



Part 2

LAWS AND REGULATIONS

28 July 2021 / Volume 153

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NOTICE TO USERS

The *Gazette officielle du Québec* is the means by which the Québec Government makes its decisions official. It is published in two separate editions under the authority of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001) and the Regulation respecting the *Gazette officielle du Québec* (chapter M-15.001, r. 0.1).

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Partie 2, entitled "Lois et règlements", and the English edition, Part 2 "Laws and Regulations", are published at least every Wednesday. If a Wednesday is a legal holiday, the Official Publisher is authorized to publish them on the preceding day or on the Thursday following such holiday.

Part 2 – LAWS AND REGULATIONS

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Regulation respecting the *Gazette officielle du Québec*, section 4

Part 2 shall contain:

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

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Gazette officielle du Québec

Email: gazette.officielle@servicesquebec.gouv.qc.ca
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Regulations and other Acts

Gouvernement du Québec

O.C. 1042-2021, 7 July 2021

Act respecting the Ministère de la Santé et des Services sociaux
(chapter M-19.2)

Amendments to the Financial Assistance Program for the Purchase of Eyeglasses and Lenses for Children

CONCERNING the amendments to the Financial Assistance Program for the Purchase of Eyeglasses and Lenses for Children entrusted to the Régie de l'assurance maladie du Québec in order to allow for certain temporary measures due to the COVID-19 pandemic

WHEREAS, under paragraph (*h*) of section 3 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2), the Minister of Health and Social Services shall promote the development and implementation of programs and services according to the needs of individuals, families and other groups;

WHEREAS, under the first paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5), the function of the Régie de l'assurance maladie du Québec ("the Board") is to administer and implement the programs of the health insurance plan instituted by the Health Insurance Act (chapter A-29) and any other program entrusted to it by law or by the Government;

WHEREAS under the fifteenth paragraph of section 3 of the Health Insurance Act, the Board shall assume the cost of services and goods provided under the programs it administers by virtue of the first paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec according to the terms and conditions provided for under those programs;

WHEREAS under the first paragraph of section 2.1. of the Act respecting the Board shall recover, from the department or body concerned, the cost of services and goods it assumes under a program entrusted to it by law or by the Government, to the extent provided for under that program;

WHEREAS, by way of Order in Council 856-2019 dated 21 August 2019, the Financial Assistance Program for the Purchase of Eyeglasses and Lenses for Children was entrusted to the Régie de l'assurance maladie du Québec;

WHEREAS, by way of Order in Council 177-2020 dated 13 March 2020, the Government declared a health emergency and took certain measures to protect the health of the population;

WHEREAS in the period of 16 March 2020 to 1 June 2020, only emergency optometry services could be dispensed to the population;

WHEREAS, during this period, certain children could not benefit from optometry services that render optometrists and ophthalmologists due to the circumstances relating to the COVID-19 pandemic;

WHEREAS, under subparagraph 2 of section 5 of the Financial Assistance Program for the Purchase of Eyeglasses and Lenses for Children, a person must, in order to qualify for the program, be under age 18;

WHEREAS the application of sanitary measures resulted in exceptional economic consequences and that it is necessary to mitigate those consequences brought about by the loss of eligibility for financial assistance under the program due to age and financially compensate persons for this loss;

WHEREAS it is expedient to make amendments to the Financial Assistance Program for the Purchase of Eyeglasses and Lenses for Children;

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

THAT the amendments to the Financial Assistance Program for the Purchase of Eyeglasses and Lenses for Children, attached to this Order in Council, be approved.

YVES OUELLET

Clerk of the Conseil exécutif

AMENDMENTS TO THE FINANCIAL ASSISTANCE PROGRAM FOR THE PURCHASE OF EYEGLASSES AND LENSES FOR CHILDREN

1. The Financial Assistance Program for the Purchase of Eyeglasses and Lenses for Children entrusted to the Régie de l'assurance maladie du Québec by way of Order in Council 856-2019 dated 21 August 2019 is amended, by the addition of the following paragraph at the end of paragraph 5:

“Notwithstanding the provisions of subparagraphs 1 and 2 of the preceding paragraph, the person is also eligible for the program if he or she turns 18 between March 16, 2020 and September 1, 2020 and was an insured person during this period.”.

