

Laws and Regulations

Volume 153

Summary

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- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
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PROVINCE OF QUÉBEC

1ST SESSION

42ND LEGISLATURE

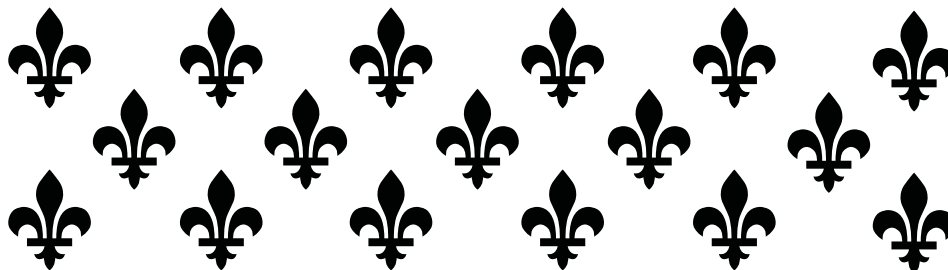
QUÉBEC, 11 DECEMBER 2020

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 11 December 2020*

This day, at five past noon, His Excellency the Lieutenant-Governor was pleased to assent to the following bill:

66 An Act respecting the acceleration of certain
 infrastructure projects

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



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 66
(2020, chapter 27)

**An Act respecting the acceleration of
certain infrastructure projects**

**Introduced 23 September 2020
Passed in principle 3 November 2020
Passed 10 December 2020
Assented to 11 December 2020**

**Québec Official Publisher
2020**

EXPLANATORY NOTES

This Act introduces measures to allow the acceleration of infrastructure projects while conferring on the Autorité des marchés publics (the Authority) a greater role in monitoring the public contracts arising from those projects as well as other infrastructure projects that are necessary to serve them.

To that end, the Act allows the Authority to, in particular, conduct investigations into the tendering or awarding process for or the performance of the public contracts arising from an infrastructure project or any other project concerned. The Authority is granted powers enabling it to do such things as require information, order corrective measures and suspend the performance of or resiliate contracts.

An infrastructure project may benefit from one or more of the following acceleration measures:

- (1) a simplified expropriation procedure;*
- (2) the possibility of undertaking work on part of the domain of the State before the required rights are obtained;*
- (3) the adaptation of certain processes applicable under the Environment Quality Act, in particular those relating to the obligation to obtain a ministerial authorization to carry on activities and those applicable to the environmental impact assessment and review procedure; and*
- (4) an exemption from the application of the Act respecting land use planning and development for government interventions as well as simplifications to the procedure for obtaining a municipal authorization.*

Terms are specified for reporting on such matters as the Authority's oversight activities, the status of the projects' progress and the application of acceleration measures relating to the environment.

Furthermore, the Pilot project to facilitate payment to enterprises that are parties to the public construction work contracts and related public subcontracts is made applicable to the public contracts and public subcontracts arising from the infrastructure projects.

Lastly, the Act contains transitional provisions concerning, among other topics, the expropriation proceedings under way for the purposes of the Montréal metro blue line extension project. In addition to final provisions, it also includes miscellaneous provisions to, in particular, increase the Authority's oversight role over certain public contracts arising from public infrastructure projects and to make the provisions set out in the Act concerning the treatment and reclamation of contaminated soils applicable to their excavation.

Bill 66

AN ACT RESPECTING THE ACCELERATION OF CERTAIN INFRASTRUCTURE PROJECTS

AS it is important for Québec to accelerate certain infrastructure projects in order to allow Quebecers to benefit more quickly from the resulting infrastructures and in order to help compensate for the impacts of the COVID-19 pandemic;

AS it is a priority to ensure the protection of the quality of the environment and avoid adverse effects on the life, health, safety, welfare and comfort of the public and on ecosystems, living species and property during the carrying out of those infrastructure projects;

AS it is necessary to reinforce oversight of the public contracts arising from those infrastructure projects;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

TITLE I

OVERSIGHT OF PUBLIC CONTRACTS AND ACCELERATION MEASURES APPLICABLE TO INFRASTRUCTURE PROJECTS

CHAPTER I

OVERSIGHT OF PUBLIC CONTRACTS

1. The purpose of this chapter is to confer on the Autorité des marchés publics (the Authority) oversight functions and powers in respect of public contracts, whether entered into by a public body or a municipal body, and related public subcontracts, to the extent that those contracts and subcontracts arise from infrastructure projects listed in Schedule I or from other infrastructure projects, such as road, waterworks or sewer infrastructure projects, that are necessary to serve the infrastructure projects listed in that schedule. Those functions and powers are in addition to those conferred on the Authority by the Act respecting the Autorité des marchés publics (chapter A-33.2.1) and the Act respecting contracting by public bodies (chapter C-65.1).

2. The provisions of this chapter apply to public contracts, whether entered into by a public body or a municipal body, and public subcontracts that arise from infrastructure projects listed in Schedule I or from other infrastructure projects, such as road, waterworks or sewer infrastructure projects, that are necessary to serve the infrastructure projects listed in that schedule.

The definitions of “public contract”, “public body” and “municipal body” respectively set out in subparagraphs 1 to 3 of the first paragraph of section 20 of the Act respecting the Autorité des marchés publics apply to this chapter.

For the purposes of this chapter, “public subcontract” means a public subcontract directly or indirectly related to a public contract.

3. The monitoring functions assigned to the Authority in accordance with subparagraph 5 of the first paragraph of section 21 of the Act respecting the Autorité des marchés publics also apply to public subcontracts.

Subparagraph 7 of the first paragraph of section 31 of that Act applies to the monitoring of public subcontracts, with the necessary modifications.

4. A bidder, contractor, subcontractor and any other person or partnership must send or otherwise make available to the Authority, at its request and within the time it specifies, all documents and information concerning a public contract or public subcontract that the Authority considers necessary for the exercise of its functions under the first paragraph of section 3 of this Act or subparagraph 1, 2 or 5 of the first paragraph of section 21 of the Act respecting the Autorité des marchés publics.

In addition, the Authority may require anyone referred to in the first paragraph to confirm, in an affidavit, the authenticity of the documents or the veracity of the information communicated.

The Authority may, in the exercise of its functions under subparagraphs 1 and 2 of the first paragraph of section 21 of the Act respecting the Autorité des marchés publics, delegate the exercise of the powers provided for in this section, with the necessary modifications, to a person referred to in the first paragraph of section 27 of that Act.

5. The Authority may, on its own initiative, conduct an investigation into any matter relating to the application of this chapter, including into the tendering or awarding process for a public contract or the performance of such a contract.

To that end, the Authority is vested with the powers and immunity of commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

When the Authority’s investigation concerns an ongoing tendering or awarding process, sections 48 and 49 of the Act respecting the Autorité des marchés publics and the second paragraph of section 50 of that Act apply, as the case may be, with the necessary modifications.

6. The Authority may, in writing, entrust the mandate of conducting an investigation referred to in section 5 of this Act to a person who is not a member of its staff and who meets the conditions set out in paragraphs 1 and 2 of section 6 of the Act respecting the Autorité des marchés publics. The person is then vested with the powers and immunity provided for in the second paragraph of that section.

7. When an audit or investigation conducted in accordance with this chapter or with the Act respecting the Autorité des marchés publics is concluded, the Authority may

(1) order a public body to take corrective measures, perform appropriate follow-up or implement any other measures, such as oversight and support measures, to ensure that a public contract is performed in compliance with the requirements specified in the tender documents or other contractual documents, and require that it be informed in writing, within the time specified, of the measures taken by the public body to comply with such a decision; and

(2) suspend the performance of any public contract for the time it specifies or resiliate such a contract if it is of the opinion that the seriousness of the breaches observed justifies suspending or resiliating the contract.

The Authority must publish a decision made under the first paragraph on its website.

Section 30 of the Act respecting the Autorité des marchés publics applies to a decision made under subparagraph 2 of the first paragraph, with the necessary modifications.

Despite the first paragraph, if the audit or investigation concerns a municipal body, the Authority's decision takes the form of a recommendation to the body's council or board.

When an investigation conducted in accordance with the first paragraph of section 5 of this Act is concluded, the Authority may, in addition to the powers provided for in the first paragraph, exercise the powers under sections 29 and 31 of the Act respecting the Autorité des marchés publics, on the conditions set out in those sections.

If the Authority issues a recommendation under this section, it may exercise the power provided for in section 35 of the Act respecting the Autorité des marchés publics.

8. The Conseil du trésor may, if there is an emergency that threatens human safety or property, give a public body permission to continue a public call for tenders despite the fact that the call for tenders is covered by an order of the Autorité des marchés publics under subparagraph 1 of the first paragraph of section 29 of the Act respecting the Autorité des marchés publics, on completion of an investigation conducted in accordance with the first paragraph of section 5 of this Act.

The Conseil du trésor may also, in such circumstances, give a public body permission to continue performing a public contract despite the fact that the contract is covered by a decision of the Authority made under subparagraph 2 of the first paragraph of section 7 of this Act.

The Conseil du trésor may subject either of such permissions to conditions.

Within 15 days after a permission is given under the first or second paragraph, the Chair of the Conseil du trésor makes public the name of the public body concerned, a summary description of the circumstances or reasons considered and the name of the enterprise concerned, if any, by posting them on the website of the secretariat of the Conseil du trésor. The Chair also publishes the information in the *Gazette officielle du Québec*.

9. The Authority may enter into an agreement with a public body or any person or partnership with a view to facilitating the application of this chapter.

For the purposes of the first paragraph, such persons and such partnerships as well as their officers, directors, partners and employees who take part in achieving the object of the agreement must meet the conditions set out in paragraphs 1 and 2 of section 6 of the Act respecting the Autorité des marchés publics.

10. Anyone who

- (1) hinders or attempts to hinder a person conducting an audit or investigation,
- (2) communicates any false or misleading document or information, refuses to provide any document or information they must send or make available, or conceals or destroys any document or information relevant to the monitoring of public contracts or public subcontracts, to an audit or to an investigation,
- (3) by an act or omission, helps a person to commit an offence under subparagraph 1 or 2, or
- (4) by encouragement, advice, consent, authorization or command, induces a person to commit an offence under subparagraph 1 or 2,

commits an offence and is liable to a fine of \$4,000 to \$20,000.

The fines are doubled for a subsequent offence.

11. Section 11 and sections 71 to 77 of the Act respecting the Autorité des marchés publics apply to the exercise of the functions and powers provided for in this chapter, with the necessary modifications.

CHAPTER II

ACCELERATION MEASURES APPLICABLE TO INFRASTRUCTURE PROJECTS

DIVISION I

APPLICATION OF ACCELERATION MEASURES

12. The purpose of this division is to determine in what cases an infrastructure project listed in Schedule I benefits from one or more of the following acceleration measures:

(1) the acceleration measures relating to the acquisition of property provided for in Division II;

(2) the acceleration measures relating to occupation of the domain of the State provided for in Division III;

(3) the acceleration measures relating to the environment provided for in Division IV; and

(4) the acceleration measures relating to land use planning and development provided for in Division V.

13. An acceleration measure is applicable to a project until the project ends. However, it must begin to apply not later than 11 December 2025.

An acceleration measure begins to apply,

(1) in the case of acceleration measures relating to the acquisition of property, on the service of a notice of expropriation referred to in subparagraph 2 of the first paragraph of section 18 or of an information notice referred to in the first paragraph of section 74;

(2) in the case of acceleration measures relating to occupation of the domain of the State, on the granting of a temporary permission provided for in section 20 for the carrying out of work;

(3) in the case of acceleration measures relating to the environment, on the sending of one of the following documents:

(a) a project declaration referred to in section 28;

(b) an application for authorization under section 22 or 30 of the Environment Quality Act (chapter Q-2), including for a project referred to in section 57 of this Act;

(c) a rehabilitation plan referred to in subparagraph 1 of the first paragraph of section 39;

(d) a declaration of compliance referred to in subparagraph 2 of the first paragraph of section 39; or

(e) a project notice referred to in section 31.2 of the Environment Quality Act; or

(4) in the case of acceleration measures relating to land use planning and development, on 11 December 2020, for a project that is an intervention within the meaning of section 149 of the Act respecting land use planning and development (chapter A-19.1), or on the sending of a project notice referred to in section 59 of this Act, for a project that is not such an intervention.

14. For the purposes of this chapter, “public body” means a body listed in Schedule I. Anyone who must, under another Act, obtain an authorization, a decision or an approval for the purpose of carrying out an infrastructure project listed in Schedule I or carrying on any activity arising from such a project is considered a public body. Any person who or body which, but for the provisions of this Act, would have been required to obtain such an authorization is also considered a public body.

DIVISION II

ACCELERATION MEASURES RELATING TO THE ACQUISITION OF PROPERTY

15. The purpose of this division is to accelerate the acquisition of property necessary to carry out an infrastructure project listed in Schedule I by providing for modifications to the expropriation procedure prescribed by the Expropriation Act (chapter E-24).

