



Part 2

LAWS AND REGULATIONS

15 September 2021 / Volume 153

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Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
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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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A minimum rate of \$266 is applied, however, in the case of a publication of fewer than 220 agate lines.

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PROVINCE OF QUÉBEC

1ST SESSION

42ND LEGISLATURE

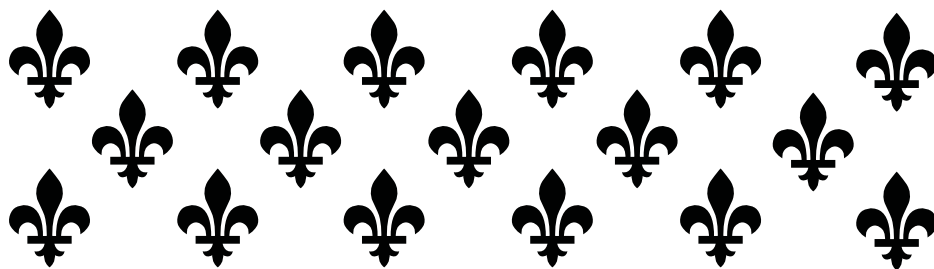
QUÉBEC, 13 MAY 2021

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 13 May 2021*

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

84 An Act to assist persons who are victims of
 criminal offences and to facilitate their recovery

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



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 84
(2021, chapter 13)

**An Act to assist persons who are
victims of criminal offences and to
facilitate their recovery**

**Introduced 10 December 2020
Passed in principle 4 February 2021
Passed 13 May 2021
Assented to 13 May 2021**

**Québec Official Publisher
2021**

EXPLANATORY NOTES

This Act proposes a reform with respect to assistance for persons who are victims of criminal offences. The purpose of the Act is to recognize the rights of persons who are victims of a criminal offence and establish measures to respond to their needs in order to facilitate their recovery.

Measures are introduced to support persons who are victims who suffer interference with their integrity or material loss due to a criminal offence. Among other things, the Act recognizes the right of persons who are victims to be informed of their rights and of the remedies they can pursue as well as of the assistance measures to which they are entitled. The Minister of Justice is allowed to recognize assistance centres for persons who are victims of criminal offences or other bodies with a similar mission and to grant certain subsidies.

Various types of financial assistance are established. The Act defines which persons who are victims of certain criminal offences are eligible for financial assistance, and establishes a qualification process for them. It specifies, among other things, that a qualification application must be filed within three years after a person who is a victim becomes aware of the injury they suffer. However, an application may be filed at any time if it relates to the commission of a criminal offence involving violence suffered during childhood, sexual violence or spousal violence.

Once persons who are victims qualify as such, they are eligible for payment, according to the category of persons who are victims to which they belong, of one or more of the following types of financial assistance: a lump sum, financial assistance compensating a loss of income, financial assistance compensating certain disabilities, financial assistance for psychotherapeutic or psychosocial rehabilitation, financial assistance for physical rehabilitation, financial assistance for vocational reintegration, financial assistance for social reintegration, financial assistance for medical assistance, and financial assistance in the form of a reimbursement of certain miscellaneous expenses. Other persons, including a person who paid funeral expenses or who assumed certain cleaning costs, are also allowed to receive financial assistance in the form of a reimbursement of miscellaneous expenses. In addition, financial assistance aimed at contributing to the needs of a child born as a result of a sexual aggression is introduced.

The Government is granted various regulatory powers to determine primarily the standards, amounts and terms of such financial assistance. Specific conditions are determined for criminal offences committed outside Québec.

Various powers are granted to the Minister, in particular the power to require a person to undergo an examination by a health professional and the power to require reports from certain health professionals or health and social services institutions. Miscellaneous provisions are included pertaining to decisions rendered by the Minister, mechanisms for reviewing and contesting such decisions, and the possibility of recovering financial assistance.

In addition to the financial assistance provided for, the Act empowers the Minister to establish an assistance program for emergency situations to allow persons whose life or safety is threatened to benefit from measures relating, in particular, to assistance in relocating. A police force is allowed to communicate information to the Minister or to an assistance centre for persons who are victims of criminal offences, and an office dedicated to assisting such persons is created at the Ministère de la Justice.

The Act establishes a fund dedicated to assistance for persons who are victims of criminal offences, and provides for the transfer of the assets and liabilities of the Crime Victims Assistance Fund established under the Act respecting assistance for victims of crime to the new fund.

Lastly, the Act repeals the Act respecting assistance for victims of crime, the Crime Victims Compensation Act and the Act respecting assistance and compensation for victims of crime, amends the Act to promote good citizenship, and contains other amending, transitional and final provisions.

LEGISLATION AMENDED BY THIS ACT:

- Civil Code of Québec;
- Act respecting industrial accidents and occupational diseases (chapter A-3.001);
- Individual and Family Assistance Act (chapter A-13.1.1);
- Automobile Insurance Act (chapter A-25);

- Health Insurance Act (chapter A-29);
- Act respecting the Barreau du Québec (chapter B-1);
- Act to promote good citizenship (chapter C-20);
- Code of Civil Procedure (chapter C-25.01);
- Code of Penal Procedure (chapter C-25.1);
- Professional Code (chapter C-26);
- Act respecting the forfeiture, administration and appropriation of proceeds and instruments of unlawful activity (chapter C-52.2);
- Act respecting the Director of Criminal and Penal Prosecutions (chapter D-9.1.1);
- Taxation Act (chapter I-3);
- Act respecting administrative justice (chapter J-3);
- Police Act (chapter P-13.1);
- Youth Protection Act (chapter P-34.1);
- Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2);
- Act respecting the Government and Public Employees Retirement Plan (chapter R-10);
- Act respecting the Teachers Pension Plan (chapter R-11);
- Act respecting the Civil Service Superannuation Plan (chapter R-12);
- Act respecting the Pension Plan of Management Personnel (chapter R-12.1);
- Act respecting health services and social services (chapter S-4.2);
- Act respecting the Québec correctional system (chapter S-40.1).

LEGISLATION REPEALED BY THIS ACT:

- Act respecting assistance for victims of crime (chapter A-13.2);
- Crime Victims Compensation Act (chapter I-6);
- Act respecting assistance and compensation for victims of crime (1993, chapter 54).

REGULATIONS AMENDED BY THIS ACT:

- Regulation respecting financial assistance (chapter A-3, r. 1);
- Regulation respecting social stabilization and economic stabilization programs (chapter A-3.001, r. 14);
- Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1);
- Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1);
- Regulation respecting legal aid (chapter A-14, r. 2);
- Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5);
- Regulation under the Act respecting parental insurance (chapter A-29.011, r. 2);
- Arrêté ministériel concernant la reconnaissance des services d’aide aux victimes aux fins de l’article 417 du Code de procédure civile (chapter C-25.01, r. 7, French only);
- Regulation respecting the form of statements of offence (chapter C-25.1, r. 1);
- Letters patent constituting the Ordre professionnel des criminologues du Québec (chapter C-26, r. 90.1);
- Regulation respecting the Taxation Act (chapter I-3, r. 1);
- Orientations et mesures du ministre de la Justice en matière d’affaires criminelles et pénales (chapter M-19, r. 1, French only);

- 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);
- Regulation respecting the issuance of competency certificates (chapter R-20, r. 5);
- Regulation respecting complementary social benefit plans in the construction industry (chapter R-20, r. 10);
- Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions (chapter S-4.2, r. 5.1);
- Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions (chapter S-4.2, r. 5.2);
- Organization and Management of Institutions Regulation (chapter S-5, r. 5).

Bill 84

AN ACT TO ASSIST PERSONS WHO ARE VICTIMS OF CRIMINAL OFFENCES AND TO FACILITATE THEIR RECOVERY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

TITLE I

PURPOSE

1. The purpose of this Act is to recognize the rights of persons who are victims of a criminal offence and to establish measures to respond to their needs in order to facilitate their recovery. To that end, it establishes an assistance plan enabling them to obtain appropriate support that is coherent with the other plans responding to their needs, in particular by entitling them to efficient, fair and impartial services and to financial assistance.

TITLE II

SUPPORT FOR PERSONS WHO ARE VICTIMS

CHAPTER I

RIGHTS OF PERSONS WHO ARE VICTIMS

2. For the purposes of this Title, persons who are victims are natural persons who, due to the commission of a criminal offence against them or another person, suffer interference with their physical or mental integrity or material loss, whether or not the perpetrator of the offence is identified, arrested, prosecuted or found guilty.

3. Persons who are victims must be treated with compassion, courtesy, fairness and understanding and with respect for their dignity and privacy. They have the right to be assisted and supported.

4. To the extent provided for by law, persons who are victims have the right to be informed of, among other things,

- (1) their rights and the remedies they can pursue to assert them;
- (2) the assistance measures provided for by this Act or by any other Act;

(3) the health services and social services and any support, prevention or protection services available in their community and through which they can obtain the medical, psychological or social assistance required; and

(4) any complaint processing procedure referred to in section 9 and the outcome of their complaint, if applicable.

5. Persons who are victims have the right, taking into account the resources available and to the extent provided for by law,

(1) to receive the medical, psychological or social assistance required by their condition and the other support services appropriate for their needs with respect to shelter and assistance as well as referral to other services that can help them;

(2) to receive the rehabilitation services required by their condition and enabling them to move on with their lives or facilitating their social or vocational reintegration; and

(3) to benefit from measures protecting them from intimidation tactics and reprisals.

6. Persons who are victims have the right, as regards the criminal offence that led to the interference with their integrity or to their material loss,

(1) to receive, in a prompt and fair manner, reparation for the interference suffered or financial assistance, if applicable;

(2) to be informed, on request, of the progress and outcome of the police investigation, as far as possible and subject to the public interest;

(3) to have due consideration given to their views and concerns where their rights are affected;

(4) to have their safety taken into consideration by the persons responsible for enforcing the law;

(5) to be informed of testimonial aids;

(6) to have their seized property returned to them as soon as possible where its retention is no longer necessary for the purposes of the administration of justice;

(7) to be informed of their role and participation in any judicial proceedings as well as of the progress and outcome of those proceedings and of any decision that concerns them;

(8) to be informed of the adaptation and restorative justice programs available;

(9) to be informed of any hearing held to determine the fitness or unfitness of the accused, presumed perpetrator of the criminal offence of which they are a victim, to stand trial;

(10) to be informed of any hearing that could lead to the perpetrator of the criminal offence being found not criminally responsible on account of mental disorder, or of any hearing held following such a finding;

(11) to have due consideration given to their statement made under section 672.541 or section 722 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) or under any other provision of that Code that prescribes the consideration of a statement of the person who is the victim;

(12) to have a court consider making a restitution order against the perpetrator of the criminal offence in accordance with section 737.1 of the Criminal Code;

(13) to be informed of any hearing held to determine whether the perpetrator of the criminal offence of which they are a victim is a high-risk accused;

(14) to receive communication, in accordance with the terms set out in Chapter V of the Act respecting the Québec correctional system (chapter S-40.1), of the information mentioned in section 175 of that Act including the information relating to the release of the offender responsible for the offence of which they were a victim and to make written representations in that respect; and

(15) to be informed of any review provided for by the Corrections and Conditional Release Act (Statutes of Canada, 1992, chapter 20) that concerns the conditional release of the offender responsible for the offence and to be informed of the time and conditions of that release.

The rights provided for in the first paragraph must be exercised in accordance with the laws governing them where such laws provide a framework for those rights.

CHAPTER II

SUPPORT SERVICES FOR PERSONS WHO ARE VICTIMS

7. The Minister may recognize assistance centres for persons who are victims of criminal offences that are composed of community groups or organizations and that participate in the implementation of assistance and support programs for such persons. The Minister may also recognize other organizations having a similar mission.

8. The Minister may grant a subsidy to any person or organization that meets the conditions prescribed by a government regulation and that promotes the development and maintenance of services and programs offered to persons who are victims of criminal offences.

The Minister may also grant a subsidy to any person or organization that meets the conditions prescribed by a government regulation and that promotes research on any matter pertaining to assistance or support for, or the exercise of the rights of, persons who are victims of criminal offences or that promotes support for such persons as well as the development and implementation of information, awareness and training programs.

9. Any government department or any body that meets the conditions prescribed by a government regulation must adopt a statement that sets out each of the services it offers to persons who are victims or each of the activities that cause it to intervene with such persons. That statement must comply with the conditions prescribed by the regulation.

In addition, the government department or the body must establish a procedure for receiving and examining complaints filed by persons who are victims regarding the services it offers or the activities mentioned in the first paragraph, and include the procedure in its service statement. The procedure identifies a person responsible for receiving complaints.

The government department or the body makes the statement available at all times by publishing it on its website or, if it does not have a website, by providing a copy of the statement to any person who requests it. The government department or the body must inform any person who is a victim of the existence of the service statement and of the complaint processing procedure that it includes.

On the adoption of its service statement, the government department or the body sends a copy of it to the office dedicated to assisting persons who are victims of criminal offences established under section 10.

Not later than the date set in a government regulation, the government department or the body sends the office the number of complaints received for the year preceding that date as well as the nature and outcome of the complaints. The sending must be done as prescribed by the regulation and provide the information required, including information making it possible to know the changes made by the government department or the body following a complaint.

The Minister may verify a government department's or a body's compliance with its obligations to adopt the service statement and establish the complaint processing procedure required under this section. The Minister may also designate a person in writing to conduct the verification.

The government department or the body being verified must, at the request of the Minister or the person designated to conduct the verification, send or otherwise make available to the Minister or the designated person all documents or information considered necessary for the purposes of the verification.

The Minister may, in writing, require the government department or the body to take corrective measures within the time the Minister specifies, conduct any appropriate follow-up or comply with other measures, including oversight or support measures.

10. An office dedicated to assisting persons who are victims of criminal offences is established at the Ministère de la Justice. The office is composed of public servants designated by the Minister.

The mandate of the office is to promote the rights of persons who are victims of criminal offences as well as the assistance and support services offered to them under this Title and to see to the protection of the rights of such persons.

To carry out its mandate, the office may

- (1) promote the rights of persons who are victims of criminal offences;
- (2) facilitate the transmission of information to persons who are victims of criminal offences;
- (3) assist the government departments and the bodies referred to in section 9 in developing their service statement and complaint processing procedure;
- (4) see to it that those government departments and those bodies comply with their obligation to disseminate their service statement in accordance with the third paragraph of section 9;
- (5) assist persons who are victims of criminal offences during their complaint process with regard to those government departments and those bodies;
- (6) develop, implement, evaluate and review programs and services;
- (7) advise the Minister on any matter concerning assistance or support for persons who are victims of criminal offences;
- (8) disseminate documentation and establish information, awareness and training programs or activities pertaining to the rights and needs of persons who are victims and the services available to them, as well as facilitate such dissemination and establishment by third parties;
- (9) see to the coordination of programs and services and to concerted action between persons, government departments and bodies;
- (10) facilitate the carrying out and dissemination of research, studies and analyses under a subsidy program to promote research, information, awareness and training pertaining to assistance for persons who are victims of criminal offences; and

(11) promote and coordinate the creation and development of assistance centres for persons who are victims of criminal offences, including by providing community groups or organizations with the technical and professional support required for their establishment and operation.

In addition, the office carries on any activity entrusted to it by the Minister with a view to facilitating the application of this Act.

11. A fund dedicated to assistance for persons who are victims of criminal offences is established at the Ministère de la Justice to finance assistance and support programs and services under this Title for persons who are victims of criminal offences.

12. The following sums are credited to the fund:

(1) the sums transferred to it by the Minister out of the appropriations granted for that purpose by Parliament;

(2) the victim surcharges collected under section 737 of the Criminal Code;

(3) the sums collected under article 8.1 of the Code of Penal Procedure (chapter C-25.1), to the extent determined by the Code;

(4) the gifts, legacies and other contributions paid into the fund to further the achievement of its objects;

(5) the sums transferred to the fund by the Minister of Finance under section 54 of the Financial Administration Act (chapter A-6.001);

(6) the sums transferred to the fund by the Minister of Finance under section 14;

(7) the sums from the sharing of proceeds of crime or goods confiscated by the State following a civil forfeiture of property derived from unlawful activity under the Act respecting the forfeiture, administration and appropriation of proceeds and instruments of unlawful activity (chapter C-52.2); and

(8) the revenues generated by the sums credited to the fund, except the sums referred to in paragraphs 1 and 6.

13. The following sums are debited from the fund:

(1) the sums required for the financing of assistance and support programs and services under this Title for persons who are victims of criminal offences;

(2) the subsidies granted by the Minister under section 8; and

(3) the payment of any expense necessary for the carrying out of a function entrusted to the office dedicated to assistance for persons who are victims of criminal offences.

14. The Minister of Finance transfers to the fund, out of the sums credited to the general fund, at the intervals the Minister determines, the sums sufficient to make up the difference between the sums necessary for the administration of the provisions of this Title and the sums in the fund.

TITLE III

FINANCIAL ASSISTANCE

CHAPTER I

GENERAL PROVISIONS

DIVISION I

PERSONS WHO ARE VICTIMS

15. For the purposes of this Title, the following persons who are victims are entitled to financial assistance, according to the terms prescribed by this Title:

(1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;

(2) a parent of a child who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the child, or a person having parental authority over the child;

(3) a child of a parent who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the parent, or a child over whom a person who is deceased or suffers such interference has parental authority;

(4) the spouse of a person who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the person;

(5) a dependant of a person who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the person;

(6) a close relation of a person who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the person; and

(7) a witness to the commission of a criminal offence or to the intact scene of the offence.

A witness referred to in subparagraph 7 of the first paragraph includes

(1) any person referred to in any of subparagraphs 2 to 6 of that paragraph who is a witness to the physical place where the criminal offence was committed against the person mentioned in those subparagraphs who is deceased or suffers

the interference while the latter person and a police officer, peace officer, firefighter, pre-hospital emergency service ambulance technician or any other first responder are still at that place;

(2) any witness who is not at the scene when the offence is committed but who is nonetheless a witness due to being in communication with the person who is a victim referred to in subparagraph 1 of the first paragraph or with the perpetrator of the offence, provided the communication

(a) is made using a technological means;

(b) involves an active exchange between the witness and the person who is a victim or the perpetrator of the offence;

(c) is made without any interruptions other than the intervals required to prepare and send or receive the next element of the exchange; and

(d) allows the witness to observe the offence, at the time of its commission, either visually, auditorily or through reading.

The intact scene corresponds to the physical place where a criminal offence was committed, as it is before a first responder mentioned in subparagraph 1 of the second paragraph arrives at that place.

16. The following persons are, as a result of a civic intervention, considered as persons who are victims who are entitled to financial assistance, according to the terms prescribed by this Title:

(1) an intervening person who suffers interference with their integrity while arresting or attempting to arrest an offender or suspected offender or while assisting a peace officer making or attempting to make an arrest, where the circumstances of the arrest involve a criminal offence;

(2) an intervening person who suffers interference with their integrity while preventing or attempting to prevent the commission of a criminal offence or what the person believes to be such an offence or while lending assistance to a peace officer preventing or attempting to prevent the commission of such an offence or what the peace officer believes to be such an offence;

(3) a parent of a child who is deceased or suffers interference with their integrity, in a case where the child is an intervening person referred to in paragraph 1 or 2, or a person having parental authority over the child;

(4) a child of an intervening person referred to in paragraph 1 or 2 who is deceased or suffers interference with their integrity, or a child over whom such an intervening person who is deceased or suffers such interference has parental authority;

(5) the spouse of a person who is deceased or suffers interference with their integrity, in a case where the person is an intervening person referred to in paragraph 1 or 2;

(6) a dependant of a person who is deceased or suffers interference with their integrity, in a case where the person is an intervening person referred to in paragraph 1 or 2; and

(7) a close relation of a person who is deceased or suffers interference with their integrity, in a case where the person is an intervening person referred to in paragraph 1 or 2.

For the purposes of the provisions of this Act that apply to the persons referred to in this section, whenever one of those provisions deals with the commission of a criminal offence, the intervention described in subparagraph 1 or 2 of the first paragraph is deemed to be that commission.

17. In addition to the conditions set out in sections 15 and 16, in order for the persons who are victims mentioned in those sections to be granted the financial assistance provided for in this Title, the interference with the integrity of the person referred to in subparagraph 1 of the first paragraph of section 15 or in subparagraph 1 or 2 of the first paragraph of section 16 or the death of such a person must have occurred in Québec.

18. For the purposes of this Title,

“**close relation**” means, in relation to a person who is a victim, their brother, sister, grandparent or grandchild, a child of their spouse, the spouse of their parent, a child of the spouse of their parent, or the significant person designated either by a person who is a victim who suffers interference with their integrity due to the commission of a criminal offence against the latter or by an intervening person, as applicable; where the person who is a victim or the intervening person is under 14 years of age, such a designation is made by their parent, a person having parental authority over them or any other person of full age entrusted with representing them for that purpose and, where the person who is a victim or the intervening person is deceased, the significant person is the one who demonstrates a significant bond with the person or intervening person who is deceased;

“**criminal offence**” means any offence under the Criminal Code committed after 1 March 1972 and causing a person to suffer interference with their physical or mental integrity; a criminal offence against property is therefore excluded;

“**dependant**” means any person more than 50% of whose needs are provided for by the person who is a victim who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the latter;

“**spouse**” means a person who is in either of the following situations:

(1) the person is married to or in a civil union with a person who is a victim; or

(2) the person has been sharing a community of life with a person who is a victim for at least three years, or shares a community of life with such a person and

(a) a child has been born or is to be born of their union;

(b) they have adopted a child together; or

(c) one of them has adopted a child of the other.

For the purposes of this Title, a person who disappears under circumstances that lead to believe that their death is probable and that the disappearance results from the commission of a criminal offence is presumed to be deceased.

Where a provision of this Act refers to a parent, the reference does not cover a parent who is deprived of parental authority or, in the case of a child of full age, a parent who was deprived of parental authority when the child reached full age.

DIVISION II

MISCELLANEOUS PROVISIONS

19. Unless otherwise indicated, where a health assessment is required under this Title, it must be carried out by a health professional determined by a government regulation.

The regulation may provide that such an assessment may be carried out by different professionals, based on the type of financial assistance concerned. The regulation may also prescribe the information that must accompany the health assessment.

Where this Title refers to a health professional, the reference is to a health professional determined by the regulation.

Subject to section 75, a person has the right to consult any health professional, provided the person's choice complies with the regulatory provisions.

20. Financial assistance provided for in this Title may be granted whether or not the perpetrator of the criminal offence has been identified, arrested, prosecuted or found guilty.

21. No person who is a victim is entitled to financial assistance under this Title if they were a party to the commission of the criminal offence of which they are a victim or of which a person referred to in subparagraph 1 of the first

paragraph of section 15 is a victim, or if they contributed, by committing a gross fault, to the interference with their integrity or to the death or interference with the integrity of that person, except

(1) if the person who is a victim was a party to the commission of the offence or contributed, by committing a gross fault, to the interference with their integrity or to the death or interference with the integrity of another person because the person who is a victim was experiencing violence or a threat of violence; or

(2) in the case of a child under 12 years of age, an incapable child or an incapable dependant of a person who is a victim who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the latter.

The spouse or close relation of a person who is a victim or the parent of a person of full age who is a victim is not entitled to any financial assistance provided for in this Title if the person who is a victim who is deceased or suffers interference with their integrity due to the commission of a criminal offence was a party to the commission of that offence or contributed, by committing a gross fault, to the interference with their integrity or to their death. However, such a spouse, close relation or parent remains eligible for financial assistance if they were experiencing violence or a threat of violence.

This section does not apply to a person who files an application due to the spousal violence or sexual violence of which they are a victim.

22. A person who is a victim who qualifies as such under more than one subparagraph of the first paragraph of section 15 or the first paragraph of section 16 is entitled to all the types of financial assistance provided for in this Title for each category of persons who are victims described in those subparagraphs, provided that, where the same type of assistance is offered for more than one category, it is payable with regard to only one category and the person who is a victim is entitled to the most advantageous assistance.

DIVISION III

QUALIFICATION APPLICATION

23. Every person who is a victim must be qualified to obtain financial assistance under this Title. To that end, they must file an application with the Minister to be qualified as a person who is a victim within the meaning of section 15 or 16.

For the purpose of filing a qualification application, the person who is a victim has the right to receive all information relating to the assistance the person is entitled to obtain under this Title. Likewise, throughout the application examination procedure, the person is entitled to be informed of the progress of the examination of the application.

24. A qualification application is filed in accordance with the conditions, standards and terms prescribed by a government regulation.

25. A qualification application must be filed within three years after the date on which the person who is a victim becomes aware of the injury they suffer due to the commission of the criminal offence or within three years after a death due to the commission of a criminal offence, as applicable.

A person who is a victim who fails to file the application within the prescribed time is presumed to have waived the right to any financial assistance provided for in this Title. This presumption may be rebutted if the person demonstrates reasonable cause to explain the delay.

Despite the first paragraph, a qualification application may be filed at any time if it relates to the commission of a criminal offence involving violence suffered during childhood, sexual violence or spousal violence.

Awareness of the injury corresponds to the moment the person who is a victim becomes aware of the probable connection between their injury and the commission of the offence.

For the purposes of this section, an application is considered filed if it is complete, that is, if it provides all the information and documents required to qualify the person who is a victim.

26. A child who is a victim 14 years of age or over may file a qualification application alone.

If a parent of a child who is a victim under 14 years of age, or a person having parental authority over such a child, refuses or neglects to apply for qualification or is the perpetrator of the criminal offence that led to the qualification application, another person of full age may file the application for the child.

27. The qualification of a person who is a victim allows them to be granted any financial assistance for which they are eligible under this Title on meeting the prescribed conditions.

28. Nothing in this Act affects the right of a person who is a victim who has chosen to file a qualification application under this Title to recover from any person responsible for the injury suffered the amounts required to make up, with the financial assistance received, an amount equivalent to the loss actually sustained.

29. An application filed under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25) or the Act to promote good citizenship (chapter C-20) that is refused on the ground that it should have been filed under this Title is nevertheless deemed to have been validly filed under this Title.

30. A qualification application interrupts the prescription, provided for in the Civil Code, of the action by the person who is a victim for reparation of their injury until the day the Minister or, as applicable, the Administrative Tribunal of Québec renders a decision on the application.

31. A person who is a victim who filed a qualification application must notify the Minister without delay of any change in their situation that affects their qualification or their entitlement to financial assistance or that may affect the amount of that assistance.

The person must notify the Minister according to the conditions, standards and terms prescribed by a government regulation.

32. On the submission of a qualification application, the Minister is subrogated by operation of law to the rights of the person who is a victim up to the amount the Minister may be called on to pay to the person. The Minister may, in the Minister's own name or in the name of the person, continue or institute a judicial application.

If the person chooses to take advantage of financial assistance under this Title, any agreements or compromises reached between the parties in relation to a judicial application or to the right to such an application are without effect until ratified by the Minister; payment of the amount agreed on or awarded must be made only in the manner indicated by the Minister.

A person who wilfully prevents the Minister from exercising a recourse as subrogee is required to repay the amount of the financial assistance received from the Minister. The Minister may recover that debt within three years after being deprived of the recourse.

An amount recovered under this section must be paid into the Consolidated Revenue Fund.

Before exercising the recourse as subrogee provided for by this section to recover an amount the Minister paid to a person referred to in subparagraph 1 of the first paragraph of section 15 who was a victim of spousal violence or sexual violence, the Minister must obtain the consent of the person who is a victim, unless the person is deceased.

DIVISION IV

OTHER PROVISIONS

33. A person who is a victim may either obtain financial assistance under this Title or bring a judicial application against any person responsible for the injury they suffer. The person may not receive both assistance under this Title and a sum awarded and collected for the same objects, sequelae or injuries. Any sum so awarded and collected, after deduction of the amounts incurred to obtain it, is deducted from the assistance paid under this Title or is reimbursed to the Minister.

The person who is a victim must, after bringing a judicial application, notify the Minister of any sum awarded, sum collected and amount incurred referred to in the first paragraph.

However, if the sum so awarded or so collected is less than the amount of financial assistance the person could have obtained under this Title, they may, to make up the difference, be granted financial assistance provided for in this Title by filing an application to that effect with the Minister within the year following the date of the judgment; if the criminal offence concerned involves violence suffered during childhood, sexual violence or spousal violence, the application may be filed at any time.

The person must notify the Minister under the second paragraph or file the application provided for in the third paragraph according to the conditions, standards and terms prescribed by a government regulation.

In addition, a person who is a victim who, after filing a qualification application, brings a judicial application against any person responsible for the injury they suffer must notify the Minister. The notice must be served on the Minister by a bailiff as soon as possible in the course of the proceeding, but at least 30 days before the case is ready for trial; the notice must be accompanied by all pleadings already filed in the record. The Minister may become a party to the proceeding without further formality and may file conclusions with the court, in which case the court must rule on them.

34. The financial assistance to which a minor child is entitled is paid to the child's parent, the person having parental authority over the child or the child's tutor, unless the child is 14 years of age or over and has filed the qualification application alone.

If the parent, person having parental authority or tutor is the perpetrator of the criminal offence that led to the entitlement to the financial assistance, that assistance is paid solely to the other parent, to another person having parental authority or to another tutor or, if there is no such other person, to another person of full age designated by the Minister. The designated person has, with respect to the administration of the financial assistance, the powers and duties of a tutor.

If an incapable person of full age is entitled to payment of financial assistance, the assistance is paid to the person's tutor, curator or mandatary, as applicable, or, if there is no tutor or curator, to a person designated by the Minister; that person has the powers and duties of a tutor or curator, as applicable.

Notice is given to the Public Curator of any financial assistance with regard to an incapable person or to a minor child.

35. The financial assistance paid under this Title or under Title IV is unassignable and unseizable.

However, financial assistance compensating a loss of income or financial assistance compensating certain disabilities paid to a person who is a victim is deemed to be their salary and is seizable as a support debt in accordance with articles 694 and following of the Code of Civil Procedure (chapter C-25.01), with the necessary modifications.

CHAPTER II

LUMP SUM

DIVISION I

ELIGIBLE PERSONS WHO ARE VICTIMS

36. The following qualified persons who are victims are, in accordance with a government regulation and subject to section 37, eligible for payment of a lump sum:

(1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;

(2) a parent of a minor child who is deceased due to the commission of a criminal offence against the child, or a person who had parental authority over the child;

(3) a parent of a child of full age who is deceased due to the commission of a criminal offence against the child if, at the time of death, the child did not have a spouse or child or, despite the child having a spouse or child, the child's parent provided for more than 50% of the child's needs;

(4) a child of a parent who is deceased due to the commission of a criminal offence against the parent, or a child over whom a person who is deceased due to the commission of a criminal offence had parental authority;

(5) the spouse of a person who is deceased due to the commission of a criminal offence against the person;

(6) a dependant of a person who is deceased due to the commission of a criminal offence against the person;

(7) an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16;

(8) a parent of a minor child who is deceased, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a person who had parental authority over the child;

(9) a parent of a child of full age who is deceased, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, if, at the time of death, the child did not have a spouse or child or, despite the child having a spouse or child, the child's parent provided for more than 50% of the child's needs;

(10) a child of a parent who is deceased, in a case where the parent is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a child over whom such an intervening person who is deceased had parental authority;

(11) the spouse of a person who is deceased, in a case where the person was an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and

(12) a dependant of a person who is deceased, in a case where the person was an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16.