2. Section 10 of that program is amended by the addition, at the end of the first paragraph, of “or in the case of the person referred to in the second paragraph of section 5, no later than 24 January 2022”.

3. These amendments to the come into effect on 12 August 2021.

105209

Gouvernement du Québec

O.C. 1043-2021, 7 July 2021

Act respecting the Ministère de la Santé et des Services sociaux
(chapter M-19.2)

Program Respecting Certain Temporary Measures Related to Certain Medical, Optometry and Dental Services Due to the COVID-19 Pandemic

CONCERNING the Program Respecting Certain Temporary Measures Related to Certain Medical, Optometry and Dental Services Due to the COVID-19 Pandemic entrusted to the Régie de l'assurance maladie du Québec

WHEREAS, under paragraph (*h*) of section 3 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2), the Minister of Health and Social Services shall promote the development and implementation of programs and services according to the needs of individuals, families and other groups;

WHEREAS, under the first paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5), the function of the Régie de l'assurance maladie du Québec (“the Board”) is to administer and implement the programs of the health insurance plan instituted by the Health Insurance Act (chapter A-29) and any other program entrusted to it by law or by the Government;

WHEREAS, by way of Order in Council 177-2020 dated 13 March 2020, the Government declared a health emergency and took certain measures to protect the health of the population;

WHEREAS in the period of 16 March 2020 to 1 June 2020, only emergency optometry and dental services could be dispensed to the population;

WHEREAS, during this period, certain insured persons were unable to benefit from certain insured medical, optometry and dental services referred to in the Health Insurance Act whose cost is assumed by the Régie de l'assurance maladie du Québec due to the circumstances related to the COVID-19 pandemic;

WHEREAS the application of sanitary measures resulted in exceptional economic consequences and that it is necessary to mitigate those consequences brought about by the loss of insurance coverage of those services and financially compensate insured persons for this loss;

WHEREAS under the fifteenth paragraph of section 3 of the Health Insurance Act, the Board shall assume the cost of services and goods provided under the programs it administers by virtue of the first paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec according to the terms and conditions provided for under those programs;

WHEREAS under the first paragraph of section 2.1. of the Act respecting the Board shall recover, from the department or body concerned, the cost of services and goods it assumes under a program entrusted to it by law or by the Government, to the extent provided for under that program;

WHEREAS it is expedient that the Board be entrusted with the Program Respecting Certain Temporary Measures Related to Certain Medical, Optometry and Dental Services Due to the COVID-19 Pandemic;

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

THAT the Régie de l'assurance maladie du Québec be entrusted with the Program Respecting Certain Temporary Measures Related to Certain Medical, Optometry and Dental Services Due to the COVID-19 Pandemic, the text of which is attached to this Order in Council.

YVES OUELLET

Clerk of the Conseil exécutif

PROGRAM RESPECTING CERTAIN TEMPORARY MEASURES RELATED TO CERTAIN MEDICAL, OPTOMETRY AND DENTAL SERVICES DUE TO THE COVID-19 PANDEMIC

DIVISION I

INTRODUCTORY PROVISIONS

1. The Program Respecting Certain Temporary Measures Related to Certain Medical, Optometry and Dental Services Due to the COVID-19 Pandemic is intended to offset the economic consequences brought about by the loss of insurance coverage of certain medical, optometry or dental services due to the COVID-19 pandemic.

2. The Régie de l'assurance maladie du Québec ("the Board") shall administer, apply and assume the cost of the Program Respecting Certain Temporary Measures Related to Certain Medical, Optometry and Dental Services Due to the COVID-19 Pandemic according to the according to the terms and conditions provided for under that program.