16. The following are empowered to acquire, by mutual agreement or by expropriation, property necessary to carry out an infrastructure project:

(1) the minister responsible for transport, whether on the minister’s own behalf or on another’s behalf; and

(2) whoever is empowered, under another Act, to so acquire such property; in such a case, they have the same rights, powers and obligations as those assigned by this division to the minister responsible for transport, with the necessary modifications.

For the purposes of subparagraph 2 of the first paragraph, whoever intends to acquire such property for the purpose of carrying out a project that must be the subject of a report by the minister under section 68 must notify the minister of their intention.

If applicable, the minister must, within 30 days of receiving the notice provided for in the second paragraph, inform whoever intends to acquire the property of the minister's intention to acquire that property himself or herself, in which case only the minister may acquire the property.

Despite section 11.1 of the Act respecting the Ministère des Transports (chapter M-28), an acquisition provided for in the first paragraph does not require government authorization.

17. Despite the second paragraph of section 16, the Société de transport de Montréal may, without notifying the minister of its intention, acquire the property covered by Order in Council 1302-2019 (2020, G.O. 2, 167, French only) that is necessary to carry out the project to extend the Montréal metro's blue line from the Saint-Michel station to Anjou.

18. The Expropriation Act applies to every expropriation allowed by section 16, subject to the following modifications:

(1) the expropriation need not be decided or, as applicable, authorized by the Government under the first paragraph of section 36 of that Act;

(2) the notice of expropriation

(a) must specify the date before which the expropriated party, lessee or occupant in good faith must vacate the premises; and

(b) must contain a notification specifying that the expropriated party must send the expropriating party, within 60 days after service of the notice of expropriation, documents justifying the indemnity for the injury directly caused by the expropriation;

(c) must notify the expropriated party that the Administrative Tribunal of Québec will set the amount of the final indemnity; but

(d) must not include the notification required under subparagraph 3 of the first paragraph of section 40 of that Act specifying that the expropriated party has 30 days to contest the right to expropriate before the Superior Court;

(3) the expropriating party's right to expropriate may not be contested and, as a result, sections 44 to 44.3 of that Act do not apply;

(4) the notification required under section 45 of that Act must indicate to the lessee or occupant in good faith

(a) the date before which they must vacate the premises;

(b) that they must send the expropriating party, within 60 days after service of the notice of expropriation, documents justifying the indemnity for the injury caused by the expropriation; and

(c) that the Administrative Tribunal of Québec will set the amount of the final indemnity;

(5) the 30-day period provided for in section 46 of that Act is replaced by a 60-day period and begins on the date of service of the notice of expropriation;

(6) the notice of transfer of title referred to in section 53.3 of that Act need not reproduce the text set out in paragraphs 3 to 5 of Schedule II to that Act, and the date referred to in that section, before which the expropriated party, lessee or occupant in good faith must vacate the premises, need not be at least 15 days after the date of registration of the notice;

(7) the provisional indemnity, in the cases referred to in section 53.13 of that Act, is set by the minister and includes the indemnity the minister considers reasonable for the injury directly caused by the expropriation, to the extent that the documents justifying the indemnity were provided within 60 days after service of that notice;

(8) despite section 53.14 of that Act, the expropriated party, lessee and occupant in good faith may not request to retain possession of the expropriated property; and

(9) the expropriation indemnity for property is set on the basis of the value of the property and of the injury directly caused by the expropriation on the date of the expropriation, but without taking into account the increased value attributable to the public announcement of the infrastructure project.

For the purposes of subparagraph 6 of the first paragraph, the minister responsible for transport may designate any staff member of the minister's department to sign the notice.

19. Sections 9 and 11.1.2 of the Act respecting the Ministère des Transports apply to any infrastructure project to which this division applies, with the necessary modifications.

DIVISION III

ACCELERATION MEASURES RELATING TO OCCUPATION OF THE DOMAIN OF THE STATE

20. If the minister having authority over a part of the lands in the domain of the State is unable, within 30 days before the beginning of work that must be undertaken in that part of those lands to carry out an infrastructure project listed in Schedule I, to grant the rights necessary to carry out that work, the minister may temporarily allow the work to be carried out, on the conditions the minister determines, until the minister grants the necessary rights, provided the work is not incompatible with a right previously granted on that part of those lands or with any other related constraint.

This section does not have the effect of relieving anyone from the obligation to obtain the rights necessary to carry out a project.

DIVISION IV

ACCELERATION MEASURES RELATING TO THE ENVIRONMENT

§1. — General provisions

21. The purpose of this division is to accelerate the carrying out of infrastructure projects listed in Schedule I that require an authorization or approval from the minister responsible for the environment or that require an environmental impact assessment and review under the Environment Quality Act, while respecting the objective of no net loss of wetlands and bodies of water in order for them to continue to fulfill their ecological functions. To that end, this division provides for adaptations to that Act and to the Regulation respecting the environmental impact assessment and review of certain projects (chapter Q-2, r. 23.1).

22. The provisions of this division do not have the effect of restricting any power the minister responsible for the environment may exercise under the Environment Quality Act in the case where an activity referred to in that Act is carried on in contravention of this division, that Act or the regulations.

In addition, the powers provided for by the Environment Quality Act for the purposes of its application apply to this division.

23. The definitions set out in sections 3 and 4 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, enacted by Order in Council 871-2020 (2020, G.O. 2, 2349A), and in section 4 of the Regulation respecting activities in wetlands, bodies of water and sensitive areas, enacted by Order in Council 871-2020 (2020, G.O. 2, 2493A), apply to this division.

§2. — Acceleration measures applicable to certain activities for which an application for authorization under section 22 or 30 of the Environment Quality Act need not be submitted

I. — Exemption from the obligation to obtain an authorization

24. A public body that carries on an activity referred to in section 22 or 30 of the Environment Quality Act need not obtain the authorization required under those sections if the obligations set out in sections 27 to 34 of this Act are met.

However, such an authorization continues to be required for the following activities:

(1) work done, structures erected and any other intervention carried out in wetlands and bodies of water, if the project does not provide for the environments affected to be restored, within the year following the end of the work, so as to recover their original characteristics or present characteristics approaching their original characteristics;

(2) work done, structures erected and any other intervention carried out in the presence of a threatened or vulnerable species within the meaning of the Act respecting threatened or vulnerable species (chapter E-12.01), when such an authorization is required;

(3) construction on a former residual materials elimination site; and

(4) a water withdrawal, within the meaning of sections 31.74 and 31.75 of the Environment Quality Act, including related work and works.

In the case of an activity arising from a project to which the environmental impact assessment and review procedure as adapted by subdivision 5 applies, the acceleration measure provided for in the first paragraph applies only if the Government so provides in accordance with section 46.

25. In order to benefit from the acceleration measure referred to in the first paragraph of section 24, the public body must first consult the minister responsible for the environment, who will provide it with support to identify, within the framework of its project, the activities listed in the second paragraph of section 24, including those that are to be carried on in wetlands and bodies of water and for which restoration at the end of the work may be possible.

26. If a public body fails to meet the obligations set out in sections 27 to 34, it is deemed to carry on its activity without authorization. The administrative penalties and penal sanctions prescribed in sections 115.25 and 115.31 of the Environment Quality Act apply in such a case.

II. — Obligations under the exemption from the obligation to obtain an authorization

27. A public body referred to in the first paragraph of section 24 must comply with the conditions prescribed by the Regulation respecting activities in wetlands, bodies of water and sensitive areas and by the Regulation respecting the reclamation of residual materials, enacted by Order in Council 871-2020 (2020, G.O. 2, 2478A), for carrying on an activity covered by those regulations.

It must also comply with the standards set out in Schedule II.

28. A public body referred to in the first paragraph of section 24 of this Act must send the minister responsible for the environment, at least 10 days before the activities are to begin and using the form provided for that purpose, a project declaration containing the information and documents required under the first paragraph of section 23 of the Environment Quality Act and under section 41 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact. However, the declaration referred to in subparagraph 7 of the first paragraph of that section 41 must attest the following additional information:

(1) that the activity will be carried on in accordance with any condition set out in this subdivision;

(2) that the wetlands and bodies of water in which the activities will be carried on will be restored, within the year following the end of those activities, so as to recover their original characteristics or present characteristics approaching their original characteristics;

(3) that the assessment of the presence or potential presence of a threatened or vulnerable species has been conducted;

(4) that no activity will be carried on on a former residual materials elimination site;

(5) that avoidance or minimization measures, in particular those prescribed by Schedule II, will be implemented to avoid or limit environmental disturbances and contaminant releases into the environment; and

(6) that restoration measures, in particular those prescribed in sections 15 to 17 of the Regulation respecting activities in wetlands, bodies of water and sensitive areas that are applicable to the infrastructure project, will be implemented during the year following the end of the activities.

The public body must send its project declaration together with the fees payable under section 14.1 of the Ministerial Order concerning the fees payable under the Environment Quality Act (chapter Q-2, r. 28).

29. When sending a project declaration under section 28, the public body must also send a copy of it to the municipality in whose territory the activities arising from the infrastructure project are to be carried on.

30. Sections 14 and 42 to 44 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact apply to a project declaration, with the necessary modifications.

However, for the purposes of section 44 of that Regulation, a new project declaration must be sent not later than 11 December 2025. After that date, an application for authorization under section 22 or 30 of the Environment Quality Act must be sent.

31. The public body concerned by the project declaration must send the minister responsible for the environment, not later than 60 days after the end of the activities and using the form provided for that purpose, a certificate of compliance signed by a professional.

Such a certificate must confirm that the activities arising from the infrastructure project were carried on in accordance with the requirements prescribed in this division and with any standards, conditions, restrictions and prohibitions applicable under the Environment Quality Act or the regulations or set out in an authorization issued after completion of an impact assessment and review procedure.

32. When work to restore wetlands and bodies of water is carried out, the public body concerned by the project declaration must send the minister responsible for the environment,

(1) on the completion of the restoration work, a notice to that effect including a brief description of the work carried out; and

(2) one year after the end of the restoration work, a monitoring report containing, among other things, a status report on the effectiveness of the measures implemented and, if applicable, a description of the corrective measures taken to improve the situation.

Documents sent to the minister under the first paragraph must be signed by a professional or any other person mentioned in paragraph 1 of section 46.0.3 of the Environment Quality Act.

33. Anyone who, under this subdivision, sends information or a document to the minister responsible for the environment must also send it to the minister responsible for wildlife.

34. The public body concerned by the project declaration must keep the following information for the duration of the infrastructure project and for a minimum of five years after its end:

(1) the nature, quantity, concentration and location of any and all contaminants released into the environment;

(2) the measures taken to avoid or limit contaminant releases or to mitigate their effects;

(3) the quantity of residual materials produced, including hazardous residual materials, and information on their management;

(4) the measures taken to minimize the impacts on wetlands and bodies of water, including the restoration measures taken; and

(5) the characterization of the contaminated soils that have been excavated and information on their management.

That information must be provided to the minister responsible for the environment or the minister responsible for wildlife within 20 days following his or her request.

35. The information and documents referred to in sections 28, 31, 32 and 34 must be published on the website of the department that is under the direction of the minister responsible for the project who must report on the project in accordance with section 68.

The body concerned by the project declaration must submit the information and documents referred to in the first paragraph to the minister as soon as possible for the purpose of their being so published.

§3.—*Acceleration measures applicable to certain activities for which an application for authorization under section 22 or 30 of the Environment Quality Act must be submitted*

I.—*Exemption from the obligation to submit certain documents*

36. A public body that carries on an activity referred to in subparagraph 1 of the second paragraph of section 24 of this Act must prepare the characterization study required under paragraph 1 of section 46.0.3 of the Environment Quality Act in the manner provided for in section 37 of this Act. In addition, the demonstration required under paragraph 2 of section 46.0.3 of the Environment Quality Act must contain the information required under section 38 of this Act.

If, after analysis of the characterization study, supplemental characterization of the wetlands and bodies of water is necessary to ensure adequate protection of the environment, the minister responsible for the environment may require such characterization, in accordance with the third paragraph of section 24 of the Environment Quality Act, before issuing the authorization.

In the case of an activity that arises from a project to which the environmental impact assessment and review procedure provided for in subdivision 5 applies, the acceleration measure provided for in the first paragraph applies only if the Government so provides in accordance with section 46.

II.—*Obligations under the exemption from the obligation to submit certain documents*

37. For the purposes of section 36 of this Act, the characterization study required under paragraph 1 of section 46.0.3 of the Environment Quality Act must be prepared on the basis of

(1) a photointerpretation analysis of the wetlands and bodies of water in which the work is to be carried out, which must be supported by any or a combination of the most recent following data:

(a) existing maps of the environments concerned;

- (b) satellite images of the environments concerned;
 - (c) aerial photography or videography of the environments concerned;
 - (d) a digital elevation model of the environments concerned; and
 - (e) climate, physico-chemical and hydrometric data if the environments concerned specifically relate to a body of water; and
- (2) a field visit conducted to establish a description of the characteristics of the environments concerned, in particular of the soil, vegetation and wildlife. The visit may be conducted with a light snow cover that does not completely hide the vegetation and on ground that is not deeply frozen.