The spouse referred to in subparagraph 5 or 11 of the first paragraph or the dependant referred to in subparagraph 6 or 12 of that paragraph is the one who, at the time of death of the person mentioned in those subparagraphs, meets the conditions for “**spouse**” or “**dependant**” set out in the first paragraph of section 18.

For the purposes of this division, a child yet unborn at the time of the death is considered to be a child who is entitled to the lump sum under subparagraph 4 or 10 of the first paragraph, as applicable, due to the death of the person mentioned in those subparagraphs, if the child is born alive and viable.

An eligible person who is a victim is entitled to the lump sum established in accordance with a government regulation, according to the conditions, standards, amounts and terms prescribed in the regulation.

37. In addition to the conditions prescribed by a government regulation, a person who is a victim mentioned in subparagraph 1 or 7 of the first paragraph of section 36 is eligible for payment of a lump sum if a health assessment reveals

(1) that they suffer injury, consisting in loss of enjoyment of life, pain, mental suffering or other unfavourable consequences suffered due to the commission of a criminal offence against them or consisting in functional or cosmetic impairment due to the commission of that offence; and

(2) that they suffer permanent sequelae caused by that injury.

A person who is a victim mentioned in any of the other subparagraphs of the first paragraph of section 36 is entitled to payment of a lump sum due to the death of the person mentioned in those subparagraphs.

DIVISION II

ESTABLISHMENT AND PAYMENT OF LUMP SUM

38. The Government prescribes, by regulation, the method for establishing the lump sum. That sum may vary according to the person who is a victim or to any other criteria the Government determines.

The amounts considered for the establishment of the lump sum are those in force on the date the lump sum is established.

39. The lump sum is established after a health assessment confirms the sequelae of injuries for which there is no possibility of significant improvement or after the death is pronounced or presumed.

In the case of a lump sum for the sequelae of injuries, the lump sum is established and paid for each sequela after the health assessment has confirmed that improvement of the sequela is impossible.

Despite the first paragraph, the lump sum may, in accordance with the regulation, include an amount that covers loss of enjoyment of life, pain, mental suffering or other unfavourable consequences that were temporary.

40. The lump sum is paid after it is established.

At the request of an eligible person who is a victim, the lump sum may be paid over a 12-month or 24-month period, in the form of equal periodic payments, that together correspond to the amount of the lump sum, to which interest determined by a government regulation is added. The terms of payment are prescribed in the regulation.

41. If the sequelae confirmed under section 39 worsen, the person who is a victim may have the worsening recognized and request a re-assessment of the lump sum established.

The re-assessment is carried out after a health assessment confirms the worsening of the sequelae for which there is no possibility of significant improvement.

CHAPTER III

FINANCIAL ASSISTANCE COMPENSATING A LOSS OF INCOME OR FINANCIAL ASSISTANCE COMPENSATING CERTAIN DISABILITIES

DIVISION I

ELIGIBLE PERSONS WHO ARE VICTIMS

42. The following qualified persons who are victims are, in accordance with a government regulation, eligible for payment of financial assistance compensating a loss of income or financial assistance compensating certain disabilities:

(1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;

(2) a parent of a minor child who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the child, or a person having parental authority over the child;

(3) a witness to the commission of a criminal offence or to the intact scene of the offence after it was committed, within the meaning of subparagraph 7 of the first paragraph of section 15;

(4) an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and

(5) a parent of a minor child who is deceased or suffers interference with their integrity, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a person having parental authority over the child.

The regulation provided for in the first paragraph prescribes the other standards and terms relating to financial assistance compensating a loss of income or financial assistance compensating certain disabilities.

43. A person who is a victim mentioned in section 42 is eligible for financial assistance compensating a loss of income if

(1) at the time of the health assessment mentioned in subparagraph 2, they

(a) held an employment, performed work or assumed the functions of an occupation from which they derived an income;

(b) had an employment relationship with an employer and the first day of employment or day of return to work was determined or foreseeable; or

(c) held an employment, performed work or assumed the functions of an occupation from which they derived an income within the 12-month period preceding the health assessment referred to in paragraph 2 and have ceased to hold that employment, perform that work or assume the functions of that occupation due to the commission of the criminal offence of which they are a victim;

(2) a health assessment confirms that, due to the commission of the criminal offence of which they are a victim, they are unable to hold their employment, perform their work or assume the functions of their occupation from which they derived an income and that employment or work or those functions are referred to in any of subparagraphs *a* to *c* of paragraph 1; and

(3) the application for financial assistance compensating a loss of income is filed within 12 months after the health assessment.

44. A person who is a victim mentioned in section 42 is eligible for financial assistance compensating certain disabilities if

(1) at the time of the health assessment mentioned in subparagraph 2, they were in none of the situations referred to in subparagraphs *a* to *c* of paragraph 1 of section 43;

(2) a health assessment confirms that, due to the commission of the criminal offence of which they are a victim, they are unable to perform the majority of their usual activities as described in a government regulation and they meet the other conditions prescribed in that regulation; and

(3) the application for financial assistance compensating certain disabilities is filed within 12 months after the health assessment.

DIVISION II

ESTABLISHMENT AND PAYMENT OF FINANCIAL ASSISTANCE COMPENSATING A LOSS OF INCOME OR OF FINANCIAL ASSISTANCE COMPENSATING CERTAIN DISABILITIES

45. Financial assistance compensating a loss of income is established considering, as applicable, according to the most advantageous situation and subject to the conditions prescribed by a government regulation,

(1) the net annual income the person who is a victim earned, at the time of the health assessment, from their employment, work or occupation;

(2) the net income the person obtained during the 12 months preceding the health assessment;

(3) the net annual income the person would earn from their employment if, at the time of the health assessment, they had held the employment for which they have an employment relationship with an employer and for which the first day of employment or day of return to work was foreseeable; or

(4) the income determined by a government regulation.

The net income of the person that is referred to in any of subparagraphs 1 to 3 of the first paragraph is equal to their gross income for the year derived from an employment, work or occupation and for which the applicable fiscal laws are complied with, less an amount equivalent to the income tax established under the Taxation Act (chapter I-3) and the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement), the employee's premium payable under the Act respecting employment insurance in Canada (Statutes of Canada, 1996, chapter 23), the worker's premium established under the Act respecting parental insurance (chapter A-29.011) and the worker's contribution established under the Act respecting the Québec Pension Plan (chapter R-9); the net income is calculated according to the method determined in section 63 of the Act respecting industrial accidents and occupational diseases, with the necessary modifications.

For the purposes of the second paragraph, the gross income that, through concealment, eludes the payment of taxes and social contributions, is deemed equal to zero.

For the purposes of the deductions provided for in the second paragraph, whether or not the person has a spouse or dependants on the date of the application, and, if applicable, the number of dependants, are taken into account.

If the person who is in the situation referred to in subparagraph 2 of the first paragraph received employment insurance benefits, salary insurance benefits, parental insurance benefits or income replacement indemnities from the Commission des normes, de l'équité, de la santé et de la sécurité du travail or from the Société de l'assurance automobile du Québec or received any other benefit or indemnity intended to compensate a loss of income during that period, those benefits and indemnities must be considered in calculating the gross income established on the basis of the 12 months preceding the disability.

If a person who is in a situation described in either subparagraph *a* or *b* of paragraph 1 of section 43 is receiving employment insurance or parental insurance benefits, payment of financial assistance compensating a loss of income is, as chosen by the person, made immediately or suspended until those benefits cease to be paid.

46. Financial assistance compensating certain disabilities is established considering the income determined by a government regulation.

47. Where it is shown, after payment of financial assistance compensating a loss of income has begun, that the gross income considered for the purpose of establishing the financial assistance, under any of subparagraphs 1 to 3 of the first paragraph of section 45, for the year concerned is not the actual gross income to be considered, the establishment of the financial assistance is revised.

For the purposes of this section, the Minister may require any person who is a victim to provide, in the year following the year in which the financial assistance was established, proof of their gross income for the year concerned. Such proof may be in the form of any document that supports such income, including the notice of assessment for the fiscal return filed for the preceding year in accordance with section 1000 of the Taxation Act or any similar document produced by a competent fiscal authority.

48. Financial assistance compensating a loss of income is annual and is equivalent to 90% of the income established in accordance with section 45.

Despite the first paragraph, if the person's gross income used to calculate the net income provided for in any of subparagraphs 1 to 3 of the first paragraph of section 45 exceeds the amount determined by a government regulation, the financial assistance is equivalent to 90% of the net income established on the basis of that amount. The third, fourth and fifth paragraphs of section 45 apply, with the necessary modifications, to that establishment.

The Government determines, by regulation, the amount provided for in the second paragraph and it may prescribe by regulation the method for indexing the amount it determines.

49. Financial assistance compensating certain disabilities is annual and is equivalent to 90% of the income determined in accordance with section 46.

50. Financial assistance compensating a loss of income is paid once every two weeks from the date of the health assessment. However, if a person continued, despite that assessment, to hold their employment, perform their work or assume the functions of their occupation from which they derived an income, the financial assistance is paid from the time they actually ceased to hold the employment, perform the work or assume the functions of the occupation.

Financial assistance compensating certain disabilities is paid once every two weeks from the date of the health assessment. However, if a person continued, despite that assessment, to perform the majority of their usual activities referred to in paragraph 2 of section 44, the financial assistance is paid from the time they actually ceased to perform those activities.

The amount of the payments provided for in this section is indexed, by operation of law, on the date of each annual anniversary of the date on which payments began, in the manner prescribed by a government regulation.

DIVISION III

TERM OF FINANCIAL ASSISTANCE

51. Financial assistance compensating a loss of income or financial assistance compensating certain disabilities is paid, for the same event, for a maximum period of three years, whether consecutive or not,

(1) to a person who suffers interference with their integrity due to the commission of a criminal offence against them;

(2) to an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and

(3) to a parent or person having parental authority referred to in subparagraph 2 or 5 of the first paragraph of section 42, where the child mentioned in those subparagraphs is deceased.

Financial assistance compensating a loss of income or financial assistance compensating certain disabilities is paid, for the same event, for a maximum period of two years, whether consecutive or not,

(1) to a parent or person having parental authority referred to in subparagraph 2 or 5 of the first paragraph of section 42, where the child mentioned in those paragraphs suffers interference with their integrity due to the commission of a criminal offence; and

(2) to the witness referred to in subparagraph 3 of the first paragraph of section 42.

The following are considered the same event:

(1) one or more offences of the same type committed on one and the same day by the same perpetrator or by different perpetrators;

(2) the same offence or the same type of offence committed repeatedly over two or more days, whether consecutive or not, by the same perpetrator in similar contexts, in particular, where the offence involves violence suffered during childhood, sexual violence or spousal violence; and

(3) one or more offences committed on an ongoing basis over more than one day by the same perpetrator or by different perpetrators.

Despite the preceding paragraphs, if a new application for financial assistance compensating a loss of income or for financial assistance compensating certain disabilities is made, in relation to a new event, in the period during which a person who is a victim is already receiving such financial assistance in relation to another event, the person is entitled to payment of that financial assistance for a new period of two or three years, as applicable, that begins on the date of the new disability and that replaces, from then on, the period that had previously begun.

52. Despite section 51, a person who is a victim ceases to be entitled to financial assistance compensating a loss of income or to financial assistance compensating certain disabilities or incurs a suspension of that assistance

(1) if they are in either of the following situations:

(a) they become able to hold an employment, perform work or assume the functions of an occupation from which they derive at least the same income that they derived from their employment, work or occupation before the health assessment referred to in paragraph 2 of section 43, subject to cases where they may continue to benefit from that financial assistance within the context of their vocational rehabilitation; or

(b) they are in none of the situations referred to in subparagraphs *a* to *c* of paragraph 1 of section 43 and become once again able to perform the majority of their usual activities;

(2) if they refuse or neglect to participate in obtaining the care required for their recovery or to follow medical prescriptions; or

(3) on their death.

53. If a person who is a victim begins or resumes holding employment, performing work or assuming the functions of an occupation progressively or, temporarily, with shorter hours, following a medical prescription to that effect, the financial assistance compensating a loss of income is reduced by an amount corresponding to the net income the person earns for that employment, work or occupation.

If a person who is a victim begins or resumes holding employment, performing work or assuming the functions of an occupation from which they derive a lower income than they derived from their employment, work or occupation before the health assessment referred to in paragraph 2 of section 43, the financial assistance compensating a loss of income may continue to be paid to the person as prescribed by a government regulation.

CHAPTER IV

FINANCIAL ASSISTANCE FOR PSYCHOTHERAPEUTIC OR PSYCHOSOCIAL REHABILITATION

54. The purpose of psychotherapeutic or psychosocial rehabilitation is to remove or lessen the mental hardship encountered by a person who is a victim.

55. Persons who are victims mentioned in section 15 or 16 who are qualified are, in accordance with a government regulation, eligible for the reimbursement of the expenses they incur for their psychotherapeutic or psychosocial rehabilitation that, subject to the fourth paragraph of section 68, are not covered by another public plan.

For the purposes of the first paragraph, a spouse or a close relation is a person who, on the earliest of the following dates, meets the conditions for “**spouse**” or “**close relation**” set out in the first paragraph of section 18:

(1) the date of the qualification application filed by that spouse or close relation; or

(2) the date of the qualification application filed by the person who is a victim.

The regulation provided for in the first paragraph prescribes the conditions, standards, amounts and terms relating to the reimbursement of expenses. Likewise, it may determine the professionals with whom the expenses must be incurred in order to be eligible for reimbursement.

Every organization that is a party to an agreement with the Minister and who, under that agreement, incurs expenses for the psychotherapeutic or psychosocial rehabilitation of a person who is a victim referred to in the first paragraph is entitled to the reimbursement of those expenses according to the terms and conditions set out in the agreement.

56. In addition to what is provided for in this chapter and by a government regulation, the Minister may take all measures necessary, including other financial measures, to contribute to the psychotherapeutic or psychosocial rehabilitation of a person who is a victim.

CHAPTER V

FINANCIAL ASSISTANCE FOR PHYSICAL REHABILITATION

57. The purpose of physical rehabilitation is to remove or lessen the physical disability of a person who is a victim and to enable the person to develop their residual capacity in order to compensate for the functional limitations resulting from the injury suffered.

Physical rehabilitation includes all measures that could help remove or lessen the disability resulting from the injury the person suffers.

58. The following qualified persons who are victims are, in accordance with a government regulation, eligible for the reimbursement of the expenses they incur for their physical rehabilitation that, subject to the fourth paragraph of section 68, are not covered by another public plan:

(1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;

(2) a parent of a minor child who is deceased due to the commission of a criminal offence against the child, or a person who had parental authority over the child;

(3) an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and

(4) a parent of a minor child who is deceased, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a person who had parental authority over the child.

The regulation provided for in the first paragraph prescribes the conditions, standards, amounts and terms relating to the reimbursement of expenses. Likewise, it may determine the professionals with whom the expenses must be incurred in order to be eligible for reimbursement.

59. In addition to what is provided for in this chapter and by a government regulation, the Minister may take all measures necessary, including other financial measures, to contribute to the physical rehabilitation of a person who is a victim.

CHAPTER VI

FINANCIAL ASSISTANCE FOR VOCATIONAL REINTEGRATION

60. The following qualified persons who are victims are, in accordance with a government regulation, eligible for payment of the amounts prescribed or for reimbursement of the expenses incurred for their vocational reintegration that, subject to the fourth paragraph of section 68, are not covered by another public plan:

(1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;

(2) a parent of a minor child who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the child, or a person having parental authority over the child;

(3) a witness to the commission of a criminal offence or to the intact scene of the offence after it was committed, within the meaning of subparagraph 7 of the first paragraph of section 15;

(4) an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and

(5) a parent of a minor child who is deceased or suffers interference with their integrity, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a person having parental authority over the child.

The amounts and expenses referred to in the first paragraph are, in particular, those paid or incurred for

(1) vocational potential evaluation services;

- (2) resuming, or beginning new, secondary-level or post-secondary-level education;
- (3) vocational training;
- (4) assistance in finding employment;
- (5) additional financial assistance compensating a loss of income;
- (6) the adaptation of a work station or other equipment used for work; and
- (7) relocation near a new place of employment.

The regulation provided for in the first paragraph prescribes the conditions, standards, amounts and terms relating to payment of the amounts and reimbursement of the expenses. Likewise, it may determine the professionals with whom the expenses must be incurred in order to be eligible for reimbursement.

61. In addition to what is provided for in this chapter and by a government regulation, the Minister may take all measures necessary, including other financial measures, to contribute to the vocational reintegration of a person who is a victim.

CHAPTER VII

FINANCIAL ASSISTANCE FOR SOCIAL REINTEGRATION

62. The following qualified persons who are victims are, in accordance with a government regulation, eligible for the reimbursement of the expenses they incur for their social reintegration that, subject to the fourth paragraph of section 68, are not covered by another public plan:

- (1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;
- (2) a parent of a minor child who is deceased due to the commission of a criminal offence against the child, or a person who had parental authority over the child;
- (3) a witness to the commission of a criminal offence or to the intact scene of the offence after it was committed, within the meaning of subparagraph 7 of the first paragraph of section 15;
- (4) an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and
- (5) a parent of a minor child who is deceased, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a person who had parental authority over the child.

The expenses referred to in the first paragraph are, in particular, those incurred for

- (1) the person's relocation and the resiliation of a residential lease under article 1974.1 of the Civil Code;
- (2) the person's protection;
- (3) professional psychosocial intervention services;
- (4) services for at-home assistance or for assistance in performing the tasks required to provide for the person's needs;
- (5) child care services; and
- (6) housekeeping services.

The regulation provided for in the first paragraph prescribes the conditions, standards, amounts and terms relating to the reimbursement of the expenses. Likewise, it may determine the professionals with whom the expenses must be incurred in order to be eligible for reimbursement.

63. In addition to what is provided for in this chapter and by a government regulation, the Minister may take all measures necessary, including other financial measures, to contribute to the social reintegration of a person who is a victim.

CHAPTER VIII

FINANCIAL ASSISTANCE FOR MEDICAL ASSISTANCE

64. The following qualified persons who are victims are, in accordance with a government regulation, eligible for the reimbursement of certain expenses they incur to obtain medical assistance that, subject to the fourth paragraph of section 68, are not covered by another public plan, except the health insurance plan and the basic prescription drug insurance plan:

- (1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;
- (2) a parent of a minor child who is deceased due to the commission of a criminal offence against the child, or a person who had parental authority over the child;
- (3) an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and
- (4) a parent of a minor child who is deceased, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a person who had parental authority over the child.

The expenses referred to in the first paragraph are those required, from a medical point of view,

- (1) to obtain medications or other pharmaceutical products; or
- (2) to obtain a visual aid, hearing aid or communication device, or a device or other equipment that compensates for a physical deficiency, including the repair or replacement of such an aid or device or such equipment.

The government regulation provided for in the first paragraph prescribes the conditions, standards, amounts and terms relating to the reimbursement of those expenses. Likewise, it may determine the professionals with whom the expenses must be incurred in order to be eligible for reimbursement.

CHAPTER IX

FINANCIAL ASSISTANCE TO CONTRIBUTE TO THE NEEDS OF A CHILD BORN AS A RESULT OF A SEXUAL AGGRESSION

65. A person who provides for the support needs of a child whose conception results from a sexual aggression is eligible for payment of financial assistance.

Sections 23 to 31 do not apply to an application made under this section.

The conditions, standards, amounts and terms relating to payment of that assistance are prescribed by a government regulation.

CHAPTER X

FINANCIAL ASSISTANCE IN THE FORM OF A REIMBURSEMENT OF CERTAIN MISCELLANEOUS EXPENSES

66. The following qualified persons who are victims are, in accordance with a government regulation, eligible for the reimbursement of certain miscellaneous expenses they incur due to, or incurred before, the commission of a criminal offence:

- (1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;
- (2) a parent of a minor child who is deceased due to the commission of a criminal offence against the child, or a person who had parental authority over the child;
- (3) a witness to the commission of a criminal offence or to the intact scene of the offence after it was committed, within the meaning of subparagraph 7 of the first paragraph of section 15;

(4) an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and

(5) a parent of a minor child who is deceased, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a person who had parental authority over the child.

The expenses referred to in the first paragraph are

(1) those for the cleaning, repair or replacement of clothing worn at the time of the commission of the offence and which was damaged as a result of that offence; and

(2) all other expenses provided for by a government regulation.

The regulation mentioned in the first paragraph prescribes the eligible expenses and the standards, amounts and terms relating to the reimbursement of those expenses.

67. In addition, the following persons are eligible, in accordance with a government regulation, for the reimbursement of the expenses they assume due to the commission of a criminal offence:

(1) an intervening person who sustains material injury while acting in the circumstances described in subparagraph 1 or 2 of the first paragraph of section 16, even if they suffer no interference with their integrity;

(2) a person who paid the funeral expenses, or the expenses for transportation of the remains, of a person who is a victim referred to in subparagraph 1 of the first paragraph of section 15 or in subparagraph 1 or 2 of the first paragraph of section 16; and

(3) a natural person who assumed the costs for cleaning the place in a private residence where a criminal offence was committed.

The funeral expenses reimbursed, if applicable, under the Act respecting the Québec Pension Plan are deducted from the reimbursement of funeral expenses provided for in subparagraph 2 of the first paragraph.

Sections 23 to 31 do not apply to an application for reimbursement of expenses made under this section.

The regulation mentioned in the first paragraph prescribes the conditions, standards, amounts and terms relating to the reimbursement of those expenses and to the application for reimbursement.

CHAPTER XI

FINANCIAL ASSISTANCE OR OTHER AMOUNTS PAID UNDER ANOTHER PLAN

68. If the circumstances surrounding the commission of a criminal offence give rise to the application of both the Automobile Insurance Act (chapter A-25) and this Act, the person must choose the application of the whole of either one plan or the other. That choice must be made in accordance with a government regulation.

If the circumstances surrounding the commission of a criminal offence give rise to the application of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the person who is a victim must file an application for compensation under that Act.

If a person is declared eligible for an indemnity, benefit or other pecuniary advantage under the Automobile Insurance Act or the Act respecting industrial accidents and occupational diseases, that eligibility makes them ineligible for any financial assistance under this Title.

If financial assistance is granted under the Individual and Family Assistance Act (chapter A-13.1.1), it is not considered assistance paid under another public plan for the purposes of this section and sections 55, 58, 60, 62 and 64. In addition, at the request of the Minister of Labour, Employment and Social Solidarity, any amount repayable under section 90 of the Individual and Family Assistance Act is deducted from the financial assistance paid under this Title and remitted to that minister.

If the circumstances surrounding the commission of a criminal offence give rise to the application of the Act respecting the conservation and development of wildlife (chapter C-61.1) and a person who is a victim receives an indemnity under section 79 of that Act, that indemnity is deducted from the financial assistance paid to that person under this Title.

If a person who is a victim is already receiving financial assistance or an indemnity, benefit or other pecuniary advantage under this Title or under any of the compensation plans provided for in the Automobile Insurance Act or the Act respecting industrial accidents and occupational diseases and is eligible, with regard to other circumstances, for financial assistance or an indemnity, benefit or other pecuniary advantage under another of those plans, the decision under those plans must be rendered jointly and must distinguish between the financial assistance, indemnity, benefit or other pecuniary advantage payable under each of the Acts concerned by those plans.

69. A person who believes they have been wronged by a decision rendered under the sixth paragraph of section 68 may choose to contest it in accordance with this Act or with the Act governing the other plan, as applicable.

Contestation under one of those Acts prevents contestation under the other Acts and the decision rendered following the contestation is valid with respect to each plan and each Act concerned.

70. The amount of all damages paid to a person who is a victim under section 738 of the Criminal Code is deducted from the amount of financial assistance for which the person is eligible under this Title if the damages are paid for the same objects, sequelae or injuries as those covered by the financial assistance.

Any person who receives such damages must, in accordance with a government regulation, inform the Minister as soon as their qualification application is filed or as soon as the damages are received if they are received after that application.

CHAPTER XII

CRIMINAL OFFENCES COMMITTED OUTSIDE QUÉBEC

71. Despite section 17, any person who is a victim referred to in any of subparagraphs 1 to 6 of the first paragraph of section 15 is eligible for financial assistance provided for in this Title if the criminal offence was committed outside Québec, according to the conditions set out in this chapter.

For the purposes of this chapter, any offence that, if committed in Canada, would be a criminal offence within the meaning of the corresponding definition in the first paragraph of section 18, regardless of whether it is a criminal offence in the foreign State in whose territory it is committed, is considered a criminal offence.

72. In addition to the eligibility conditions set out in this Title with respect to each type of financial assistance, a person referred to in subparagraph 1 of the first paragraph of section 15 who is a victim of a criminal offence committed outside Québec or a person who is deceased or suffers interference with their integrity due to a criminal offence committed outside Québec and who is mentioned in subparagraphs 2 to 6 of that paragraph must meet the following conditions:

(1) be a Canadian citizen within the meaning of the Citizenship Act (Revised Statutes of Canada, 1985, chapter C-29) or a permanent resident within the meaning of the Immigration and Refugee Protection Act (Statutes of Canada, 2001, chapter 27) or have any other status determined by a government regulation at the time the criminal offence is committed;

(2) be domiciled in Québec at the time the criminal offence is committed;

(3) not have stayed outside Québec for more than 183 days in the year preceding the commission of the criminal offence, subject to the exceptions that may be provided for by a government regulation; and

(4) in the case of a person who is a victim referred to in subparagraph 1 of the first paragraph of section 15, meet the conditions set out in subparagraphs 1 and 2 of this paragraph at the time the qualification application is filed.

The Government determines, by regulation, the other eligibility conditions for persons who are victims where the criminal offence against them was committed outside Québec as well as the terms governing the application of those conditions.

73. If a financial assistance plan for persons who are victims exists in the foreign State in whose territory the criminal offence was committed, and the criminal offence concerned is covered by that plan, the person who is a victim must choose to be subject to either the plan set out in this Title or the plan of that foreign State.

The person may not receive both financial assistance under this Title and financial assistance under the plan of a foreign State referred to in the first paragraph. Nor may the person obtain the difference between the amount of financial assistance paid under this Title and the amount to which they are eligible under another plan.

74. The person who is a victim may not receive both financial assistance under this Title and financial assistance for the same objects, sequelae or injuries under the plan of another province or a territory of Canada. The person must file an application in the province or territory in which the criminal offence was committed. However, if the amount to which the person is eligible under the plan of the other province or the territory is less than the amount of the financial assistance to which they would be entitled under this Title for the same objects, sequelae or injuries, the person may, to make up the difference, apply for the financial assistance provided for in this Title.

CHAPTER XIII

POWERS AND DECISIONS OF THE MINISTER

DIVISION I

POWERS OF THE MINISTER

75. The Minister may, at the Minister's expense, require a person filing an application under this Title to undergo an examination by a health professional chosen by the Minister after consulting with the person.

76. The health professional who examines a person at the Minister's request must report to the Minister on the state of health of the person and on any other matter for which the examination was required.

The Minister must, on receiving the report, transmit a copy to any health professional designated by the person who underwent the examination referred to in the first paragraph.

77. Every institution within the meaning of the Act respecting health services and social services (chapter S-4.2) or within the meaning of the Act respecting health services and social services for Cree Native persons (chapter S-5) or every health professional who has treated a person following the commission of a criminal offence or who has been consulted by a person following the commission of such an offence must, at the Minister's request, report on their findings, treatment or recommendations to the Minister.

The report must be sent within six days following the Minister's request.

The health professional referred to in the first paragraph must also provide to the Minister, within the same time limit, any other report requested by the Minister with respect to that person.

This section applies despite section 19 of the Act respecting health services and social services or section 7 of the Act respecting health services and social services for Cree Native persons.

78. The Minister may transact if the subject matter and circumstances of a case so permit.

DIVISION II

DECISIONS OF THE MINISTER

79. Any decision the Minister makes under this Title is rendered promptly and in writing.

The decision must include reasons. It must state the right to apply for a review and the time limit for doing so, except where the decision grants the maximum financial assistance to which a person who is a victim is entitled.

The Minister must also assist an applicant who requests help in understanding the decision.

80. On receiving or after a qualification application, if the Minister is of the opinion that the person filing the application needs financial assistance immediately and that the assistance will probably be granted under this Title, the Minister may pay part of it to the person in advance.

The Government determines, by regulation, the terms and conditions of the advance payment, which may vary according to the type of financial assistance concerned.

81. The Minister may, before rendering a decision, wait for the outcome of an investigation conducted by an administrative authority or the decision of such an authority or a judicial authority.

82. As long as a decision of the Minister has not been the subject of a review or contestation, the Minister may, on the Minister's own initiative or on request, reconsider the decision

(1) if it was rendered before an essential fact became known or it is based on an error pertaining to an essential fact; or

(2) if a substantive or procedural defect is likely to invalidate it.

The Minister may, in the same manner, correct the decision if it contains an error in writing or in calculation or any other clerical error.

The new decision replaces the initial decision, which ceases to have effect. The provisions of Division III that concern review and contestation apply to the new decision.

83. At any time, the Minister may render a new decision if there is a change in circumstances that affects the qualification of a person, the person's entitlement to financial assistance or the establishment of the financial assistance.

84. The Minister may refuse an application under this Title, reduce the amount of financial assistance or suspend or cease payment of the assistance if a person

(1) wilfully provides false or inaccurate information;

(2) refuses or neglects to provide information or a document required by the Minister or by a provision of this Act, or to give the authorization needed to obtain such information or document; or

(3) refuses or neglects to undergo an examination by a health professional as required by the Minister.

DIVISION III

REVIEW AND CONTESTATION

85. Except where a decision grants the maximum amount of financial assistance to which a person who filed an application is entitled, the person may, within 90 days after the Minister's decision, made under section 79, is communicated to the person, apply for a review of the decision.

The application for review must state the main grounds on which it is based and the decision to which it pertains. The Government determines, by regulation, the terms and conditions relating to an application for review, which may vary according to the financial assistance concerned.

An application for review does not suspend the execution of the Minister's decision.

86. The review is carried out by the person designated for that purpose by the Minister.

87. No application for review may be refused on the ground that it was not received within the time prescribed if the applicant demonstrates that they had reasonable cause for not complying with the time limit.

88. A designated person who is seized of an application for review may render any decision that could have been rendered initially, after giving the applicant the opportunity to submit observations and, if need be, produce any documents to complete their record.

89. The review decision must include reasons and be communicated to the applicant in writing. It must mention the right to contest the decision before the Administrative Tribunal of Québec. The designated person who renders the decision must assist an applicant who requests help in understanding the decision.

90. Any decision that was the subject of a review may be contested before the Administrative Tribunal of Québec, except in the case of a review decision that grants the maximum amount of financial assistance to which a person who is a victim is entitled.

Despite the first paragraph, a person may contest before the Tribunal the decision whose review they applied for if the review decision was not rendered within 90 days after receipt of the application, subject to the following:

(1) if the person who applied for the review requested more time to submit observations or produce documents, the 90-day time limit runs from the time observations are submitted or documents are produced; and

(2) if the designated person considers that an examination by a health professional or the production of documents is necessary for a decision to be rendered, the time limit is extended for 90 days; the person who applied for the review must be notified of the extension.