DIVISION II

ELIGIBILITY CRITERIA

3. A person who was an insured person within the meaning of subparagraph (g.1) of the Health Insurance Act (chapter A-29) between 16 March 2020 and 1 September 2020 is eligible for the program if he or she meets one the following conditions, subject to the provisions of paragraphs (j) and (k) of section 22 and section 36.1 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5):

(1) the person reached age 18 between 16 March 2020 and 1 September 2020 or the person is age 18 or over and under 65 and held for 12 consecutive months, sometime between 16 March 2020 and 1 September 2020 a valid claim booklet issued pursuant to section 71 or 71.1 of the Act and received an optometry service referred to in section 34 or in section 34.1.1 of the Regulation respecting the application of the Health Insurance Act between 1 June 2020 and 26 October 2021;

(2) the person reached age 16 between 16 March 2020 and 1 September 2020 and received an optometry service referred to in section 34.1 of the of the Regulation respecting the application of the Health Insurance Act between 1 June 2020 and 26 October 2021;

(3) the person is age 18 or over and under 65 and held for 12 consecutive months, sometime between 16 March 2020 and 1 September 2020 a valid claim booklet issued pursuant to section 71 or 71.1 of the Act and received from a physician between 1 June 2020 and 26 October 2021 a service not related a pathology for a colour blindness or refraction problem for the purpose of obtaining or renewing a prescription for eyeglasses or contact lenses;

(4) the person reached age 10 between 16 March 2020 and 1 September 2020 and received between 1 June 2020 and 26 October 2021 any of the following services:

(a) a service pertaining to the surgical extraction of a tooth or dental fragment performed by a physician in a facility maintained by an institution which operates a hospital centre;

(b) an oral surgery service referred to in section 31 of the Regulation respecting the application of the Health Insurance Act, rendered by a dentist;

(c) a dental service referred to in section 35 of that Regulation, rendered by a dentist.

(5) the person is age 10 or over and held for 12 consecutive months, sometime between 16 March 2020 and 1 September 2020 a valid claim booklet pursuant to section 71.1 of the Act and received between 1 June 2020 and 26 October 2021, subject to the provisions of section 36 of the Regulation respecting the application of the Health Insurance Act, any of the following services:

(a) a service pertaining to the surgical extraction of a tooth or dental fragment performed by a physician in a facility maintained by an institution which operates a hospital centre;

(b) an oral surgery service referred to in section 31 of the Regulation respecting the application of the Health Insurance Act, rendered by a dentist;

(c) a dental service referred to in section 35 of that Regulation, rendered by a dentist.

(6) the person held for at least 12 consecutive months, at some time between 16 March and 1 September 2020 a valid claim booklet pursuant to in section 71.1 of the Act and received between 1 June 2020 and 26 October 2021,

subject to the provisions of section 36 of the Regulation respecting the application of the Health Insurance Act, any of the following services:

(a) a service pertaining to the teaching and demonstration of oral hygiene procedures or the cleaning of teeth where rendered by a dentist, if the person is age 12 or over;

(b) a scaling service rendered by a dentist, if the person is age 16 or over;

(c) a service pertaining to the topical application of fluoride rendered by a dentist, if the person is at least age 12 and under age 16;

(7) the person is age 10 or over and held for at least 24 consecutive months, at some time between 16 March and 1 September 2020 a valid claim booklet pursuant to section 71.1 of the Act and received between 1 June 2020 and 26 October 2021, subject to the provisions of section 36 of the Regulation respecting the application of the Health Insurance Act a service pertaining to the fabrication, replacement, repair or relining of an acrylic prosthesis, or the addition of a device to such a prosthesis, where inserted into the mouth.

DIVISION III

AMOUNT AND REIMBURSEMENT TERMS AND CONDITIONS

4. Subject to the eligibility criteria and terms and conditions provided in this division, the Board shall reimburse the cost required by a health professional for the services referred to in section 3.

Notwithstanding the provisions of the previous paragraph, the amount reimbursed by the Board will be reduced by any amount already paid by the Board for a given service.

5. Any person wishing to obtain a reimbursement for the services referred to in section 3 must apply therefor within the prescribed time limit using the form made available by the Board and provide all required information.

The application must be accompanied by a statement of fees or invoice describing the professional services rendered, their detailed cost and proof of their payment.

The Board shall assess the application in light of the information and documents that it requires, render its decision and, if applicable, determine the reimbursement amount and issue the payment.

An application for reimbursement may be submitted by a responsible person on behalf of a person eligible for such a reimbursement.

6. Where the Board so requires it, the eligible person or the person submitting the application for reimbursement, as the case may be, must provide any document or information that the Board requires for the application of this program or grant the authorizations necessary to obtain them.

In addition, the person must provide the Board with proof of any fact establishing the person's right to a reimbursement.

