no impact on businesses.

Additional information may be obtained by contacting M<sup>e</sup> Sophie Genest, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 1199, rue De Bleury, 14<sup>e</sup> étage, Montréal (Québec) H3H 3J1, telephone 514-906-2906 or 438-886-9928, fax 514-906-3781.

Any interested person wishing to comment on the draft Regulation is requested to submit written comments before the expiry of the 45-day period to Mr. Bruno Labrecque, Vice President, Finance, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 524, rue Bourdages, 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 the implementation of the Agreement relating to the protection of professional circus artists in training**

An Act respecting occupational health and safety  
(chapter S-2.1, s. 170 and s. 223, 1st par., subpar. 39)

**1.** The Act respecting industrial accidents and occupational diseases (chapter A-3.001) applies to professional circus artists in training to the extent and according to the conditions determined in the agreement between by the Conseil des arts et des lettres du Québec and the Commission des normes, de l'équité, de la santé et de la sécurité du travail appearing in Schedule I.

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

#### **SCHEDULE 1**

##### **AGREEMENT**

##### **BETWEEN**

THE COMMISSION DES NORMES, DE L'ÉQUITÉ,  
DE LA SANTÉ ET DE LA SÉCURITÉ DU TRAVAIL

a legal person legally established pursuant to the Act respecting occupational health and safety having its head office at 524, rue Bourdages, Québec, G1K 7E2, represented by its chair of the board of directors and chief executive officer, Ms. Manuelle Oudar

hereinafter called the "Commission"

##### **AND**

THE CONSEIL DES ARTS ET DES LETTRES  
DU QUÉBEC

a legal person legally established pursuant to the Act respecting the Conseil des arts et des lettres du Québec, having its head office at 79, boul. René-Lévesque Est, Québec, G1R 5N5 acting for and in the name of the Gouvernement du Québec, represented by its chief executive officer, Ms. Anne-Marie Jean,

hereinafter called the “CALQ”

WHEREAS the Commission, established pursuant to section 137 of the Act respecting occupational health and safety (chapter S-2.1) is, pursuant to section 138 of that Act, a legal person within the meaning of the Civil Code of Québec and is vested with the general powers of such legal person and the specific powers that the Act confers on it;

WHEREAS pursuant to section 170 of that same Act, the Commission may enter into agreements in accordance with the Act with a department or agency of the Government, another government or one of its departments or agencies with a view to the application of the laws and regulations that it administers;

WHEREAS the CALQ, established pursuant to section 1 of the Act respecting the Conseil des arts et des lettres du Québec (chapter C-57.02) is, pursuant to sections 2 and 3 of that Act, a legal person and a mandatary of the State;

WHEREAS the CALQ is vested with the general powers of such legal person and the specific powers that that Act confers on it;

WHEREAS the CALQ, pursuant to section 14 of that Act, is competent to act in the fields of visual arts, arts and crafts, literature, performing arts, multidisciplinary arts, media arts and in matters of architectural research;

WHEREAS pursuant to section 15 of that same Act, the object of the CALQ is to support creation, experimentation and production in all regions of Québec and to foster the diffusion thereof in Québec and, in compliance with Québec’s policies in matters of Canadian intergovernmental affairs and international affairs, elsewhere in Canada and abroad;

WHEREAS the CALQ has asked for the Act respecting industrial accidents and occupational diseases (chapter A-3.001) to be applicable to professional circus artists covered by the agreement and it intends to assume the obligations prescribed for an employer, including the obligations relating to assessments due;

WHEREAS section 16 of that Act stipulates that a person doing work under a project of any government, whether or not the person is a worker, may be considered to be a worker employed by that government, by an agency or by a legal person, on the conditions and to the extent provided by an agreement between the Commission and the government, agency or legal person concerned;

WHEREAS that section 16 also provides that the second paragraph of section 170 of the Act respecting occupational health and safety applies to such an agreement, namely, that the Commission must proceed by way of a regulation to give effect to such an agreement extending the benefits of the laws and regulations it administers;

THEREFORE, THE PARTIES AGREE AS FOLLOWS:

## 1. OBJECT

The object of the Agreement is to provide for the application of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), according to the conditions prescribed therein, to professional circus artists covered by Schedule I to the Agreement and to determine the obligations of the CALQ and the Commission.