91. If, following an application for review or a contestation before the Administrative Tribunal of Québec, the Minister or the Tribunal recognizes the entitlement of a person who is a victim to financial assistance that was initially refused, or increases the amount of assistance, the Minister or the Tribunal orders, in all cases, that interest be paid to the person.

The interest is calculated from the date of the decision refusing the financial assistance or refusing to increase the amount of assistance, as applicable.

The Government may prescribe, by regulation, other cases giving rise to the payment of interest by the Minister.

The applicable interest rate is the rate determined under the second paragraph of section 28 of the Tax Administration Act (chapter A-6.002).

TITLE IV

ASSISTANCE PROGRAM FOR EMERGENCY SITUATIONS

92. The Minister establishes an assistance program for emergency situations that allows persons whose life or safety, or the life or safety of their child or any other of their dependants, is threatened to benefit, according to the limits of application and the terms and conditions set out in the program, from measures relating, in particular,

- (1) to assistance in relocating;
- (2) to the provision of subsistence goods to respond to certain immediate needs; and
- (3) to their safety or the safety of their child or any other of their dependants.

TITLE V

RECOVERY OF FINANCIAL ASSISTANCE

93. Persons who are victims who have received financial assistance to which they are not entitled or the amount of which exceeds the amount to which they are entitled must repay to the Minister the amounts received without entitlement. However, financial assistance already paid does not need to be repaid, unless it was obtained in bad faith,

(1) where the Minister reconsiders the decision because it was rendered before an essential fact became known, because it is based on an error pertaining to an essential fact or because a substantive or procedural defect is likely to invalidate it; or

(2) where, following a review or a contestation, the Minister or the Administrative Tribunal of Québec renders a decision that has the effect of cancelling financial assistance or reducing its amount.

The Minister may recover the debt within three years after payment of the financial assistance or, in a case of bad faith, within three years of becoming aware of the bad faith.

94. The Minister sends the debtor a formal notice stating the amount and the reasons for the payability of the debt and the debtor's right to apply for a review of the decision.

The debt is payable as soon as the decision on the debt becomes enforceable.

95. If the debtor is still receiving financial assistance provided for by this Act, the Minister may offset the debt by deducting up to 25% from any amount of financial assistance if the debtor has no dependants, up to 20% if the debtor has one dependant and up to 15% if the debtor has more than one dependant, unless the debtor consents to the Minister deducting more.

The definitions in the first paragraph of section 18 apply to the provisions of this Title.

96. If the debtor fails to repay the debt, the Minister may, within 30 days after the due date of the debt or as of that date if the Minister is of the opinion that the debtor is attempting to evade payment, issue a certificate attesting

- (1) the debtor's name and address,
- (2) the amount of the debt, and
- (3) the date of the final decision establishing the payability of the debt.

97. On the filing of the certificate referred to in section 95 in the office of the court of competent jurisdiction, the decision of the Minister or the Administrative Labour Tribunal of Québec becomes enforceable as if it were a final decision of that court and has all the effects of such a decision.

98. The Minister's formal notice interrupts the prescription provided for in the third paragraph of section 32 and in the second paragraph of section 93.

99. The Minister may remit all or part of any debt provided for in this Title if the Minister considers that the amount is unrecoverable or if the Minister considers it fair to do so, in particular due to the debtor's good faith or financial situation.

100. An amount recovered under this Title is paid into the Consolidated Revenue Fund.

TITLE VI

EFFECT OF FINDING OF GUILT

101. If a person is found guilty of a criminal offence, the finding of guilt constitutes, for that offence, a presumption that the person found guilty is, for the purposes of this Act, responsible for the interference with the integrity of the person who is a victim and the injuries that person suffers due to the criminal offence, and a presumption that the value of that interference and the value of those injuries are at least equal to the amounts paid by the Minister as financial assistance to the person who is a victim.

TITLE VII

ADMINISTRATIVE AND FINANCIAL PROVISIONS

CHAPTER I

AGREEMENTS

102. The Minister may, in accordance with the law, enter into an agreement relating to support and financial assistance for persons who are victims of criminal offences with a government in Canada or abroad, with a department or body of such a government or with an international organization or a body of such an organization.

103. The Minister may enter into an agreement with any person or any public or private body in relation to the application of this Act.

A person or body that is a party to such an agreement may exercise, according to the terms set out in the agreement, any power or responsibility conferred on the Minister by this Act. The person or body may likewise perform any act permitted under this Act.

In such a case, the person or body has all the obligations incumbent on the Minister under this Act.

104. The Minister enters into an agreement with the Société de l'assurance automobile du Québec and the Commission des normes, de l'équité, de la santé et de la sécurité du travail to establish a procedure for processing financial assistance applications filed under this Act regarding which the circumstances involve situations or matters also covered by the Automobile Insurance Act or the Act respecting industrial accidents and occupational diseases.

Such an agreement must make it possible

(1) to distinguish between the types of impairment, injury and sequelae governed by any of those Acts;

(2) to determine entitlement to and the amount of the financial assistance, indemnities, benefits or other pecuniary advantages payable under each of the applicable Acts;

(3) to determine the financial assistance, indemnities, benefits or other pecuniary advantages to be paid by each authority concerned and specify the cases, amounts and repayment procedures between authorities; and

(4) to settle disputes regarding the application of the plans under those Acts that may arise between the Minister and the bodies mentioned in the first paragraph.

CHAPTER II

INVESTIGATION

105. The Minister may investigate any matter relating to an application provided for by this Act and may designate investigators for that purpose.

In exercising those powers, the Minister or any designated investigator has, for the purposes of the investigation, the powers and immunities of a commissioner appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

Investigators must not disclose the information obtained during the investigation, except in the performance of their functions or with the authorization of the Minister or a court, or on the order of a coroner in the exercise of the coroner's functions.

106. Investigators must, on request, identify themselves and produce a certificate of authority issued by the Minister.

CHAPTER III

OTHER ADMINISTRATIVE AND FINANCIAL PROVISIONS

107. The regulatory standards prescribed under this Act may be established according to any distinction considered useful, including according to categories of persons who are victims or types of financial assistance.

108. The Minister may delegate, to a person the Minister designates, the exercise of the powers conferred on the Minister by this Act or delegated to the Minister under this Act.

109. A police force may communicate any information to the Minister or to an assistance centre for persons who are victims of criminal offences that is recognized under section 7, including personal information relating to the person who is a victim that is contained in an event report or a related document, if the information is necessary for the purposes of this Act.

110. For the purpose of calculating a benefit granted under the provisions of the Individual and Family Assistance Act (chapter A-13.1.1), a lump sum paid under Chapter II of Title III of this Act is excluded in accordance with the provisions of the Individual and Family Assistance Act or the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1).

111. The Minister takes out of the Consolidated Revenue Fund the sums required for the administration of the financial assistance plans provided for in Titles III and IV for persons who are victims of criminal offences.

TITLE VIII

PENAL PROVISIONS

112. Every person who, under this Act or the regulations, makes a statement or sends a document that the person knows or ought to have known to contain false or misleading information commits an offence and is liable to a fine of not less than \$1,000 nor more than \$5,000.

113. Every person who, by an act or omission, helps or, by encouragement, advice or consent or by an authorization or an order, induces another person to commit an offence under this Act commits an offence and is liable to the same fine as that prescribed in section 112.

114. The fines under this Title are doubled for a subsequent offence.

TITLE IX

AMENDING PROVISIONS

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

115. Section 448 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is amended by replacing “(chapter A-25) or” in the first paragraph by “(chapter A-25), financial assistance compensating a loss of income or financial assistance compensating certain disabilities under the Act to promote good citizenship (chapter C-20) or the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13) or an indemnity with the same effect under”.

116. Section 449 of the Act is amended

(1) by replacing “Commission shall reach an agreement with the Société de l’assurance automobile du Québec” by “Commission, the Minister of Justice and the Société de l’assurance automobile du Québec shall reach an agreement”, and by inserting “, the Act to promote good citizenship (chapter C-20) or the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)” after “(chapter A-25)” in the first paragraph;

(2) in subparagraph 1 of the second paragraph,

(a) by inserting “or any other claimant” after “rescuer”;

(b) by replacing “to the indictable offence sustained by the victim within the meaning of the Crime Victims Compensation Act (chapter I-6)” by “by a person who is a victim within the meaning of the Act to assist persons who are victims of criminal offences and to facilitate their recovery”.

117. Section 450 of the Act is amended

(1) by replacing “, the Commission” in the first paragraph by “or financial assistance compensating a loss of income or financial assistance compensating certain disabilities under the Act to promote good citizenship (chapter C-20) or the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13), the Commission, the Minister of Justice”;

(2) by replacing “(chapter C-20) or the Crime Victims Compensation Act (chapter I-6), as the case may be, or under” in the second paragraph by “, the Act to assist persons who are victims of criminal offences and to facilitate their recovery or”;

(3) by replacing “binds both agencies” in the third paragraph by “applies to each plan and Act concerned”.

118. Section 451 of the Act is amended

(1) by replacing “under an Act administered by it” and “under another Act administered by the Commission” in the first paragraph by “under the Workers’ Compensation Act (chapter A-3)” and “under this Act”, respectively;

(2) in the second paragraph,

(a) by replacing “may elect to” by “must”;

(b) by striking out “, the Act to promote good citizenship (chapter C-20) or the Crime Victims Compensation Act (chapter I-6), as the case may be”;

(3) by replacing “any of the said Acts precludes any proceeding under any other of them” in the third paragraph by “this Act precludes any proceeding under the other”.

119. Section 478 of the Act is amended by striking out the third paragraph.**120.** Section 578 of the Act is repealed.

AUTOMOBILE INSURANCE ACT

121. Section 83.62 of the Automobile Insurance Act (chapter A-25) is amended

(1) by inserting “person or” after “the following” in the introductory clause;

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

“(2) the Minister of Justice by virtue of the Act to promote good citizenship (chapter C-20) and the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13);”.

122. Section 83.64 of the Act is amended

(1) by replacing “an indemnity or pecuniary benefit” and “Crime Victims Compensation Act (chapter I-6)” in the first paragraph by “financial assistance” and “Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”, respectively;

(2) by replacing “Crime Victims Compensation Act” in the second paragraph by “Act to assist persons who are victims of criminal offences and to facilitate their recovery”.

123. Section 83.65 of the Act is amended

(1) by replacing “total disability benefits” and “Crime Victims Compensation Act (chapter I-6)” in the first paragraph by “financial assistance compensating a loss of income or financial assistance compensating certain disabilities” and “Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”, respectively;

(2) by replacing “pension” in the second paragraph by “financial assistance”.

124. Section 83.66 of the Act is amended

(1) by striking out “, the Act to promote good citizenship (chapter C-20) or the Crime Victims Compensation Act (chapter I-6)” in the first paragraph;

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

“The Société shall reach such an agreement with the Minister of Justice as regards the Act to promote good citizenship (chapter C-20) and the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13).”

125. Section 83.67 of the Act is amended

(1) by striking out “or total disability benefits under the Act to promote good citizenship (chapter C-20) or the Crime Victims Compensation Act (chapter I-6)” in the first paragraph;

(2) by replacing “, the Act respecting industrial accidents and occupational diseases, the Act to promote good citizenship or the Crime Victims Compensation Act” in the second paragraph by “or the Act respecting industrial accidents and occupational diseases”.

126. The Act is amended by inserting the following section after section 83.67:

“83.67.1. Where a person referred to in section 83.65 claims financial assistance compensating a loss of income or financial assistance compensating certain disabilities under the Act to promote good citizenship (chapter C-20)

or the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13), the Société and the Minister of Justice shall, in carrying out the agreement described in section 83.66, render a joint decision which distinguishes between the damage attributable to each event and determines the corresponding entitlement to and amount of the benefits, compensation or indemnities payable under each of the applicable Acts.

A person who believes he has been wronged by the decision may elect to contest the decision before the Administrative Tribunal of Québec under this Act, the Act to promote good citizenship or the Act to assist persons who are victims of criminal offences and to facilitate their recovery.

A proceeding brought before the Tribunal under any of the said Acts precludes any proceeding before the Tribunal under each of the other Acts and the decision rendered by the Tribunal applies to each plan and Act concerned.”

HEALTH INSURANCE ACT

127. Section 65 of the Health Insurance Act (chapter A-29) is amended by inserting “the Ministère de la Justice,” after “Faune,” in the seventh paragraph.

ACT RESPECTING THE BARREAU DU QUÉBEC

128. Section 128 of the Act respecting the Barreau du Québec (chapter B-1) is amended by replacing “rescuers and victims of crime” in subparagraph 3 of paragraph *a* of subsection 2 by “persons who are victims of criminal offences or for rescuers and other claimants of financial assistance under the Act to promote good citizenship (chapter C-20)”.

ACT TO PROMOTE GOOD CITIZENSHIP

129. Section 1 of the Act to promote good citizenship (chapter C-20) is replaced by the following section:

“1. In this Act, unless the context indicates a different meaning, “rescuer” means a person who, in Québec and after 31 December 1976, having reasonable cause to believe another person’s life or physical integrity is in danger, benevolently comes to that person’s assistance.”

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

“2. A rescuer who suffers interference with his integrity is eligible for the same financial assistance as an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16 of the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13) is entitled to receive.

A minor child of a parent who is deceased, in a case where the parent is a rescuer, or a child over whom a deceased rescuer has parental authority is entitled to the same lump sum because of a death resulting from the commission of a criminal offence as the child of a deceased intervening person referred to in subparagraph 4 of the first paragraph of section 16 of that Act.

The spouse of a person who is deceased, in a case where the person is a rescuer, is entitled to the same lump sum because of a death resulting from the commission of a criminal offence as the spouse of a deceased intervening person referred to in subparagraph 5 of the first paragraph of section 16 of that Act.

A dependant of a person who is deceased, in a case where the person is a rescuer, is entitled to the same lump sum because of a death resulting from the commission of a criminal offence as a dependant of a deceased intervening person referred to in subparagraph 6 of the first paragraph of section 16 of that Act.

For the purposes of entitlement to such financial assistance, the rescuer and any other person referred to in the preceding paragraphs must comply with the provisions of Title III, except those of Chapters IX and XII, of the Act to assist persons who are victims of criminal offences and to facilitate their recovery that apply, with the necessary modifications, to them and their situation.

In addition to the provisions of Title III of the Act to assist persons who are victims of criminal offences and to facilitate their recovery, the provisions of Titles V and VI, section 109 and Title VIII of that Act apply, as the case may be and with the necessary modifications, to the rescuers and other persons referred to in this section as well as to their situation.”

131. Sections 3 to 14 of the Act are repealed.

132. Section 17 of the Act is amended by replacing “sustained any injury or is not eligible for benefit” by “suffered any interference with his integrity or is not eligible for any financial assistance”.

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

“**18.** An application validly made under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25) or the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13) and refused on the ground that it should have been made under this Act is nevertheless deemed to have been validly made under this Act.”

134. Sections 19 and 20 of the Act are repealed.

135. Section 21 of the Act is amended

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

“No financial assistance shall be granted under this Act if the rescuer has suffered interference with his physical or mental integrity or died in circumstances that give rise to the application of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13) or an Act other than an Act of the Parliament of Québec.”;

(2) by replacing “or a dependent” in the second paragraph by “or any other person mentioned in section 2”.

136. Section 21.1 of the Act is amended

(1) by replacing “an injury sustained by a rescuer or of a death occurring thereafter” in the first paragraph by “the interference with a rescuer’s integrity or of the death that results from it”;

(2) by replacing both occurrences of “compensation” in the first paragraph, and “benefit” in the second paragraph, by “financial assistance”.

137. Section 22 of the Act is amended by replacing “a claimant” and “any indemnity” by “a rescuer or a person mentioned in section 2” and “any financial assistance”, respectively.

138. Sections 23 to 26 of the Act are repealed.

139. The Act is amended by inserting the following sections after section 27:

“**27.1.** The Minister may delegate, to a person the Minister designates, the exercise of the powers conferred on the Minister by this Act.

“**27.2.** The Minister may, in accordance with the law, enter into an agreement relating to assistance for rescuers with a government in Canada or abroad, with a department or body of such a government or with an international organization or a body of such an organization.

“**27.3.** The Minister may enter into any agreement with any person or any public or private body in relation to the application of this Act.

Any person or body that is a party to such an agreement may exercise, according to the terms set out in the agreement, any power or responsibility conferred on the Minister by this Act. The person or body may likewise perform any act permitted under this Act.

In such a case, the person or body has all the obligations incumbent on the Minister under this Act.

“27.4. The Minister shall enter into an agreement with the Société de l’assurance automobile du Québec and the Commission des normes, de l’équité, de la santé et de la sécurité du travail to establish a procedure for processing financial assistance applications filed under this Act regarding which the circumstances involve situations or matters also covered by the Automobile Insurance Act (chapter A-25) or the Act respecting industrial accidents and occupational diseases (chapter A-3.001).

Such an agreement must make it possible

(1) to distinguish between the types of impairment, injury and sequelae governed by any of those Acts;

(2) to determine entitlement to and the amount of the financial assistance, indemnities, benefits or other pecuniary advantages payable under each of the applicable Acts;

(3) to determine the financial assistance, indemnities, benefits or other pecuniary advantages to be paid by each of the authorities concerned and specify the cases, amounts and terms of repayment between the authorities; and

(4) to settle disputes regarding the application of the plans under those Acts that may arise between the Minister and the bodies mentioned in the first paragraph.

“27.5. The Minister shall table a report in the National Assembly on the Minister’s activities under this Act for each fiscal year, not later than 30 September following the end of that year. If the Assembly is not sitting, the Minister shall table the report within 30 days after the opening of the next session or resumption.

“27.6. The Minister may investigate any matter relating to an application provided for by this Act and designate investigators for that purpose.

In exercising those powers, the Minister or any designated investigator has, for the purposes of the investigation, the powers and immunities of a commissioner appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

Investigators must not disclose the information obtained during the investigation, except in the performance of their functions or with the authorization of the Minister or a court, or on the order of a coroner in the exercise of the coroner’s functions.

“27.7. Investigators must, on request, identify themselves and produce a certificate of authority issued by the Minister.”

CODE OF PENAL PROCEDURE

140. Article 8.1 of the Code of Penal Procedure (chapter C-25.1) is amended by replacing “Crime Victims Assistance Fund established under the Act respecting assistance for victims of crime (chapter A-13.2)” in the third paragraph by “fund dedicated to assistance for persons who are victims of criminal offences that is established under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”.

PROFESSIONAL CODE

141. Section 37 of the Professional Code (chapter C-26), amended by section 5 of chapter 15 of the statutes of 2020, is again amended by replacing “crime on the victim” and “the victim” in paragraph *b* by “a criminal offence on the person who is a victim” and “of the person who is a victim”, respectively.

ACT RESPECTING THE FORFEITURE, ADMINISTRATION AND APPROPRIATION OF PROCEEDS AND INSTRUMENTS OF UNLAWFUL ACTIVITY

142. Section 1 of the Act respecting the forfeiture, administration and appropriation of proceeds and instruments of unlawful activity (chapter C-52.2) is amended by replacing “victims of crime” in the second paragraph by “persons who are victims of criminal offences”.

143. Section 25 of the Act is amended

(1) by replacing “Fonds d’aide aux victimes d’actes criminels” in subparagraph 1 of the first paragraph by “fund dedicated to assistance for persons who are victims of criminal offences established under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”;

(2) by replacing “Fonds d’aide aux victimes d’actes criminels” in the second paragraph by “fund dedicated to assistance for persons who are victims of criminal offences”.

ACT RESPECTING THE DIRECTOR OF CRIMINAL AND PENAL PROSECUTIONS

144. Section 3 of the Act respecting the Director of Criminal and Penal Prosecutions (chapter D-9.1.1) is amended by replacing “crime victims support organizations” by “support organizations for persons who are victims of criminal offences”, and sections 15 and 22 of that Act are amended by replacing “crime victims” and “the victims of crime” by “persons who are victims of criminal offences”.

TAXATION ACT

145. Section 752.0.0.4 of the Taxation Act (chapter I-3) is amended by replacing “by the Commission des normes, de l’équité, de la santé et de la sécurité du travail” in the introductory clause of the first paragraph by “by the Commission des normes, de l’équité, de la santé et de la sécurité du travail, by the Minister of Justice under Title III of the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13) or by the person or body with whom or which that Minister has entered into an agreement under section 103 of that Act or section 27.3 of the Act to promote good citizenship (chapter C-20), as the case may be”.

146. Section 1029.8.61.19.2 of the Act is amended

(1) by striking out “l’un des articles suivants” in the introductory clause in the French text;

(2) by replacing paragraph *c* by the following paragraph:

“(c) section 5 of the Crime Victims Compensation Act (chapter I-6) or under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13).”

ACT RESPECTING ADMINISTRATIVE JUSTICE

147. Section 102 of the Act respecting administrative justice (chapter J-3) is amended by replacing “pertaining to compensation for rescuers and victims of crime” in the first paragraph by “under the Act to promote good citizenship (chapter C-20) or the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”.

148. Section 5 of Schedule I to the Act is amended

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

“(1) proceedings against decisions pertaining to the qualification of a person who is a victim, a rescuer or another beneficiary, pertaining to their eligibility for financial assistance or pertaining to the establishment of that assistance, brought under the Act to promote good citizenship (chapter C-20) or the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13);”;

(2) by striking out paragraphs 2, 2.1 and 6.

YOUTH PROTECTION ACT

149. Section 72.6 of the Youth Protection Act (chapter P-34.1) is amended by replacing “to the Commission des normes, de l’équité, de la santé et de la sécurité du travail, where the disclosure is necessary for the application of the Crime Victims Compensation Act (chapter I-6) in respect of a claim” in subparagraph 1 of the second paragraph by “to the Minister of Justice, where the disclosure is necessary for the application of the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13) in respect of an application”.

ACT RESPECTING THE PENSION PLAN OF PEACE OFFICERS IN CORRECTIONAL SERVICES

150. Section 18 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2) is amended by replacing “or an income replacement indemnity under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Crime Victims Compensation Act (chapter I-6) or any other Act, other than an Act of Québec” in the first paragraph by “, an income replacement indemnity under the Act respecting industrial accidents and occupational diseases (chapter A-3.001) or the Automobile Insurance Act (chapter A-25), or financial assistance compensating a loss of income or financial assistance compensating certain disabilities under the Act to promote good citizenship (chapter C-20) or the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13), or such an indemnity or financial assistance under any other Act, other than an Act of Québec,”.

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

151. Section 21 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended by replacing “under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Crime Victims Compensation Act (chapter I-6)” in the first paragraph by “, financial assistance compensating a loss of income, financial assistance compensating certain disabilities or any other indemnity having the same effect under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”.

ACT RESPECTING THE TEACHERS PENSION PLAN

152. Section 18 of the Act respecting the Teachers Pension Plan (chapter R-11) is amended by replacing “under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Crime Victims Compensation Act (chapter I-6)” in the first paragraph by “, financial assistance compensating a loss of income, financial assistance compensating certain disabilities or any other indemnity having the same effect under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”.

ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

153. Section 60 of the Act respecting the Civil Service Superannuation Plan (chapter R-12) is amended by replacing “under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Crime Victims Compensation Act (chapter I-6)” in the first paragraph by “, financial assistance compensating a loss of income, financial assistance compensating certain disabilities or any other indemnity having the same effect under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”.

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

154. Section 34 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended by replacing “under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Crime Victims Compensation Act (chapter I-6)” in the first paragraph by “, financial assistance compensating a loss of income, financial assistance compensating certain disabilities or any other indemnity having the same effect under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

155. Section 19 of the Act respecting health services and social services (chapter S-4.2) is amended by adding the following paragraph at the end:

“(20) in the cases and for the purposes set out in section 77 of the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13).”

REGULATION RESPECTING FINANCIAL ASSISTANCE

156. Section 2 of the Regulation respecting financial assistance (chapter A-3, r. 1) is amended by striking out “, to victims within the meaning of the Crime Victims Compensation Act (chapter I-6) or to rescuers within the meaning of the Act to promote good citizenship (chapter C-20)”.

REGULATION RESPECTING SOCIAL STABILIZATION AND ECONOMIC STABILIZATION PROGRAMS

157. Section 1 of the Regulation respecting social stabilization and economic stabilization programs (chapter A-3.001, r. 14) is amended by striking out the second paragraph.

158. Section 28 of the Regulation is amended by striking out the second paragraph.

159. Section 29 of the Regulation is repealed.

160. Section 30 of the Regulation is amended

(1) by replacing “Crime Victims Compensation Act (chapter I-6)” and “an indemnity for total temporary disability under the Workers’ Compensation Act (chapter A-3)” in the first paragraph by “Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)” and “financial assistance compensating a loss of income or financial assistance compensating certain disabilities”, respectively;

(2) by striking out the second paragraph.

REGULATION RESPECTING FINANCIAL ASSISTANCE FOR EDUCATION EXPENSES

161. Schedule II to the Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1) is amended by replacing “crime victim’s child” in paragraph 2 by “child of a person who is a victim of a criminal offence”.

REGULATION RESPECTING LEGAL AID

162. Section 44 of the Regulation respecting legal aid (chapter A-14, r. 2) is amended

(1) by replacing “or a payment exemption, or to the recovery of benefits” in the introductory clause by “, financial assistance or a payment exemption, or to the recovery of benefits, financial assistance”;

(2) by replacing paragraph 8 under the heading “Statutes of Québec” by the following paragraph:

“(8) the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13);”.

REGULATION UNDER THE ACT RESPECTING PARENTAL INSURANCE

163. Section 43 of the Regulation under the Act respecting parental insurance (chapter A-29.011, r. 2) is amended by replacing paragraph 1 by the following paragraph:

“(1) financial assistance paid to a person who is a victim of a criminal offence;”.

ARRÊTÉ MINISTÉRIEL CONCERNANT LA RECONNAISSANCE DES SERVICES D'AIDE AUX VICTIMES AUX FINS DE L'ARTICLE 417 DU CODE DE PROCÉDURE CIVILE

164. Section 1 of the Arrêté ministériel concernant la reconnaissance des services d'aide aux victimes aux fins de l'article 417 du Code de procédure civile (chapter C-25.01, r. 7, French only) is amended

(1) by replacing “centres d'aide aux victimes d'actes criminels reconnus par la ministre de la Justice en vertu de la Loi sur l'aide aux victimes d'actes criminels (chapitre A-13.2)” by “centres d'aide aux personnes victimes d'infractions criminelles reconnus par le ministre de la Justice en vertu de la Loi visant à aider les personnes victimes d'infractions criminelles et à favoriser leur rétablissement (2021, chapitre 13)”;

(2) by replacing “aux victimes de violence conjugale” by “aux personnes victimes de violence conjugale”.

REGULATION RESPECTING THE FORM OF STATEMENTS OF OFFENCE

165. Schedules I to V to the Regulation respecting the form of statements of offence (chapter C-25.1, r. 1) are amended by replacing all occurrences of “Crime Victims Assistance Fund established under the Act respecting assistance for victims of crime (chapter A-13.2)” by “fund dedicated to assistance for persons who are victims of criminal offences established under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”.

LETTERS PATENT CONSTITUTING THE ORDRE PROFESSIONNEL DES CRIMINOLOGUES DU QUÉBEC

166. Section 2 of the Letters patent constituting the Ordre professionnel des criminologues du Québec (chapter C-26, r. 90.1) is amended by replacing “of crime on the victim” and “the victim with a view to fostering the social integration of the person” in the first paragraph by “of a criminal offence on the person who is a victim” and “the person who is a victim with a view to fostering the social integration of the human being”, respectively.

REGULATION RESPECTING THE TAXATION ACT

167. The Regulation respecting the Taxation Act (chapter I-3, r. 1) is amended by inserting the following section after section 1086R27:

“1086R27.1. The Minister of Justice or the person or body with whom or which that Minister has entered into an agreement under section 103 of the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13), in relation to the application of Title III of that Act, or section 27.3 of the Act to promote good citizenship (chapter C-20) must file an information return in prescribed form, in respect of an income replacement indemnity the Minister, person or body determines.”

168. Section 1086R50 of the Regulation is amended by inserting the following paragraph after paragraph *b*:

“(b.1) an amount paid under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13);”.

ORIENTATIONS ET MESURES DU MINISTRE DE LA JUSTICE EN MATIÈRES D’AFFAIRES CRIMINELLES ET PÉNALES

169. Section 11 of the Orientations et mesures du ministre de la Justice en matières d’affaires criminelles et pénales (chapter M-19, r. 1, French only) is amended

(1) by replacing “**victimes d’actes criminels**” in the heading by “**personnes victimes d’infractions criminelles**”;

(2) by replacing “victimes d’un acte criminel”, “les victimes” and “victime” in the first paragraph by “personnes victimes d’une infraction criminelle”, “les personnes victimes” and “personne victime”, respectively;

(3) in the second paragraph,

(a) by replacing all occurrences of “victime” and “victimes” by “personne victime” and “personnes victimes”, respectively;

(b) by replacing “d’un acte criminel” by “d’une infraction criminelle”;

(4) by replacing all occurrences of “victime” and “victimes” in the third and fourth paragraphs by “personne victime” and “personnes victimes”, respectively.

REGULATION RESPECTING THE ISSUANCE OF COMPETENCY CERTIFICATES

170. Section 11 of the Regulation respecting the issuance of competency certificates (chapter R-20, r. 5) is amended by replacing “Crime Victims Compensation Act (chapter I-6) and” in paragraph 5 by “Act to promote good citizenship (chapter C-20), the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13) or”.

RÈGLEMENT SUR LES RÉGIMES COMPLÉMENTAIRES D’AVANTAGES SOCIAUX DANS L’INDUSTRIE DE LA CONSTRUCTION

171. Section 63 of the Règlement sur les régimes complémentaires d’avantages sociaux dans l’industrie de la construction (chapter R-20, r. 10, French only) is amended by replacing subparagraph 5 of the second paragraph by the following subparagraph:

“(5) la prestation périodique initiale qu’il reçoit en application de la Loi visant à aider les personnes victimes d’infractions criminelles et à favoriser leur rétablissement (2021, chapitre 13).”

REGULATION RESPECTING CERTAIN TERMS OF EMPLOYMENT APPLICABLE TO OFFICERS OF AGENCIES AND HEALTH AND SOCIAL SERVICES INSTITUTIONS

172. Section 12.0.3 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions (chapter S-4.2, r. 5.1) is amended by replacing “, by the Société de l’assurance automobile du Québec and those paid under the Crime Victims Compensation Act (chapter I-6) and those” by “and by the Société de l’assurance automobile du Québec, financial assistance compensating a loss of income or compensating certain disabilities paid under the Act to promote good citizenship (chapter C-20) or the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13) and salary insurance benefits”.

REGULATION RESPECTING CERTAIN TERMS OF EMPLOYMENT
APPLICABLE TO SENIOR ADMINISTRATORS OF AGENCIES AND OF
PUBLIC HEALTH AND SOCIAL SERVICES INSTITUTIONS

173. Section 28.3 of the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions (chapter S-4.2, r. 5.2) is amended by replacing “, by the Société de l’assurance automobile du Québec and those paid under the Crime Victims Compensation Act (chapter I-6) and those” by “and by the Société de l’assurance automobile du Québec, financial assistance compensating a loss of income or compensating certain disabilities paid under the Act to promote good citizenship (chapter C-20) or the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13) and salary insurance benefits”.