The characterization study must also make it possible to establish the boundaries and area of the environments concerned and to assess the presence or potential presence of threatened or vulnerable species and their habitats.

38. For the purposes of section 36 of this Act, the demonstration required under paragraph 2 of section 46.0.3 of the Environment Quality Act must contain

- (1) the reasons for which work is necessary in the environments concerned, based in particular on
- (a) a description of the constraints related to the project's development;
 - (b) if applicable, a description of the zoning and land-use constraints associated with potential alternative sites at the municipal level;
 - (c) in the case of the expansion of an existing facility, a description of the activities related to the project justifying the need for proximity to that facility; and
 - (d) a description of the nature of the project showing that it cannot be carried out elsewhere than in wetlands and bodies of water; and
- (2) a description of the alternative scenarios examined.

Failure to send the information required under the first paragraph renders the application for authorization inadmissible for consideration by the minister responsible for the environment.

§4.—*Acceleration measures relating to land rehabilitation*

39. If an infrastructure project is carried out on land on which an industrial or commercial activity referred to in the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37) has been carried on and for which the characterization study required under section 31.51 or 31.53 of the Environment Quality Act reveals the presence of contaminants in a concentration exceeding the limit values prescribed by that Regulation, the following acceleration measures apply:

(1) the rehabilitation plan required under section 31.54 of that Act may be sent to the minister responsible for the environment gradually, based on the planned rehabilitation phases; and

(2) the contaminated land rehabilitation measures referred to in subparagraph 1 of the second paragraph of section 2.4 of the Land Protection and Rehabilitation Regulation are eligible for the declaration of compliance provided for in that section, regardless of the quantity of contaminated soils to be excavated.

For the purposes of subparagraph 1 of the first paragraph, the following information and documents must be sent to the minister for the first rehabilitation phase in order to be admissible for consideration by the minister:

(1) a detailed rehabilitation plan for that first phase and the implementation schedule;

(2) an implementation schedule for the subsequent phases; and

(3) an undertaking to send a detailed rehabilitation plan for the subsequent phases and to comply with the submitted schedule.

For the purposes of subparagraph 2 of the first paragraph, failure to send a complete declaration of compliance results in the public body being deemed to carry on its activity without its rehabilitation plan being approved. The administrative penalties and penal sanctions prescribed in sections 115.25 and 115.31 of the Environment Quality Act apply in such a case.

40. During the work involved in a project referred to in section 39, the treatment and reclamation of contaminated soils must be promoted with a view to their rehabilitation.

In particular, measures capable of ensuring the traceability of contaminated soils must be put in place when a system intended for that purpose is operational.

§5.—*Acceleration measures relating to the environmental impact assessment and review procedure*

I.—*General provisions*

41. Subject to section 57, this subdivision applies to any infrastructure project listed in Schedule I that is referred to in section 31.1 of the Environment Quality Act and section 2 of the Regulation respecting the environmental impact assessment and review of certain projects.

42. For the purposes of this subdivision,

(1) the rules of procedure adopted by the Bureau d’audiences publiques sur l’environnement under section 6.6 of the Environment Quality Act apply when the Bureau performs a mandate entrusted to it according to the provisions of this subdivision;

(2) “issue” means any major concern for the Government, the scientific community or the public, including the Aboriginal communities concerned, the analysis of which could influence the Government’s decision as to the authorization of a project; and

(3) a complete impact assessment statement is an impact assessment statement that contains all the information identified for that purpose in the directive of the minister responsible for the environment sent in accordance with section 31.3 of the Environment Quality Act and the information mentioned in section 52 of this Act.

Unless otherwise provided by this subdivision, the provisions of the Environment Quality Act concerning the environmental impact assessment and review procedure and those of the Regulation respecting the environmental impact assessment and review of certain projects apply to an infrastructure project, with the following modifications:

(1) the project proponent is the public body that has developed the project;

(2) the definition of “issue” set out in subparagraph 2 of the first paragraph of this section applies;

(3) mandates entrusted to the Bureau d’audiences publiques sur l’environnement under the fifth paragraph of section 31.3.5 of the Environment Quality Act and referred to in sections 31.3.6 and 31.3.7 of that Act and in section 16 and subparagraphs 3 and 7 of the first paragraph of section 18 of the Regulation respecting the environmental impact assessment and review of certain projects are mandates entrusted to the Bureau under the second paragraph of section 45 of this Act;

(4) a reference to the sixth paragraph of section 31.3.5 of the Environment Quality Act is a reference to the third paragraph of section 45 of this Act;

(5) an admissible impact assessment statement is an impact assessment statement that contains all the information identified for that purpose in the minister's directive sent in accordance with section 31.3 of the Environment Quality Act and the information mentioned in section 52 of this Act;

(6) an application record is complete when the minister has completed his or her consideration of the application; and

(7) the model notice set out in Schedule 3 to the Regulation respecting the environmental impact assessment and review of certain projects is to be read without reference to "that the project's environmental impact assessment statement has been deemed to be admissible by the Minister of Sustainable Development, the Environment and the Fight Against Climate Change and" and by replacing "public consultation" by "targeted consultation".

For the purposes of subparagraph 2 of the first paragraph, an issue must be determined on the basis of the following criteria in particular:

(1) the project's level of social acceptability;

(2) the extent, frequency, duration or intensity of the project's impacts;

(3) the impact on current and future use of the land concerned by the project by the various users;

(4) the importance given by the public to a component affected by the project;

(5) the impact on a component of a setting that is recognized under a conservation measure;

(6) the effects on sensitive areas of interest; and

(7) the project's impact on greenhouse gas emissions.

II. — *Adaptations to the Environment Quality Act*

43. For the purposes of section 31.3.1 of the Environment Quality Act, the minister responsible for the environment also sends the issues that the minister has identified to the public body.

44. Within the framework of the environmental impact assessment and review procedure provided for in this subdivision, the complete impact assessment statement must be filed not later than 11 December 2025.

The minister need not analyze whether the statement is admissible before directing the public body to hold the public information period and to begin the environmental analysis of the project.

The minister responsible for the environment may, at any time, request the public body to provide any information, to study certain matters more thoroughly or to undertake certain research the minister considers necessary, in accordance with section 31.4 of the Environment Quality Act.

If such a statement is not filed on or before that date, the public body concerned must file a new project notice with the minister responsible for the environment in accordance with the Environment Quality Act.

45. A person, group or municipality may, during the public information period prescribed by the Regulation respecting the environmental impact assessment and review of certain projects, apply in writing to the minister responsible for the environment for a targeted consultation or for mediation, informing the minister of the reasons for the application and of their interest as regards the environments affected by the project. The minister may, at any time, ask the person, group or municipality to provide additional explanations in support of the application.

Unless the minister considers the application to be frivolous, in particular if the minister considers that the reasons given in support of it are not serious or that a targeted consultation or mediation on the concerns raised would not be useful for analyzing the project, the minister mandates the Bureau d'audiences publiques sur l'environnement

(1) to hold a targeted consultation on the issues identified by the minister with, among others, the persons, groups or municipalities required to be consulted; or

(2) to conduct mediation if the minister considers that the nature of the concerns raised warrants it and that there is a possibility of compromise between the interested parties.

If the impact assessment statement is complete, and if, because of the nature of the issues raised by the project, holding a public hearing appears to be advisable, in particular if public concerns warrant it, the minister may, in relation to the issues that the minister has identified, mandate the Bureau to hold such a hearing without the public body having to hold the public information period prescribed in subdivision 2 of Division V of the Regulation respecting the environmental impact assessment and review of certain projects.

46. In addition to the powers provided for by section 31.6 of the Environment Quality Act, the Government may, in the authorization it issues under section 31.5 of that Act, allow an infrastructure project to be the subject of one or more of the acceleration measures provided for in sections 24, 36 and 39 of this Act. Otherwise, such a project may in no case benefit from those acceleration measures.

47. Any activity arising from an infrastructure project for which the government authorization includes a condition, restriction or prohibition is subject to the authorization of the minister responsible for the environment under section 22 or 30 of the Environment Quality Act.

Such an activity may nonetheless be the subject of an acceleration measure in accordance with section 46.

48. Despite section 31.7.3 of the Environment Quality Act, a decision made by the Government under section 31.5 of the Environment Quality Act is binding on the minister responsible for the environment only with respect to the conditions, restrictions or prohibitions prescribed in the decision.

49. Despite the second paragraph of section 46.0.11 of the Environment Quality Act, whether the payment of a financial contribution is required under the first paragraph of section 46.0.5 of that Act or whether the payment may be replaced, in whole or in part, by work referred to in the second paragraph of that section is determined by the minister responsible for the environment following the government authorization issued under section 31.5 of that Act.

50. The register provided for in section 118.5.0.1 of the Environment Quality Act need not contain the findings and questions of the minister responsible for the environment referred to in subparagraph 3 of the first paragraph of that section or the recommendations of the Bureau d'audiences publiques sur l'environnement referred to in subparagraph 4 of that paragraph. It must, however, include the issues sent by the minister to the public body in accordance with section 43 of this Act.

51. Sections 31.3.3 and 31.3.4 as well as the second, third, fourth, fifth and sixth paragraphs of section 31.3.5 of the Environment Quality Act do not apply to an infrastructure project to which this subdivision applies.

III.—Adaptations to the Regulation respecting the environmental impact assessment and review of certain projects

52. Despite section 5 of the Regulation respecting the environmental impact assessment and review of certain projects, an impact assessment statement must contain, in addition to the information required by the directive of the minister responsible for the environment sent in accordance with section 31.3 of the Environment Quality Act, the following information:

(1) the information required under subparagraphs 1, 3, 5, 8, 9, 10 and 11 of the first paragraph and the second sentence of the second paragraph of section 5 of that Regulation;

(2) a description of the infrastructure project that takes into consideration all the phases of the project and includes the information required under subparagraphs *a* to *e*, *i* and *j* of subparagraph 2 of the first paragraph of that section, a description of the related activities that the public body must carry on as well as an indication of any related activities that must be carried on by a third person and that third person's contact information;

(3) an outline of the process having led to the selection of valued environmental components linked to the project issues and, for each of those components, its description, its links with the project issues and an assessment of the project's impacts on it;

(4) a demonstration that climate change was taken into account in the project's development and the description of any projected adaptation measures;

(5) a description of the measures contemplated to limit the project's impacts on the valued environmental components; and

(6) an outline of the manner in which the results of the consultations referred to in subparagraph 9 of the first paragraph of section 5 of that Regulation were taken into consideration in the analysis of the project issues.

For the purposes of subparagraphs 3 and 5 of the first paragraph, a valued environmental component is an element considered as having scientific, social, cultural, economic, historical, archaeological or aesthetic importance.

53. Despite section 9 of the Regulation respecting the environmental impact assessment and review of certain projects, the minister responsible for the environment has 30 days to send to the public body the information referred to in that section as well as the issues that the minister has identified under section 43 of this Act.

54. The register mentioned in section 18 of the Regulation respecting the environmental impact assessment and review of certain projects need not contain the information and documents required under subparagraphs 2 and 8 of the first paragraph of that section. However, it must contain the targeted consultation applications or mediation applications made under section 45 of this Act, except those considered frivolous by the minister responsible for the environment.

55. Despite the first and second paragraphs of section 19 of the Regulation respecting the environmental impact assessment and review of certain projects, as of the date on which the impact assessment statement is filed in the environmental assessment register and the fees payable under the Environment Quality Act are paid, the minister responsible for the environment must, within a time limit of seven months, send the minister's recommendation regarding the infrastructure project to the Government for its decision.

The fourth paragraph of section 31.9 of that Act applies to that time limit.

56. Sections 14 and 15 of the Regulation respecting the environmental impact assessment and review of certain projects do not apply to an infrastructure project to which this subdivision applies.

§6.—Exemption of the Route 117 securing project and the Autoroute 30 improvement project from the environmental impact evaluation and review procedure

57. Despite section 31.1 of the Environment Quality Act and section 2 of the Regulation respecting the environmental impact assessment and review of certain projects, the project for securing Route 117 between Labelle and Rivière-Rouge and the project for improving Autoroute 30 between Brossard and Boucherville are not subject to the environmental impact assessment and review procedure or an authorization from the Government under section 31.5 of that Act.

Obtaining the authorization from the minister responsible for the environment under section 22 or 30 of the Environment Quality Act remains required for an activity arising from those projects. Subdivisions 1 to 4 of this division do not apply to such an activity.