7. Any application for reimbursement under the provisions of this program must be sent to the Board before 24 January 2022.

The Board may agree to consider an application submitted after this deadline if the eligible person or the responsible person submitting the application on behalf of the eligible person demonstrates that he or she was, in fact, unable to submit the application sooner.

DIVISION IV

FINANCIAL ASSISTANCE RECEIVED WITHOUT ENTITLEMENT

8. The Board shall recover any amount unduly paid under this program where a person has received a greater amount than that which he or she was entitled to receive or where the person received a reimbursement without entitlement.

The recovery of amounts unduly paid is prescribed five years after the date of the reimbursement by the Board. In the case of false declarations, recovery is prescribed five years after the date on which the Board became aware of the person's ineligibility for a reimbursement, but no later than 10 years after the date of the reimbursement.

DIVISION V

PROGRAM MANAGEMENT

9. The Minister of Health and Social Services shall reimburse the Board, according to the terms and conditions to which they may agree upon, the amounts paid under the terms of this program as well as the actual development and administration costs of this program.

10. The Board shall provide the Minister with periodic reports on the amounts paid and costs incurred within the scope of this program, according to the terms and conditions to which they may agree upon. These reports will not contain any personal information.

DIVISION VI

FINAL PROVISIONS

11. The Board shall publish this program on its website before 27 August 2021.

12. This program comes into force on 12 August 2021 and ends on 8 February 2022.

105210

Gouvernement du Québec

O.C. 1044-2021, 7 July 2021

Act respecting the Régie de l'assurance maladie du Québec
(chapter R-5)

Temporary Program to Compensate Persons who were Unable to Benefit Free of Charge from Certain Dental Services Provided by a Denturologist Due to the COVID-19 Pandemic

CONCERNING the Temporary Program to Compensate Persons who were Unable to Benefit Free of Charge from Certain Dental Services Provided by a Denturologist Due to the COVID-19 Pandemic entrusted to the Régie de l'assurance maladie du Québec

WHEREAS, under the first paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5), the function of the Board is to administer and implement the programs of the health insurance plan instituted by the Health Insurance Act (chapter A-29) and any other program entrusted to it by law or by the Government;

WHEREAS, under subparagraph 4 of the first paragraph of section 3 of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001), the Minister of Labour, Employment and Social Solidarity, subject to subparagraph 4 of the first paragraph of section 77.1 of the Public Administration Act (chapter A-6.01), draws up policies and measures in the areas under the Minister's authority and proposes them to the Government, primarily in order to ensure an acceptable standard of living for every person and every family;

WHEREAS, in accordance with the Accord concernant l'administration, l'application et le paiement du coût du programme des prothèses dentaires acryliques fournies

par un denturologiste à un prestataire de la sécurité du revenu confiés à la Régie de l'assurance maladie du Québec, authorized by Décret 427-96 dated 3 April 1996 and amended by Décret 812-2006 dated 31 August 2006, the Board administers and assumes the cost of that program;

WHEREAS, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency and took certain measures to protect the health of the population;

WHEREAS, during the period between 16 March 2020 and 1 June 2020, only urgent dental services were dispensed to the population;

WHEREAS, during that period, certain persons were unable to benefit from the dental services provided for in the program respecting acrylic dental prostheses furnished by a denturologist to a recipient of income security entrusted to the Régie de l'assurance maladie du Québec;

WHEREAS the purpose of the Program is to compensate persons who were unable to benefit from the program due to the circumstances related to the COVID-19 pandemic and the loss of their eligibility for the claim booklet;

WHEREAS, under the fifteenth paragraph of section 3 of the Health Insurance Act, the Board also assumes the cost of services and goods provided under the programs it administers by virtue of the first paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec according to the terms and conditions provided for under those programs;

WHEREAS it is expedient that the Board be entrusted with the Temporary Program to Compensate Persons who were Unable to Benefit Free of Charge from Certain Dental Services Provided by a Denturologist Due to the COVID-19 Pandemic;

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

THAT the Régie de l'assurance maladie du Québec be entrusted with the Temporary Program to Compensate Persons who were Unable to Benefit Free of Charge from Certain Dental Services Provided by a Denturologist Due to the COVID-19 Pandemic, the text of which is attached to this Order in Council.