OTHER AMENDMENTS

174. Unless the context indicates otherwise, in any other provision of an Act or a regulation, a reference to the Crime Victims Compensation Act (chapter I-6) is replaced by a reference to the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13).

175. The following provisions are amended in the following manner, with the necessary modifications:

(1) by replacing “victim of violence who” in subparagraph 9 of the first paragraph of section 53 of the Individual and Family Assistance Act (chapter A-13.1.1) by “person who is a victim of violence and”;

(2) by replacing “victim’s death” and both occurrences of “victim” in article 2926.1 of the Civil Code of Québec by “death of the person who is a victim” and “person who is a victim”, respectively;

(3) by replacing “victim” in the second paragraph of article 226 of the Code of Civil Procedure (chapter C-25.01) by “person who is a victim”, and by replacing “a victim assistance organization” and “victim” in the second paragraph of article 417 of that Code by “an assistance organization for persons who are victims that is” and “person who is a victim”, respectively;

(4) by replacing “victims” in the second paragraph of section 48 of the Police Act (chapter P-13.1) by “persons who are victims”;

(5) by replacing all occurrences of “victim” in paragraph 3 of section 56, the second paragraph of section 61, paragraph 3 of section 155, and sections 174, 175, 175.1 and 176 of the Act respecting the Québec correctional system (chapter S-40.1), “victims” in the heading of Chapter V and in section 173 of that Act, “victim statement” in paragraph 5 of section 19 of that Act and “victim’s representations” in the second paragraph of section 176 of that Act

by “person who is a victim”, “persons who are victims”, “statement by the person who is a victim” and “representations of the person who is a victim”, respectively;

(6) by replacing “victims” in the first paragraph of section 42 and in section 108 of the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) by “persons who are victims”;

(7) by replacing “sexual assault victim” in subparagraph ii of paragraph f of section 22 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) by “person who is a victim of a sexual assault”;

(8) by replacing “victimes” in the title of the Arrêté ministériel concernant la reconnaissance des services d’aide aux victimes aux fins de l’article 417 du Code de procédure civile (chapter C-25.01, r. 7, French only) by “personnes victimes”;

(9) by replacing “crime victims assistance resources” in subparagraph i of subparagraph b of the second paragraph of paragraph 1.1 of section 8 of the Letters patent constituting the Ordre professionnel des criminologues du Québec (chapter C-26, r. 90.1) by “assistance resources for persons who are victims of crime”;

(10) by replacing all occurrences of “victime” and “victimes” in sections 1, 2, 14, 16, 17, 17.1 and 18 of the Orientations et mesures du ministre de la Justice en matières d’affaires criminelles et pénales (chapter M-19, r. 1, French only) by “personne victime” and “personnes victimes”, respectively;

(11) by replacing “victime” in subparagraph d of paragraph 2 of section 6 in the French text of 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) by “personne victime”;

(12) by replacing “victim” in the second paragraph of section 28 of the Organization and Management of Institutions Regulation (chapter S-5, r. 5) by “person who is a victim”.

TITLE X

TRANSITIONAL AND FINAL PROVISIONS

CHAPTER I

GENERAL PROVISIONS

176. For the purposes of this Title, an application means any application filed to benefit from the advantages provided for by the Crime Victims Compensation Act (chapter I-6) or the Act to promote good citizenship

(chapter C-20), as they read on the date preceding the date of coming into force of this Act, or any qualification application or financial assistance application made under this Act.

177. For the purposes of this Title, a final decision is a decision that has not been the subject of an application for review or a contestation before the Administrative Tribunal of Québec or with regard to which the time limit to apply for a review or file a contestation is expired and that

(1) confirms or quashes a person's eligibility for the plan provided for by the Crime Victims Compensation Act or the Act to promote good citizenship, as they read on the date preceding the date of coming into force of this Act, or confirms or quashes a person's qualification under this Act or the Act to promote good citizenship, as amended by this Act; or

(2) grants or refuses an advantage or financial assistance provided for in one of the plans referred to in paragraph 1.

178. Any indemnity for a permanent and total or permanent and partial disability paid under the Crime Victims Compensation Act or the Act to promote good citizenship, as they read on the date preceding the date of coming into force of this Act, for an injury or the resulting permanent sequelae is deemed to be the lump sum for which a person would be eligible under this Act or under the Act to promote good citizenship, as amended by this Act, for the same sequelae resulting from the same injury.

Likewise, the indemnity in a case of death paid under the Crime Victims Compensation Act or the Act to promote good citizenship, as they read on the date preceding the date of coming into force of this Act, is deemed to be the lump sum for which a person would be eligible under this Act or under the Act to promote good citizenship, as amended by this Act, for a death due to the commission of a criminal offence.

CHAPTER II

TRANSITIONAL PROVISIONS APPLICABLE TO VICTIMS OF CRIMINAL OFFENCES

179. Any final decision that, before the date of coming into force of this Act, rules on eligibility and grants the benefit of an advantage under the Crime Victims Compensation Act (chapter I-6), as it read on the date preceding the date of coming into force of this Act, is maintained and any pension, indemnity or other benefit is paid or continues to be paid in accordance with that Act, for as long as its payment does not cease as a result of the application of the provisions of that Act.

Despite the first paragraph, if an indemnity or other benefit ceases to be paid as a result of the application of the Crime Victims Compensation Act, as it read before the date preceding the date of coming into force of this Act, and if the need that gave rise to the payment of the indemnity or benefit arises again after the date of coming into force of this Act, the plan under the provisions of this Act then applies and the applicable financial assistance, if any, is the financial assistance under this Act.

Likewise, where the need of a person declared eligible under the Crime Victims Compensation Act, as it read before the date preceding the date of coming into force of this Act, for a pension, indemnity or other benefit provided for in that Act arises after the date of coming into force of this Act, the plan under the provisions of this Act then applies and the applicable financial assistance, if any, is the financial assistance under this Act.

For the purposes of this section,

(1) a person declared eligible within the meaning of subparagraph *a* of the first paragraph of section 3 of the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, is qualified within the meaning of subparagraph 1 of the first paragraph of section 15 of this Act;

(2) a dependent person declared eligible within the meaning of paragraph *l* of subsection 1 of section 2 of the Workers' Compensation Act (chapter A-3) is qualified within the meaning of any of subparagraphs 3 to 5 of the first paragraph of section 15 of this Act, as applicable;

(3) a father or mother declared eligible within the meaning of section 7 of the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, or declared eligible as a close relation under section 5.1 of that Act is qualified within the meaning of subparagraph 2 of the first paragraph of section 15 of this Act;

(4) a close relation other than a child, parent or spouse declared eligible within the meaning of the second paragraph of section 5.1 of the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, is qualified within the meaning of subparagraph 6 of the first paragraph of section 15 of this Act; and

(5) a person declared eligible within the meaning of subparagraph *b* or *c* of the first paragraph of section 3 of the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, is qualified within the meaning of subparagraph 1 or 2 of the first paragraph of section 16 of this Act.

180. Any application filed with the Commission des normes, de l'équité, de la santé et de la sécurité du travail before the date of coming into force of this Act that has not been the subject of a decision on eligibility, as well as any application filed after that date regarding a criminal offence committed before that date, are admissible if,

(1) on the date the criminal offence concerned was committed, the application would have been admissible under the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act; or

(2) the application was filed by a person who would have been eligible under subparagraph *a* of the first paragraph of section 3 of the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, and, on the date the criminal offence concerned was committed, the application would have been refused under that Act for the sole reason that it was not filed within the prescribed time and the criminal offence concerned involves violence suffered during childhood, sexual violence or spousal violence.

A person who is a victim whose application is admissible under this section is entitled to the financial assistance provided for by this Act, provided the person meets the conditions prescribed to obtain that assistance.

The fourth paragraph of section 179 applies to this section.

181. The provisions of the Crime Victims Compensation Act, as they read on the date preceding the date of coming into force of this Act, apply to the following applications filed before the date of coming into force of this Act, where the claimant was declared eligible before that date and regarding which no final decision was rendered before that date:

(1) an application concerning the possible payment of an indemnity for a permanent and total or permanent and partial disability, provided the disability existed on that date; and

(2) an application concerning an advantage other than the possible payment of an indemnity for a permanent and total or permanent and partial disability, provided the need that gave rise to the application existed on that date.

The second, third and fourth paragraphs of section 179 apply, with the necessary modifications.

182. Despite the first paragraph of section 179 and the first paragraph of section 181, any indemnity paid for a temporary and total or temporary and partial disability under the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, ceases not later than the date that is three years after the date of coming into force of this Act.

183. Any person who is the subject of a final decision that, before the date of coming into force of this Act, refuses eligibility for the plan provided for by the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, may be the subject of a qualification application under this Act if

(1) the criminal offence concerned involves violence suffered during childhood, sexual violence or spousal violence;

(2) the sole reason for the refusal is that the application was not filed within the time prescribed by the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act; and

(3) the new application is filed before the date that is three years after the date of coming into force of this Act.

The eligibility conditions of the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, except the condition mentioned in subparagraph 2 of the preceding paragraph, also apply to a qualification application filed under this section.

A person who is a victim whose qualification application is admissible under this section is entitled to the financial assistance provided for by this Act, provided they meet the conditions prescribed to obtain that assistance.

Section 180 does not apply to an application made under this section.

184. For the purposes of the first paragraph of section 179 and the first paragraph of section 181 and in order to apply to any application filed under the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, any provision contained in another Act or a regulation that sets out terms of application or terms incidental to the plan under that Act is maintained in force.

CHAPTER III

TRANSITIONAL PROVISIONS APPLICABLE WITH RESPECT TO THE ACT TO PROMOTE GOOD CITIZENSHIP

185. Any final decision that, before the date of coming into force of this Act, rules on eligibility and grants a benefit under the Act to promote good citizenship (chapter C-20), as it read on the date preceding the date of coming into force of this Act, is maintained and any benefit is paid or continues to be paid in accordance with the provisions of that Act, for as long as its payment does not cease as a result of the application of those provisions.

Despite the first paragraph, if a benefit ceases to be paid as a result of the application of the Act to promote good citizenship, as it read on the date preceding the date of coming into force of this Act, and the need that led to payment of the benefit arises again after the date of coming into force of this Act, the plan under the provisions of the Act to promote good citizenship, as amended by this Act, then applies and the applicable financial assistance, if any, is the financial assistance under that Act.

Likewise, where the need of a person declared eligible for a benefit under the Act to promote good citizenship, as it read on the date preceding the date of coming into force of this Act, arises after the date of coming into force of this Act, the plan under the provisions of the Act to promote good citizenship, as amended by this Act, then applies and the applicable financial assistance, if any, is the financial assistance under that Act.

For the purposes of this section,

(1) a person declared eligible within the meaning of paragraph *g* of section 1 and section 2 of the Act to promote good citizenship, as it read on the date preceding the date of coming into force of this Act, is a rescuer within the meaning of section 1 and the first paragraph of section 2 of the Act to promote good citizenship, as amended by this Act; and

(2) a dependant declared eligible within the meaning of paragraph *c* of section 1 and section 2 of the Act to promote good citizenship, as it read on the date preceding the date of coming into force of this Act, is a child, spouse or dependant, as applicable, within the meaning of section 2 of the Act to promote good citizenship, as amended by this Act.

186. Any application filed with the Commission des normes, de l'équité, de la santé et de la sécurité du travail before the date of coming into force of this Act that has not been the subject of a decision on eligibility, as well as any application resulting from assistance provided before that date is admissible if, on the date the assistance was provided, the application would have been admissible under the Act to promote good citizenship, as it read on the date preceding the date of coming into force of this Act.

A rescuer or person whose application is admissible under this section is entitled to the financial assistance provided for by the Act to promote good citizenship, as amended by this Act, provided they meet the conditions prescribed to obtain that assistance.

The fourth paragraph of section 185 applies to this section.

187. The provisions of the Act to promote good citizenship, as they read on the date preceding the date of coming into force of this Act, apply to the following applications filed before the date of coming into force of this Act, where the claimant was declared eligible before that date and regarding which no final decision was rendered before that date:

(1) an application concerning the possible payment of an indemnity for a permanent and total or permanent and partial disability, provided the disability existed on that date; and

(2) an application concerning an advantage other than the possible payment of an indemnity for a permanent and total or permanent and partial disability, provided the need that gave rise to the application existed on that date.

The second, third and fourth paragraphs of section 185 apply, with the necessary modifications.

188. Despite the first paragraph of section 185 and the first paragraph of section 187, any indemnity paid for a temporary and total or temporary and partial disability under the Act to promote good citizenship, as it read on the date preceding the date of coming into force of this Act, ceases not later than the date that is three years after the date of coming into force of this Act.

189. For the purposes of the first paragraph of section 185 and the first paragraph of section 187 and in order to apply to any application filed under the Act to promote good citizenship, as it read on the date preceding the date of coming into force of this Act, any provision contained in another Act that sets out terms for applying that Act or terms incidental to the plan under that Act is maintained in force.

CHAPTER IV

OTHER TRANSITIONAL AND FINAL PROVISIONS

190. Victims of crime assistance centres recognized under section 10 of the Act respecting assistance for victims of crime (chapter A-13.2), as it read on the date preceding the date of coming into force of this Act, become assistance centres for persons who are victims of criminal offences recognized under section 7 of this Act.

191. The Bureau d'aide aux victimes d'actes criminels established under section 8 of the Act respecting assistance for victims of crime, as it read on the date preceding the date of coming into force of this Act, becomes the office dedicated to assisting persons who are victims of criminal offences established under section 10 of this Act.

192. The assets and liabilities of the Crime Victims Assistance Fund established under section 11 of the Act respecting assistance for victims of crime, as it read on the date preceding the date of coming into force of this Act, are transferred to the fund dedicated to assistance for persons who are victims of criminal offences established under section 11 of this Act.

The expenditure and investment estimates of the Crime Victims Assistance Fund become those of the fund dedicated to assistance for persons who are victims of criminal offences.

193. Any agreement entered into for the application, by the Commission des normes, de l'équité, de la santé et de la sécurité du travail, of the Act to promote good citizenship (chapter C-20) or the Crime Victims Compensation Act (chapter I-6), that is in force on the date preceding the date of coming into force of this Act, is maintained in force for the application of this Act or the Act to promote good citizenship, as applicable and with the necessary modifications, until resiliated or replaced by a new agreement. Such an agreement is deemed to be entered into under section 103 of this Act or section 27.3 of the Act to promote good citizenship, as applicable.

Unless the context indicates otherwise, a reference to the Commission des normes, de l'équité, de la santé et de la sécurité du travail in an agreement referred to in the first paragraph is replaced by a reference to the Minister of Justice and a reference to the Crime Victims Compensation Act is replaced by a reference to this Act, with the necessary modifications.

194. The first regulation made under this Act may take effect on any date not prior to the date of coming into force of this Act.

195. The Act respecting assistance for victims of crime, the Crime Victims Compensation Act and the Act respecting assistance and compensation for victims of crime (1993, chapter 54) are repealed.

196. The Minister tables a report in the National Assembly on the Minister's activities under this Act for each fiscal year, not later than 30 September following the end of that year. If the Assembly is not sitting, the Minister tables the report within 30 days after the opening of the next session or resumption.

The Minister includes in the report the information the Minister received from a government department or a body referred to in section 9 under the fifth paragraph of that section and that concerns the complaints the government department or the body received in accordance with that section.

In addition, not later than five years after this Act comes into force, the Minister reports on its implementation. The report is tabled in the National Assembly within the following 30 days if the Assembly is in session or, if it is not sitting, within 30 days after the opening of the next session or resumption.

197. The Minister of Justice is responsible for the administration of this Act.

198. The provisions of this Act come into force on 13 October 2021 or an earlier date to be set by the Government.

Coming into force of Acts

Gouvernement du Québec

O.C. 1220-2021, 8 September 2021

**Act respecting mainly the health insurance plan
and prescription drug insurance plan eligibility
of certain children whose parents' migratory
status is precarious and amending the
Act respecting end-of-life care (2021, chapter 23)
— Coming into force**

COMING INTO FORCE of the Act respecting mainly the health insurance plan and prescription drug insurance plan eligibility of certain children whose parents' migratory status is precarious and amending the Act respecting end-of-life care

WHEREAS the Act respecting mainly the health insurance plan and prescription drug insurance plan eligibility of certain children whose parents' migratory status is precarious and amending the Act respecting end-of-life care (2021, chapter 23) was given assent on 11 June 2021;

WHEREAS section 28 of that Act stipulates that it comes into force on the date determined by the Government, except for section 9 that comes into force on 11 June 2021;

WHEREAS it is expedient to set at 22 September 2021 the date of coming into force of that Act;

IT IS ORDERED THEREFORE, on the recommendation of the Minister of Health and Social Services:

THAT 22 September 2021 be set as the date of coming into force of the Act respecting mainly the health insurance plan and prescription drug insurance plan eligibility of certain children whose parents' migratory status is precarious and amending the Act respecting end-of-life care (2021, chapter 23).

YVES OUELLET
Clerk of the Conseil exécutif

105265

Regulations and other Acts

Gouvernement du Québec

O.C. 1213-2021, 8 September 2021

Education Act
(chapter I-13.3)

Amended Basic school regulation for preschool, elementary and secondary education for the 2021-2022 school year

Amended Basic school regulation for preschool, elementary and secondary education for the 2021-2022 school year

WHEREAS, under the first paragraph of section 447 of the Education Act (chapter I-13.3), the Government may make regulations to be known as the “basic school regulation”;

WHEREAS the Government made the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) and it is expedient to amend it for the 2021-2022 school year;

WHEREAS, under subparagraph 1 of the second paragraph of section 447 of the Education Act, the basic school regulation made by the Government relates to the nature and objectives of educational services, including preschool education, instructional services, student services and special educational services as well as the general organizational framework thereof;

WHEREAS, under subparagraph 4 of the third paragraph of section 447 of the Act, the basic school regulation may establish, in addition, rules on the evaluation of learning achievement and the certification of studies;

WHEREAS, in accordance with section 458 of the Act, a draft copy of the regulation has been submitted to the Conseil supérieur de l'éducation for preliminary examination;

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, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Amended Basic school regulation for preschool, elementary and secondary education for the 2021-2022 school year was published in

Part 2 of the *Gazette officielle du Québec* of 12 May 2021 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Amended Basic school regulation for preschool, elementary and secondary education for the 2021-2022 school year, attached to this Order in Council, be made.

YVES OUELLET

Clerk of the Conseil exécutif

Amended Basic school regulation for preschool, elementary and secondary education for the 2021-2022 school year

Education Act
(chapter I-13.3, s. 447, 1st par., 2nd par., subparagraph. 1, and 3rd par., subparagraph. 4)

DIVISION I GENERAL

1. Sections 29 and 29.1 of the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) are to be read as follows for the 2021-2022 school year:

“**29.** In order to inform a student’s parents of the student’s learning achievement and behaviour, the school provides a first written communication, other than a report card, not later than 19 November and a second communication not later than 22 April. If the student is of full age, the communications are provided to the student.

29.1. In order to inform a student’s parents of the student’s academic progress, the school provides a report card to the parents at the end of each of the two terms, in the form prescribed by Schedules IV to VII. If the student is of full age, the report cards are provided to the student.

The report cards are provided not later than 28 January for the first term and 10 July for the second term.”.

2. Sections 30 to 30.3 are to be read as follows for that school year:

“**30.** The preschool education report card must be consistent with the report card in Schedule IV and contain all the information shown in sections 1 and 2 of the report card; the last report card of the school year must contain all the information shown in section 4 of the report card.

The results shown in section 2 of the report card must indicate the status of the development of each of the competencies in the Preschool Education program and, if it is the last report card of the school year, a report on the level of development achieved by the student for each of those competencies.

The status of the development of the competencies in the Preschool Education program and the report on the level of development of the competencies are based on the framework for the evaluation of learning for the Preschool Education program as established by the Minister.

30.1. The report cards for elementary education and the first or second cycle of secondary education must be consistent with the report cards in Schedules V to VII, as applicable. They must contain all the information shown in sections 1 to 3 of the report cards and, for the last report card of the school year in elementary education or the first cycle of secondary education, must contain the information shown in section 5 of the report card.

A student's results in section 2 of the report cards must include

(1) a detailed result per competency for the language of instruction, second language and mathematics subjects;

(2) a detailed result per component, theory and practical, for compulsory and elective science subjects, other than mathematics, such as science and technology and applied science and technology; and;

(3) a subject mark for each subject taught and the group average.

At the end of the first term of the school year, the detailed results for the subjects in subparagraphs 1 and 2 of the preceding paragraph are detailed for all the competencies or for all the components referred to in those subparagraphs.

At the end of the second term of the school year, the results consist in a report pertaining to the entire program of study, indicating the student's result for the competencies or components of the programs of studies for the subjects in subparagraphs 1 and 2 of the second paragraph as well as, for each subject taught, the student's subject mark and the group average.

The last report card of the school year includes the student's final mark for the competencies or components of the programs of studies established by the Minister for the subjects in subparagraphs 1 and 2 of the second paragraph as well as the student's final subject mark and the final group average for each subject taught. In secondary education, the credits earned for each subject passed are also indicated.

30.2. The results in section 2 of the elementary school report cards or secondary school report cards, cycle one or two, must all be expressed as a percentage. The results are based on the framework for the evaluation of learning for the programs of studies established by the Minister as well as, in accordance with section 30.3, on the examinations set by the Minister or by the school service centre, if applicable.

The final mark per competency or component is calculated according to the following weighting: 40% for the first term and 60% for the second term.

The student's subject mark and final subject mark are calculated using the weighting of competencies established in the framework for the evaluation.

30.3. Subject to section 34 of this Basic school regulation and section 470 of the Act, a student's result for an examination set by the Minister is worth 10% of the student's final mark.”.

3. Section 34 is to be read as follows for that school year:

“**34.** For all programs of studies offered at the secondary level that lead to a Secondary School Diploma, the pass mark is 60%.

For all programs of studies for which the Minister sets an examination, the Minister shall take into account the summative evaluation of the student transmitted by the school service centre in a proportion of 80%, subject to section 470 of the Education Act (chapter I-13.3). The Minister shall then certify success or failure in that program.”.

4. The preschool education report card appearing in Schedule IV to that Basic school regulation is to be read, for the same school year, as the preschool education report card appearing in Schedule I to this Regulation.

5. The elementary school report card appearing in Schedule V to that Basic school regulation is to be read, for the same school year, as the elementary school report card appearing in Schedule II to this Regulation.

6. The secondary school report card, cycle one, appearing in Schedule VI to that Basic school regulation is to be read, for the same school year, as the secondary school report card appearing in Schedule III to this Regulation.

7. The secondary school report card, cycle two, appearing in Schedule VII to that Basic school regulation is to be read, for the same school year, as the secondary school report card appearing in Schedule IV to this Regulation.

DIVISION II

FINAL

8. This Regulation applies despite any inconsistent provision of the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8).

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

SCHEDULE I

PRESCHOOL EDUCATION REPORT CARD

2021-2022 School Year

*Insert the school
service centre's logo
and name*

1. GENERAL INFORMATION

Name of school: Institution code: Principal: Signature: Teacher:	Address: Telephone (area code and no.): Fax (area code and no.):												
Student's name: Permanent code: Date of birth: Age on September 30:	Recipient(s) of report card (<i>Check</i>): Father <input type="checkbox"/> Mother <input type="checkbox"/> Legal guardian <input type="checkbox"/> Other <input type="checkbox"/> Name: Address: Telephone at home (area code and no.): Telephone at work (area code and no.): Other (area code and no.):												
Reporting term: Starting: Ending:	<table border="1"> <thead> <tr> <th colspan="3">Attendance</th> </tr> <tr> <th>Terms</th> <th>1</th> <th>2</th> </tr> </thead> <tbody> <tr> <td>Days absent</td> <td></td> <td></td> </tr> <tr> <td>School days</td> <td></td> <td></td> </tr> </tbody> </table>	Attendance			Terms	1	2	Days absent			School days		
Attendance													
Terms	1	2											
Days absent													
School days													

2. RESULTS

	Term 1	Term 2
<i>Enter a Preschool Education competency</i>		
<i>Repeat the preceding line as many times as necessary</i>		
Comments : <i>Enter comments regarding the student's strengths, challenges and progress</i>		
Key		
Mark	Term 1	Term 2
A	The student is making very good progress.	The student exceeds the program expectations.
B	The student is making satisfactory progress.	The student meets the program expectations.
C	The student is making progress, but with some difficulties.	The student partially meets the program expectations.
D	The student is experiencing serious difficulties.	The student does not meet the program expectations.

3. OTHER COMMENTS (COMPLETE IF APPLICABLE)

Various comments, such as regarding other learning that has taken place during class or school projects

4. STUDENT'S ACADEMIC PROGRESS (COMPLETE ONLY FOR THE LAST REPORT CARD OF THE YEAR)

- ☐ The student will continue in preschool education because he/she will not be 6 years old before October 1.
- ☐ The student will continue in preschool education in accordance with the conditions set out in his/her individualized education plan (IEP).
- ☐ The student will move on to elementary school.

Principal's signature

Date

SCHEDULE II

ELEMENTARY SCHOOL REPORT CARD

*Insert the school
service centre's logo
and name*

2021 – 2022 School Year

1. GENERAL INFORMATION

Name of school: Institution code: Principal: Signature:	Address: Telephone (area code and no.): Fax (area code and no.):		
Student's name: Permanent code: Date of birth: Age on September 30: Cycle: Year : Elementary ____	Recipient(s) of report card (<i>Check</i>) :: Father <input type="checkbox"/> Mother <input type="checkbox"/> Legal guardian <input type="checkbox"/> Other <input type="checkbox"/> Name: Address: Telephone at home (area code and no.): Telephone at work (area code and no.): Other (area code and no.):		
Reporting term: Starting: Ending:	Attendance		
	Terms	1	2
	Days absent		
	School days		

2. RESULTS

Enter subject name Teacher:	Elementary ____		
	Term 1	Term 2	Final mark
Enter a competency if the subject is one for which a detailed result is required under section 30.1			
Repeat the preceding line as many times as necessary			
Subject mark			
Group average			
Comments: Enter comments regarding the student's strengths, challenges and progress			

Repeat this section as many times as necessary

3. COMMENTS ON CERTAIN COMPETENCIES

Comments on at least one of the following four competencies: <i>exercises critical judgment / organizes his/her work / communicates effectively / works in a team</i>	
Term 1	Term 2

4. OTHER COMMENTS (COMPLETE IF APPLICABLE)

Various comments, such as regarding other learning that has taken place during class or school projects

5. STUDENT'S ACADEMIC PROGRESS (COMPLETE ONLY FOR THE LAST REPORT CARD OF THE YEAR)

Promotion to the next year
<p><input type="checkbox"/> The student will move on to the next year.</p> <p><input type="checkbox"/> The student will continue in the same year in accordance with the conditions set out in his/her individualized education plan (IEP).</p> <p>_____ Principal's signature</p> <p>_____ Date</p>

SCHEDULE III

SECONDARY SCHOOL REPORT CARD

Insert the school
service centre's logo
and name

CYCLE ONE

2021 – 2022 School Year

1. GENERAL INFORMATION

Name of school: Institution code: Address: Telephone (area code and no.): Fax (area code and no.): Principal: Signature:	Reporting term: Starting: Ending:
Student's name: Permanent code: Date of birth: Age on September 30: Year: Secondary _____	Recipient(s) of report card (Check): Father <input type="checkbox"/> Mother <input type="checkbox"/> Legal guardian <input type="checkbox"/> Other <input type="checkbox"/> Student of full age <input type="checkbox"/> Name: Address: Telephone at home (area code and no.): Telephone at work (area code and no.): Other (area code and no.):

2. RESULTS

Enter subject name Course code: Teacher:	Secondary _____		
	Term 1	Term 2	Final mark
<i>Enter a competency or component if the subject is one for which a detailed result is required under section 30.1</i>			
Repeat the preceding line as many times as necessary			
Subject mark			
Group average			
Credits			
Days absent	Term 1: _____ Term 2: _____		
Comments: Enter comments regarding the student's strengths, challenges and progress			

Repeat this section as many times as necessary

3. COMMENTS ON CERTAIN COMPETENCIES

Comments on at least one of the following four competencies: <i>exercises critical judgment / organizes his/her work / communicates effectively / works in a team</i>	
Term 1	Term 2

4. OTHER COMMENTS (COMPLETE IF APPLICABLE)

Various comments, such as regarding other learning that has taken place during class or school projects

5. STUDENT'S ACADEMIC PROGRESS (COMPLETE ONLY FOR THE LAST REPORT CARD OF THE YEAR)

Promotion to the next year
<input type="checkbox"/> The student will move on to the next year .
<input type="checkbox"/> The student will continue in the same year in accordance with the conditions set out in his/her individualized education plan (IEP).
<div style="text-align: center;"><div>_____</div><div>Principal's signature</div></div> <div style="text-align: center;"><div>_____</div><div>Date</div></div>

SCHEDULE IV

SECONDARY SCHOOL REPORT CARD

Insert the school service centre's
logo and name

CYCLE TWO

2021 – 2022 School Year

1. GENERAL INFORMATION

Name of school: Institution code: Address: Telephone (area code and no.): Fax (area code and no.): Principal: Signature:	Reporting term: Starting: Ending:
Student's name: Permanent code: Date of birth: Age on September 30: Year: Secondary	Recipient(s) of report card (<i>Check</i>): Father <input type="checkbox"/> Mother <input type="checkbox"/> Legal guardian <input type="checkbox"/> Other <input type="checkbox"/> Student of full age <input type="checkbox"/> Name: Address: Telephone at home (area code and no.): Telephone at work (area code and no.): Other (area code and no.):

2. RESULTS

Enter subject name Course code: Teacher:	Secondary _____		
	Term 1	Term 2	Final mark
Enter a competency or component if the subject is one for which a detailed result is required under section 30.1			
Repeat the preceding line as many times as necessary			
Subject mark			
Group average			
Credits			
Days absent	Term 1: _____ Term 2: _____		
Comments: Enter comments regarding the student's strengths, challenges and progress			

Repeat this section as many times as necessary

3. COMMENTS ON CERTAIN COMPETENCIES

Comments on at least one of the following four competencies: <i>exercises critical judgment / organizes his/her work / communicates effectively / works in a team</i>	
Term 1	Term 2

4. OTHER COMMENTS (COMPLETE IF APPLICABLE)

Various comments, such as regarding other learning that has taken place during class or school projects

105266

Notice

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

Agreement between the Minister of Justice and the Chambre des notaires du Québec respecting the tariff of fees and expenses of notaries for services rendered under the Act respecting legal aid and the provision of certain other legal services as well as the procedure for the settlement of disputes

Notice is hereby given that the Agreement between the Minister of Justice and the Chambre des notaires du Québec respecting the tariff of fees and expenses of notaries for services rendered under the Act respecting legal aid and the provision of certain other legal services as well as the procedure for the settlement of disputes, appearing below, was entered into on 30 August 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 between the Minister of Justice and the Chambre des notaires du Québec respecting the tariff of fees and expenses of notaries for services rendered under the Act respecting legal aid and the provision of certain other legal services as well as the procedure for the settlement of disputes

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

1. This Agreement establishes the fees applicable to professional services rendered by notaries in private practice under the legal aid plan.