## 2. DEFINITIONS

For the purposes of the Agreement:

“**Act**” means the Act respecting industrial accidents and occupational diseases;

“**CALQ**” means the Conseil des arts et des lettres du Québec;

“**Commission**” means the Commission des normes, de l’équité, de la santé et de la sécurité du travail, established pursuant to section 137 of the Act respecting occupational health and safety (chapter S-2.1);

“**employment**” means training structured and supervised by a qualified professional in authorized premises, as specified in Schedule I to the Agreement. Any training provided for under an employment contract is excluded from the application of the Agreement;

“**employment injury**” means an injury or a disease as defined by the Act;

“**professional circus artist**” means a person who carries on employment not provided for under an employment contract and meets the conditions prescribed in Schedule I to the Agreement.

## 3. OBLIGATIONS OF THE CALQ

### 3.1 Employer

The CALQ is deemed to be the employer of any professional circus artist covered by the Agreement.

Despite the foregoing, that employer-employee relationship is recognized only for the purposes of indemnification, assessment and imputation of the cost of benefits payable under the Act and shall not be considered an admission of a factual situation that could lend itself to interpretation in other fields of activity.

The professional circus artists covered by the Agreement are not employees, public servants or officers of the Gouvernement du Québec, including the CALQ.

### **3.2 General obligations**

As an employer, the CALQ is bound, with the necessary modifications, by all the obligations prescribed by the Act, including in particular the obligation to keep a register of industrial accidents that occur in establishments where professional circus artists are present. The CALQ is obligated in particular to notify the Commission, within 15 days of the event by means of the agreed form, where a professional circus artists sustains an injury in the course of training covered by Schedule I to the Agreement.

Despite the foregoing, in respect of the register of industrial accidents referred to in the preceding paragraph, the CALQ is required to make that register available only to the Commission.

### **3.3 Exceptions**

Despite section 3.2, section 32 of the Act relating in particular to the dismissal, suspension or transfer of a worker, the practising of discrimination or the taking of reprisals against a worker, Division II of Chapter IV concerning the temporary assignment of work and Chapter VII concerning the right to return to work do not apply to the CALQ.

### **3.4 Information**

At the request of the Commission, the CALQ shall forward a description of the activities being performed by the professional circus artist at the time the event occurred.

### **3.5 First aid**

Although the CALQ itself is not required to give first aid to a professional circus artist who has sustained an employment injury in accordance with sections 190 and 191 of the Act, it must nonetheless ensure that first aid is provided to the artist, where necessary, and assume the costs thereof.

### **3.6 Payment of assessment**

The CALQ agrees to pay the assessment calculated by the Commission in accordance with the Act and its regulations, as well as the administrative costs associated with each insurance file.

For the purposes of the Agreement, the CALQ is also required to make periodic payments, in accordance with section 315.1 of the Act.

### **3.7 Assessment**

Solely for assessment purposes, the CALQ is deemed to pay to each professional circus artist covered by the Agreement, without regard to the number of hours of structured and supervised training actually conducted, gross annual wages, rounded to the next highest multiple of one hundred dollars, established on the basis of a 40-hour week of training at the minimum wage in effect on 31 December of the year in which the training activities are conducted.

### **3.8 Annual statement**

The CALQ shall forward to the Commission, before 15 March of each year, the annual statement indicating in particular the amount of gross wages deemed paid to professional circus artists during the preceding calendar year.

### **3.9 Register**

The CALQ shall keep a detailed register indicating the names and addresses of professional circus artists and shall provide to the Commission, at its request, the information it needs for the purposes of the Agreement.

### **3.10 Authorized premises**

On the coming into force of the Agreement, the CALQ shall provide to the Commission a list of the authorized premises where the training covered by Schedule I is conducted, in accordance with the conditions set forth therein.