YVES OUELLET

Clerk of the Conseil exécutif

**TEMPORARY PROGRAM TO COMPENSATE
PERSONS WHO WERE UNABLE TO BENEFIT
FREE OF CHARGE FROM CERTAIN
DENTAL SERVICES PROVIDED BY A
DENTUROLOGIST DUE TO
THE COVID-19 PANDEMIC**

**DIVISION I
PRELIMINARY PROVISIONS**

1. The Program reimburses the cost of certain dental services that could not be rendered, free of charge and in a timely manner, by a denturologist to eligible persons due to an interruption of services related to the COVID-19 pandemic and the loss of their eligibility for the claim booklet issued under section 71.1 of the Health Insurance Act.

2. The Régie de l'assurance maladie du Québec administers, implements and assumes the cost of this Program according to the terms and conditions provided for under the Program.

**DIVISION II
ELIGIBILITY CRITERIA**

3. To be eligible for this Program, a person must meet all of the following eligibility criteria:

(a) the person held for at least 24 consecutive months, at one time between 16 March 2020 and 1 September 2020, a valid claim booklet issued under section 71.1 of the Health Insurance Act or was referred to by such a booklet;

(b) the person has received between 1 June 2020 and 26 October 2021 any of the following services provided by a denturologist: fabrication, replacement, repair or relining of an acrylic dental prosthesis or the addition of a device to such prosthesis, at placement.

However, a person is entitled to only 1 complete or partial prosthesis with or without clasps or rests per maxilla, per 8-year period. Also, a person is entitled to the replacement of a complete or partial prosthesis only where it has become necessary following oral surgery and on the written prescription of a dentist. A person is entitled to a relinement 3 months after the date of the initial insertion and every 5 years thereafter. A person is also entitled to the replacement cost of a complete or partial prosthesis at all times in the case it is lost or irreparably damaged, up to half the tariff.

The time limits and periods referred to above are calculated after the last service received by the beneficiary.

**DIVISION III
AMOUNT AND REIMBURSEMENT
MECHANISMS**

4. Subject to the eligibility criteria and mechanisms provided for in this Division, the Board reimburses the cost required by the denturologist for the cost of the services referred to in section 3.

Despite the preceding paragraph, the sum reimbursed by the Board will be reduced by any sum already paid by the Board for the same service.

5. Any person who wishes to obtain a reimbursement for the services referred to in section 3 must apply for a reimbursement within the prescribed time limit using the form made available for that purpose by the Board and provide the required information.

The application must be accompanied by the statement of fees or invoice describing the professional services provided, their detailed costs and proof of their payment.

The Board evaluates the application based on the information and documents it requires, renders its decision and, if applicable, determines the amount of the reimbursement and makes the payment.

An application for reimbursement may be filed by a qualifying person on behalf of the person eligible for such a reimbursement.

6. Where the Board so requests, the eligible person or the person applying for the reimbursement, as the case may be, must provide any document or information the Board requires for the implementation of this Program or grant the authorizations needed to obtain them.

That person must also provide the Board with proof of any fact that establishes the entitlement to a reimbursement.

7. An application for reimbursement under this Program must be sent to the Board before 24 January 2022.

The Board may agree to consider an application sent after the expiry of the time limit if the eligible person or the qualifying person applying on behalf of the eligible person demonstrates that it was, in fact, impossible to file the application sooner.

DIVISION IV FINANCIAL ASSISTANCE RECEIVED WITHOUT ENTITLEMENT

8. The Board will recover all amounts that are unduly paid under this Program where a person benefits from a sum greater than that to which the person is entitled to obtain or benefits from a reimbursement without being entitled to one.

The recovery of amounts unduly paid is prescribed 5 years after the date of reimbursement by the Board. In the case of a false declaration, recovery is prescribed 5 years after the date on which the Board becomes aware of a person's ineligibility to receive a reimbursement, but not later than 10 years after the date of reimbursement.

DIVISION V PROGRAM MANAGEMENT TERMS AND CONDITIONS

9. The Board assumes the costs of this Program, as well as the actual development and administration fees of the Program.

DIVISION VI FINAL PROVISIONS

10. The Board and the Minister of Labour, Employment and Social Solidarity publish this Program on their website before 27 August 2021.