DIVISION V

ACCELERATION MEASURES RELATING TO LAND USE PLANNING AND DEVELOPMENT

§1.—Exemption of an infrastructure project that is an intervention referred to in section 149 of the Act respecting land use planning and development from the application of that Act

58. The Act respecting land use planning and development does not apply when an infrastructure project listed in Schedule I is an intervention referred to in section 149 of that Act.

§2.—Simplifications applicable to an infrastructure project that requires a municipal authorization

59. A public body whose infrastructure project that is listed in Schedule I requires the authorization of a local municipality must notify to the local municipality a project notice containing a detailed description of the projected interventions in its territory.

It must also send a copy of that notice to the regional county municipality and, if applicable, to the metropolitan community in which the local municipality is located.

60. Within 15 days after receiving the project notice, the local municipality issues to the public body the authorizations necessary to carry out the project or sends the public body a notice indicating that the project is not in conformity with the planning by-laws applicable in the territory. The notice must specify which by-laws impede the issuance of those authorizations.

61. Division V of Chapter IV of Title I of the Act respecting land use planning and development does not apply to the adoption and coming into force of a by-law aimed exclusively at allowing the issuance of any authorization that is necessary to carry out an infrastructure project.

62. A by-law referred to in section 61 need not be preceded by a notice of motion and a draft by-law. It comes into force on the day it is adopted.

The local municipality must publish a public notice of the by-law's adoption as soon as possible.

63. A certified true copy of the by-law and of the council resolution adopting it must be sent to the regional county municipality whose territory includes the territory of the local municipality.

64. If a local municipality has not, within 35 days after a project notice was sent to it, issued an authorization that is necessary to carry out a project or if it has informed the public body that the by-laws impeding the issuance of that authorization do not fall under its jurisdiction, the public body may notify a public project declaration to the local municipality.

The declaration must include a brief description of the project and specify its location, the date contemplated for the work to begin and, if the public body has received a notice under section 60, the reasons for which the project is not in conformity with the planning by-laws.

65. The local municipality must publish the public project declaration without delay by any means it considers appropriate.

66. As of the 10th day after notification of the public project declaration, the infrastructure project is deemed to have obtained all the required municipal authorizations and to be in conformity with the planning by-laws in force in the territory.

CHAPTER III REPORTING

67. The report required under section 79 of the Act respecting the Autorité des marchés publics must also contain information on the oversight activities conducted by the Authority under Chapter I.

68. The minister responsible for an infrastructure project listed in Schedule I must, on a semi-annual basis and according to the terms determined by the Conseil du trésor, prepare a report describing the acceleration measures from which the project has benefitted and the status of the project's progress.

A minister who is responsible for more than one project may produce a single report for all the projects under the minister's responsibility.

The semi-annual reports must be published by the Chair of the Conseil du trésor on the website of the secretariat of the Conseil du trésor. The minister responsible for a project, other than the Chair of the Conseil du trésor, must submit each report to the Chair for the purpose of its being so published.

69. The minister responsible for the environment must, on a semi-annual basis, prepare a report on the infrastructure projects listed in Schedule I that includes the following information and documents:

(1) the list of projects carried out in wetlands and bodies of water that have benefitted from an acceleration measure;

(2) an estimate of the surface area of the wetlands and bodies of water in which those projects are carried out; and

(3) the list of the projects that have benefitted from acceleration measures relating to the environmental impact assessment and review procedure and that have been the subject of a subsequent decision.

The minister publishes each semi-annual report on the minister's department's website.

70. The semi-annual reports referred to in sections 68 and 69 must be published not later than 31 May and 30 November of each year, until the infrastructure projects are completed.

TITLE II

MEASURES TO FACILITATE PAYMENT OF CERTAIN PUBLIC CONTRACTS

71. The Pilot project to facilitate payment to enterprises that are parties to public construction work contracts and related public subcontracts (chapter C-65.1, r. 8.01) applies to all public construction contracts and related public subcontracts, to the extent that such contracts or subcontracts arise from an infrastructure project listed in Schedule I, unless the manner in which the contract or subcontract is to be carried out does not allow for the application of a monthly payment schedule.

Despite the sixth paragraph of section 24.3 of the Act respecting contracting by public bodies, the terms and conditions prescribed in the pilot project are applicable to a contract or subcontract referred to in the first paragraph until the infrastructure project from which it arises ends, provided the contract was entered into not later than 11 December 2025.

The public contracts referred to in the first paragraph are those granted by a public body referred to in section 4 of the Act respecting contracting by public bodies.

TITLE III

TRANSITIONAL PROVISIONS

CHAPTER I

TRANSITIONAL PROVISIONS APPLICABLE TO AN INFRASTRUCTURE PROJECT FOR WHOSE ACTIVITIES AN APPLICATION FOR AUTHORIZATION UNDER SECTION 22 OR 30 OF THE ENVIRONMENT QUALITY ACT WAS SUBMITTED OR FOR WHICH THE ENVIRONMENTAL IMPACT ASSESSMENT AND REVIEW PROCEDURE IS UNDER WAY

72. Any infrastructure project listed in Schedule I for which the environmental impact assessment and review procedure is under way on 11 December 2020 is continued as follows:

(1) if, on 11 December 2020, no impact assessment statement has been considered admissible by the minister responsible for the environment, sections 41 to 56 apply;

(2) if the public body has begun the public information period, but no mandate has been entrusted to the Bureau d'audiences publiques sur l'environnement by the minister, the seven-month time limit prescribed by section 55 runs from the beginning of the public information period and sections 42, 45 to 51 and 54 to 56 apply to the project; or

(3) if the minister has entrusted a mandate to the Bureau under section 31.3.5 of the Environment Quality Act (chapter Q-2), only sections 46 to 49 of this Act apply to the project.

CHAPTER II

TRANSITIONAL PROVISIONS APPLICABLE TO THE EXTENSION OF THE MONTRÉAL METRO'S BLUE LINE

73. Sections 74 to 77 apply to the expropriation proceedings that were commenced before 11 December 2020 to carry out the project for the extension of the Montréal metro's blue line from the Saint-Michel station to Anjou.

Subparagraph 3 or subparagraph 7 of the first paragraph of section 18 applies to such expropriation proceedings, to the extent that no final decision has been rendered before that date on the expropriating party's right to expropriate or, as the case may be, on the application to have the provisional indemnity set.

74. The expropriating party must serve an information notice on the expropriated party informing them that the modifications to the expropriation procedure provided for in this Act are applicable to them from then on.

Such a notice must also be notified to the lessee or occupant in good faith who was notified as required under section 45 of the Expropriation Act (chapter E-24) before 11 December 2020.

In addition, the notice must specify, as the case may be,

(1) the date before which the expropriated party, lessee or occupant in good faith must vacate the premises;

(2) that the expropriated party may, if applicable, apply to the Superior Court, within 90 days of receiving the notice, for the reimbursement of the legal costs related to their contestation of the expropriating party's right to expropriate, regarding which no final decision was rendered before 11 December 2020; or

(3) that the expropriated party, lessee or occupant in good faith may, if applicable, apply to the Administrative Tribunal of Québec, within 90 days of receiving the notice, for the reimbursement

(a) of the expenses that were incurred, between the date of the application to set the provisional indemnity and 11 December 2020, to obtain property or services related to the hearing to set the provisional indemnity regarding which no final decision was rendered before that date and to obtain property or services related to the preparation of that hearing, and that have become unnecessary because the provisional indemnity was set by the minister responsible for transport; and

(b) of the costs and fees in connection with that application which were unnecessarily paid during that period.

75. On an application by the expropriated party, served within 90 days of their receiving the information notice provided for in section 74, the Superior Court grants the reimbursement of the legal costs related to the contestation regarding which no final decision was rendered before 11 December 2020.

The legal costs include, in addition to the expenses provided for in the first and second paragraphs of article 339 of the Code of Civil Procedure (chapter C-25.01), any other expenses related to expert fees, an amount to compensate for the payment of the professional fees of the expropriated party's lawyer and an amount to compensate for the time the expropriated party spent on the case and the work involved.

Despite the second paragraph, the legal costs exclude all expenses for which the expropriated party is otherwise reimbursed or indemnified. However, if the amount of the reimbursement or indemnity the expropriated party has obtained is less than the amount they would have obtained under this section, they may claim the difference. If, after the expropriating party has paid the legal costs, the expropriated party obtains a reimbursement or an indemnity for any of their expenses, they are bound to refund the overpayment to the expropriating party.

Articles 343 and 344 of the Code of Civil Procedure apply to that application.

76. In the case of a contestation of the expropriating party's right to expropriate regarding which no final decision was rendered before 11 December 2020, the 30-day period provided for in section 46 of the Expropriation Act begins on the date of service or notification of the information notice provided for in section 74 of this Act.

77. On an application by the expropriated party, lessee or occupant in good faith, served within 90 days of their receiving the information notice provided for in section 74, the Administrative Tribunal of Québec grants the reimbursement

(1) of the expenses that were incurred, between the date of service of the application to set the provisional indemnity and 11 December 2020, to obtain property or services related to the hearing regarding which no final decision was rendered before that date and to obtain property or services related to the preparation of that hearing, and that have become unnecessary because the provisional indemnity was set by the minister responsible for transport; and

(2) of the costs and fees in connection with that application which were unnecessarily paid during that period.

The inclusions and exclusions provided for in the second and third paragraphs of section 75 apply to the reimbursement provided for in the first paragraph.

TITLE IV

MISCELLANEOUS AND FINAL PROVISIONS

78. The provisions of Chapter I of Title I apply, with the necessary modifications, to public contracts and related public subcontracts, to the extent that those contracts and subcontracts are not otherwise covered by that chapter and that they arise from a public infrastructure project referred to in the second paragraph of section 9 of the Public Infrastructure Act (chapter I-8.3) whose purpose is to maintain, improve, replace, add or demolish an immovable or civil engineering structure. Those provisions apply from 1 April 2021 until the date of coming into force of provisions of an Act to modify the Authority's mission, functions and powers.

The public contracts referred to in the first paragraph are those granted by a public body referred to in section 4 of the Act respecting contracting by public bodies (chapter C-65.1).

79. Despite section 370 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, enacted by Order in Council 871-2020 (2020, G.O. 2, 2349A), section 2 of that Regulation comes into force on 11 December 2020.

However, before 31 December 2020, section 2 of that Regulation applies only to activities arising from an infrastructure project listed in Schedule I.

80. In addition to the infrastructure projects listed in Schedule I, section 40 applies to all work that consists in excavating contaminated soils resulting from human activity and that is carried out as part of any other project, to the extent provided for by the Environment Quality Act (chapter Q-2) and the regulations, until the date of coming into force of all the provisions of a regulation respecting the traceability of excavated contaminated soils made under subparagraph 3 of the first paragraph of section 95.1 of the Environment Quality Act.

81. This Act must be construed in a manner consistent with the obligation to consult Aboriginal communities.

82. The Chair of the Conseil du trésor is responsible for the administration of this Act, except the provisions specified in each of the following subparagraphs, which are under the administration of the ministers mentioned in them respectively:

(1) sections 15 to 19 and 73 to 77, the minister responsible for transport;

(2) section 20, the minister responsible for the environment for the waters in the domain of the State and the minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1) for the other lands in the domain of the State;

(3) sections 21 to 57, 69, 72 and 79, the minister responsible for the environment;

(4) sections 58 to 66, the minister responsible for municipal affairs; and

(5) section 81, the minister responsible for Indigenous affairs.

They must jointly, not later than 1 June 2026, report to the National Assembly on the carrying out of this Act, including on the effects of the acceleration of the infrastructure projects listed in Schedule I based on the available data.

83. This Act comes into force on 11 December 2020.

SCHEDULE I

(Sections 1, 2, 12, 14, 15, 20, 21, 41, 58, 59, 68, 69, 71, 72, 79, 80 and 82)

LIST OF INFRASTRUCTURE PROJECTS

For the purposes of this Schedule,

- (1) “MSSS” means the Ministère de la Santé et des Services sociaux;
- (2) “MELS” means the Ministère de l’Éducation, des Loisirs et des Sports;
- (3) “MESRST” means the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie;
- (4) “MTQ” means the Ministère des Transports; and
- (5) “SQI” means the Société québécoise des infrastructures.