It also establishes rules on expenses and dispute settlement.

**PART I
TARIFF OF FEES**

**CHAPTER I
GENERAL RULES**

2. This tariff establishes flat fees, which include all the acts and services required to perform the mandate, unless provided otherwise.

3. Where a recipient's legal aid is suspended or withdrawn or where a recipient is no longer eligible for or waives legal aid, a notary is remunerated for the services rendered up to receipt of the notice referred to in section 74 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) and for the legal services subsequently rendered for the performance of conservatory acts necessary for the preservation of the recipient's rights or required by the court.

4. The Commission des services juridiques determines the fees applicable to services not included in the tariff, taking into account, as applicable, the fees set in this Agreement for similar services.

5. Where the mandate is of an exceptional nature owing to the circumstances of the work or the complexity of the matter, a notary may submit an application for special consideration to have the Commission determine the excess fees.

6. Where a notary must, at the director general's request, justify in writing an application to obtain a legal aid mandate, fees in the amount of \$80 are payable to the notary if the mandate is assigned.

7. The fees for all services rendered under a consultation mandate are \$70. If the notary's mandate is to prepare a letter or a notice, the fees are \$106.

8. For each copy or extract of acts or attached exhibits furnished by a notary at the request of a third person within the framework of legal aid, except copies or extracts already included in the remuneration under this Agreement, the fees are \$55. The fees include the signing and sending of the copy.

CHAPTER II ACTS AND SERVICES RELATING TO MOVABLE OR IMMOVABLE PROPERTY

9. For the preparation and receipt of every notarial act pertaining to movable or immovable property, the fees are \$300 per act.

The fees include the fees for the preparation of the notice of address, the verification and adjustment of taxes, the assignment of insurance, attendances, the documents attached, the assumption of a previous obligation, the necessary copies and the fees for the inclusion in the act of the usual warranty clauses for the payment of the remainder of the sale price or for the performance of the obligations of one or more of the parties.

10. For the preparation and receipt of every notarial indivision agreement relating to any act pertaining to movable or immovable property, the fees are \$300 per act.

11. For the preparation and receipt of every notarial act of servitude, the fees are \$300 per act.

The fees include fees for describing the servient land, the dominant land and the site of the servitude, the necessary interventions and 2 copies of the act.

12. For a full examination of titles, the fees are \$300 per immovable.

A full examination includes what is required in that respect by generally accepted practice.

13. For a summary examination of titles and for a search at the registry office, the fees are \$110 per immovable.

14. For the procedure governing the sale of the property of another, the fees are as follows, where the value of the property is:

- (1) less than \$85,000: \$400;
- (2) \$85,000 or more, but less than \$200,000: \$540;
- (3) \$200,000 and more: \$640.

15. For every discharge, release of hypothec and other acts entailing cancellation, the fees are \$200.

The fees include any verification of the amounts or accounts as well as 2 copies of the act.

CHAPTER III WILLS AND LIQUIDATION OF SUCCESSIONS

16. For the preparation and receipt of every notarial will, the fees are \$225. The fees include a copy to the testator.

Where a notary prepares and receives the wills of spouses, the fees are \$425 for both.

17. For a will search in the registers of testamentary dispositions of the Barreau du Québec and the Chambre des notaires du Québec, the fees are \$60.

18. For the probate of a will, the fees are \$400.

Where a case proceeds before a notary, additional fees of \$100 are payable for the drafting and filing of the minutes of the operations.

19. For the liquidation of a succession, the fees are as follows:

(1) for the drafting of a statement of assets and liabilities of the succession: \$325;

(2) for the declaration of heredity: \$300;

(3) for renunciation of the succession: \$325;

(4) for the notice of transmission:

(a) immovable: \$450;

(b) movable: \$300;

(5) for all services entailed to designate the liquidator, including entry in the register of personal and movable rights: \$300;

(6) for the notice of closure of the succession: \$120.

CHAPTER IV ACTS AND SERVICES WITH REGARD TO PERSONAL LAW AND FAMILY LAW

20. For the preparation and receipt of every contract of marriage or civil union, including inter vivos gifts or gifts mortis causa, the fees are \$235.

The fees include 2 or 3 copies of the contract and registration in the appropriate registers.

21. For the preparation and receipt of every notarial cohabitation agreement for de facto spouses, the fees are \$370.**22.** For the solemnization of a marriage or civil union, the fees are \$200.**23.** For all services related to a joint application based on a draft agreement that provides a complete settlement of the consequences of the spouses' separation as to bed and board, divorce or dissolution of a civil union, the fees are \$925.**24.** For all services related to an application concerning a tutorship to a minor, the fees are 400\$ where the procedure before a court is followed.

Where services are rendered according to the procedure before a notary, the fees for the application are \$400 and additional fees of \$290 are payable for the calling and holding of a meeting of relatives, persons connected by marriage or civil union, or friends, and for the drafting and filing of the minutes of the operations and the conclusions.

25. For all services rendered relating to an adoption procedure, the fees are \$540.

An application for a declaration of eligibility for adoption, an application for placement of a child and an application for adoption are considered to be distinct procedures.

Where a notary submits applications for 2 or more children in the same family and the grounds for the various applications are identical, the fees payable for each additional application are set at \$106.

26. For the preparation and receipt of a notarial protection mandate, the fees are \$180.**27.** For the preparation and receipt of every power of attorney, authorization, concurrence or consent by separate act, and for their revocation, the fees are \$135.**28.** For all services rendered relating to an application for homologation of a protection mandate, the fees are \$400 where the procedure before a court is followed.

Where services are rendered according to the procedure before a notary, the fees are as follows:

(1) for the processing of the application: \$400;

(2) for the calling and holding of a meeting at the request of an interested person: \$100;

(3) for the examination of the person concerned by the application and the minutes of the operations and the conclusions: \$290.

29. For all services rendered relating to the institution of protective supervision, the fees are \$400 where the procedure before a court is followed.

Where services are rendered according to the procedure before a notary, the fees are as follows:

(1) for the processing of the application: \$400;

(2) for the examination of the person concerned by the application: \$290;

(3) for the calling and holding of a meeting of relatives, persons connected by marriage or civil union, or friends, and for the drafting and filing of the minutes of the operations and the conclusions: \$200.

30. For the inventory of an administrator provided for in article 1326 of the Civil Code of Québec and made by notarial act, the fees are \$300.

CHAPTER V OTHER SERVICES

31. For services rendered at a mediation session in which the notary assists the recipient, the fees are \$290 per session, for a maximum of 2 sessions.

32. For every application to have a change entered in the register of civil status, the fees are \$122.

33. For a hearing before the review committee of the Commission des services juridiques, if the notary is successful, the fees are \$116.

34. For an administrative application for a change of name, the fees are \$116.

PART II EXPENSES

35. Expenses include notification costs, public register registration fees, travel allowances and costs authorized by the director general, in particular expert fees and other costs pertaining to the cases and procedures incidental to the mandate.

36. For the reimbursement of photocopy, fax, courier and postage expenses, a notary receives a fixed amount of \$11.

37. At the end of the mandate, a notary who sees a case through receives \$50 as reimbursement of administrative overhead costs, except for consultation mandates and those that end with a consultation.

38. A notary is entitled to a travel allowance only if the destination is farther than a radius of 25 km from the notary's office.

When using a personal motor vehicle, a notary is entitled to the travel allowance per kilometre provided for in section 8 of the Directive sur les frais remboursables lors d'un déplacement et autres frais inhérents (C.T. 216155 dated 22 March 2016) as established under the Public Administration Act (chapter A-6.01), subject to the following special rules:

(1) based on the distance actually travelled, if the travel is within the boundaries of the judicial district of the notary's office;

(2) based on the distance actually travelled up to a maximum of 200 km, if the travel is outside the boundaries of the judicial district of the notary's office;

(3) based on the distance actually travelled, with the authorization of the director general of the legal aid centre, if the travel is outside the boundaries of the judicial district of the notary's office and the nature or complexity of the matter requires that a mandate be assigned to that notary.

A notary entitled to a travel allowance per kilometre is also entitled to reimbursement of any parking expenses incurred.

39. Subject to sections 36 and 37, expenses cannot exceed the actual amount incurred by the notary; they are paid on presentation of supporting documents.

PART III FOLLOW-UP OF THE AGREEMENT AND DISPUTE SETTLEMENT PROCEDURE

CHAPTER I FOLLOW-UP OF THE AGREEMENT

40. Once a year at the request of the Chambre des notaires du Québec, the Ministère de la Justice du Québec and the Commission des services juridiques make themselves available to discuss the application of this Agreement, assess the situation and document and resolve any difficulties.

CHAPTER II SUBMITTING OF A DISPUTE AND CONCILIATION

41. A dispute means any disagreement concerning the interpretation or application of this Agreement, including any disagreement concerning a claim for fees for a service

not included in the tariff or an application for special consideration, and any disagreement concerning a statement of fees or expenses submitted pursuant to the Regulation respecting the report relating to the services rendered by certain advocates and notaries (chapter A-14, r. 8).

A dispute must be submitted within 6 months after receipt of the notice referred to in section 8 of that Regulation.

42. A dispute is submitted by a notary by means of a notice addressed to the regional centre or to the Commission, as applicable. The notice must contain a summary statement of the facts and the relief sought.

43. The regional centre or the Commission, as applicable, provides a written reply to the notice of dispute it receives.

44. Before submitting a dispute, a notary may resort to conciliation by means of a written notice to the director general of the regional centre, to the Commission and to the Chambre des notaires du Québec.

45. Resorting to conciliation interrupts the 6-month prescription.

46. Within 15 days after receiving the notice referred to in section 44, the director general of the regional centre and the president of the Chambre des notaires du Québec each designate a notary.

47. Within 30 days of their designation, the notaries so appointed and the notary who applied for conciliation meet and endeavour to come to an agreement.

CHAPTER II ARBITRATION

48. The notary who submitted a dispute may, if no reply is received within 30 days after sending the notice, or the notary is dissatisfied with the reply, refer the dispute to arbitration.

Resorting to arbitration is prescribed by 6 months.

An application for arbitration is made by a letter addressed to the chief judge of the Court of Québec, and is also sent to the regional centre, the Commission and the Chambre des notaires du Québec.

The chief judge designates 1 of the judges of that court to act as arbitrator.

49. After giving at least 30 days' notice to the Commission, the Chambre des notaires du Québec may either intervene or take up the defence of a notary who refers a dispute to arbitration.

50. Stenography fees and fees to reproduce a recording of the hearings, if any, are borne by the regional centre or by the Commission, as applicable.

51. The arbitrator has jurisdiction, to the exclusion of any court or tribunal, to decide a dispute within the meaning of this Agreement. The arbitrator may uphold, vary or rescind the disputed decision and under the terms of the arbitration award, order payment or determine compensation, restore a right or make any order considered by the arbitrator to be fair in the circumstances.

The arbitration award is final and binding on the parties.

52. The arbitrator may issue an interim award at any time.

53. The arbitrator sends every arbitration award to the parties and the Chambre des notaires du Québec.

PART IV FINAL

54. This Agreement replaces the Regulation to ratify the agreement entered into on 11 October 2003 between the Minister of Justice and the Chambre des notaires du Québec respecting the conditions of practice, the procedure for the settlement of disputes and the tariff of fees of notaries for services rendered under the Act respecting legal aid and the provision of certain other legal services (chapter A-14, r. 5).

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

55. This Agreement expires 5 years after it comes into force. It remains in force after that date until it is replaced by a new agreement or a regulation.

105263

M.O., 2021

**Order of the Minister of the Environment
and the Fight Against Climate Change
dated 2 September 2021**

Natural Heritage Conservation Act
(chapter C-61.01)

Act to amend the Natural Heritage Conservation Act
and other provisions
(2021, chapter 1)

Assignment of temporary protection status to a territory situated in the Montréal region, as Paysage humanisé projeté de L'Île-Bizard, and establishment of the plan and conservation plan of the area

THE MINISTER OF THE ENVIRONMENT AND THE FIGHT
AGAINST CLIMATE CHANGE,

CONSIDERING section 65 of the Act to amend the Natural Heritage Conservation Act and other provisions (2021, chapter 1), which provides that sections 27, 29 to 31 and 33 of the Natural Heritage Conservation Act (chapter C-61.01), as they read on 18 March 2021, continue to apply to the Paysage humanisé projeté de L'Île-Bizard;

CONSIDERING the first paragraph of section 27 of the Natural Heritage Conservation Act, as it reads on 18 March 2021, which provides that, for the purpose of protecting land to be established as a new protected area, such as a park, the Minister of the Environment and the Fight Against Climate Change prepares, with the approval of the Government, the plan of that area, establishes a conservation plan and assigns temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

CONSIDERING that, for the purposes of the protection and maintenance of biological diversity and of related natural and cultural resources, more specifically the protection of a territory with unique characteristics in an inhabited and agricultural context, the territory of the Paysage humanisé projeté de L'Île-Bizard, situated in the Montréal region, requires temporary protection, with a view to subsequently assign permanent protection status;

CONSIDERING Order in Council 758-2021 dated 2 June 2021 authorizing the Minister of the Environment and the Fight Against Climate Change to assign temporary protection status to a territory situated in the Montréal region, as Paysage humanisé projeté de L'Île-Bizard, prepare the plan of the area and establish its conservation plan;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 30 June 2021, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of the draft conservation plan of the Paysage humanisé projeté de L'Île-Bizard with a notice of intention of the Minister to assign temporary protection status to the territory appearing as a schedule to the document on the expiry of 45 days following its publication;

CONSIDERING the first paragraph of section 29 of the Natural Heritage Conservation Act, as it reads on 18 March 2021, which provides that notice of the setting aside of land by the Minister pursuant to section 27 of the Act is to be published in the *Gazette officielle du Québec*;

CONSIDERING that this Minister's Order constitutes the notice published in the *Gazette officielle du Québec* required by that section;

CONSIDERING that it is expedient to assign temporary protection status to that territory;

ORDERS AS FOLLOWS:

Temporary protection status be assigned to a territory situated in the Montréal region, as Paysage humanisé projeté de L'Île-Bizard, beginning on the fifteenth day following the date of publication of this Minister's Order in the *Gazette officielle du Québec*;

The conservation plan of the Paysage humanisé projeté de L'Île-Bizard, attached to this Minister's Order, be established;

The plan of the Paysage humanisé projeté de L'Île-Bizard, attached to the conservation plan, be prepared.

Québec, 2 September 2021

BENOIT CHARETTE
*Minister of the Environment and the
Fight Against Climate Change*

Temporary protection status assigned as Paysage humanisé projeté de L'Île-Bizard

Natural Heritage Conservation Act
(chapter C-61.01, s. 27)

Act to amend the Natural Heritage Conservation Act
and other provisions
(2021, chapter 1, s. 65)

- 1.** The conservation plan of the Paysage humanisé projeté de L'Île-Bizard appears in Schedule A.
- 2.** The territory in the Schedule to the conservation plan constitutes the Paysage humanisé projeté de L'Île-Bizard.
- 3.** The temporary status as proposed man-made landscape and the conservation plan of the Paysage humanisé projeté de L'Île-Bizard, applicable to the territory appearing as a schedule to the document, come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE A**CONSERVATION PLAN OF THE PAYSAGE HUMANISÉ PROJETÉ DE L'ÎLE-BIZARD**
(s. 1)

Coordination and drafting

This publication was prepared by the Direction des aires protégées du ministère de l'Environnement et de la Lutte contre les changements climatiques (MELCC), in cooperation with the Ville de Montréal.

Quotes and reference

Gouvernement du Québec: Paysage humanisé projeté de L'Île-Bizard–Conservation Plan. Québec, Ministère de l'Environnement et de la Lutte contre les changements climatiques, Direction des aires protégées, 2021, 37 pages

Cover photo

Western portion of Île Bizard, AIR IMEX Itée

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1 Protection status and toponym

The legal protection status of the territory described in this conservation plan is a proposed man-made landscape. The legal status is governed by sections 27, 29-31 and 33 of the *Natural Heritage Conservation Act* (chapter C-61.01), as it reads on March 18, 2021. The envisaged permanent protection status recognizes the area as a “man-made landscape,” which is also defined in the *Natural Heritage Conservation Act*.

Per the *Natural Heritage Conservation Act*, the purpose of the man-made landscape status is to protect the biodiversity of an inhabited area, whether land or water, where the landscape and its natural components have been shaped, over time, by human activities in harmony with nature and have distinctive features the conservation of which depends to a large extent on the continuation of the practices that originally shaped them.

The provisional toponym is “Paysage humanisé projeté de L’Île-Bizard” The official toponym will be determined when permanent protection status is granted.

2 Introduction

Man-made landscape status allows many types of human activities to be carried out, as long as they are compatible with the conservation of biodiversity. This enables community know-how and sustainable best practices to be recognized and valued.

The Paysage humanisé projeté de L’Île-Bizard has unique biodiversity conservation characteristics for an inhabited and agricultural zone. They are as follows:

- A high proportion of widely diverse natural environments that include a mix of forests, fallows, wetlands, bodies of water and riverbanks
- A rich biodiversity that includes numerous species in a precarious situation
- A hedgerow landscape of fields bordered by arborescent vegetation and low fieldstone walls engendering a mosaic of habitats that promote biodiversity and ensure ecological connectivity
- An island nature and role as an ecological corridor in western Montréal connecting several other protected areas and natural protected environments.

The desire to ensure the protection and enhancement of the western portion of Île Bizard stems from demands voiced by the local citizenry at the beginning of this century and the recognition by the Ville de Montréal of its value as a tool for social mobilization, biodiversity, natural and cultural heritage and harmonious anthropic activity. It is also the result of a decision to increase the size of protected areas in the Urban Agglomeration of Montréal. The Paysage humanisé projeté de L’Île-Bizard project evolved during a lengthy process of participation. The Ville de Montréal and Île-Bizard–Sainte-Genève borough have worked with the Ministère de l’Environnement et de la Lutte contre les changements climatiques (MELCC) and a number of partners since 2010 to secure proposed man-made landscape status for the project.

A number of key stages were involved as the project moved forward, benefiting from local community input. In 2010, the Table de concertation du paysage humanisé de L'Île-Bizard brought together residents and a diverse group of local, regional and government partners whose aim was to set conservation objectives for the area. In 2014, the project was publicly unveiled at an informational meeting, and the Ville de Montréal filed an application for man-made landscape recognition with the MELCC (Ville de Montréal, 2014). One of the 2015 recommendations in the Land Use and Development Plan of the Urban Agglomeration of Montréal (Schéma d'aménagement et de développement de l'agglomération de Montréal, hereinafter, "SAD,") was to move forward with steps to secure man-made landscape status for the western portion of Île Bizard. In 2016, the Comité de mise en œuvre du paysage humanisé de L'Île-Bizard (Implementation Committee) was created to acquire more and deeper knowledge about the area, improve understanding of public expectations and flesh out the details of the project. This collaborative process helped raise the level of mobilization of the citizenry and local, regional and government partners by enabling participation in developing the proposed man-made landscape implementation plan (Nature-Action Québec, 2019). Finally, in 2020, the Ville de Montréal held a public consultation on the proposed man-made landscape project (Ville de Montréal and Copticom, 2021) and the MELCC consulted with the Mohawk communities of Kahnawà:ke and Kanesatake.

Through its contribution to biodiversity protection and growth of protected areas, the proposed man-made landscape meets the objectives of the Politique de protection et de mise en valeur des milieux naturels (Ville de Montréal, 2004b) and follows the guidelines of the Schéma d'aménagement et de développement de l'agglomération de Montréal (Ville de Montréal, 2015b). It also meets the objectives of the Climate Plan 2020-2030 and the Montréal 2030: A First Strategic Plan (Ville de Montréal, 2020a and b).

Securing the Paysage humanisé projeté de L'Île-Bizard status required the support of local and regional communities. Resolutions from the following sources were therefore passed:

- Conseil d'arrondissement de L'Île-Bizard–Sainte-Geneviève (CA14 28 0214), September 2, 2014
- Comité exécutif de Ville de Montréal (CE14 1657), November 5, 2014
- Conseil municipal de Ville de Montréal (CM14 1102), November 24, 2014
- Conseil d'agglomération de Montréal (CG14 0535), November 27, 2014
- Conseil d'arrondissement de L'Île-Bizard–Sainte-Geneviève (CA19 28 195), July 2, 2019
- Comité exécutif de la Communauté métropolitaine de Montréal (CE19 203), December 5, 2019
- Conseil municipal de Ville de Montréal (CM19 1277), December 16, 2019.

3 Conservation objectives

The first priority of the Paysage humanisé projeté de L'Île-Bizard is the long-term protection and maintenance of its associated biological diversity and natural and cultural resources. The status will also enable a balance to be struck between natural land and aquatic environments, farmland and inhabited areas. Moreover, preserving its natural environments and ecological connectivity will help with the adaptation to climate change. The conservation objectives of the Paysage humanisé projeté de L'Île-Bizard are set out in Table 1.

Since agricultural activities are the source of the hedgerow landscape and its specific biodiversity, the key guidelines on the sustainability and vitality of farming activities and biodiversity conservation are of equal importance. However, in the event of incompatibility among various activities, biodiversity conservation will always be prioritized. Soil conservation will be of particular importance, due to the fact that the ecosystem services it provides support the diversity and abundance of local species (Larbodière et al., 2020).

Under the planned conservation framework, municipal by-laws and voluntary conservation initiatives will provide support for the conservation objectives of the proposed man-made landscape.

4 Plan and description

4.1 Geographical location, boundaries and dimensions

The Paysage humanisé projeté de L'Île-Bizard is located within the administrative boundaries of the Borough of L'Île-Bizard–Sainte-Geneviève in the City of Montréal, Urban Agglomeration of Montréal and the Communauté métropolitaine de Montréal, between 45° 27' 37.077" and 45° 30' 38.631" north latitude and 73° 57' 37.268" and 73° 52' 55.22" west longitude.

The proposed man-made landscape covers the western portion of Île Bizard and a portion of the Rivière des Prairies and the Lac des Deux Montagnes. It protects an area encompassing 1 798 hectares (17.98 km²). The Jacques-Bizard bridge over the Rivière des Prairies and a ferry that links Île Bizard to Laval-sur-le-Lac provide access to the island.

The aquatic boundaries of the Paysage humanisé projeté de L'Île-Bizard correspond to the boundaries of the Île-Bizard eco-forest corridor as set out in the SAD. The land boundaries of the Paysage humanisé projeté de L'Île-Bizard correspond mainly to the boundaries of the permanent agricultural zone, per the *Act respecting the preservation of agricultural land and agricultural activities* (chapter P-41.1; hereinafter, the APALAA) and also include several natural environments abutting the permanent agricultural zone. Schedule 1 shows the location and boundaries of the Paysage humanisé projeté de L'Île-Bizard.

Table 1 Conservation objectives of the Paysage humanisé projeté de L'Île-Bizard.

General objectives	Guidelines and specific objectives
<p>Preserve and enhance biodiversity and associated ecosystem services</p> <p>Preserve and enhance ecological connectivity</p> <p>Preserve and enhance hedgerow farming as a practice that contributes to the landscape's distinctiveness and biodiversity</p> <p>Ensure the sustainable use of biodiversity and renewable natural resources</p>	<p>1. Ensure the long-term survival of farming activities and promote their vitality:</p> <ul style="list-style-type: none"> - Bolster the boundaries of the permanent agricultural zone. - Promote sustainable farming practices. - Ensure the health and conservation of agricultural soils. - Maintain pollinator populations, which are essential to crop production. - Develop links between agricultural producers and residents. <p>2. Understand, protect and enhance biodiversity:</p> <ul style="list-style-type: none"> - Broaden knowledge on biodiversity. - Preserve ecosystem ecological integrity, especially in zones deemed biodiversity cores. - Preserve a high proportion of natural environments and great habitat diversity. - Preserve and enhance links among natural environments. - Protect plant and wildlife species in a precarious situation. - Restore degraded riparian strips. - Control invasive species. - Reduce pesticide use. <p>3. Understand, protect, enhance and promote the natural and cultural heritage:</p> <ul style="list-style-type: none"> - Broaden and disseminate heritage knowledge on natural, landscaped, built and archaeological environments. - Maintain and highlight the importance of fieldstone wall and hedgerow heritage lot separation. - Promote the built and archaeological heritage. - Promote the unique nature of the shoreline road and the historical and archaeological links between land and aquatic settings. - Promote the opening of farming and water body viewpoints while protecting natural riparian strips. <p>4. Promote sustainable recreational and educational activities:</p> <ul style="list-style-type: none"> - Maintain water sports, fishing and hiking in a spirit of respect for the natural environment and local inhabitants. - Organize events that arouse a feeling of belonging to the land and promote the benefits of hedgerows for biodiversity and farming. - Allow access to well-defined areas in a spirit of respect for natural settings, farming activities and cultural heritage.
<p>Basis for Action</p> <ul style="list-style-type: none"> - Prioritize the conservation of biodiversity whenever there is incompatibility between objectives, guidelines or projects. - Maintain and/or enhance the natural character of the territory. - Sensitize all actors to the importance and fragility of the territory's biodiversity. - Use a broad array of initiatives and partners when developing innovative projects. 	

4.2 Physical environment

Per the Québec ecological reference framework, the Paysage humanisé projeté de L'Île-Bizard is located in the St. Lawrence Lowlands physiographic region, more specifically, in the natural region of the Upper Saint Lawrence Plain. The entire territory falls within the physiographic unit of the Plaine de Saint-Benoit-Montréal, more specifically, in the ecological districts of the Plaine de la rivière des Mille Îles and Chenal du lac des Deux Montagnes (MDDELCC, 2018).

Île Bizard is one of the islands in the Montréal archipelago whose formation results from a complex network of very ancient faults, the varied resistance to weathering of different rock types, and the vagaries of fluvial and glacial erosion. The territory comprises limestone rock from the Chazy Group and dolomite rock. Several breccia and intrusions are also observed (SPHIB-SG, 2008).

The island itself is a low mound whose summit, at roughly 34 m, culminates slightly to the west of Montée de l'Église. The steepest slopes, which never exceed 10%, are also concentrated in the portion of the territory located west of the roadway. The topography provides a range of ways and means for exploring the landscapes. The rich island soils developed on deposits left behind after the most recent glaciation and the subsequent marine incursion known as the Champlain Sea, as well as the bodies of water that succeeded it (SPHIB-SG, 2008). From an agricultural standpoint, the soils are mainly ARDA¹ Canada Land Inventory, Class 2 and Class 3 (Ville de Montréal, 2015a).

The Paysage humanisé projeté de L'Île-Bizard has a sub-humid temperate continental climate with a long growing season. The average annual temperature is 6.8°C, while average annual rainfall is 784.9 mm and snowfall, 209.5 cm. The average frost-free period is 165 days (Government of Canada, 2020).

The territory is part of the sugar maple-hickory stand bioclimatic domain, which enjoys Québec's warmest climate. It hosts Québec's southernmost plant species and has highly diversified forests (MFFP, 2003). Certain hardy tree species such as the butter-nut hickory (*Carya cordiformis*), shag-bark hickory (*Carya ovata* var. *ovata*), common hack-berry (*Celtis occidentalis*), black maple (*Acer nigrum*), swamp white oak (*Quercus bicolor*) and various shrubs and herbaceous plants seen on Île Bizard are at the northern limit of their distribution area. However, other species found here, such as the sugar maple (*Acer saccharum*), also grow farther to the North.

Île Bizard is one of the rare Montréal areas to have preserved a significant network of open watercourses that link major inland wetlands and riparian habitats to the Rivière des Prairies and Lac des Deux Montagnes, which feed the Rivière des Mille îles and Rivière des Prairies, being the final section of the Ottawa River before it empties into the St. Lawrence.

¹ Class 2: Soils in this class have moderate limitations that reduce viable crop selection or require moderate conservation practises. Class 3: Soils in this class have moderately severe limitations that restrict the range of viable crops or require special conservation practises (IRDA, 2020).

4.3 Natural heritage

The Paysage humanisé projeté de L'Île-Bizard features a mosaic of habitats that promote biodiversity (Schedule 2), where forests alternate with grass, bush and treed fallows, fields, wetlands (fens, marshes, peat bogs) and water (stream, river and lake) environments. Due to the diversity and quality of the area's habitats, it has an abundant animal and plant biodiversity that includes several at-risk species.

The portion of the territory that encompasses Lac des Deux Montagnes and Rivière des Prairies mainly features shallow water and extensive aquatic-grass beds that are significant wildlife habitats for species such as the endangered northern map turtle (*Graptemys geographica*). Data from two stations that measure the bacteriological quality of the Rivière des Prairies shoreline water reveal that the quality is good and that the water is in the main, suitable for activities that include direct contact, such as swimming (Ville de Montréal, 2019).

The southern and western portions of the territory bordering Lac des Deux Montagnes and Rivière des Prairies have natural shores, riparian floodplain fens with stands of silver maple, marshes and shrub and treed fallows. The heaviest concentration of riparian wetlands in the Urban Agglomeration of Montréal is found in the western portion Île Bizard, extending over nearly 5 km of shoreline. These wetlands provide high-quality wildlife feeding and breeding sites and offer outstanding panoramas, year-round. The natural floodplains provide essential ecosystem services that include a role in regulating the flow of water during the spring flood season. The southwest point of l'île Bizard is also home to a remarkable forest ecosystem that has been confirmed by the Ministère des Forêts, de la Faune et des Parcs but remains without official status. A rarely seen in Québec combined stand of shagbark hickory and nettle ranges over some nine hectares, with adjacent stands of shagbark hickory, (*Carya ovata* var. *ovata*), common hackberry (*Celtis occidentalis*) and swamp white oak (*Quercus bicolor*). This forest of great ecological interest lies entirely within the Grand Parc de l'Ouest-Bois-de-l'île-Bizard sector of the island (Schedule 3).

The centre of the territory is noteworthy for its forests of varying sizes that include sugar maple stands, red ash woodlands, and cottonwood poplar stands. Wetlands connected by streams are also found here. They include a 4.41-hectare treed swamp, a shrub swamp, a wet meadow and a 1.06-hectare peat bog that is host to several plant species in a precarious situation (AECOM, 2020). Numerous grass, shrub and tree fallows and the majority of cultivated fields are found in this portion of the proposed man-made landscape. Lastly, the two local golf courses here form part of the network of ecological corridors in the proposed man-made landscape because of their treed hedgerows and wooded areas. One of the golf courses holds Audubon environmental management certification.

Many invasive plant species have been recorded on the territory of the proposed man-made landscape, including reed canary-grass (*Phalaris arundinacea*), woodland chervil (*Anthriscus sylvestris*), box elder (*Acer negundo*), European buckthorn (*Rhamnus cathartica*), alder buckthorn (*Frangula alnus*), wild parsnip (*Pastinaca sativa*), common reed grass (*Phragmites australis* subsp. *australis*), purple loosestrife (*Lythrum salicaria*) and common valerian (*Valeriana officinalis*). Most are interspersed among indigenous plant species. Common reed grass forms denser colonies though, and a number of shrub sectors are colonized by buckthorn (AECOM, 2020). Some individuals of ash affected by the Emerald Ash Borer (*Agrilus planipennis*) have also been observed.