11. This Program comes into force on 12 August 2021 and ends on 8 February 2022.

105185

Notice

Act respecting legal aid and the provision of certain other legal services
(chapter A-14)

Agreement to establish the Agreement between the Minister of Justice and the Barreau du Québec respecting the tariff of fees of advocates for legal services provided for in paragraph 1.1 of section 4.7 of the Act respecting legal aid and the provision of certain other legal services and the dispute settlement procedure, and to amend other agreements

Notice is hereby given that the Agreement to establish the Agreement between the Minister of Justice and the Barreau du Québec respecting the tariff of fees of advocates for legal services provided for in paragraph 1.1

of section 4.7 of the Act respecting legal aid and the provision of certain other legal services and the dispute settlement procedure, and to amend other agreements, appearing below, was entered into on 15 July 2021.

In accordance with section 83.21 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14), the Agreement has force of law and takes effect on the date of its publication in the *Gazette officielle du Québec*.

SIMON JOLIN-BARRETTE
Minister of Justice

Agreement to establish the Agreement between the Minister of Justice and the Barreau du Québec respecting the tariff of fees of advocates for legal services provided for in paragraph 1.1 of section 4.7 of the Act respecting legal aid and the provision of certain other legal services and the dispute settlement procedure, and to amend other agreements

Act respecting legal aid and the provision of certain other legal services
(chapter A-14, s. 83.21)

PART I
AGREEMENT BETWEEN THE MINISTER OF JUSTICE AND THE BARREAU DU QUÉBEC RESPECTING THE TARIFF OF FEES OF ADVOCATES FOR LEGAL SERVICES PROVIDED FOR IN PARAGRAPH 1.1 OF SECTION 4.7 OF THE ACT RESPECTING LEGAL AID AND THE PROVISION OF CERTAIN OTHER LEGAL SERVICES AND THE DISPUTE SETTLEMENT PROCEDURE

PRELIMINARY

1. This Agreement establishes the tariff of fees applicable to advocates in private practice to whom a legal aid mandate is assigned for the legal services provided for in paragraph 1.1 of section 4.7 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14).

The Agreement provides for a flat fee for all the legal services provided; no other fee, travel compensation or other expenses are eligible.

The Agreement also establishes rules concerning dispute settlement.

CHAPTER I TARIFF OF FEES

2. For all the legal services provided until a judgment is obtained on an agreement between the parties submitted in a joint application for the review of a judgment, an advocate is entitled to a fee of \$470.

Where legal aid is withdrawn under section 4.11.1 of the Act or the recipients waive legal aid before an agreement between the parties is filed with the court office, an advocate is entitled, for all the services rendered by the advocate, to a fee of \$117.50.

Where legal aid is withdrawn under section 4.11.1 of the Act or the recipients waive legal aid after an agreement between the parties is filed with the court office, an advocate is entitled, for all the services rendered by the advocate, to a fee of \$235.

3. Subject to section 81.1 of the Regulation respecting the application of the Act respecting legal aid and the provision of certain other legal services (chapter A-14, r. 4), where more than 1 advocate has rendered services, each advocate is entitled to the portion of the flat fee corresponding to the services the advocate has rendered up to a maximum amount of \$470 that may be paid to all the advocates.

CHAPTER II DISPUTE SETTLEMENT PROCEDURE

4. The dispute settlement procedure provided for in Part III of the Agreement dated 4 December 2020 between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates under the legal aid plan and the dispute settlement procedure (chapter A-14, r. 5.1.1) applies with the necessary modifications.

CHAPTER III FINAL

5. This Agreement replaces the Agreement between the Minister of Justice and the Barreau du Québec respecting the tariff of fees of advocates for legal services provided for in paragraph 1.1 of section 4.7 of the Act respecting legal aid and the provision of certain other legal services and the dispute settlement procedure (A-14, r. 5.01), made on 12 September 2013.

It comes into force on the date of its publication in the *Gazette officielle du Québec* and applies to mandates assigned as of that date.

6. This Agreement expires on 30 September 2022. It remains in force after that date until it is replaced by a new agreement or a regulation.