No.	Name of the projects	Bodies	Regions
1	Construction – Seniors home – Rouyn-Noranda	MSSS	Abitibi-Témiscamingue
2	Construction – Seniors home – Val-d’Or	MSSS	Abitibi-Témiscamingue
3	Construction – Seniors home – Palmarolle	MSSS	Abitibi-Témiscamingue
4	Construction of a residential and long-term care centre (CHSLD) in Macamic	MSSS	Abitibi-Témiscamingue
5	Expansion and refitting of the emergency and intensive care departments of Hôpital Hôtel-Dieu d’Amos	MSSS	Abitibi-Témiscamingue
6	Construction – Seniors home – Rimouski	MSSS	Bas-Saint-Laurent
7	Construction – Seniors home – Québec, Sainte-Foy sector	MSSS	Capitale-Nationale
8	Construction – Seniors home – Québec, Lebourgneuf sector	MSSS	Capitale-Nationale
9	Construction – Seniors home – Saint-Hilarion	MSSS	Capitale-Nationale
10	Construction – Seniors home – Portneuf	MSSS	Capitale-Nationale

No.	Name of the projects	Bodies	Regions
11	Reconstruction of the Saint-Augustin residential and long-term care centre (CHSLD) in Québec	MSSS	Capitale-Nationale
12	Expansion and refitting of Hôpital de La Malbaie	MSSS	Capitale-Nationale
13	Construction – Seniors home – Drummondville	MSSS	Centre-du-Québec
14	Construction – Seniors home – Arthabaska-et-de-l'Érable	MSSS	Centre-du-Québec
15	Expansion and refitting of Hôtel-Dieu d'Arthabaska	MSSS	Centre-du-Québec
16	Construction – Seniors home – Lévis west	MSSS	Chaudière-Appalaches
17	Construction – Seniors home – Thetford Mines, Black Lake sector	MSSS	Chaudière-Appalaches
18	Construction – Seniors home – Saint-Martin-de-Beauce	MSSS	Chaudière-Appalaches
19	Modernization of the emergency department of Hôpital de Thetford Mines	MSSS	Chaudière-Appalaches
20	Construction – Seniors home – Baie-Comeau	MSSS	Côte-Nord
21	Construction – Seniors home – Havre-Saint-Pierre	MSSS	Côte-Nord
22	Construction – Seniors home – Magog	MSSS	Estrie
23	Construction – Seniors home – Sherbrooke	MSSS	Estrie
24	Construction – Seniors home – Granby	MSSS	Estrie
25	Construction – Seniors home – Coaticook	MSSS	Estrie
26	Construction of a residential and long-term care centre (CHSLD) in Lac-Mégantic	MSSS	Estrie
27	Construction – Seniors home – Îles-de-la-Madeleine	MSSS	Gaspésie-Îles-de-la-Madeleine

No.	Name of the projects	Bodies	Regions
28	Construction – Seniors home – Rivière-au-Renard	MSSS	Gaspésie–Îles-de-la-Madeleine
29	Expansion and renovation of the Rocher-Percé residential and long- term care centre (CHLSD) in Chandler	MSSS	Gaspésie–Îles-de-la-Madeleine
30	Construction – Seniors home – Mascouche	MSSS	Lanaudière
31	Construction – Seniors home – L'Assomption	MSSS	Lanaudière
32	Construction – Seniors home – Repentigny	MSSS	Lanaudière
33	Construction of a residential and long-term care centre (CHSLD) in Sainte-Élisabeth	MSSS	Lanaudière
34	Reconstruction of the Parphilia-Ferland residential and long-term care centre (CHSLD) in Saint-Charles-Borromée	MSSS	Lanaudière
35	Reconstruction of the Saint- Eusèbe residential and long-term care centre (CHSLD) in Joliette	MSSS	Lanaudière
36	Expansion of Hôpital Pierre-Le Gardeur	MSSS	Lanaudière
37	Construction – Seniors home – Downtown Mirabel	MSSS	Laurentides
38	Construction – Seniors home – Blainville	MSSS	Laurentides
39	Construction – Seniors home – Labelle	MSSS	Laurentides
40	Construction – Seniors home – Sainte-Anne-des-Plaines	MSSS	Laurentides
41	Construction – Seniors home – Prévost	MSSS	Laurentides
42	Construction – Seniors home – Sainte-Agathe-des-Monts	MSSS	Laurentides

No.	Name of the projects	Bodies	Regions
43	Construction of a residential and long-term care centre (CHSLD) in Argenteuil	MSSS	Laurentides
44	Modernization and expansion of the emergency department of Hôpital de Saint-Eustache and addition of care units	MSSS	Laurentides
45	Construction – Seniors home – Laval, Chomedey sector 1	MSSS	Laval
46	Construction – Seniors home – Laval, Chomedey sector 2	MSSS	Laval
47	Construction – Seniors home – Trois-Rivières	MSSS	Mauricie
48	Construction – Seniors home – Carignan	MSSS	Montréal
49	Construction – Seniors home – Saint-Jean-sur-Richelieu	MSSS	Montréal
50	Construction – Seniors home – Châteauguay	MSSS	Montréal
51	Construction – Seniors home – Salaberry-de-Valleyfield	MSSS	Montréal
52	Construction – Seniors home – Longueuil	MSSS	Montréal
53	Construction – Seniors home – Saint-Amable	MSSS	Montréal
54	Construction – Seniors home – Beloeil	MSSS	Montréal
55	Construction of a hospital in Vaudreuil-Soulanges	MSSS	Montréal
56	Construction of the Optilab for the Centre intégré de santé et de services sociaux (CISSS) de la Montréal-Centre	MSSS	Montréal
57	Construction – Seniors home – Montréal west	MSSS	Montréal
58	Construction – Seniors home – Montréal north	MSSS	Montréal

No.	Name of the projects	Bodies	Regions
59	Expansion of the Henri-Bradet residential and long-term care centre (CHSLD)	MSSS	Montréal
60	Reconstruction of the Jeanne-Le Ber residential and long-term care centre (CHSLD)	MSSS	Montréal
61	Reconstruction of the Rousselot residential and long-term care centre (CHSLD)	MSSS	Montréal
62	Reconstruction of the Nicolet residential and long-term care centre (CHSLD)	MSSS	Montréal
63	Reconstruction of the David-Benjamin-Viger residential and long-term care centre (CHSLD)	MSSS	Montréal
64	Reconstruction of the LaSalle residential and long-term care centre (CHSLD)	MSSS	Montréal
65	Reconstruction of the Grace Dart residential and long-term care centre (CHSLD)	MSSS	Montréal
66	Reconstruction of the Dorval residential and long-term care centre (CHSLD)	MSSS	Montréal
67	Modernization of care units at St. Mary's Hospital Center	MSSS	Montréal
68	Modernization of the emergency department of Hôpital Fleury	MSSS	Montréal
69	Expansion and refitting of the operating suite and the medical device reprocessing unit at Hôpital Santa Cabrini	MSSS	Montréal
70	Expansion and modernization of the McGill University Health Centre's Lachine Hospital	MSSS	Montréal
71	Expansion and modernization of Hôpital de Verdun	MSSS	Montréal

No.	Name of the projects	Bodies	Regions
72	Refitting of the Centre de réadaptation pour les jeunes en difficulté d'adaptation Dominique-Savio in Montréal in the Ahuntsic-Cartierville borough	MSSS	Montréal
73	Construction – Seniors home – Gatineau east	MSSS	Outaouais
74	Construction – Seniors home – Gatineau	MSSS	Outaouais
75	Construction of a residential and long-term care centre (CHSLD) in Maniwaki	MSSS	Outaouais
76	Construction to add more than 170 hospital beds in Outaouais	MSSS	Outaouais
77	Construction – Seniors home – Alma	MSSS	Saguenay–Lac-Saint-Jean
78	Construction – Seniors home – Saguenay	MSSS	Saguenay–Lac-Saint-Jean
79	Construction – Seniors home – Roberval	MSSS	Saguenay–Lac-Saint-Jean
80	Expansion of the operating suite of Hôpital de Chicoutimi	MSSS	Saguenay–Lac-Saint-Jean
81	Expansion of the operating suite of Hôpital de Dolbeau-Mistassini	MSSS	Saguenay–Lac-Saint-Jean
82	Construction of a 4-3-18 elementary school in Rimouski (Lab-École)	MELS	Bas-Saint-Laurent
83	Construction of a secondary school in Québec City in the Charlesbourg borough	MELS	Capitale-Nationale
84	Construction of a secondary school in Drummondville	MELS	Centre-du-Québec
85	Construction of a secondary school in Terrebonne	MELS	Lanaudière
86	Construction of a 2-12 elementary school in the territory of the Centre de services scolaire des Laurentides	MELS	Laurentides

No.	Name of the projects	Bodies	Regions
87	Construction of a secondary school in Mirabel	MELS	Laurentides
88	Construction of a secondary school in Saint-Jérôme	MELS	Laurentides
89	Construction of a secondary school in Laval	MELS	Laval
90	Construction of a specialized school for students with disabilities served by École Alphonse-Desjardins	MELS	Laval
91	Construction of an adult education centre in the territory of the Centre de services scolaire de Laval	MELS	Laval
92	Construction of a 6-18 elementary school in the territory of the Centre de services scolaire des Patriotes	MELS	Montérégie
93	Construction of a 6-18-2 elementary school in the territory of the Centre de services scolaire des Grandes-Seigneuries	MELS	Montérégie
94	Construction of an elementary school in Brossard (Rome sector)	MELS	Montérégie
95	Construction of a 6-18 elementary school in the territory of the Centre de services scolaire de Saint-Hyacinthe	MELS	Montérégie
96	Expansion and refitting of Jacques-Leber secondary school in Saint-Constant	MELS	Montérégie
97	Expansion and refitting of Pierre-Bédard secondary school in Saint-Rémi	MELS	Montérégie
98	Reconstruction of Louis-Philippe-Paré secondary school and of École de formation professionnelle de Châteauguay	MELS	Montérégie
99	Construction of a secondary school in Vaudreuil-Dorion	MELS	Montérégie

No.	Name of the projects	Bodies	Regions
100	Construction of a secondary school in Saint-Zotique	MELS	Montréal
101	Expansion of École de la Magdeleine secondary school in La Prairie	MELS	Montréal
102	Construction of a vocational training centre for Atelier-école Les Cèdres	MELS	Montréal
103	Construction of an elementary and secondary school in Montréal on Île des Sœurs	MELS	Montréal
104	Construction of a 3-18 elementary school in the territory of the Centre de services scolaire de la Pointe-de-l'Île	MELS	Montréal
105	Construction of a 6-36 elementary school in the territory of the Centre de services scolaire de la Pointe-de-l'Île	MELS	Montréal
106	Construction of an 8-21 elementary school on the site of the Grand Séminaire	MELS	Montréal
107	Construction of a 4-24 elementary school in Outremont in the territory of the Centre de services scolaire Marguerite-Bourgeoys	MELS	Montréal
108	Construction of a 6-18 elementary school in Montréal in the Saint-Laurent borough	MELS	Montréal
109	Construction of a 3-26 elementary school (Mont-Royal) in the territory of the Centre de services scolaire Marguerite-Bourgeoys	MELS	Montréal
110	Construction of a 6-18 elementary school in Montréal in the Saint-Laurent borough's west end	MELS	Montréal
111	Construction of a secondary school in Montréal in the Anjou borough	MELS	Montréal

No.	Name of the projects	Bodies	Regions
112	Construction of a secondary school in Montréal in the Saint-Léonard borough	MELS	Montréal
113	Construction of a secondary school in Montréal in the Île-Bizard–Sainte-Geneviève borough	MELS	Montréal
114	Expansion and refitting of École Sophie-Barat	MELS	Montréal
115	Construction of a building to house the Centre de services aux entreprises	MELS	Montréal
116	Construction of an 8-24 elementary school in the territory of the Centre de services scolaire des Portages-de-l’Outaouais	MELS	Outaouais
117	Expansion of Dawson College	MESRST	Montréal
118	Expansion of École de technologie supérieure in the Dow complex	MESRST	Montréal
119	Acquisition and refitting of Pavillon Joseph-Armand-Bombardier at École Polytechnique	MESRST	Montréal
120	Development on part of the site of McGill University Health Centre’s Royal Victoria Hospital	MESRST	Montréal
121	Redevelopment of the Université du Québec en Outaouais’s Gatineau campus	MESRST	Outaouais
122	Correction of the Brière curve and addition of a passing lane on Route 117 in Rivière-Héva	MTQ	Abitibi-Témiscamingue
123	Pavement reconstruction and reconstruction of a structure (culvert) on Route 101 in Nédélec	MTQ	Abitibi-Témiscamingue
124	Pavement reconstruction and replacement of culverts on Routes 101 and 117 in Rouyn-Noranda	MTQ	Abitibi-Témiscamingue