Any modification to that list must be forwarded to the Commission at least five working days before it takes effect.

## **4. OBLIGATIONS OF THE COMMISSION**

### **4.1 Worker status**

The Commission considers a professional circus artist covered by the Agreement to be a worker within the meaning of the Act.

## 4.2 Indemnity

A professional circus artist who sustains an employment injury is entitled to an income replacement indemnity from the first day following the beginning of his or her inability to carry on employment due to the injury.

Despite section 60 of the Act, the Commission shall pay the professional circus artist the income replacement indemnity to which he or she is entitled from the first day of inability to carry on employment.

## 4.3 Calculation of indemnity

For the purposes of calculating the income replacement indemnity, the professional circus artist's gross annual employment income is that determined on the basis of the minimum wage prescribed by section 3 of the Regulation respecting labour standards (chapter N-1.1, r. 3) and the regular workweek referred to in section 52 of the Act respecting labour standards (chapter N-1.1), as they read on the date they are to be applied when the injury appears.

## 4.4 Financial record

At the request of the CALQ, the Commission shall open a separate financial envelope for training covered by the Agreement.

Such training is classified in the unit of operation "Television network or station; production of films, publicity films, video clips or television programs; production of music, singing, theatre or dance shows or shows of a similar nature; cinema hall; drive-in; performance hall; organization of periodic events of a cultural, sports or commercial nature; museum; historic site" or, if amendments are made to that unit of operation following the signing of the Agreement, in a unit corresponding to those activities.

## 4.5 Applicable rate

The Commission shall apply, for the training covered by Schedule 1, either the specific assessment rate of the unit in which the training is classified, or a special personalized assessment rate, provided in the latter case that the training satisfies the conditions determined in the Act and its regulations for each assessment year.

For the purposes of determining the conditions for the application of a special personalized assessment rate and fixing that rate, the Commission shall use the experience associated with the financial envelope created further to the coming into force of the Regulation respecting the imple-

mentation of the Agreement on the professional dance training program (chapter S-2.1, r. 30.1), as if there had been a transaction, as defined in section 170 of the Regulation respecting financing (chapter A-3.001, r. 7), on the date of the coming into force of the Agreement.

## 5. MISCELLANEOUS

### 5.1 Monitoring of the Agreement

Within 15 days following the coming into force of the Agreement, the Commission and the CALQ shall each designate a person responsible for monitoring the Agreement.

### 5.2 Addresses for notices

Any notice provided for under the Agreement shall be transmitted to the following addresses:

— Commission des normes, de l'équité, de la santé et de la sécurité du travail  
Secrétariat général  
1199, rue de Bleury, 14<sup>e</sup> étage  
Montréal (Québec) H3B 3J1

— Conseil des arts et des lettres du Québec  
Secrétariat général  
79, boul. René-Lévesque Est, 3<sup>e</sup> étage  
Québec (Québec) G1R 5N5.

## 6. COMING INTO FORCE, TERM AND AMENDMENT OF THE AGREEMENT

### 6.1 Effective date and term of the Agreement

The Agreement shall take effect on the date of the coming into force of the regulation made by the Commission pursuant to sections 170 and 223 of the Act respecting occupational health and safety and shall remain in force until 31 December 2021.

### 6.2 Tacit renewal

It shall subsequently be renewed tacitly from one calendar year to the next, unless one of the parties sends to the other party, by registered or certified mail at least 90 days before the term of the Agreement expires, a notice in writing to the effect that it intends to terminate or amend the Agreement.

In the latter case, the notice must contain the amendments which the party wishes to make.

### 6.3 Renewal

Where a party intends to make amendments to the Agreement, the sending of the notice provided for in section 6.2 does not preclude the tacit renewal of the Agreement for a period of one year. If the parties do not agree on the amendments to be made, the Agreement shall terminate, without further notice, at the expiry of that renewal period.