Treed hedgerows and fieldstone walls that delineate the fields and fallows are also to be found here, forming a hedgerow landscape that is unique in Montréal (Figure 1). The colonization of Île Bizard and the development of agriculture that accompanied it instigated the transformation of forest ecosystems into agrarian ecosystems. The first farmers on the island built fieldstone demarcation walls along the edges of the fields. Vegetation then gradually took root, resulting in hedges of varying densities.



Figure 1: A view of the hedgerow landscape of the Paysage humanisé projeté de L'Île-Bizard, characterized by fields demarcated by treed hedges and fieldstone walls (Source: Air Imex).

One of the conservation interests of the proposed man-made landscape lies in continuing hedgerow farming as a practice that has enabled the territory's remarkable characteristics to develop, and which is beneficial to the conservation of biodiversity and farming. Hedgerow farming affords several advantages for wildlife and plant species since it creates a network of interconnected, diversified natural environments. The treed

hedges provide habitats for wildlife species such as small mammals, birds and pollinating insects, as well as for wildlife species that prefer edges, especially raptors that use forest zones as their habitat and hunt in the adjacent open areas. The hedges also form a major network of ecological corridors, whose connectivity is essential amid climate change inasmuch as it enables some species to change their distribution area and others to migrate to new, more favourable habitats (Hilty *et al.*, 2020). The fieldstone walls provide habitats for moss and lichens and offer shelter to some species of small mammals and reptiles. The hedgerow environment is also of significant interest from the standpoint of landscapes and provides numerous ecological services for agriculture. The growth of biodiversity and the conservation of natural environments are positive factors in pollination, combating disease and pests, improving soil fertility and reducing erosion (MAPAQ *et al.*, 2011). Agro-forest systems, including hedgerow landscapes, also strengthen resilience to unpredictable climate events and to climate change in general (CRAAQ, 2019).

Species in a precarious situation: Twelve wildlife species and eight plant species in a precarious situation have been inventoried within the Paysage humanisé projeté de L'Île-Bizard (Table 2). Several historic occurrences where species in a precarious situation have been observed remain to be confirmed (CDPNQ, 1998+). The proposed man-made landscape may also be a potential habitat for other species deemed threatened or vulnerable or that could be so designated.

Four species of plants that are vulnerable due to harvesting have been observed here, including the maidenhair fern (*Adiantum pedatum*), ostrich fern (*Matteuccia struthiopteris*), bloodroot (*Sanguinaria canadensis*) and white trillium (*Trillium grandiflorum*).

Finally, an essential habitat of the Red-headed Woodpecker has been identified within the proposed man-made landscape under the Recovery Strategy for the Red-headed Woodpecker (*Melanerpes erythrocephalus*) in Canada (ECCC, 2021).

4.4 Ecological connectivity

In western Montréal and the periphery of Lac des Deux Montagnes, the Paysage humanisé projeté de L'Île-Bizard is an important link in the chain of ecological connectivity, given its proximity to numerous protected areas and other protected natural environments (Schedule 3), and the role it plays in the Grand parc de l'Ouest project, whose aim is to protect natural environments and preserve biodiversity (Schedule 4).

Table 2 Plant and animal species in a precarious situation in the Paysage humanisé projeté de L'Île-Bizard.

	English Name	Latin Name	Status (Québec)
Animal species	Dekay's brownsnake	<i>Storeria dekayi</i>	likely to be designated
	Bank swallow	<i>Riparia riparia</i>	none ¹
	Bicknell's thrush	<i>Catharus bicknelli</i>	vulnerable ¹
	Bobolink	<i>Dolichonyx oryzivorus</i>	none ¹
	Bridle shiner	<i>Notropis bifrenatus</i>	vulnerable ²
	Canada warbler	<i>Cardellina canadensis</i>	likely to be designated
	Common snapping turtle	<i>Chelydra serpentina</i>	none ²
	Eastern milksnake	<i>Lampropeltis triangulum</i>	likely to be designated ²
	Elephant-ear	<i>Elliptio crassidens</i>	likely to be designated
	Northern map turtle	<i>Graptemys geographica</i>	vulnerable ²
	Red-headed woodpecker	<i>Melanerpes erythrocephalus</i>	threatened ³
	Rusty blackbird	<i>Euphagus carolinus</i>	likely to be designated ²
Plant species	Black maple	<i>Acer nigrum</i>	vulnerable
	Butternut	<i>Juglans cinerea</i>	likely to be designated ³
	Cat-tail sedge	<i>Carex typhina</i>	likely to be designated
	Narrow-leaved blue-eyed-grass	<i>Sisyrinchium angustifolium</i>	likely to be designated
	Narrow-leaved glade fern	<i>Homalosorus pycnocarpus</i>	likely to be designated
	Shag-bark hickory	<i>Carya ovata</i> var. <i>ovata</i>	likely to be designated
	Swamp white oak	<i>Quercus bicolor</i>	likely to be designated
	Variable-leaved water-milfoil	<i>Myriophyllum heterophyllum</i>	likely to be designated

Sources: AECOM, 2020; CDPNQ, 1998+; Coursol, 2004; Écogénie, 2015; Groupe Hémisphères, 2020. Provincial status pursuant to the Act respecting threatened or vulnerable species (chapter E-12.01)–February 2021.

1. Species designated as "Threatened" by the *Species at Risk Act* (S.C. 2002, chapter 29)–July 2021.

2. Species designated as "Special Concern" by the *Species at Risk Act* (S.C. 2002, chapter 29)–July 2021.

3. Species designated as "Endangered" by the *Species at Risk Act* (S.C. 2002, chapter 29)–July 2021.

The proposed man-made landscape preserves ecological connectivity with several protected areas that are listed in the Québec Register of Protected Areas (MELCC, 2020). To the north and the west, the aquatic portion of the proposed man-made landscape partially overlaps the Lac des Deux Montagnes, Île Bizard and Anse-à-l'Orme Waterfowl Concentration Sites. To the east, it is linked to and/or overlaps with the Grand Parc de l'Ouest–Bois de l'Île Bizard sector. Other protected areas are close by: the Grand Parc de l'Ouest–Anse-à-l'Orme and Cap-Saint-Jacques sectors, Forêt-de-Senneville and Bois-Angell Nature Reserves, Lac des Deux Montagnes Sainte-Marthe-sur-le-Lac Waterfowl Concentration Sites, Lac des Deux Montagnes Pointe-Calumet Waterfowl Concentration Site and Parc national d'Oka.

The territory also ensures ecological connectivity with other nearby protected natural environments: the Grand Parc de l'Ouest–Parc agricole du Bois-de-la-Roche, Forêt de Senneville, Morgan Arboretum and Grand Parc de l'Ouest–Parc-nature des Rapides-du-Cheval-Blanc sector.

The fragmentation of natural environments is one of the main threats to the maintenance of biodiversity and the ecological services that it provides, while connectivity between natural environments protects their long-term viability and resilience to climate change. As such, the Paysage humanisé projeté de L'Île-Bizard is of considerable importance to the greater Montréal area as a whole. Moreover, scientific research has demonstrated that protected areas with connectivity have greater efficacy than isolated zones in anthropic environments, even more so with respect to standing up to climate change (Hilty *et al.*, 2020).

4.5 Cultural heritage

The proposed man-made landscape has a rich cultural heritage and a landscape heritage that is quite special.

Built heritage: The proposed man-made landscape is characterized by a 44-km network of fieldstone walls that hallmark the seigneurial lot separation system, which was established at the time of colonization. It has scarcely changed over time (Figure 2 and Schedule 5). Built by early settlers from stones they cleared from their fields to enable planting crops, the walls also served as fences to demarcate their land.



Figure 2: An example of the stone walls that hallmark the seigneurial lot separation system in the Paysage humanisé projeté de L'Île-Bizard (Source: Ville of Montréal).

Some 20 buildings and other residential, agricultural, educational and recreational heritage structures can be found inside the boundaries of the proposed man-made landscape (Schedule 6). They bear witness to periods of land occupancy on the island, beginning before 1800 and continuing to the present, and include the Maison du Centenaire (1790) and Croix de chemin de la montée Wilson (MCC, 2019), which are named as heritage buildings pursuant to the *Cultural Heritage Act* (chapter P-9.002). Some buildings, such as the Chemin Monk barn, the old Paquin barn and dairy and the Levasseur Simard chicken ranch (SPHIB-SG,

2008) evoke 19th century farming practices. Most of the heritage buildings bracket the Île-Bizard ring road that is part of the historic Montréal shoreline road. Lastly, the western tip of Île Bizard has been identified as a sector of exceptional heritage value on the basis of its built heritage (Schedule 6).

Landscape heritage: The mosaic of natural and agricultural settings underpins panoramas that are quite outstanding both from the standpoint of the pastoral atmosphere and the hedgerow landscape with its scenic views of Lac des Deux Montagnes and Rivière des Prairies. Public access to the Montréal shoreline road makes these noteworthy scenic panoramas and spectacular views of the Rivière des Prairies freely available to visitors. The two golf courses, designed by renowned architects, are also developed sites of interest from the standpoint of their landscapes, with fieldstone walls that have been preserved and enhanced. Several natural woodland and watercourse environments have also been preserved there.

Today's panoramas evoke historic landscapes dating from 18th-century Euro-Québec times. A large proportion of the parcelled-out lots and almost all of the road network stemming from the seigneurial system still exist, as do many segments of the fieldstone walls that demarcated the lots and other reminders of the built heritage.

Archaeological heritage: Areas of archaeological interest within the proposed man-made landscape are found along the shore, from the water's edge to the Montréal shoreline road (Schedule 6). Archaeological site BIFL 004 is also found on the southwest shore of the island and includes vestiges of a watermill and other buildings.

A recent archaeological study has identified 32 sites likely to show traces of indigenous occupancy and use (Arkéos, 2020). The study stresses that "...on the basis of the area's inhabitability and wealth of resources, initial occupancy could have begun as early as 9,700 years ago and ended shortly after the first Euro-Québec settlements began on the island, sometime between 1735 and 1768. No indigenous archaeological site has been discovered so far, possibly because this type of research has been quite rare."

The same study identified 85 areas with archaeological potential associated with Euro-Québec settlements (1762/1768-1909). Their archaeological potential is related to agricultural and forestry work carried out by farming families, but also to seigneurial domain and water mill (BIFL 004) land activities conducted by the local baronage and hired workers, as well as the use of parts of the land by craftsmen such as carpenters, tanners and blacksmiths. Available information suggests that targeted inventories could easily lead to locating representative vestiges of various types of activities carried out in the area under study, beginning in 1762 (Arkéos, 2020).

The availability of running water in open streams greatly influenced early human activity on Île Bizard. During prehistoric times, the Lac des Deux Montagnes and Rivière des Prairies were the principal ways of circulating through the northern portion of the Montréal archipelago. Without a doubt, the Cap-Saint-Jacques rapids, which inhibit travel on the Rivière des Prairies, compelled landing and portage along the shores of Île Bizard and/or the island of Montréal. While streams were non-navigable, they did provide, when dry or frozen over, land routes that opened access to the proposed man-made landscape (Arkéos, 2020).

Intangible cultural heritage: The island's story has been shaped by its agricultural land occupancy (SPHIB-SG, 2008). Up until the end of the 19th century, subsistence farming was the rule here. The major part of the island's land was subsequently cultivated, with producers selling their goods in the markets of Montréal. During the first half of the 20th century, the island was in fact known as Montréal's market garden. While today, farming accounts for a smaller area than before, agricultural producers still raise a wide variety of crops. Some practices, such as the construction of fieldstone walls, require specific know-how. The art of dry stone walling appeared on UNESCO's Representative List of the Intangible Cultural Heritage of Humanity in 2018 (UNESCO, 2018).

5 Land occupancy

The natural environments, i.e., forests, wastelands, wetlands (marshes, swamps, and peat bogs), and water (stream, river, and lake) environments, cover 70.3% of the territory of the Paysage humanisé projeté de L'Île-Bizard, while agriculture accounts for 8.6% of the total. Some 10 agricultural producers (including a major market gardener) cultivate an area of approximately 160 hectares. Built-up areas and roads cover 6.2% of the territory, while golf courses account for 14.9%.

The portions of the Rivière des Prairies and the Lac des Deux Montagnes located within the boundaries of the proposed man-made landscape are part of the water property in the domain of the State. They cover 39.3% of the territory and account for an area of 706 hectares. Municipal properties managed for conservation purposes cover 76.4 hectares, or 4.2% of the total. A Ministère des Transports (MTQ) right-of-way crosses l'Île Bizard from east to west (Schedule 2). This undeveloped right-of-way covers nearly 48.2 hectares, or 2.7% of the proposed man-made landscape. In this sector, the MTQ leases land to the City of Montréal for agricultural purposes, while allowing for the development of a multifunctional trail.

The land portion of the proposed man-made landscape is mostly in private hands (95.6%). There are 300 units on the local property assessment role owned by 408 landowners, and 329 separate dwellings. It is estimated that approximately 660 people live in the proposed man-made landscape, which comes to almost 4% of the borough's entire population. The borough's residents are, on average, more affluent than their cohort in the Montréal agglomeration and there are more owner-residents (Ville de Montréal, 2018).

Finally, a 16.2-kilometre road network criss-crosses the proposed man-made landscape, including a ring road that circles Île Bizard and a number of public and private roads that provide access to the centre of the island and the shoreline.

Mining activities are subject to the temporary suspension of the right to stake and map the proposed man-made landscape (constraint order 49 520). An inactive stratigraphic borehole (code AZ32) is located in the northeastern part of the territory. This well is smaller in diameter than oil or gas wells and is 85.34 metres (280 feet) in depth.

The Paysage humanisé projeté de L'île-Bizard is located within an area of interest to the Mohawk communities of Québec.

6 Land use

Pursuant to the *Act respecting the preservation of agricultural land and agricultural activities* (chapter P-41.1), the SAD and the Ville de Montréal Master Plan, the principal vocation of the land within the proposed man-made landscape is to be agricultural (Ville de Montréal, 2004a and 2015b). The golf course areas are also covered by this rule, but have acquired rights since they were in existence prior to the adoption of the Act. If the golf courses cease operations, the agricultural use set out in the SAD and the provisions of the Act would then apply.

Pursuant to the SAD and the Master Plan, the primary vocation of municipal properties managed for conservation purposes in the southwest portion of the island is conservation. The vocation of two sectors on the periphery of the permanent agriculture zone is overwhelmingly residential per the SAD and residential per the Master Plan. In the southernmost sector, the extent of the floodplain and the zoning by-law (CA28 0023) severely limits the number of residential buildings, while the other sector has been flagged as an area of ecological interest in the SAD due to natural environments found there and a conservation commitment that covers them.

7 Activities framework

Activities carried on within the aquatic portion of the proposed man-made landscape included in the water property in the domain of the State are governed mainly by the conservation plan. Activities carried on within the land portion of the proposed man-made landscape are governed mainly by municipal by-laws, in compliance with the objectives of this conservation plan. The conservation plan also provides for additional prohibitions to ensure the protection and maintenance of the biological diversity and the natural and cultural resources of the proposed man made landscape.

7.1 Regulation applicable to the entire territory

7.1.1 The following activities are prohibited in the entire territory of the proposed man-made landscape:

- (1) activities carried on for the purposes of exploration for or the mining of mineral substances within the meaning of the *Mining Act* (chapter M-13.1) and the construction of infrastructures to be used to transport such substances;
- (2) activities carried on for the purposes of petroleum or underground reservoir exploration, petroleum production or storage, or brine production;
- (3) oil and gas pipeline construction;
- (4) any other activity carried out for the purposes of the production, transformation or commercial distribution of energy, in particular electricity;

- (5) the establishment of invasive species of fauna or flora;
- (6) the destruction, removal or moving of any poster, sign, notice or other types of signage posted by the Minister or the municipality within the proposed man-made landscape.

7.1.2 No person may, unless the person has been authorized by the Minister,

- (1) carry on an activity or install or erect any structure, infrastructure or new works likely to damage or substantially affect the environment or the biodiversity of the proposed man-made landscape; no authorization is required for the carrying out of activities for domestic purposes that are subject to the requirement to obtain an authorization from the municipality under the municipal by-laws;
- (2) use a pesticide to control biting insects or to maintain road corridors by means of an aircraft;
- (3) remove, capture, move, disturb or harm fauna or flora species designated threatened or vulnerable or likely to be designated as such; or
- (4) establish individuals of a native or non-native species of fauna, including by stocking.

The use of pesticides to protect the health of the population is not covered in subparagraph 2 of the first paragraph.

7.1.3 Despite the preceding provisions, an authorization is not required for

- (1) the installation of power distribution lines at voltages below 44 kV and activities related to the installation and maintenance of the lines;
- (2) any agricultural activity that does not require an authorization under the *Environment Quality Act* (chapter Q-2), except an activity that results in soil waterproofing.

7.2 Regulation applicable to the portion of the proposed man-made landscape included in the water property in the domain of the State

The purpose of the regulation is to protect and maintain biological diversity and natural resources, including aquatic grass beds and the habitat of the map turtle, while ensuring the pursuit of sustainable educational and tourism activities, and activities by members of an Aboriginal community.

The water property in the domain of the State ends at the high-water mark as defined in the *Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains* (chapter Q-2, r. 35).

7.2.1 No person may bury, abandon or dispose of residual materials or snow in the portion of the proposed man-made landscape included in the water property in the domain of the State.

7.2.2 No person may, unless the person has been authorized by the Minister,

- (1) enter, carry on an activity or operate a vehicle in the aquatic portion of the proposed man-made landscape if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk;
- (2) use a pesticide; no authorization is required for the use of personal insect repellent;
- (3) use fertilizer or fertilizing material;
- (4) establish native or non-native flora species;
- (5) stock a lake or a watercourse for aquaculture, commercial fishing or any other commercial purpose;
- (6) collect water for commercial or industrial purposes;
- (7) install any new structure, infrastructure or work, modify the natural drainage or water regime, or intervene in a wetland or body of water.

No authorization is required for the installation of an infrastructure authorized under section 2 of the *Regulation respecting the water property in the domain of the State* (chapter R-13, r. 1);

- (8) hold a sports event, tournament, rally or similar event where
 - (a) fauna or flora species are taken or are likely to be taken; or
 - (b) motor vehicles or craft are used.
- (9) carry on any other activity that is likely to affect the quality or biochemical characteristics of the wetlands or bodies of water of the proposed man-made landscape, or otherwise affect the ecological integrity of the body of water or watercourse;

Collecting water in rivière des Prairies or lac des Deux Montagnes for agricultural purposes on the land situated within the proposed man-made landscape is not covered in subparagraph 6 of the first paragraph.

Authorization exemptions

7.2.3 Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the territory of the proposed man-made landscape if urgent action is necessary to prevent harm to the health or safety of persons, or if it is urgent to repair or prevent damage caused by a real or apprehended disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

7.2.4 Despite the preceding provisions, an authorization is not required for a member of an Aboriginal community for an intervention within the portion of the territory of the proposed man-made landscape included in the land in the domain of the State, where that intervention is part of the exercise of rights covered by section 35 of the *Constitution Act*, 1982 (Schedule B to the *Canada Act*, chapter 11 of the 1982 volume of the *Acts of the Parliament of the United Kingdom*) and those rights are credibly asserted or established.

7.3 Regulation applicable to the land portion of the proposed man-made landscape

The regulation of the land portion of the Paysage humanisé projeté de L'Île-Bizard is mainly the responsibility of municipal authorities, who maintain all their powers and responsibilities. Consequently, activities under municipal jurisdiction are governed by municipal by-laws, in keeping with the conservation objectives of this conservation plan.

In accordance with the *Municipal Powers Act* (chapter C-47.1), local municipalities have the power to legislate in their territory in fields such as the environment, culture and local economic development. In addition, the *Act respecting land use planning and development* (chapter A-19.1) confers powers on local municipalities regarding the planning of their territorial development, the management of use and densities, and environmental protection.

Where a territory that includes private properties obtains a status of proposed man-made landscape, a copy of the plan drawn up for the territory must be sent to the registry office to be registered in the land register. Transactions between private owners may continue without prior consultation with the Minister of the Environment and the Fight Against Climate Change. Property owners maintain the full enjoyment of their rights of ownership, in keeping with the laws and regulations in force.

7.3.1 Municipal by-laws

The Plan métropolitain d'aménagement et de développement (PMAD) of the Communauté métropolitaine de Montréal, the Schéma d'aménagement et de développement de l'agglomération de Montréal (SAD), the Master Plan of Ville de Montréal and local by-laws apply in the territory of the Paysage humanisé projeté de L'Île-Bizard. Activities carried on within the territory must comply with the local by-laws.

The PMAD defines the orientations, objectives and criteria to ensure competitiveness and attractiveness of Greater Montréal for sustainable land use planning and development in the territory of the Communauté métropolitaine de Montréal (CMM, 2012). The man made landscape contributes to the achievement of several objectives of the PMAD, including the increase of protected areas, the protection of metropolitan woods and forest corridors, and the development of the components of the Trame verte et bleue du Grand Montréal. Provisions to promote rigorous and standardized management of flood zones and limit possible construction in flood zones or flood risk zones are also provided for in the interim control by-law of the Communauté métropolitaine de Montréal (2019 78). That by-law applies along with the standards prescribed in the SAD and by Order in Council 817-2019 dated 12 July 2019, which delimits the special planning zone (SPZ) to promote better management of flood zones, but the most stringent standard is considered.

The SAD determines the orientations for land use planning and development in the territory of the agglomeration of Montréal (Ville de Montréal, 2015b). Its purpose is to achieve 10% of protected areas on land territory. The SAD identifies the territories of ecological interest, namely ecoterritories introduced by the Politique de protection et de mise en valeur des milieux naturels (Ville de Montréal, 2004b), the metropolitan woods and forest corridors (CMM, 2012 and 2013), and protected natural environments or natural environments in the process of being protected. Specific by laws apply in each territory of ecological interest. The Île Bizard Ecoforest Corridor ecoterritory includes the entire territory of the proposed man-made landscape, while metropolitan woods and forest corridors cover 52.1% of the land territory (Schedule 7). In addition, certain provisions of the SAD concern agricultural zones, landscapes, sectors of archeological interest and tree felling. The SAD determines the protection objectives for the built heritage of metropolitan interest and the development of the natural, built and landscape environment in an integrated perspective. Those provisions took effect with the adoption of concordance by laws by the borough of L'Île Bizard-Sainte-Geneviève. One of the recommendations in the SAD's action plan is to pursue the process to obtain, from the Gouvernement du Québec, a status of proposed man made landscape for the western portion of île Bizard.

The Master Plan is the reference document in the development of the territory of Ville de Montréal (Ville de Montréal, 2004a; amended in 2016 to make it consistent with the SAD). The preservation and enhancement of the natural heritage is one of the objectives put forward in the Master Plan. The chapter on the borough of L'Île-Bizard-Sainte-Geneviève provides for the preservation and enhancement of the natural, landscape and archeological heritage. It also provides for detailed planning of the agricultural zone, for the purpose of preserving and developing agricultural activities and maintaining the limits of the permanent agricultural zone. In addition, under local planning documents (land use categories), industrial facilities and facilities used by public services that may generate significant nuisance in the vicinity, such as major equipment to collect, sort, reclaim and eliminate residual materials and major equipment to store and eliminate waste snow, are not authorized in the territory of the proposed man-made landscape.

Lastly, local by-laws include an aggregate of provisions for preserving the high proportion of natural environments, such as the protection of lakeshores, riverbanks, littoral zones, floodplains, trees, hedges and low stone walls. They also include provisions on the greening of land, the prohibition to plant invasive plant species and the use of pesticides. The main by-laws that contribute to the protection of the biodiversity of the proposed man-made landscape's territory are the following:

— *Règlement sur les plans d'implantation et d'intégration architecturale* (CA28 0015): under the by-law, localized interventions are subject to a qualitative evaluation to protect biodiversity, natural environments and the agricultural landscape. In general, the work that is subject to the by-law is construction, reconstruction or expansion of a building, buildings and accessory constructions, clearing and filling, and the dividing of a lot. The SPAIP includes several objectives and evaluation criteria, some of which are specific to particular sectors.

The objectives and criteria applicable to the territory of the proposed man-made landscape refer to the provisions in force in the Île-Bizard Ecoforest Corridor ecoterritory (Schedule 7). The objectives include the following:

- preserve plant and wildlife biodiversity, and the integrity of natural environments;
- foster the protection of forest spaces comprising three vegetation strata, namely the herb, shrub and tree strata;
- foster the consolidation and viability of ecosystems;
- ensure adequate water volumes and maintain the quality of the watercourse;
- contribute to the creation of ecological and recreational corridors.

The SPAIP provides objectives and criteria for the protection and development of agricultural landscapes in the permanent agricultural zone, for the enhancement of riparian routes and views of lac des Deux Montagnes and rivière des Prairies, as well as for the preservation of heritage areas of exceptional value or special interest. Certain provisions for the protection of low stone walls are applicable in the permanent agricultural zone, in the land adjacent to the riparian routes, lac des Deux Montagnes and rivière des Prairies and in all areas of exceptional value.

— The zoning by-law (CA28 0023): the by-law regulates tree felling for the sound management of the forest cover and recultivation of agricultural parcels in the entire territory of the proposed man-made landscape. In addition, 33 species of invasive plants are prohibited in the entire territory of the borough of L'Île-Bizard-Sainte-Genève.

In metropolitan woods and forest corridors (Schedule 7), tree felling for the carrying on of an agricultural activity is limited to 3 hectares, without exceeding 10% of the area of the forest cover on the land concerned (zoning by-law, section VI). The provision limits the loss of natural environments. Felling on either side of the property line may not exceed 5 metres from the lot line, which preserves the hedgerow landscape (zoning by-law, section VI).

Under the by-law, it is prohibited to build new main buildings in a high-velocity zone (flood area 0-20 years) and a low-velocity zone (flood area 20-100 years). In a low-velocity zone, the measure is more restrictive than the *Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains* (chapter Q-2, r. 35). In a high-velocity zone, reconstruction is permitted if the building has been destroyed, up to a maximum of 50%, by a disaster other than a flood.

Under the by-law, an area of at least 60% of natural environments free of any human intervention (preservation of herb, shrub and tree strata) must be maintained or restored during the construction or reconstruction of a main building, on lands with an area equal to or greater than 3,000 m² located in areas close to lac des Deux-Montagnes and the area that is predominantly residential, east of rue Joly.

— The *Règlement sur l'utilisation des pesticides* (R.V.M. 04-041): the by-law prohibits the use of pesticides outside buildings. The by-law provides for certain exceptions, such as the use of low-impact pesticides. The use of pesticides, other than neonicotinoids, is authorized under certain conditions on land used for agricultural or horticultural purposes. The by-law provides, in that case, provisions for the registration, storage and keeping of a product use register. Accordingly, agricultural producers and golf course owners must, each year, submit to the borough a record of pesticides used. Golf course owners must also submit a pesticide reduction plan every 3 years and an annual report stating the progress of the plan.

— The *Règlement relatif à l'établissement du Grand parc de l'Ouest* (RCG 19-026): under the by-law, Ville de Montréal may negotiate agreements with property owners and acquire land on 664 hectares (60.8%) of the terrestrial territory of the proposed man-made landscape (Schedule 4). Ville de Montréal gives itself the possibility to develop particular projects contributing to the objectives of the man-made landscape and the development of the network of parks. The Paysage humanisé projeté de L'Île-Bizard and the Grand parc de l'Ouest share the same objective of protecting natural environments and preserving biodiversity, and set out to achieve the Montréal target of 10% of protected areas on land territory mentioned in the SAD.

The application of certain legislative and regulatory provisions to the Paysage humanisé projeté de L'Île-Bizard is shown in Schedule 7. The list of lots inside the boundaries of the proposed man-made landscape can be found in Schedule 8.

7.4 Activities governed by other statutes

Certain activities likely to be carried on within the territory of the proposed man-made landscape may be prohibited or governed by other Acts or regulations (provincial as well as federal) that are applicable within the protected territory, including provisions that require the issue of a permit or authorization or the payment of fees.

A special legal framework may govern permitted activities within the proposed man-made landscape in connection with the following matters:

- **Territory and agricultural activities:** measures set out in particular in the *Act respecting the preservation of agricultural land and agricultural activities* (chapter P-41.1). The APALAA ensures the sustainability of a territorial base for the practice of agriculture and promotes in a long-term perspective the protection and development of agricultural activities and enterprises in agricultural zones. Non-agricultural use may not be established in an agricultural zone without the authorization of the Commission de protection du territoire agricole (CPTAQ). The authorization of the CPTAQ is also required to divide a property or remove arable soil. This APALAA applies to the portion of the Paysage humanisé projeté de L'Île-Bizard that is located within the permanent agricultural zone (93.8% of the terrestrial territory). Lastly, the APALAA protects 71.7 hectares of sugar maple stands in the territory of the Paysage humanisé projeté de L'Île-Bizard, that is, maple forests with an area of more than 4 hectares (Schedule 7);
- **Environmental protection:** measures set out in particular in the *Environment Quality Act* (chapter Q-2) and the *Act respecting the conservation of wetlands and bodies of water* (2017, chapter 14) and their regulations, as well as the *Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains* (chapter Q-2, r. 35). The territory of the proposed man-made landscape is covered by Order in Council 817-2019 dated 12 July 2019, which delimits a special planning zone (SPZ) for fostering better management of flood zones. The SPZ allows the Government to impose a moratorium on the construction of buildings and reconstruction of buildings destroyed by a flood, until a new normative framework for the management of flood zones is prepared and implemented by municipalities. It applies in all delimited flood zones and floodplains, without distinction between high-velocity and low-velocity zones identified in any land use planning and development plan in force on 10 June 2019. It also applies in the territory flooded during the spring floods of 2017 and 2019 as delimited by the Gouvernement du Québec. The flood zones (20 years and 100 years) and the SPZ applying in the territory of the Paysage humanisé projeté de L'Île-Bizard are shown in Schedule 7;
- **Species of flora or fauna in a precarious situation:** measures set out in particular in the *Act respecting threatened or vulnerable species* (chapter E-12.01) and its regulations, and measures in the applicable federal legislation, including the *Species at Risk Act* (S.C. 2002, chapter 29);

- **Development and conservation of wildlife resources:** measures set out in the *Act respecting the conservation and development of wildlife* (chapter C-61.1) and its regulations, including the provisions pertaining to threatened or vulnerable fauna species, water bird concentration areas, outfitting operations and beaver reserves, as well as measures in the applicable federal legislation, including legislation respecting migrating birds and fishing;
- **Cultural heritage, research and archaeological discoveries:** measures set out in particular in the *Cultural Heritage Act* (chapter P-9.002) that foster knowledge, protection, development and transmission of the cultural heritage; the Act confers certain powers on municipalities, such as the possibility of submitting a request for the designation of the status of a heritage cultural landscape or, more simply, of their attributing citation or identification status to certain elements of their cultural heritage. In addition, the Act provides for the obligation to inform the Minister of Culture and Communications of all archaeological discoveries, even fortuitous ones.
- **Oil and gas activities:** measures set out in particular in the *Petroleum Resources Act* (chapter H-4.2).

8 Responsibilities

The Minister of the Environment and the Fight Against Climate Change and the City of Montréal (Service des grands parcs, du Mont-Royal et des sports and the Borough of L'Île-Bizard–Sainte- Geneviève) are collaborating on the implementation of the Paysage humanisé projeté de L'Île-Bizard.