No.	Name of the projects	Bodies	Regions
125	Reconstruction of the bridge over Rivière Barrière on Chemin Saint-Urbain in Rémigny	MTQ	Abitibi-Témiscamingue
126	Redevelopment of Route 293 in the sector south of 2 ^e Rang (reconfiguration of 4 curves) in Notre-Dame-des-Neiges	MTQ	Bas-Saint-Laurent
127	Reconstruction of Route 132 and Pont Arthur-Bergeron over Rivière Mitis in Grand-Métis	MTQ	Bas-Saint-Laurent
128	Reconstruction of Pont de l'Île-d'Orléans between Québec and Île-d'Orléans	MTQ	Capitale-Nationale
129	Improvement of Autoroute 55 between Bécancour and Sainte-Eulalie	MTQ	Centre-du-Québec
130	Replacement of structure P-04173 over Ruisseau Charland on Route 132 in Saint-Pierre-les-Becquets	MTQ	Centre-du-Québec
131	Development of reserved lanes for public transit on Boulevard Guillaume-Couture in Lévis	MTQ	Chaudière-Appalaches
132	Extension of Autoroute 73	MTQ	Chaudière-Appalaches
133	Repair of the Québec Central Railway, maintenance of its assets and extension of the network in service west of Vallée-Jonction	MTQ	Chaudière-Appalaches
134	Repair and reconstruction of the Gaspésie railway system between Port-Daniel-Gascons and Gaspé	MTQ	Gaspésie-Îles-de-la-Madeleine
135	Securing of Route 158 between Saint-Alexis and Joliette (4 projects)	MTQ	Lanaudière
136	Extension of Autoroute 25 and improvement of Route 125 (3 projects)	MTQ	Lanaudière

No.	Name of the projects	Bodies	Regions
137	Circumvention of Saint-Lin–Laurentides and redevelopment of Route 335 (3 projects)	MTQ	Lanaudière
138	Widening of Route 337 (Chemin Gascon) from Rodrigue street to Guillemette street in Terrebonne	MTQ	Lanaudière
139	Reconstruction of Pont de Bailleul and widening of Route 341 between Autoroute 40 and Route 344	MTQ	Lanaudière
140	Development of a reserved bus and carpool lane on Autoroute 15 north between Autoroutes 640 and 50	MTQ	Laurentides
141	Securing of Route 117 between Labelle and Rivière-Rouge	MTQ	Laurentides
142	Structuring electric public transit projects to extend the Réseau express métropolitain to downtown Laval and link Laval east and west	MTQ	Laval
143	Structuring rapid bus service public transit project on Boulevard Notre-Dame and Boulevard de la Concorde in Laval	MTQ	Laval
144	Development of a reserved lane on Autoroute 440 east between the Pie-IX rapid bus service terminal station (Route 125) and Autoroute 25	MTQ	Laval
145	Securing of and improvement of mobility in the Autoroute 440 and Autoroute 15 interchange by constructing a direct overpass between Autoroutes 440 west and 15 north, and new entrance to Autoroute 15 north	MTQ	Laval
146	Development of a reserved lane on Autoroute 25 north between Autoroute 440 and Île Saint-Jean	MTQ	Laval – Lanaudière

No.	Name of the projects	Bodies	Regions
147	Construction of Autoroute 19 between Laval and Bois-des-Filion	MTQ	Laval – Laurentides
148	Roadway repair on and improvement of Autoroute 15 between Laval and Boisbriand	MTQ	Laval – Laurentides
149	Repair of Pont Gédéon-Ouimet on Autoroute 15 between Laval and Boisbriand	MTQ	Laval – Laurentides
150	Improvement of the safety and stabilization of Route 361 between Autoroute 40 and the municipality of Sainte-Geneviève-de-Batiscan (road repair work)	MTQ	Mauricie
151	Reconstruction of the bridge (P-01559) over Rivière Batiscan on Route 138 in Batiscan	MTQ	Mauricie
152	Development of a reserved lane on Autoroute 10 east and west between Autoroutes 35 and 30 and reconfiguration of ramps on Autoroutes 10 and 35	MTQ	Montréal
153	Development of a reserved left lane on the Autoroute 30 west ramp to Autoroute 40 east	MTQ	Montréal
154	Structuring public transit project to serve the Chambly/ Saint-Jean-sur-Richelieu sector	MTQ	Montréal
155	Structuring electric public transit projects on Boulevard Taschereau and along the metro network's yellow line	MTQ	Montréal
156	Construction of Autoroute 35 between Saint-Armand and the American border (phase IV)	MTQ	Montréal
157	Improvement of Autoroute 30 between Brossard and Boucherville	MTQ	Montréal
158	Development of Autoroute 20 between Beloeil and Sainte-Julie	MTQ	Montréal

No.	Name of the projects	Bodies	Regions
159	Construction of the Saint-Alexandre interchange on Autoroute 35 in Saint-Alexandre	MTQ	Montréal
160	Redevelopment of Route 104 in La Prairie between Autoroute 30 and the limit of Saint-Jean-sur-Richelieu	MTQ	Montréal
161	Reconstruction of structure P-07331 on Route 104 westbound over Rivière L'Acadie in Saint-Jean-sur-Richelieu	MTQ	Montréal
162	Construction of the Société de transport de Montréal's northwest attachment centre – Montréal metro	MTQ	Montréal
163	Structuring electric public transit projects to link east, northeast and southwest Montréal to downtown	MTQ	Montréal
164	Extension of the Montréal metro's blue line from the Saint-Michel station to Anjou	MTQ	Montréal
165	Improvement of access to the Port (Phase II) with the extension of Avenue Souigny and Boulevard de l'Assomption in Montréal in the Mercier-Hochelaga-Maisonneuve borough	MTQ	Montréal
166	Reconstruction of Pont de l'Île-aux-Tourtes between Vaudreuil-Dorion and Senneville	MTQ	Montréal – Montréal
167	Structuring public transit system in Gatineau's west end	MTQ	Outaouais
168	Reserved lanes for the Société de transport de l'Outaouais's Rapibus (phase III) in Gatineau between Boulevard Lorrain and Boulevard de l'Aéroport	MTQ	Outaouais

No.	Name of the projects	Bodies	Regions
169	Improvement of Autoroute 50 between L'Ange-Gardien and Mirabel	MTQ	Outaouais – Laurentides
170	Improvement of Route 170 in Saint-Bruno and of Route 169 toward Alma	MTQ	Saguenay–Lac-Saint-Jean
171	Reconfiguration of curves from km 70 to km 73 on Route 170 in L'Anse-Saint-Jean	MTQ	Saguenay–Lac-Saint-Jean
172	Correction of the Émile-Doré curve on Route 169 in Métabetchouan	MTQ	Saguenay–Lac-Saint-Jean
173	Expansion and renovation of the Rouyn-Noranda courthouse	SQI	Abitibi-Témiscamingue
174	Repair of the D'Youville parking lot	SQI	Capitale-Nationale
175	Construction of a Sûreté du Québec station in Waterloo	SQI	Estrie
176	Refitting of the Saint-Hyacinthe courthouse	SQI	Montréal
177	Refitting and upgrading of the Anjou service centre of the Ministère des Transports	SQI	Montréal
178	Repair and development of 1000, rue Fullum in Montréal	SQI	Montréal
179	Repair and relocation of the morgue in Édifice Wilfrid-Derome at 1701, rue Parthenais in Montréal	SQI	Montréal
180	Repair of Édifice Gérald-Godin at 360, rue McGill in Montréal	SQI	Montréal

SCHEDULE II
(Sections 27 and 28)

IMPACT MITIGATION MEASURES TO LIMIT ENVIRONMENTAL
DISTURBANCES AND CONTAMINANT RELEASES INTO THE
ENVIRONMENT

1. When activities arising from an infrastructure project have been declared in a project declaration under section 28 of this Act and are likely to have adverse effects on wetlands and bodies of water, the following mitigation measures must be implemented, in addition to those provided for in sections 8, 9, 11, 23, 24 and 28 of the Regulation respecting activities in wetlands, bodies of water and sensitive areas, enacted by Order in Council 871-2020 (2020, G.O. 2, 2493A):

(1) at all times while work is underway, wetlands and bodies of water must be delimited using such means as stakes and ribbons or temporary fences to limit traffic in those zones, and crossing and traffic zones must be marked off; and

(2) when temporary storage sites are set up, they must

(a) be situated more than 30 metres away from wetlands and bodies of water;

(b) be delimited on-site; and

(c) be protected from erosion.

2. When activities arising from an infrastructure project have been declared in a project declaration under section 28 of this Act and are likely to cause a release of contaminants, the following mitigation measures must be implemented:

(1) for suspended matter, work must be carried out in such a manner as to limit the release of such matter into wetlands and bodies of water until full vegetation regrowth, particularly by means of the following measures:

(a) work that leaves soil unconsolidated must be accompanied by erosion and sediment control measures to prevent sediments from being carried into watercourses, lakes and wetlands, including the following measures:

i. work must be carried out during low-water periods and low-rainfall periods;

ii. as work is completed, soil stabilization and revegetation must be performed without delay, by means of naturalization techniques, on bare soils that are likely to be eroded; and

iii. clearing, stripping, excavation, earthwork and grading activities must be limited to a strict minimum and carried on immediately before infrastructure construction is to begin in order to limit the length of time for which loose soils are exposed; and

(b) for work carried out in winter, snow or ice containing sediments must be disposed of outside wetlands and bodies of water or transported to an authorized site; and

(2) for other contaminants, work must be carried out in such a manner as to avoid contaminating wetlands and bodies of water, by eliminating the risk of waste, oil, chemical or other contaminant spills, particularly by means of the following measures:

(a) machinery must be cleaned to eliminate excess oil or grease, mud, plant fragments and animals attached to it in order to prevent contamination and the introduction of invasive exotic species into the natural environment;

(b) machinery must be refuelled and stored and its mechanical maintenance must be performed in an area set up for those purposes outside any wetlands and bodies of water, particularly when work is temporarily stopped; if it is impossible to set up such an area outside any wetlands and bodies of water, special protection measures must be implemented, such as the use of leakproof reservoirs or membranes;

(c) before work is to begin, measures must be implemented to prevent contamination of the environment in the event of a spill, particularly the following:

i. regular inspections must be carried out to detect leaks and maintain the machinery in good working order;

ii. a spill kit must be kept available at all times on or near the site where work is being carried out, in case of accidental petroleum spills; and

iii. adequately sized drip trays must be placed under stationary apparatuses and equipment during the work; and

(d) for work carried out in winter, on snow or ice cover, and located in the littoral zone, on a riverbank or lakeshore, in a floodplain, in a wetland or close to such environments, no abrasives or ice melters must be used.

Regulations and other Acts

Gouvernement du Québec

O.C. 172-2021, 24 February 2021

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)

Issuance of competency certificates — Amendment

Regulation to amend the Regulation respecting the issuance of competency certificates

WHEREAS, under subparagraph 1 of the first paragraph of section 123.1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), the Commission de la construction du Québec may, by regulation, determine the qualifications required for the practice of each trade;

WHEREAS, under subparagraph 5 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the conditions of admission to apprenticeship and the various types of examinations, and of issue, renewal, cancellation and reinstatement of an apprentice competency certificate or apprenticeship booklet;

WHEREAS, under subparagraph 6 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the conditions of issue and renewal of a journeyman competency certificate in respect of a trade or, as the case may be, of part of the activities of a trade;

WHEREAS, under subparagraph 7 of the first paragraph of section 123.1 of the Act, the Commission may, by regulation, determine the conditions of issue and renewal of occupation competency certificates;

WHEREAS, under subparagraph 8 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the cases where a person may be required to submit to a competency evaluation examination or to undergo further vocational training, limit the practice of a trade or the carrying on of an occupation, as the case may be, while a person is undergoing vocational retraining, grant a determined period of time for undergoing required further

vocational training, and determine the conditions of cancellation and reinstatement of a journeyman competency certificate and an occupation competency certificate;

WHEREAS, under subparagraph 9 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, provide for the cases in which it may and those in which it must grant an exemption from the obligation to hold a journeyman competency certificate, an occupation competency certificate or an apprentice competency certificate or apprenticeship booklet and determine, as the case may be, the criteria applicable to the granting or cancellation of such an exemption and the conditions to which the granting of such an exemption may be subject;

WHEREAS, under subparagraph 11 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the fee exigible for admission to the various types of examinations, for the issue or renewal of a journeyman competency certificate, an occupation competency certificate, an apprentice competency certificate and an apprenticeship booklet, and for the opening, analysis and processing of an employee training record or employee qualification record;

WHEREAS the Commission de la construction du Québec, after consulting the Committee on vocational training in the construction industry, in accordance with the first paragraph of section 123.3 of the Act, adopted the Regulation to amend the Regulation respecting the issuance of competency certificates on 12 August 2020 and 2 September 2020;

WHEREAS, under the first and second paragraphs of section 123.2 of the Act, every regulation of the Commission de la construction du Québec made under section 123.1 must be submitted to the Government for approval and the Government may amend the regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the issuance of competency certificates was published in Part 2 of the *Gazette officielle du Québec* of 16 December 2020 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the issuance of competency certificates, attached to this Order in Council, be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the issuance of competency certificates

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20, s. 123.1, 1st par., subpars. 5, 6, 7, 8, 9 and 11.)

1. The Regulation respecting the issuance of competency certificates (chapter R 20, r. 5) is amended in section 2.3 by replacing “may issue only 1 apprentice competency certificate” in the last paragraph by “may issue up to two apprentice competency certificates”.