## 7. TERMINATION OF THE AGREEMENT

### 7.1 Non-compliance

If the CALQ fails to comply with an obligation prescribed by the Agreement, the Commission may request that it correct its non-compliance within a period fixed by the Commission. If non-compliance is not corrected within that period, the Commission may unilaterally terminate the Agreement upon written notice.

The Agreement is then terminated as of the date of that notice.

### 7.2 Mutual agreement

The parties may, by mutual agreement, terminate the Agreement at any time.

### 7.3 Financial adjustments

In the event of termination, the Commission shall make financial adjustments taking into account the amounts payable under the Agreement.

Any sum due following those financial adjustments is payable on the due date appearing on the notice of assessment.

### 7.4 Damages

In the event of termination, neither party may be required to pay damages, interest or any other form of indemnity or charges to the other party.

IN WITNESS WHEREOF, the parties have signed

at \_\_\_\_\_ on this \_\_\_\_\_ at \_\_\_\_\_ on this \_\_\_\_\_

( ) day of \_\_\_\_\_ 2021 ( ) day of \_\_\_\_\_ 2021

ANNE-MARIE JEAN  
Chief Executive Officer  
Conseil des arts et des lettres  
du Québec

MANUELLE OUDAR  
Chair of the Board of  
Directors and Chief  
Executive Officer  
Commission des normes, de  
l'équité, de la santé et de la  
sécurité du travail

## SCHEDULE I

### Professional circus artist covered by the Agreement

For the purposes of the Agreement, the following are considered professional circus artists:

—a member in good standing of En Piste, a national circus arts alliance, and more specifically, an individual member in the artist and creator subcategory, as defined in the En Piste membership policy, or

—a person who meets the definitions and the eligibility requirements to be an individual member of En Piste in the artist and creator subcategory.

### Training activities covered by the Agreement

To be subject to the Agreement, the training offered to professional circus artists must be structured and supervised by a qualified professional in authorized premises. It may take one of the following forms:

—ongoing training sessions, open classes, disciplinary training sessions, individualized training sessions offered by En Piste or by a recognized institution (superior schools, professional associations, national alliances or regional culture councils);

—the Individualized Training Support program offered by En Piste;

—training supervised by a qualified professional recognized by En Piste (such as a trainer, rigger, lunger, instructor or recognized expert in his or her field).

Such training must be conducted in premises that have been authorized by an agreement with En Piste and that are certified in particular as having safe facilities that meet health and safety standards.

Training activities that are provided for under an employment contract or conducted elsewhere than in authorized premises are excluded from the application of the Agreement. A professional circus artist's domicile and fitness centres are examples of premises that are not considered to be authorized premises.

104826



## Draft Regulation

Professional Code  
(chapter C-26)

### Terms and conditions for the sale of medications — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications, made by the Office des professions du Québec, is published as a draft and may be submitted to the Government, which may approve it with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation amends the terms and conditions for the sale of diclofenac diethylamine.

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

Further information on the draft Regulation may be obtained by contacting Charles Gagnon, advisor, physical health, Direction de la veille et des orientations, Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3; telephone: 418 643-6912, extension 345, or 1 800 643-6912, extension 345; email: charles.gagnon@opq.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the acting secretary of the Office des professions du Québec, Roxanne Guévin, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3; email: secretariat@opq.gouv.qc.ca. The comments will be forwarded by the Office to the Minister of Higher Education and may also be sent to interested persons, departments and bodies.

ROXANNE GUÉVIN,  
*Acting Secretary*  
*Office des professions du Québec*

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## Regulation to amend the Regulation respecting the terms and conditions for the sale of medications

Pharmacy Act  
(chapter P-10, s. 37.1)

**1.** The Regulation respecting the terms and conditions for the sale of medications (chapter P-10, r. 12) is amended in Schedule III by adding the following substance and specification after the substance “DEXTROMETHORPHAN AND ITS SALTS”:

“DICLOFENAC DIETHYLAMINE” and “Dosage forms for topical use on the skin in concentrations of 1.16% or less”.

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

104828