Responsibilities of the Minister of the Environment and the Fight against Climate Change

The Minister of the Environment and the Fight against Climate Change is responsible for the implementation of the Natural Heritage Conservation Act, the Environment Quality Act and the Act respecting threatened or vulnerable species. The Minister is responsible for the protection and maintenance of biological diversity and the natural and cultural resources within the Paysage humanisé projeté de L'Île-Bizard, and to ensure compliance with the conservation plan.

The minister will benefit from the collaboration and participation of other government actors with specific responsibilities within or near the proposed man-made landscape, such as the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (MAPAQ), Ministère des Affaires municipales et de l'Habitation (MAMH), Ministère des Transports (MTQ), Ministère des Forêts, de la Faune et des Parcs (MFFP), Ministère de l'Énergie et des Ressources naturelles (MERN) and and Ministère de la Culture et des Communications (MCC), and their delegates. In discharging their responsibilities, they will consider the conservation objectives of the Paysage humanisé projeté de L'Île-Bizard and the protected status that has been granted to it.

Responsibilities of the City of Montréal

The City of Montréal, through the Borough of L'Île-Bizard–Sainte-Geneviève and the Service des grands parcs, du Mont-Royal et des sports, manages the terrestrial territory of Paysage humanisé projeté de L'Île-Bizard in a spirit of respect of this conservation plan and ensures the exemplary application of the legislation and regulations in force that fall under its jurisdiction.

The City of Montréal ensures the compatibility of its schéma d'aménagement et de développement, plan d'urbanisme and regulations with the conservation plan per section 65.6 of the Natural Heritage Conservation Act.

The City of Montréal will first consult the Minister prior to making any change that could modify the status of the proposed man-made landscape and its recognition as a protected area, especially regarding protecting biodiversity, maintaining the hedgerow landscape, i.e., the lot separation heritage framework materialized by fieldstone walls and hedges and the proportions of natural environments, as well as maintaining the proportion of man-made waterproof areas.

The City of Montréal will agree with the minister on implementing mechanisms for information sharing, dialogue and coordination within 12 months of the granting of the proposed man-made landscape status in order to foster participation by the local citizenry. The City of Montréal will consult the population prior to submitting any proposed man-made landscape conservation plan amendments to the Minister.

9 Monitoring

A system for monitoring the conservation goals of biodiversity and the state of natural environments within the Paysage humanisé projeté de L'Île-Bizard will be set up by the minister in collaboration with the City of Montréal. Monitoring will be based on targets and markers to be determined within 12 months of the granting of the man-made landscape status.

The monitoring markers will relate to the following:

- Land use (size of natural environments, cultivated areas, built environments and golf courses)
- Size of land used for sustainable agriculture
- Connectivity, including the size and linear length of treed hedges
- Status of riparian strips;
- At-risk species and the exceptional forest ecosystem
- Water quality
- Pesticide use
- Cultural heritage (archaeology, built, landscape).

The City of Montréal will submit a publicly available report to the minister on the implementation of the conservation plan, at five-year intervals.

The City of Montréal will submit annual reports to the minister on the use of pesticides within the proposed man-made landscape.

10 Status of the proposed man-made landscape

Various portions of the area that in respect of their utilization do not contribute to biodiversity protection are nonetheless included within the perimeter of the proposed man-made landscape with a view to improving their compatibility with the conservation of biodiversity goals and involving all stakeholders in the project. Decisions were taken per the guidelines of the International Union for Conservation of Nature (Dudley, 2008) and in the perspective of ensuring that the proposed man-made landscape, like all other protected areas, should aim for maintaining or enhancing the natural character of the area's ecosystems.

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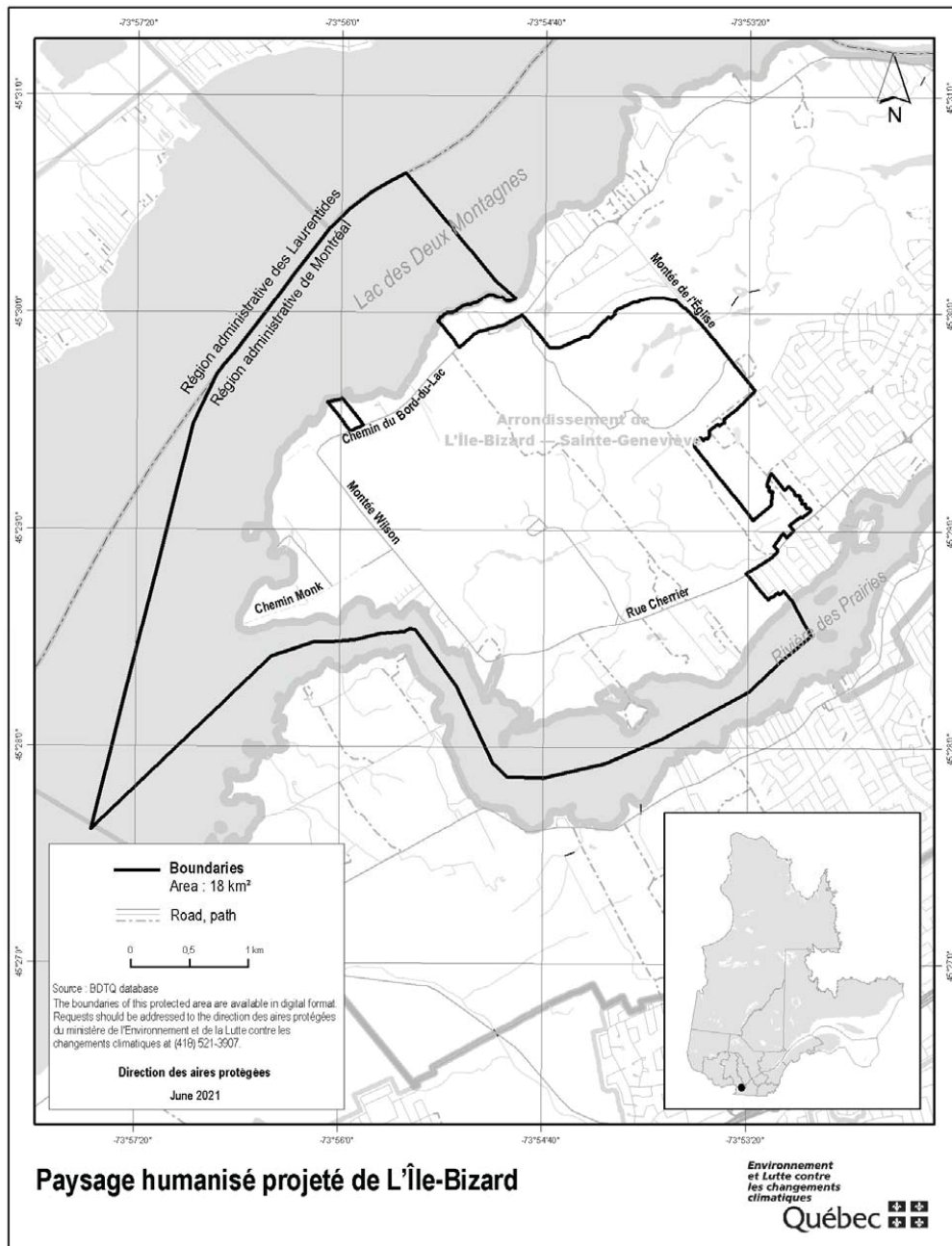
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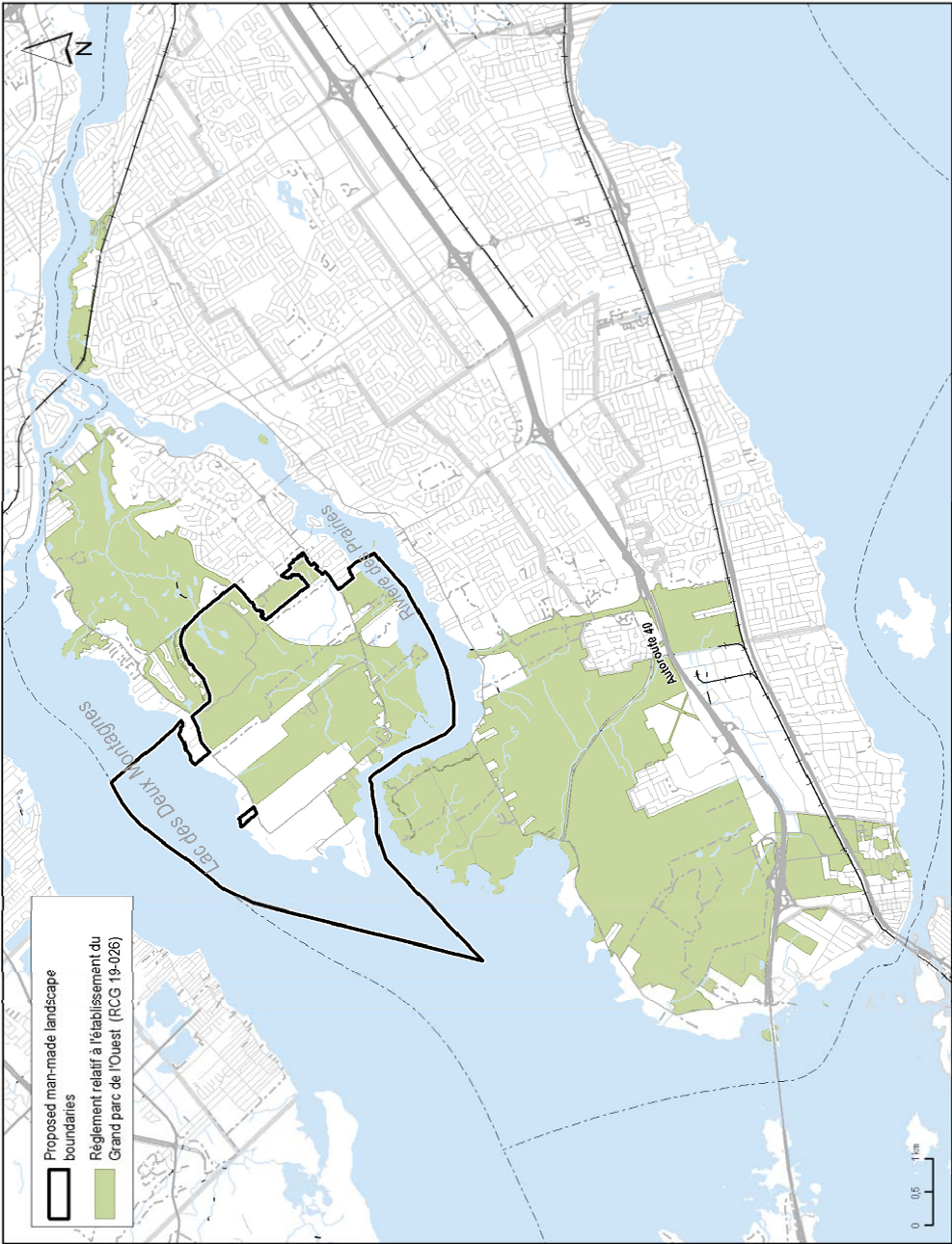
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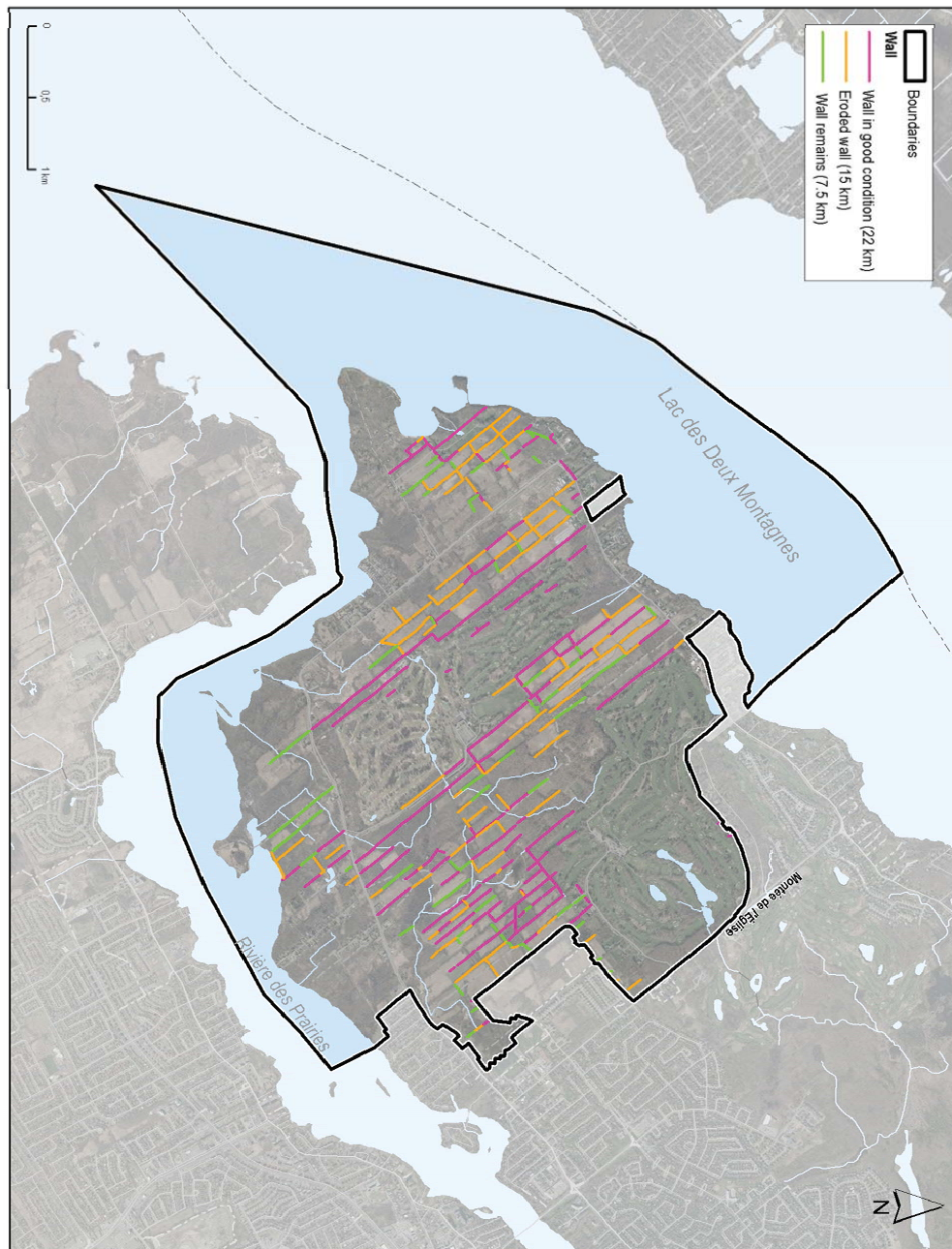
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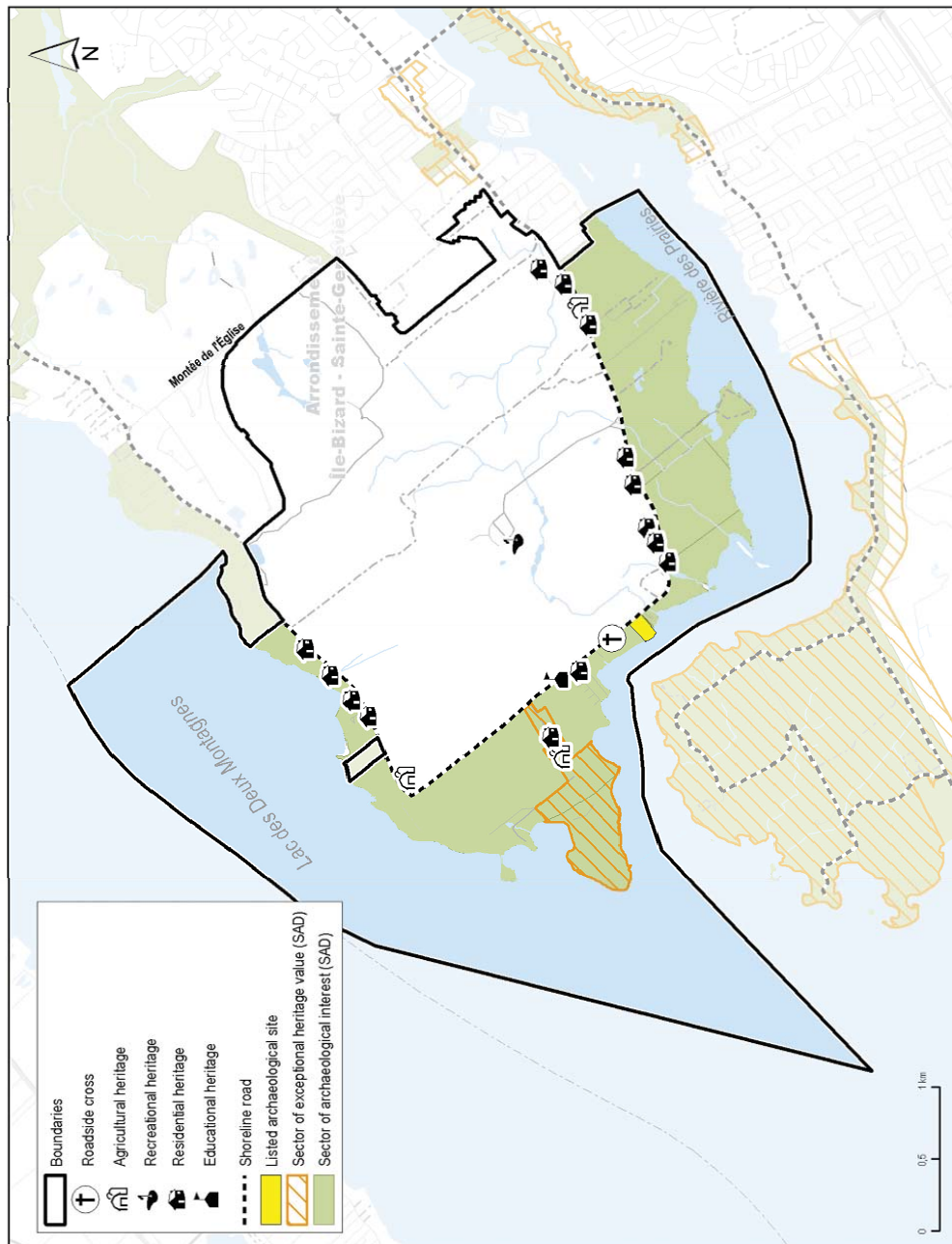
SCHEDULE 1: MAP AND LOCATION

SCHEDULE 2: LAND USE

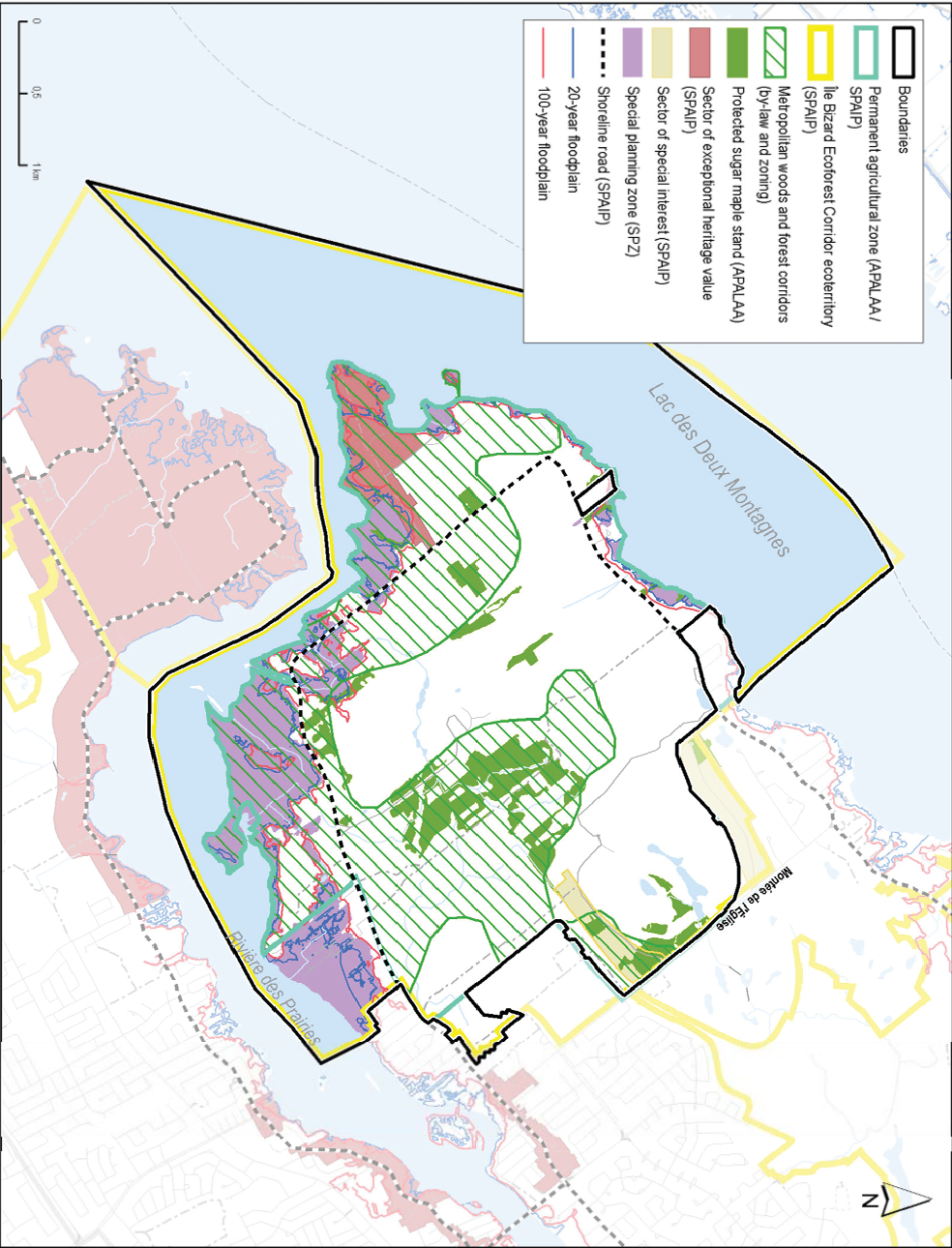
SCHEDULE 4: CONTRIBUTION TO THE GRAND PARC DE L'OUEST PROJECT



SCHEDULE 5: CULTURAL HERITAGE (FIELDSTONE WALL NETWORK)

SCHEDULE 6: CULTURAL HERITAGE (BUILDINGS AND ARCHAEOLOGY)

SCHEDULE 7: AREA OF IMPLEMENTATION OF CERTAIN LEGISLATIVE AND REGULATORY PROVISIONS



SCHEDULE 8: LOTS LOCATED WITHIN THE BOUNDARIES OF THE PROPOSED MAN-MADE LANDSCAPE

Lots (updated cadastre)			Lots – Permanent Agricultural Zone (updated cadastre)					
4 588 940	4 589 845	4 590 384	4 588 933	4 589 478	4 589 826	4 590 326	4 590 766	
4 589 755	4 589 846	4 590 388	4 588 934	4 589 489	4 589 831	4 590 337	4 590 767	
4 589 756	4 589 847	4 590 390	4 588 935	4 589 490	4 589 837	4 590 348	4 590 768	
4 589 757	4 589 848	4 590 391	4 588 946	4 589 501	4 589 838	4 590 352	4 590 772	
4 589 758	4 589 850	4 590 396	4 588 957	4 589 512	4 589 849	4 590 358	5 057 687	
4 589 759	4 589 851	4 590 433	4 588 968	4 589 523	4 589 856	4 590 359	5 118 849	
4 589 783	4 589 852	4 590 434	4 588 979	4 589 534	4 589 860	4 590 381	5 119 080	
4 589 785	4 589 853	4 590 435	4 588 990	4 589 571	4 589 862	4 590 392	5 119 090	
4 589 787	4 589 854	4 590 436	4 589 001	4 589 593	4 589 867	4 590 393	5 299 016	
4 589 788	4 589 855	4 590 438	4 589 012	4 589 604	4 589 871	4 590 404	5 299 018	
4 589 791	4 589 857	4 590 440	4 589 023	4 589 615	4 589 873*	4 590 415	5 299 021	
4 589 792	4 590 313	4 590 441	4 589 034	4 589 616	4 589 882	4 590 426	5 299 022	
4 589 794	4 590 314	4 590 442	4 589 045	4 589 627	4 589 893	4 590 437	5 299 023	
4 589 795	4 590 316	4 590 443	4 589 046	4 589 638	4 589 904	4 590 448	5 368 567	
4 589 796	4 590 317	4 590 444	4 589 057	4 589 649	4 589 915	4 590 459	5 368 568	
4 589 797	4 590 318	4 590 445	4 589 068	4 589 660	4 589 926	4 590 470	5 426 462	
4 589 798	4 590 319	4 590 446	4 589 079	4 589 671	4 589 937	4 590 481	5 426 463	
4 589 799	4 590 320	4 590 447	4 589 090	4 589 682	4 589 948	4 590 492		
4 589 800	4 590 321	4 590 449	4 589 101	4 589 693	4 589 949	4 590 554		
4 589 802	4 590 322	4 590 567	4 589 111	4 589 704	4 589 960	4 590 555		
4 589 805	4 590 324	4 590 568	4 589 112	4 589 715	4 589 971	4 590 556		
4 589 809	4 590 325	4 590 569	4 589 114	4 589 726	4 590 004	4 590 557		
4 589 810	4 590 327	4 590 570	4 589 123	4 589 727	4 590 015	4 590 558		
4 589 812	4 590 328	4 590 591	4 589 134	4 589 738	4 590 026	4 590 561		
4 589 813	4 590 329	4 590 594	4 589 145	4 589 748	4 590 037	4 590 571		
4 589 816	4 590 330	4 590 602	4 589 156	4 589 749	4 590 048	4 590 578		
4 589 817	4 590 331	4 590 609	4 589 157	4 589 751	4 590 059	4 590 579		
4 589 818	4 590 332	4 590 614	4 589 168	4 589 752	4 590 060	4 590 587		
4 589 819	4 590 333	4 590 707	4 589 203	4 589 753	4 590 071	4 590 595		
4 589 820	4 590 334	4 590 708	4 589 204	4 589 754	4 590 093	4 590 596		
4 589 821	4 590 335	4 590 715	4 589 205	4 589 760	4 590 104	4 590 597		
4 589 822	4 590 336	4 590 757	4 589 207	4 589 761	4 590 115	4 590 598		
4 589 823	4 590 338	4 590 778	4 589 208	4 589 762	4 590 137	4 590 599		
4 589 824	4 590 339	4 590 779	4 589 212	4 589 763	4 590 148	4 590 600		
4 589 825	4 590 340	4 590 781	4 589 223	4 589 764	4 590 159	4 590 601		
4 589 827	4 590 341	4 590 814	4 589 267	4 589 768	4 590 170	4 590 603		
4 589 828	4 590 342	4 590 824	4 589 323	4 589 770	4 590 171	4 590 618		
4 589 829	4 590 343	4 590 825	4 589 334	4 589 771	4 590 182	4 590 709		
4 589 830	4 590 344	5 057 669	4 589 356	4 589 772	4 590 193	4 590 710		
4 589 832	4 590 345	5 057 675	4 589 367	4 589 773	4 590 204	4 590 711		
4 589 833	4 590 346	5 057 679	4 589 378	4 589 777	4 590 215	4 590 733		
4 589 834	4 590 347	5 915 758	4 589 379	4 589 779	4 590 226	4 590 734		
4 589 835	4 590 349	5 915 759	4 589 390	4 589 781	4 590 237	4 590 735		
4 589 836	4 590 350		4 589 401	4 589 782	4 590 248	4 590 736		
4 589 839	4 590 351		4 589 412	4 589 793	4 590 259	4 590 737		
4 589 840	4 590 353		4 589 423	4 589 804	4 590 270	4 590 761		
4 589 841	4 590 354		4 589 434	4 589 806	4 590 281	4 590 762		
4 589 842	4 590 355		4 589 445	4 589 807	4 590 293	4 590 763		
4 589 843	4 590 356		4 589 456	4 589 808	4 590 304	4 590 764		
4 589 844	4 590 357		4 589 467	4 589 815	4 590 315	4 590 765		

*Relates only to the portion of the lot located inside the permanent agricultural zone.

SCHEDULE 9: GLOSSARY

Terms used in the framework of the Conservation plan for the Paysage humanisé projeté de L'Île-Bizard:

Biodiversity (biological diversity): Variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems (United Nations Convention on Biological Diversity, Article 2).

Conservation: Body of practices that include protection, rehabilitation and sustainable use for preserving biodiversity, including restoring species and/or maintaining ecological services that benefit current and future generations (Limoges *et al.*, 2013).

Ecological connectivity: Unimpeded movement of species and natural processes that support life on Earth (Hilty *et al.*, 2020).

Ecological integrity: A condition that is determined to be characteristic of its natural region and likely to persist, including abiotic components and the composition and abundance of native species and biological communities, rates of change and supporting processes (*Canada National Parks Act*, S.C. 2000, chapter 32).

Ecosystem: A dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit (United Nations Convention on Biological Diversity, Article 2).

Ecosystem services: Benefits ecosystems provide to human beings, including food and water, the regulation of floods and drought, soil degradation and disease prevention and support services such as soil formation and nutrient cycles, as well as cultural, recreational, spiritual and religious services and other intangible benefits (Dudley, 2008).

Ecoterritory: Zone where natural spaces of ecological interest are found, whose protection has been deemed a priority, including existing protected areas (large parks, natural reserves, etc.), as well as urban spaces (Ville de Montréal, 2015b).

Hedgerow: Zone where fields and meadows are enclosed by hedges or stands of trees and where inhabitants are generally dispersed in farms and hamlets (Petit Larousse Illustré 2021).

Heritage: Any natural, cultural, tangible or intangible object or group of objects recognized by a community for their value as witnesses and/or historical memory capacity for bringing out their need to be protected, conserved, appropriated, emphasized and shared. (Politique du patrimoine de Ville de Montréal, 2005)

Man-made landscape: An area established "to protect the biodiversity of an inhabited area, whether land or water, where the landscape and its natural components have been shaped, over time, by human activities in harmony with nature and have distinctive features the conservation of which depends to a large extent on the continuation of the practices that originally shaped them" (*Natural Heritage Conservation Act*, chapter C-61.01).

Protected area: A clearly defined, recognized and official geographical space that is managed by any and all efficient, legal or other means in order to ensure the long-term conservation of the natural environment and its ecosystem services, and associated cultural values (Dudley, 2008)

The cultural values of a protected area include, in particular, those that contribute to the results of conservation, such as traditional management practices on which depend key and/or threatened species. Cultural values should not interfere with the results of conservation (Adapted from Dudley, 2008).

Species in a precarious situation: Includes species designated under the Act respecting threatened or vulnerable species (chapter E-12.01), species likely to be designated as threatened or vulnerable (chapter E-12.01, r. 5), species designated under the federal Species at Risk Act (S.C. 2002, chapter 29), and species designated at risk by Committee on the Status of Endangered Wildlife in Canada (COSEWIC).

Sustainable use: The use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations (United Nations Convention on Biological Diversity, Article 2).