2. The following is inserted after section 2.3:

“**2.4.** The Commission shall issue, upon application, a temporary apprentice competency certificate for a trade, other than the trade of crane operator, to a student who

(1) is able to demonstrate registration in a program of vocational or technical studies under the Education Act (chapter I-13.3) or the General and Vocational Colleges Act (chapter C-29) recognized by the Commission for the trade;

(2) provides an attestation certifying successful completion of a safety course required by the Safety Code for the Construction Industry (chapter S-2.1, r. 4); and

(3) provides a written document from an employer registered with the Commission confirming a commitment to being hired by the employer.

The certificate is non-renewable and is valid for a period of 6 months.

The certificate is cancelled if the students abandons or terminates the program of studies.

2.5. The Commission may issue an apprentice competency certificate for a trade, other than the trade of crane operator, to a person 16 years of age or over who is able to demonstrate having acquired at least 35% of the

apprenticeship hours for the trade, in hours worked as an apprentice in the trade and declared in accordance with the Regulation respecting the register, monthly report, notices from employers and the designation of a representative (chapter R-20, r. 11) or in hours worked and paid in the trade outside the scope of application of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), if the person

(1) provides an attestation certifying successful completion of a safety course required by the Safety Code for the Construction Industry (chapter S-2.1, r. 4);

(2) demonstrates having met the admission requirements set out in basic school regulations made under the Education Act (chapter I-13.3) for a program of study leading to a vocational training diploma pertaining to the trade covered by the application; and

(3) the person’s employer, registered with the Commission, files a workforce request, guarantees that person employment for not less than 150 hours over a period not exceeding 3 months and provides the Commission with proof of the guarantee.”.

3. Section 4 is amended by adding the following after subparagraph 3 of the first paragraph:

“(4) this person holds a school leaving certificate in vocational or technical studies awarded under the Education Act (chapter I-13.3) or the General and Vocational Colleges Act (chapter C-29) and recognized by the Commission for land surveyor work (instrument person) and work as a shot-firer and driller, or professional diver, and the person’s employer, registered with the Commission, files a workforce request that guarantees that person employment for not less than 150 hours over a period not exceeding 3 months and provides the Commission with proof of the guarantee.”.

4. Section 4.1 is amended

(1) by inserting “available to the holder of a school leaving certificate in vocational or technical studies awarded under the Education Act (chapter I-13.3) and recognized by the Commission for work as a lineworker, welder or pipe welder” after “one calendar year”;

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

“Where, for a region, the number of registrations for the course on general knowledge of the construction industry exceeds the maximum number of available places, the places are awarded by the drawing of lots administered by the Commission.”.

5. Section 5 is amended by replacing “Subject to section” in the first paragraph by “Subject to sections 2.4 and”.

6. Section 7 is amended

(1) by inserting “2.5,” in the second paragraph after “2.3,”;

(2) by adding “subparagraph 4 of the first paragraph of section 4 or” in the third paragraph after “issued under” and by replacing “the course” by “a course”.

7. Section 15 is amended by replacing “shall issue only one exemption” in the sixth paragraph by “may issue up to a maximum of two exemptions”.

8. The following is inserted after section 28.19:

“**28.20.** The Commission renews the certificate of a person holding a first occupation competency certificate issued under subparagraph 1 of the first paragraph of section 4 before the coming into force of this Regulation only if it is made aware, through monthly reports sent by a registered employer, that the person has worked at least 150 hours and has successfully completed the course on general knowledge of the industry approved by the Commission.”.

9. This Regulation comes into force on 26 April 2021.

104911

Gouvernement du Québec

O.C. 173-2021, 24 February 2021

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)

Construction industry — Vocational training of the workforce — Amendment

Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry

WHEREAS, under subparagraph 1 of the first paragraph of section 123.1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), the Commission de la construction du Québec may, by regulation, determine the qualifications required for the practice of each trade;

WHEREAS, under subparagraph 2 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the activities included in a trade;

WHEREAS, under subparagraph 3 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, make apprenticeship mandatory for the practice of a trade;

WHEREAS, under subparagraph 5 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the conditions of admission to apprenticeship and the various types of examinations, and of issue, renewal, cancellation and reinstatement of an apprentice competency certificate or apprenticeship booklet;

WHEREAS, under subparagraph 14 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, generally, adopt any other related or suppletive provision considered necessary to give effect to the provisions of that section and of the Act with respect to vocational training;

WHEREAS the Commission de la construction du Québec, after consulting the Committee on vocational training in the construction industry, in accordance with the first paragraph of section 123.3 of the Act, adopted the Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry on 12 August 2020 and 2 September 2020;

WHEREAS, under the first and second paragraphs of section 123.2 of the Act, every regulation of the Commission de la construction du Québec made under section 123.1 must be submitted to the Government for approval with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry was published in Part 2 of the *Gazette officielle du Québec* of 16 December 2020 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry, attached to this Order in Council, be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20, s. 123.1, 1st par., subpars. 1, 2, 3, 5 and 14)

1. The Regulation respecting the vocational training of the workforce in the construction industry (chapter R-20, r. 8) is amended by inserting the following section after section 5:

“**5.01.** Eligibility for the qualification examination for a trade or speciality may be acquired as soon as the apprentice has completed 85% of the required apprenticeship.”.

2. Section 15 is amended by adding “Despite the foregoing, a holder of a school leaving certificate in vocational or technical studies awarded under the Education Act (chapter I-13.3) or the General and Vocational Colleges Act (chapter C-29) and recognized by the Commission for the trade will have 1.5 hours recognized for each hour of course taken and necessary to obtain the recognition” at the end of paragraph 1.

3. Section 18 is amended by adding “or tasks that may be performed by a journeyman in direct connection with the practice of the trade” at the end of the first paragraph.

4. Section 20 is amended by inserting the following paragraph after the second paragraph:

“On a construction site, an employer may use the services of one more apprentice per journeyman than the ratio provided for in the first paragraph for each apprentice in their last period of apprenticeship the employer uses, except in the case of an apprentice for a trade for which the apprenticeship is of only one period or an apprentice for the trade of crane operator.”.

5. This Regulation comes into force on 26 April 2021.

Draft Regulations

Draft Regulation

Education Act
(chapter I-13.3)

Standards of ethics and professional conduct applicable to the members of the board of directors of a French-language school service centre

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the standards of ethics and professional conduct applicable to the members of the board of directors of a French-language school service centre, appearing below, may be made by the Minister on the expiry of 45 days following this publication.

The draft Regulation results from the passage, on February 8, 2020, of the Act to amend mainly the Education Act with regard to school organization and governance (2020, chapter 1), and determines the standards of ethics and professional conduct that are applicable to the members of the board of directors of a French-language school service centre.

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

Further information on the draft Regulation may be obtained by contacting Michel Garneau, Direction des politiques et de la gouvernance scolaire, Ministère de l'Éducation, 1035, rue De La Chevrotière, 23^e étage, Québec (Québec) G1R 5A5; telephone: 418 646-5155, extension 3909; email: Michel.Garneau@education.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Education, 1035, rue De La Chevrotière, 16^e étage, Québec (Québec) G1R 5A5.

JEAN-FRANÇOIS ROBERGE,
Minister of Education

Regulation respecting the standards of ethics and professional conduct applicable to the members of the board of directors of a French-language school service centre

Education Act
(chapter I-13.3, s. 457.8)

CHAPTER I PURPOSE AND SCOPE

1. The purpose of this Regulation is to determine the standards of ethics and professional conduct applicable to the members of the board of directors of a French-language school service centre.

It determines, in particular, the duties and obligations that board members must comply with after the expiry of their terms, and the rules governing declarations of interest. It establishes the procedure governing examinations and inquiries into conduct that may contravene the standards of ethics and professional conduct, prescribes appropriate penalties and determines the cases in and procedure according to which board members may be temporarily relieved of their duties.

The standards apply when members perform their duties for the board of directors, for any committee formed by the board, and for any committee on which they sit as a member of the board of directors of a school service centre.

CHAPTER II DUTIES AND OBLIGATIONS

DIVISION I GENERAL

2. A member must act with honesty, integrity, rigour, objectivity and moderation. A member must act with probity.

A member performs his or her duties with competence. To that end, a member develops and maintains his or her knowledge about the role of a school service centre's board of directors.

A member performs his or her duties in good faith, with prudence and diligence and shows loyalty towards the school service centre.

A member acts in the interest of the school service centre, in particular so that he or she may guide his or her actions and direct his or her activities towards students' educational success.

3. In the performance of his or her duties, a member is bound to comply with the standards governing his or her duties and powers set out in the Education Act (chapter I-13.3).

He or she must organize his or her personal business in such a way that that it cannot interfere with the performance of his or her duties.

4. A member must know and understand the standards of ethics and professional conduct that apply to him or her and undertake to comply with them and promote compliance with them. A member must, not later than at the first meeting of the board of directors following his or her appointment, produce a declaration to that end.

The school service centre's secretary general must collect and record such declarations.

5. The member must refrain from inciting any person to contravene the provisions of this Regulation.

DIVISION II

SITTINGS

6. A member is required to be present, unless he or she has a valid excuse, at the sittings of the board of directors or of a committee formed by the board or on which the member sits as a member of the board of directors of a school service centre, to be prepared for it and to take an active part in it. The member contributes to the mission of the school service centre by providing a constructive contribution to the deliberations.

7. A member must address any issue with an open mind.

8. A member must debate any issue in an objective and independent manner as well as in a clear and informed manner.

9. A member must act with courtesy and respect so as to encourage mutual trust and cohesive action within the board of directors or a committee of which the member is a member.

10. A member is in solidarity with the decisions made by the board of directors.

11. A member is required to vote, except if there is an impediment determined by the board of directors or by this Regulation, or a ground considered sufficient by the chair of the school service centre or, where the chair is concerned, by the member designated to perform the duties of the chair in the case of an impediment or absence of the latter.

DIVISION III

CONFLICT OF INTEREST

12. A member must refrain from placing himself or herself in a situation entailing a conflict between the interest of the school service centre or the population it serves, or the public interest, and his or her personal interest or that of a person related to the member, such as the member's child, spouse or relative, a person living under the same roof, or a partner or a legal person that the member manages or controls.

More specifically, a member may not

(1) act, attempt to act, or refrain from acting, so as to further his or her private interests or those of person with whom the member is connected, or to improperly further another person's private interests;

(2) use his or her position to influence or attempt to influence another person's decision so as to further his or her private interests or those of a person with whom the member is connected, or to improperly further another person's private interests.

A member must, at all times, retain his or her ability to perform his or her duties in an impartial, objective and independent manner.

13. Within 60 days after a member takes up his or her duties, and every year thereafter, the member must file with the board of directors a statement of any personal interest that he or she, or a person with whom the member is connected, has in immovables located in the territory of the school service centre on whose board of directors the member sits, and in legal persons, partnerships and enterprises liable to have contacts with the school service centre.

The statement must include a list of the employments and administrative positions held by the member or the person with whom the member is connected, and of any loan of which the member or a person connected with the member is the creditor or debtor towards a person other

than a financial institution, the member or a person connected with the member on which the balance in principal and interest is over \$2,000.

The statement does not indicate the value of the interests listed or the extent of the interests of the member in legal persons, partnerships or enterprises. No mention shall be made of any sum of money deposited with a financial institution or of any bonds issued by a government, a municipality or any other public body.

14. Except for goods and services provided by the school service centre, a member may not enter into a contract with the school service centre, except with authorization from the board of directors warranted, in particular, by a special competence necessary to the school service centre.

15. A member who has an interest in property, a body, an enterprise, an association or a legal entity likely to place the member in a situation of conflict of interest must declare, without delay and in writing, that interest to the chair of the board of directors of the school service centre or, where the chair is concerned, to the member designated to perform the duties of the chair in the case of an impediment or absence of the latter.

Such a declaration may be made at the sitting and is then recorded in the minutes of the sitting of the board of directors at which the decision is made.

16. The member must refrain from taking part in any deliberation or any decision involving his or her personal interest. The member must withdraw from the sitting without exercising his or her right to vote or participating in deliberations on the matter.

17. A member may not give any undertaking to third parties nor grant them any guarantee with regard to a vote that the member may be called upon to make or a decision that the board of directors may be called upon to make.

18. A member may not treat the property of the school service centre as if it were his or her own and may not use it for his or her own benefit or for the benefit of a third party, unless an authorization from the board of directors is obtained.

A member may not, directly or indirectly, grant, solicit or accept a favour, gift, hospitality or other advantage offered or given because of the member's duties, except what is customary and of modest value.

19. A member must refrain from associating the school service centre, however remotely, with

(1) a personal endeavour, and in particular an endeavour involving political activities;

(2) a public position that reflects his or her personal positions, in particular on a website, blog or social network.

20. A member sitting as a staff representative must, on pain of removal from office, abstain from voting on any matter relating to the hiring, employment status, remuneration, employee benefits and other conditions of employment, whether individual or collective, of any employee of a school service centre.