PART II AMENDING

Agreement dated 4 December 2020 between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates under the legal aid plan and the dispute settlement procedure

7. The Agreement dated 4 December 2020 between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates under the legal aid plan and the dispute settlement procedure (chapter A-14, r. 5.1.1) is amended by replacing “following the filing of the appellant’s brief” in section 86 by “following the filing of a notice of appeal”.

8. The following is added after section 167:

“**167.1.** For mandates assigned as of 28 July 2021, an advocate who renders services in a region or locality served on an itinerant basis in the judicial district of Abitibi or Mingan receives, in addition to the fee increase in accordance with section 13, an amount of \$25 for each case the advocate sees through.

That measure ends on 30 September 2022 or on any earlier date, on the decision of the Minister of Justice. In the latter case, the measure ends on the thirtieth day after the Minister sends a written notice to the Barreau du Québec and the Commission des services juridiques.”.

Agreement dated 4 December 2020 between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates rendering services in criminal and penal matters and the dispute settlement procedure

9. The Agreement dated 4 December 2020 between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates rendering services in criminal and penal matters and the dispute settlement procedure (chapter A-14, r. 5.3) is amended by adding the following after section 80:

“**80.1.** For mandates assigned as of 28 July 2021, an advocate who renders services in a region or locality served on an itinerant basis in the judicial district of Abitibi or Mingan receives, in addition to the fee increase in accordance with section 15, an amount of \$25 for each case the advocate sees through.

That measure ends on 30 September 2022 or on any earlier date, on the decision of the Minister of Justice. In the latter case, the measure ends on the thirtieth day after the Minister sends a written notice to the Barreau du Québec and the Commission des services juridiques.”.

PART III **FINAL**

10. This Agreement comes into force on the day of its publication in the *Gazette officielle du Québec*.

105215

M.O., 2021

Order number 2021-16 of the Minister of Transport dated 13 July 2021

Act respecting transport infrastructure partnerships
(chapter P-9.001)

Designation of persons entrusted with the enforcement of the Act respecting transport infrastructure partnerships for the purposes of drawing up offence reports referred to in article 62 of the Code of Penal Procedure

THE MINISTER OF TRANSPORT,

CONSIDERING the first paragraph of section 20 of the Act respecting transport infrastructure partnerships (chapter P-9.001), which provides that the Minister may designate from among the persons who meet the conditions determined by government regulation a person to be entrusted with the enforcement of the Act for the purposes of drawing up offence reports referred to in article 62 of the Code of Penal Procedure (chapter C-25.1);

CONSIDERING paragraph 2 of section 1 of the Ministerial order concerning designation of toll road infrastructures operated under a public-private partnership agreement (chapter P-9.001, r. 1.1), which designates as toll road infrastructure bridge P-10942 of autoroute 30 that crosses the St. Lawrence River;

CONSIDERING section 35 of the Regulation respecting toll road infrastructures operated under a public-private partnership agreement (chapter P-9.001, r. 3), which determines the conditions that a person must meet at the time he or she is designated;

CONSIDERING Order 2012-12 of the Minister of Transport dated 13 December 2012 and Order 2013-11 of the Minister of Transport dated 9 September 2013, which designate the persons entrusted with the enforcement of

the Act respecting transport infrastructure partnerships for the purposes of drawing up offence reports referred to in article 62 of the Code of Penal Procedure;

CONSIDERING that it is no longer expedient to designate those persons;

CONSIDERING that Danièle Farmer, Cynthia Michaud and Fabien Caillette meet the conditions set out in section 35 of the Regulation;

CONSIDERING that it is expedient to designate those persons;

ORDERS AS FOLLOWS:

1. For the purposes of drawing up offence reports referred to in article 62 of the Code of Penal Procedure (chapter C-25.1), the following are hereby designated as persons entrusted with the enforcement of the Act respecting transport infrastructure partnerships (chapter P-9.001), on bridge P-10942 of autoroute 30 that crosses the St. Lawrence River:

- (1) Fabien Caillette;
- (2) Danièle Farmer;
- (3) Cynthia Michaud.

2. Order 2012-12 of the Minister of Transport dated 13 December 2012, as amended by Order 2013-11 of the Minister of Transport dated 9 September 2013, is hereby revoked.

Québec, 13 July 2021

FRANÇOIS BONNARDEL
Minister of Transport

105204