He or she must also, after having had an opportunity to submit observations, withdraw from the meeting while the matter is discussed or voted on.

DIVISION IV **CONFIDENTIALITY AND DISCRETION**

21. A member must exercise discretion in regard to anything that comes to his or her knowledge in the performance of his or her duties and is at all times bound to maintain the confidentiality of information placed at the member's disposal or that have come to his or her knowledge without being generally available to the public.

A member must take reasonable measures to preserve the confidentiality of information obtained in the performance of his or her duties.

22. A member must refrain from commenting the decisions made by the board of directors, in particular on a website, blog or social network.

23. A member may not use for his or her own benefit or for the benefit of a third party information obtained in the performance of his or her duties that is not generally available to the public.

DIVISION V **RELATIONS WITH EMPLOYEES OF THE SCHOOL SERVICE CENTRE**

24. A member must act with courtesy and respect in his or her relations with employees of the school service centre.

A member may not contact an employee of the order to give him or her instructions, interfere in the employee's work or obtain confidential information, unless the member is acting within the mandate of a committee of which he or she is the chair and is expressly authorized by the board of directors to do so.

DIVISION VI POST-TERM RULES

25. A member who has ceased to perform his or her duties must

(1) refrain from disclosing confidential information obtained in the performance of his or her duties or use for his or her own benefit or for the benefit of a third party information not available to the public concerning the school service centre for which the member worked that was obtained in the same conditions;

(2) demonstrate reserve regarding his or her comments about the decisions made by the board of directors of the school service centre during his or her term of office, in particular on a website, blog or social network;

(3) conduct himself or herself in such a manner as not to derive undue advantages from his or her previous duties on the board of directors of the school service centre;

(4) refrain from entering into a contract with the school service centre in the 12 months following the end of his or her term of office, except for the goods and services provided by the school service centre.

CHAPTER IV EXAMINATION AND INQUIRY PROCEDURE AND PENALTIES

26. The chair of the board of directors sees that the members comply with the standards of ethics and professional conduct determined by this Regulation.

27. A committee of inquiry in ethics and professional conduct is formed within the school service centre for the purpose of examining and inquiring into any information concerning behaviour likely to contravene this Regulation.

The committee is composed of three persons appointed by the board of directors who are not members, employees of the school service centre or persons connected with such members or employees, and who belong to at least two of the following categories:

(1) a person having notable experience and expertise in, sensitivity to and interest for matters of education;

(2) a former member of the board of directors of the school service centre or a former commissioner of a school board;

(3) a person having notable experience and expertise in, sensitivity to and interest for matters of ethics and professional conduct.

The members of the committee designate one of their number as the chair.

The secretary general of the school service centre acts as the committee's secretary.

The committee may designate experts to assist the committee.

The duration of the term of office of the members of the committee is determined by the board of directors. On the expiry of their term of office, they remain in office until they are replaced or reappointed.

28. Before taking up their duties, the members of the committee take the following oath before the secretary general:

“I, A. B., declare under oath that I will not reveal or make known, without being authorized therefor by law, anything whatsoever of which I have taken cognizance in the performance of my duties.”

29. The members of the committee are entitled to receive, from the school service centre, an attendance allowance and the reimbursement of reasonable expenses incurred under the same standards as those enacted by the government pursuant to section 175 of the Education Act for the members of a school service centre's board of directors, with the exception of the maximum amount that a member may receive as an attendance allowance which does not apply.

30. The committee adopts an internal by-law that the school service centre makes available to the public, in particular on its website, and publishes in its annual report.

31. A member of the board of directors must disclose without delay to the committee any behaviour liable to contravene this Regulation that has come to his or her knowledge or of which the member suspects the existence.

32. The committee receives the disclosure from any person concerning behaviour liable to contravene this Regulation.

33. The committee may, upon summary examination, dismiss any disclosure if, in the committee's opinion, it is abusive, frivolous or clearly unfounded.

It makes its decision on the admissibility of the disclosure within 15 days of receipt and so informs the informant and the member covered by the disclosure.

34. If it does not dismiss the disclosure, the committee launches an inquiry without delay. It conducts the inquiry in such a manner as to preserve its confidentiality,

diligently and in keeping with the duty to act fairly. It must allow the member to submit written observations after the member has been informed of the behaviour under scrutiny.

The committee may obtain from the school service centre any document relevant to its inquiry other than those covered by professional secrecy. The school service centre must cooperate with the committee.

35. The committee releases its conclusions within 30 days of its decision to launch an inquiry. If the inquiry is not completed within that time limit, the committee so informs the informant and the member covered by the disclosure.

Where the committee comes to the conclusion that the member under inquiry has not contravened this Regulation, the committee so informs the member and the informant.

Where the committee comes to the conclusion that the member under inquiry has contravened this Regulation, the committee sends without delay a report giving the reasons for its conclusions and its recommendations to the chair of the board of directors and to the member under inquiry. The report must be drafted in a manner that ensures the confidentiality of personal information and protects the informant's identity.

The chair of the board of directors tables the report at the first sitting after it is received.

36. At the sitting following the sitting at which the report is tabled, the board of directors votes on the report.

A penalty specified in the report applies after the board of directors adopts the report by a two-thirds vote of its members.

The member concerned by the report may not take part in the deliberations or vote. He or she may, however, present written observations to the board of directors. He or she may also be heard on the facts in support of his or her claims before the decision is made.

37. Depending on the nature, gravity and persistence of the violation or misconduct, one or more of the following penalties may be imposed on the member:

- (1) a reprimand;
- (2) a suspension of the member's term for not more than 90 days;
- (3) a revocation of the member's term.

Where a member is suspended, he or she may not sit on the board of directors of the school service centre or on any other committee formed by the board or on which the member sits as a member of the board of directors of the school service centre, or receive an allowance or any other amount in that connection.

The member may also be compelled to reimburse or remit to the school service centre, donor or charity that is not related to the school service centre, any sum of money or any gift, hospitality or other advantage received in contravention of the standards of ethics and professional conduct applicable to the member.

38. The member is informed, without delay and in writing, of the decision of the board of directors.

39. A member against whom proceedings concerning an act involving collusion, corruption, malfeasance, breach of trust, fraud or influence peddling and any proceedings concerning improper gestures or remarks of a sexual nature are instituted, or a member prosecuted for an offence punishable by a term of imprisonment of 5 years or more must, within 10 days from the day on which the member is so informed, notify the chair of the board of directors.

The chair of the board of directors sends without delay that information to the committee of inquiry in ethics and professional conduct.

40. The board of directors may, on the recommendation of the committee and by a vote of at least two thirds of its members, temporarily relieve of his or duties a member against whom proceedings concerning an act involving collusion, corruption, malfeasance, breach of trust, fraud or influence peddling or proceedings concerning improper gestures or remarks of a sexual nature are instituted or who has been prosecuted for an offence punishable by a term of imprisonment of 5 years or more.

It may also, on the recommendation of the committee and by a vote of at least two thirds of its members, temporarily relieve of his or her duties a member whose behaviour is likely to contravene this Regulation where justified by the urgency or gravity of the situation.

It must, before deciding to temporarily relieve a member of his or her duties, allow the member to submit written observations and to be heard on the facts in support of his or her claims, before the decision is made.

The director general of the school service centre informs the Minister of a decision made by the board of directors to temporarily relieve a member of his or her duties.

41. A member is relieved of his or her duties, in the cases referred to in the first paragraph of section 40, until the prosecutor decides to stay or withdraw all charges in the proceedings on which the board of directors' decision was based to temporarily relieve the member of his or her duties or until the decision to acquit the member or to stay all charges in the proceedings is made or, in the cases referred to in the second paragraph of section 40, until the board of directors makes a decision pursuant to section 36.

42. The member is informed without delay, in writing, of the decision to temporarily relieve him or her of his or her duties, and of the reasons for the decision.

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

104935

Draft Regulation

Educational Childcare Act
(chapter S-4.1.1)

Educational childcare — 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 Educational Childcare Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Educational Childcare Regulation (chapter S-4.1.1, r. 2) to introduce temporary measures respecting the presence of qualified staff members while childcare is being provided. It proposes to require that, during the public health emergency declared by Order in Council 177-2020 dated 13 March 2020 and until nine months have elapsed since the last day of the public health emergency, the holder of a childcare centre or day care centre permit ensure that at least one childcare staff member out of three is qualified and present each day with the children while childcare is being provided and, for the next 12 months, at least one childcare staff member out of two is qualified and present.

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

Further information may be obtained by contacting Marianne Hardy-Dussault, Direction des normes de qualité et d'accessibilité des services, Ministère de la

Famille, 600, rue Fullum, 6^e étage, Montréal (Québec) H2K 4S7; telephone: 514 873-7200, extension 6110; email: marianne.hardy-dussault@mfa.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Danielle Dubé, Assistant Deputy Minister, Sous-ministériat du soutien à la qualité des services de garde éducatifs à l'enfance, Ministère de la Famille, 425, rue Jacques-Parizeau, 4^e étage, Québec (Québec) G1R 4Z1.

MATHIEU LACOMBE,
Minister of Families

Regulation to amend the Educational Childcare Regulation

Educational Childcare Act
(chapter S-4.1.1, s. 106, 1st par., subpar. 13.1)

1. The Educational Childcare Regulation (chapter S-4.1.1, r. 2) is amended by adding “However, until 9 months have elapsed since the last day of the public health emergency declared by Order in Council 177-2020 dated 13 March 2020, the permit holder must ensure that at least 1 childcare staff member out of 3 is qualified and present each day with the children while childcare is being provided and, for the next 12 months, at least 1 childcare staff member out of 2 is qualified and present each day with the children while childcare is being provided.” at the end of the first paragraph of section 23.

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

104933

Draft Regulation

Police Act
(chapter P-13.1)

Amounts payable by municipalities for the services provided by the Sûreté du Québec — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation to amend the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation provides for the postponement of the dates of payment of the amount payable by the municipalities for the 2021 fiscal year to 30 September and 1 December 2021 due to the COVID-19 pandemic. It also makes the required consequential amendments. Lastly, it ceases to have effect on 31 December 2021.

The measures proposed by the draft Regulation have no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Jean-Sébastien Dion, director of police organization, Direction générale des affaires policières, Ministère de la Sécurité publique, tour du St-Laurent, 9^e étage, 2525, boulevard Laurier, Québec (Québec) G1V 2L2; telephone: 418 646-6777, extension 60112; email: jean-sebastien.dion@msp.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Véronyck Fontaine, Secretary General, Ministère de la Sécurité publique, tour des Laurentides, 5^e étage, 2525, boulevard Laurier, Québec (Québec) G1V 2L2; fax: 418 643-3500; email: veronyck.fontaine@msp.gouv.qc.ca.

GENEVIÈVE GUILBAULT,
Minister of Public Security

Regulation to amend the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec

Police Act
(chapter P-13.1, s. 77)

1. The Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec (chapter P-13.1, r. 7) is amended in section 10 by replacing “30 June and 31 October” by “30 September and 1 December”.

2. Section 12 is amended by replacing

(1) “30 June and 31 October” in the first sentence of the second paragraph by “30 September and 1 December”;

(2) “30 June” in the second sentence of the second paragraph by “30 September”;

(3) “30 June and 31 October” in the third paragraph by “30 September and 1 December”.

3. This Regulation comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec* and ceases to have effect on 31 December 2021.

Despite the foregoing, for the application of section 14 of the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec to the payments not made during 2021, the Minister calculates the interest from the period determined in sections 10 and 12 of the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as they read before sections 1 and 2 of this Regulation cease to have effect.

104937

Draft Regulation

Police Act
(chapter P-13.1)

Services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction —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 police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation adds the service of evaluating officer to level 1 support services that municipal police forces and the Sûreté du Québec must provide.

The measures proposed by the draft Regulation have no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Jean-Sébastien Dion, director of police organization, Direction générale des affaires policières, Ministère de la Sécurité publique, tour du St-Laurent, 9^e étage, 2525, boulevard Laurier, Québec (Québec) G1V 2L2; telephone: 418 646-6777, extension 60112; email: jean-sebastien.dion@msp.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Véronyck Fontaine, Secretary General,

Ministère de la Sécurité publique, tour des Laurentides,
5^e étage, 2525, boulevard Laurier, Québec (Québec)
G1V 2L2; fax: 418 643-3500; email: veronyck.fontaine@
msp.gouv.qc.ca.

GENEVIÈVE GUILBAULT,
Minister of Public Security

**Regulation to amend the Regulation
respecting the police services that
municipal police forces and the
Sûreté du Québec must provide
according to their level of jurisdiction**

Police Act
(chapter P-13.1, s. 81)

1. The Regulation respecting the police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction (chapter P-13.1, r. 6) is amended in section 2 by inserting the following after subparagraph p of paragraph 4:

“(p.1) evaluating officer;”

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

104934