105262

M.O., 2021-11**Order number V-1.1-2021-11 of the Minister of Finance dated 31 August 2021**

Securities Act
(chapter V-1.1)

CONCERNING the Regulation to amend Regulation 13-101 respecting the System for Electronic Document Analysis and Retrieval (SEDAR)

WHEREAS paragraphs 1 and 2 of section 331.1 of the Securities Act (chapter V-1.1) provide that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act provide that a draft regulation shall be published in the *Bulletin de l'Autorité des marchés financiers*, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section provide that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the regulation;

WHEREAS the Regulation 13-101 respecting the System for Electronic Document Analysis and Retrieval (SEDAR) was made on 12 June 2001 by the decision no. 2001-C-0272 (*Supplément au Bulletin de la Commission des valeurs mobilières du Québec*, vol. 32, no. 26 of 29 June 2001);

WHEREAS there is cause to amend this Regulation;

WHEREAS the draft Regulation to amend Regulation 13-101 respecting the System for Electronic Document Analysis and Retrieval (SEDAR) was published for consultation in the *Bulletin de l'Autorité des marchés financiers*, vol. 17, no. 8 of 27 February 2020;

WHEREAS the revised text of the draft Regulation to amend Regulation 13-101 respecting the System for Electronic Document Analysis and Retrieval (SEDAR) was published for information in the *Bulletin de l'Autorité des marchés financiers*, vol. 18, no. 25 of 25 June 2021;

WHEREAS the *Autorité des marchés financiers* made, on 11 August 2021, by the decision no. 2021-PDG-0041, Regulation to amend Regulation 13-101 respecting the System for Electronic Document Analysis and Retrieval (SEDAR);

WHEREAS there is cause to approve this Regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation to amend Regulation 13-101 respecting the System for Electronic Document Analysis and Retrieval (SEDAR) appended hereto.

31 August 2021

ERIC GIRARD
Minister of Finance

REGULATION TO AMEND REGULATION 13-101 RESPECTING THE SYSTEM FOR ELECTRONIC DOCUMENT ANALYSIS AND RETRIEVAL (SEDAR)

Securities Act

(chapter V-1.1, s. 331.1, par. (1) and (2))

1. Appendix A of Regulation 13-101 respecting the System for Electronic Document Analysis and Retrieval (SEDAR) (chapter V-1.1, r. 2) is amended by replacing, in part II “**Other Issuers (Reporting/Non-reporting)**”, section 4 of Item E “**Exempt Market Offerings and Disclosure**” with the following:

“4. Offering document and report of exempt distribution required to be filed or delivered by an issuer under the start-up crowdfunding prospectus and registration exemptions.	AB, SK, MB, QC, NB, PEI, NS, NL, YT, NWT, Nun
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”.

2. (1) This Regulation comes into force on September 21, 2021.

(2) In Saskatchewan, despite paragraph 1, if this Regulation is filed with the Registrar of Regulations after September 21, 2021, this Regulation comes into force on the day on which it is filed with the Registrar of Regulations.

105257

M.O., 2021-12

Order number V-1.1-2021-12 of the Minister of Finance dated 31 August 2021

Securities Act
(chapter V-1.1)

CONCERNING the Regulation to amend Regulation 45-102 respecting Resale of Securities

WHEREAS paragraphs 3, 11 and 14 of section 331.1 of the Securities Act (chapter V-1.1) provide that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act provide that a draft regulation shall be published in the *Bulletin de l'Autorité des marchés financiers*, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section provide that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the regulation;

WHEREAS the Regulation 45-102 respecting Resale of Securities was approved by ministerial order no. 2005-21 dated 12 August 2005 (2005, *G.O.* 2, 3648);

WHEREAS there is cause to amend this Regulation;

WHEREAS the draft Regulation to amend Regulation 45-102 respecting Resale of Securities was published for consultation in the *Bulletin de l'Autorité des marchés financiers*, vol. 17, no. 8 of 27 February 2020;

WHEREAS the revised text of the draft Regulation to amend Regulation 45-102 respecting Resale of Securities was published for information in the *Bulletin de l'Autorité des marchés financiers*, vol. 18, no. 25 of 25 June 2021;

WHEREAS the *Autorité des marchés financiers* made, on 11 August 2021, by the decision no. 2021-PDG-0041, Regulation to amend Regulation 45-102 respecting Resale of Securities;

WHEREAS there is cause to approve this Regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation to amend Regulation 45-102 respecting Resale of Securities appended hereto.

31 August 2021

ERIC GIRARD
Minister of Finance

REGULATION TO AMEND REGULATION 45-102 RESPECTING RESALE OF SECURITIES

Securities Act
(chapter V-1.1, s. 331.1, par. (3), (11) and (14))

1. Appendix D of Regulation 45-102 respecting Resale of Securities (chapter V-1.1, r. 20) is amended by adding, after paragraph (2) before the heading “**Transitional and Other Provisions**”, the following paragraph:

“3. Except in Manitoba, the exemption from the prospectus requirement in section 5 [Exemption from prospectus requirement for issuers] of Regulation 45-110 respecting Start-up Crowdfunding Registration and Prospectus Exemptions (*insert reference*).”.

2. (1) This Regulation comes into force on September 21, 2021.

(2) In Saskatchewan, despite paragraph 1, if this Regulation is filed with the Registrar of Regulations after September 21, 2021, this Regulation comes into force on the day on which it is filed with the Registrar of Regulations.

M.O., 2021-10

**Order number V-1.1-2021-10 of the Minister
of Finance dated 31 August 2021**

Securities Act
(chapter V-1.1)

CONCERNING the Regulation 45-110 respecting Start-up
Crowdfunding Registration and Prospectus Exemptions

WHEREAS paragraphs 1, 2, 3, 4.1, 5, 6.1.2, 6.2, 8, 11, 14, 20 and 34 of section 331.1 of the Securities Act (chapter V-1.1) provide that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act provide that a draft regulation shall be published in the *Bulletin de l'Autorité des marchés financiers*, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section provide that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the regulation;

WHEREAS the draft Regulation 45-110 respecting Start-up Crowdfunding Registration and Prospectus Exemptions was published for consultation in the *Bulletin de l'Autorité des marchés financiers*, vol. 17, no. 8 of 27 February 2020;

WHEREAS the revised text of the draft Regulation 45-110 respecting Start-up Crowdfunding Registration and Prospectus Exemptions was published for information in the *Bulletin de l'Autorité des marchés financiers*, vol. 18, no. 25 of 25 June 2021;

WHEREAS the *Autorité des marchés financiers* made, on 11 August 2021, by the decision no. 2021-PDG-0040, Regulation 45-110 respecting Start-up Crowdfunding Registration and Prospectus Exemptions;

WHEREAS there is cause to approve this Regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation 45-110 respecting Start-up Crowdfunding Registration and Prospectus Exemptions appended hereto.

31 August 2021

ERIC GIRARD
Minister of Finance

**REGULATION 45-110 RESPECTING START-UP CROWDFUNDING REGISTRATION
AND PROSPECTUS EXEMPTIONS**

Securities Act

(chapter V-1.1, s. 331.1, par. (1), (2), (3), (4.1), (5), (6.1.2), (6.2), (8), (11), (14), (20) and (34))

PART 1**DEFINITIONS AND INTERPRETATION****Definitions**

1. (1) In this Regulation,

“association” means any of the following:

(a) a cooperative, as defined in subsection 2(1) of the Canada Cooperatives Act (S.C. 1998, c. 1);

(b) a person referred to in Appendix A;

“crowdfunding distribution” means a distribution under section 5;

“eligible security” means any of the following:

(a) a common share;

(b) a non-convertible preference share;

(c) a security convertible into a security referred to in paragraph 0 or 0;

(d) a non-convertible debt security linked to a fixed or floating interest rate;

(e) a unit of a limited partnership;

(f) a share in the capital of an association;

“exempt market dealer” means a person registered in the category of exempt market dealer;

“founder” means a person that,

(a) in the case of an issuer or a funding portal, acting alone or in conjunction or in concert with one or more persons, directly or indirectly, takes the initiative in founding, organizing or substantially reorganizing the business of the issuer or funding portal, and

(b) in the case of an issuer, at the time of the distribution or trade, is actively involved in the business of the issuer;

“funding portal” means a person that facilitates or proposes to facilitate a crowdfunding distribution through a web-based or application-based platform;

“investment dealer” means a person registered in the category of investment dealer;

“issuer group” means, in respect of an issuer, the following:

(a) the issuer;

(b) an affiliate of the issuer;

(c) any other issuer if either of the following applies:

(i) the other issuer is engaged in a common enterprise with the issuer or with an affiliate of the issuer;

(ii) the other issuer's business is founded or organized by a person that founded or organized the issuer;

“minimum offering amount”, in respect of a crowdfunding distribution, means the minimum amount disclosed in the issuer's completed Form 45-110F1;

“principal”, except under paragraph 5(1)(b), means a founder, director, officer or control person of a funding portal or an issuer;

“subsidiary” means an issuer that is controlled directly or indirectly by another issuer and includes a subsidiary of that subsidiary.

(2) For the purposes of this Regulation, an issuer is affiliated with another issuer if

(a) one of them is the subsidiary of the other, or

(b) each of them is controlled by the same person.

(3) For the purposes of this Regulation, a person (first person) is considered to control another person (second person) if

(a) the first person beneficially owns or directly or indirectly exercises control or direction over securities of the second person carrying votes that, if exercised, would entitle the first person to elect a majority of the directors of the second person, unless that first person holds the voting securities only to secure an obligation,

(b) the second person is a partnership, other than a limited partnership, and the first person holds more than 50% of the interests of the partnership, or

(c) the second person is a limited partnership and the general partner of the limited partnership is the first person.

Special application – Alberta, British Columbia, Ontario, Québec and Saskatchewan

2. (1) In Alberta, an offering document that is provided under section 5 is designated to be an offering memorandum under securities legislation.

(2) In British Columbia, an offering document that is provided under paragraph 5(1)(h) is a prescribed disclosure document for purposes of section 132.1 of the Securities Act (R.S.B.C. 1996, c. 418).

(3) In Ontario, an issuer that distributes securities under section 5 is prescribed as a market participant under the Securities Act (R.S.O. 1990, c. S.5).

(4) In Saskatchewan, an offering document that is provided under section 5 is an offering memorandum under securities legislation.

(5) In Québec,

(a) an offering document that is provided under section 5 and a Form 45-110F2 made available to purchasers in accordance with this Regulation must be drawn up in French only or in French and English,

(b) a funding portal that has relied on the exemption under section 3 is a market participant determined by regulation for the purpose of section 151.1.1 of the Securities Act (chapter V-1.1),

(c) an offering document that is provided under section 5 and materials that are made available to purchasers in accordance with this Regulation are documents authorized by the Autorité des marchés financiers for use in lieu of a prospectus, and

(d) “trade”, in this Regulation, means any of the following activities:

(i) the activities described in the definition of “dealer” in section 5 of the Securities Act (chapter V-1.1), including the following activities:

(A) the sale or disposition of a security by onerous title, whether the terms of payment be on margin, instalment or otherwise, but does not include a transfer or the giving in guarantee of securities in connection with a debt or the purchase of a security, except as provided under subparagraph (ii);

(B) participation as a trader in any transaction in a security through the facilities of an exchange or a quotation and trade reporting system;

(C) the receipt by a registrant of an order to buy or sell a security;

(ii) a transfer or the giving in guarantee of securities of an issuer from the holdings of a control person in connection with a debt.

PART 2

EXEMPTION FROM THE DEALER REGISTRATION REQUIREMENT

Exemption from dealer registration requirement

3. (1) A funding portal is exempt from the dealer registration requirement if all of the following apply:

(a) the funding portal is not registered under securities legislation in any jurisdiction of Canada;

(b) the funding portal does not advise a purchaser about the merits of an investment or recommend or represent that an eligible security is a suitable investment for the purchaser;

(c) the funding portal does not receive a commission, fee or other similar payment from a purchaser;

(d) the funding portal facilitates or proposes to facilitate crowdfunding distributions only;

(e) at least 30 days before the first date the funding portal facilitates a crowdfunding distribution, the funding portal delivered to the regulator, except in Québec, or securities regulatory authority both of the following:

(i) a completed Form 45-110F3 for the funding portal certified by an authorized individual of the funding portal;

(ii) a completed Form 45-110F4 for each principal of the funding portal that contains a certification signed by that principal;

(f) the funding portal has its head office in Canada;

(g) the funding portal has policies and procedures to prevent a person from accessing its platform unless the person acknowledges that the person is accessing a platform of a funding portal that

(i) is not registered under securities legislation in any jurisdiction of Canada, and

(ii) will not, and is not authorized to, provide advice about

(A) the suitability of any security for investment by the person, or

(B) the merits of any investment;

(h) the following are disclosed on the funding portal's platform:

(i) a statement that the funding portal is not registered under securities legislation in any jurisdiction of Canada and is relying on the exemption from the dealer registration requirement under this Regulation;

(ii) a statement that the funding portal will hold each purchaser's assets

(A) separate and apart from the funding portal's own assets,

(B) in trust for the purchaser, and

(C) in the case of cash, in a designated trust account at a Canadian financial institution;

(iii) the policies and procedures that the funding portal will follow for notifying each purchaser if the funding portal becomes insolvent or discontinues operations, and how the funding portal will return a purchaser's assets;

(i) the funding portal holds each purchaser's assets

(i) separate and apart from the funding portal's own assets,

(ii) in trust for the purchaser, and

(iii) in the case of cash, in a designated trust account at a Canadian financial institution;

(j) the funding portal has policies and procedures for handling assets, in relation to a crowdfunding distribution, sufficient to provide reasonable assurance that the funding portal will comply with the conditions under paragraph (i);

(k) the funding portal does not close a crowdfunding distribution on its platform unless the funding portal receives, through the funding portal's platform, payment for the distribution of each eligible security from the purchaser of that security;

(l) the funding portal has policies and procedures to ensure that, after an issuer provides the funding portal with its completed Form 45-110F1 and a Form 45-110F2, these documents are made available to each purchaser through the funding portal's platform;

(m) the funding portal has policies and procedures to prevent a purchaser from subscribing to a crowdfunding distribution unless the purchaser first completes Form 45-110F2 and confirms that the purchaser has read and understands the issuer's completed Form 45-110F1;

(n) the funding portal has policies and procedures for, upon receiving notice from an issuer that the issuer has amended its completed Form 45-110F1, promptly

(i) posting the amendment on the funding portal's platform, and

(ii) notifying each purchaser of the amendment, and of the purchaser's right to withdraw from the agreement to purchase the security by delivering a notice to the funding portal under paragraph 5(1)(j);

(o) the funding portal has policies and procedures to return all assets to a purchaser within 5 business days of receiving a withdrawal notification under paragraph 5(1)(j) from the purchaser;

(p) if an issuer has not raised the minimum offering amount by the 90th day after the issuer's completed Form 45-110F1 is first made available to a prospective purchaser on the funding portal's platform, or if an issuer notifies the funding portal that it is withdrawing its crowdfunding distribution, no later than 5 business days after the 90th day or the notice, as applicable, the funding portal

(i) notifies the issuer, and each purchaser of that issuer's crowdfunding distribution, that assets have been returned or are in the process of being returned, and

(ii) takes reasonable steps to return, or cause to be returned, all assets to each purchaser of that issuer's crowdfunding distribution;

(q) if both periods referred to in paragraph 5(1)(j) have elapsed, the funding portal

(i) releases, or causes to be released, all assets due to the issuer at the closing of the distribution, and

(ii) no later than 15 days after the closing of the distribution,

(A) notifies each purchaser that the assets have been released to the issuer, and

(B) provides the issuer with the documents referred to in paragraph 5(2)(b);

(r) neither the funding portal, nor any of its principals, is or has been the subject of an order, judgment, decree, sanction, or administrative penalty imposed by, or has entered into a settlement agreement with, a government agency, administrative agency, self-regulatory organization or court in the last 10 years related to a claim based in whole or in part on fraud, theft, deceit, misrepresentation, conspiracy, breach of trust, breach of fiduciary duty, insider trading, unregistered trading, illegal distributions, failure to disclose material facts or changes, or allegations of similar conduct;

(s) neither the funding portal nor any of its principals is or has been a principal of an entity that is or has been subject to an order, judgment, decree, sanction or administrative penalty or a settlement agreement referred to in paragraph (r);

(t) the funding portal has policies and procedures to promptly notify the regulator, except in Québec, or securities regulatory authority, and any purchasers for which it holds assets, of the process the funding portal will use to return assets to those purchasers in the event that the funding portal becomes insolvent or discontinues operations;

(u) the funding portal is not insolvent.

(2) A funding portal relying on subsection (1) must

(a) maintain, for a period of 8 years from the date a record is created, records at its head office that accurately record its financial affairs and client transactions, and demonstrate the extent of the funding portal's compliance with this Regulation,

(b) notify the regulator, except in Québec, or securities regulatory authority of each change to the information previously submitted in a document referred to in paragraph (1)(e) by delivering an amendment to the document no later than 30 days after the change,

(c) take reasonable steps to confirm that the majority of the directors of the funding portal ordinarily reside in Canada,

(d) disclose on its platform, for each principal of the funding portal, the principal's full legal name, municipality and jurisdiction of residence, business mailing and email addresses and business telephone number,

(e) take reasonable steps to confirm that the head office of an issuer is in Canada before allowing the issuer to post a crowdfunding distribution on the funding portal's platform,

(f) not allow a person to access the funding portal's platform unless the person acknowledges that the person is accessing a platform of a funding portal that

(i) is not registered under securities legislation in any jurisdiction of Canada, and

(ii) will not, and is not authorized to, provide advice about

(A) the suitability of any security for investment by the person, or

(B) the merits of any investment,

(g) not close a crowdfunding distribution on its platform unless the funding portal has made the issuer's completed Form 45-110F1 and Form 45-110F2 available to each purchaser through the funding portal's platform,

(h) not close a crowdfunding distribution on its platform unless each purchaser completes Form 45-110F2 acknowledging the risks and confirms that the purchaser has read and understands the issuer's completed Form 45-110F1,

(i) upon receiving notice from an issuer that the issuer has amended its completed Form 45-110F1, promptly

(i) post the amendment on the funding portal's platform, and

(ii) notify each purchaser of the amendment, and the purchaser's right to withdraw from the agreement to purchase the security by delivering a notice to the funding portal under paragraph 5(1)(j),

(j) return all assets to a purchaser within 5 business days of receiving a withdrawal notification under paragraph 5(1)(j) from the purchaser,

(k) during the following periods of each year, deliver to the regulator, except in Québec, or securities regulatory authority a completed Form 45-110F5:

(i) between January 1 and January 10, and

(ii) between July 1 and July 10, and

(l) upon becoming insolvent or discontinuing operations, promptly notify the regulator, except in Québec, or securities regulatory authority, and any purchasers for which it holds assets, of the process the funding portal will use to return the assets to those purchasers.

PART 3

REGISTERED FUNDING PORTALS

Requirements for investment dealers or exempt market dealers operating funding portals

4. (1) A funding portal that is an investment dealer or exempt market dealer must not

(a) close a crowdfunding distribution on its platform unless

(i) the funding portal receives, through its platform, payment for the distribution of each eligible security from the purchaser of such security,

(ii) the funding portal has made the issuer's completed Form 45-110F1 and Form 45-110F2 available to each purchaser through its platform, and

(iii) each purchaser completes the Form 45-110F2 acknowledging the risks and confirms that the purchaser has read and understands the issuer's completed Form 45-110F1, and

(b) allow a person to access the funding portal's platform unless the person has acknowledged that the person is accessing a platform that

(i) is operated by an investment dealer or an exempt market dealer, as applicable, and

(ii) will provide advice about the suitability of the eligible security.

- (2) A funding portal that is an investment dealer or exempt market dealer must
- (a) take reasonable steps to confirm that the head office of an issuer is in Canada before allowing the issuer to post a crowdfunding distribution on the funding portal's platform,
 - (b) upon receiving notice from an issuer that the issuer has amended its completed Form 45-110F1, promptly notify each purchaser of that issuer's crowdfunding distribution of
 - (i) the amendment, and
 - (ii) the purchaser's right to withdraw from the agreement to purchase the security by delivering a notice to the funding portal under paragraph 5(1)(j),
 - (c) return all assets to a purchaser within 5 business days of receiving a withdrawal notification under paragraph 5(1)(j) from the purchaser,
 - (d) upon an issuer not raising the minimum offering amount by the 90th day after the issuer's completed Form 45-110F1 is first made available to a prospective purchaser on the funding portal's platform, or an issuer notifying the funding portal that it is withdrawing its crowdfunding distribution, no later than 5 business days after the 90th day or the notice, as applicable,
 - (i) notify the issuer, and each purchaser of that issuer's crowdfunding distribution, that assets have been returned or are in the process of being returned, and
 - (ii) take reasonable steps to return, or cause to be returned, all assets to each purchaser of that issuer's crowdfunding distribution, and
 - (e) after the later of the periods referred to in paragraph 5(1)(j) has elapsed,
 - (i) release, or cause to be released, all assets due to the issuer at the closing of the distribution, and
 - (ii) no later than 15 days after the closing of the distribution,
 - (A) notify each purchaser that the assets have been released to the issuer, and
 - (B) provide the issuer with all information required to comply with the issuer's obligations under paragraph 5(2)(b).

PART 4

EXEMPTION FROM PROSPECTUS REQUIREMENT FOR ISSUERS

Exemption from prospectus requirement for issuers

- 5.** (1) An issuer is exempt from the prospectus requirement in respect of a crowdfunding distribution if all of the following apply:
- (a) the distribution of and payment for the security is facilitated through a funding portal that is
 - (i) relying on subsection 3(1), or
 - (ii) operated by an exempt market dealer or investment dealer;

- (b) the purchaser purchases the security as principal;
- (c) the issuer is not a reporting issuer in any jurisdiction of Canada or the equivalent in any foreign jurisdiction;
- (d) the issuer is not an investment fund;
- (e) the issuer has its head office in Canada;
- (f) the security distributed is an eligible security of the issuer's own issue;
- (g) the aggregate gross proceeds raised by the issuer group in reliance on this section during the 12-month period before the closing of the crowdfunding distribution do not exceed \$1 500 000;
- (h) the issuer has completed a Form 45-110F1 and provided it to the funding portal;
- (i) the crowdfunding distribution closes no later than the 90th day after the date the issuer's completed Form 45-110F1 is first made available to a prospective purchaser on the funding portal's platform;
- (j) the subscription agreement provides that the purchaser may withdraw from the agreement to purchase the security,
 - (i) after entering into the agreement, by delivering a notice of withdrawal to the funding portal not later than midnight on the 2nd business day after the day on which the purchaser enters into the agreement, and
 - (ii) after an amendment to the issuer's completed Form 45-110F1, by delivering a notice of withdrawal not later than midnight on the 2nd business day after the day on which the funding portal notifies the purchaser of the amendment;
- (k) the issuer's completed Form 45-110F1 discloses how the issuer intends to use the assets raised and the minimum offering amount required to close the crowdfunding distribution;
- (l) the issuer does not close the crowdfunding distribution until the issuer has raised the minimum offering amount stated in the issuer's completed Form 45-110F1 either through subscriptions to the crowdfunding distribution or any concurrent distribution under one or more other exemptions from the prospectus requirement, provided that the assets are unconditionally available to the issuer;
- (m) no concurrent crowdfunding distribution is made by any member of the issuer group for the same purposes as described in the issuer's completed Form 45-110F1;
- (n) no commission, fee or similar payment is paid by the issuer to the issuer group, or any principal, employee or agent of a member of the issuer group, with respect to the crowdfunding distribution;
- (o) no principal of the issuer group is a principal of the funding portal;

- (p) the issuer does not distribute to any one purchaser securities valued at more than,
 - (i) subject to subparagraph (ii), \$2 500, or
 - (ii) if the purchaser has obtained advice from a registered dealer that the investment is suitable for the purchaser, \$10 000;
- (q) the issuer
 - (i) has operations other than operations to identify and evaluate assets or a business with a view to completing an investment in, merger with, amalgamation with or a purchase of the securities of an issuer, or the acquisition of a business, and
 - (ii) does not intend to use the proceeds of the crowdfunding distribution to invest in, merge with, amalgamate with or to purchase securities of an issuer, or to acquire a business, unless the issuer or the business is identified in the issuer's completed Form 45-110F1.
- (2) An issuer relying on subsection (1) must,
 - (a) if the issuer becomes aware that its completed Form 45-110F1 is not accurate, or is no longer accurate, promptly
 - (i) advise the funding portal that the issuer's Form 45-110F1 is not accurate, or is no longer accurate,
 - (ii) amend the Form 45-110F1 so that it is accurate, and
 - (iii) provide the amended Form 45-110F1 to the funding portal, and
 - (b) within 30 days after the closing of the crowdfunding distribution, deliver to each purchaser
 - (i) a written confirmation setting out all of the following:
 - (A) the date of subscription and the closing of the crowdfunding distribution;
 - (B) the quantity and description of the eligible security purchased;
 - (C) the price per eligible security paid by the purchaser;
 - (D) the total commissions, fees and any other similar payments paid by the issuer to the funding portal in respect of the crowdfunding distribution, and
 - (ii) a copy of the issuer's completed Form 45-110F1.

Filing of distribution materials

6. An issuer that distributes a security under this Regulation must, no later than the 30th day after the closing of the crowdfunding distribution, file with the regulator, except in Québec, or securities regulatory authority both of the following:

- (a) the issuer's completed Form 45-110F1;
- (b) a report of exempt distribution in accordance with Form 45-106F1 of Regulation 45-106 respecting Prospectus Exemptions (chapter V-1.1, r. 21).

**PART 5
EXEMPTION****Exemption**

7. (1) The regulator, except in Québec, or securities regulatory authority may grant an exemption from this Regulation, in whole or in part, subject to such conditions or restrictions as may be imposed in the exemption.
- (2) Despite paragraph (1), in Ontario, only the regulator may grant an exemption.
- (3) Except in Alberta and Ontario, an exemption referred to in subsection (1) is granted under the statute referred to in Appendix B of Regulation 14-101 respecting Definitions (chapter V-1.1, r. 3) opposite the name of the local jurisdiction.

**PART 6
EFFECTIVE DATE****Effective date**

8. (1) This Regulation comes into force on 21 September 2021.
- (2) In Saskatchewan, despite paragraph (1), if this Regulation is filed with the Registrar of Regulations after 21 September 2021, this Regulation comes into force on the day on which it is filed with the Registrar of Regulations.

APPENDIX A ASSOCIATIONS

In this Regulation, a person is an “association” if the person is any of the following:

- a cooperative, as defined in subsection 1(1) of the *Cooperatives Act* (S.A. 2001, c. C-28.1) (Alberta)
- an association, as defined in subsection 1(1) of the *Cooperative Association Act* (S.B.C. 1999, c. 28) (British Columbia)
- a cooperative, as defined in subsection 1(1) of the *Cooperatives Act* (C.C.S.M. c. C223) (Manitoba)
- a cooperative, as defined in section 1 of the *Cooperatives Act* (S.N.B. 2019, c. 24) (New Brunswick)
- a co-operative, as defined in section 2 of the *Co-Operatives Act* (S.N.L. 1998, c. C-35.1) (Newfoundland)
- an association, as defined in section 1 of the *Co-Operative Associations Act* (R.S.N.W.T. 1988, c. C-19) (Northwest Territories)
- an association, as defined in section 2 of the *Co-Operative Associations Act* (R.S.N.S. 1989, c. 98) (Nova Scotia)
- an association, as defined in section 1 of the *Co-Operative Associations Act* (R.S.N.W.T. 1988, c. C-19) (Nunavut)
- a co-operative, as defined in section 1 of the *Co-Operative Corporations Act* (R.S.O. 1990, c. C.35) (Ontario), only if permitted or authorized by that legislation to rely on the exemption from the prospectus requirement in this Regulation
- an association, as defined in section 1 of the *Co-Operative Associations Act* (R.S.P.E.I. 1988, c. C-23) (Prince Edward Island)
- a cooperative, as defined in section 3 of the *Co-Operatives Act* (chapter C-67.2) (Québec)
- a co-operative, as defined in clause 2(1)(l) of *The New Generation Co-Operatives Act* (S.S. 1999, c. N-4.001) (Saskatchewan)
- an association, as defined in section 1 of the *Cooperative Associations Act* (R.S.Y. 2002, c. 43) (Yukon).

**FORM 45-110F1
OFFERING DOCUMENT****GENERAL INSTRUCTIONS:**

- (1) *This offering document must be provided to your funding portal, which must make it available on its online platform. This offering document must not contain a misrepresentation. A misrepresentation means an untrue statement of material fact or an omission to state a material fact that is required to be stated, or necessary to prevent a statement that is made from being false or misleading in the circumstances in which it was made. If the information contained in this offering document is no longer accurate and contains a misrepresentation, you must immediately notify the funding portal, amend the offering document and provide the new version to the funding portal.*
- (2) *If an issuer is relying on the start-up crowdfunding prospectus exemption (section 5 of the Regulation) in the local jurisdiction with respect to a crowdfunding distribution, the issuer must file this offering document in the local jurisdiction. Note: if a purchaser of the securities and the issuer are in different jurisdictions, the crowdfunding distribution is occurring in both jurisdictions – the jurisdiction of the issuer’s head office and the jurisdiction of the purchaser.*
- (3) *This offering document is required to be filed no later than the 30th day after the closing of the distribution.*
- (4) *This offering document must be completed and certified by an authorized individual on behalf of the issuer.*
- (5) *Draft this offering document so that it is easy to read and understand. Be concise and use clear, plain language. Avoid technical terms.*
- (6) *Disclosure must conform as closely as possible to this form. Address the items in the order set out below. No variation of headings, numbering or information set out in the form is allowed and all are to be displayed as shown.*

Item 1 Risks of investing

- 1.1 Include the following statement in bold type:

“No securities regulatory authority or regulator has assessed, reviewed or approved the merits of these securities or reviewed this offering document. Any representation to the contrary is an offence. This is a risky investment.”

- 1.2 Include the following statement, in bold type, if the issuer provides forward-looking statements:

“The forecasts and predictions of an early-stage business are difficult to objectively analyze or confirm. Forward-looking statements represent the opinion of the issuer only and may not prove to be reasonable.”

Item 2 The issuer

2.1 Provide the following information about the issuer:

- (a) full legal name as it appears in the issuer's articles of incorporation, limited partnership agreement or other organizing documents, as the case may be;
- (b) head office address;
- (c) telephone;
- (d) email address;
- (e) website URL.

Instructions: The head office is where the individuals managing the issuer, including the CEO, maintain their offices. This may be the same as, or different from, the registered office address, depending on the legal structure of the issuer. The address of the head office must be a physical address and not a post office (P.O.) box.

2.2 Provide the following information for a contact person of the issuer who is able to answer questions from purchasers and the securities regulatory authority or regulator:

- (a) full legal name (first name, middle name and last name);
- (b) position held with the issuer;
- (c) business address;
- (d) business telephone;
- (e) email address.

Item 3 Issuer's business

3.1 Describe the issuer's business. Provide enough detail for an investor to clearly understand what the issuer does or intends to do.

Instructions:

(1) Answer the following questions if applicable:

- Does or will the issuer build, design or develop something? Will it sell something produced by others? Will it provide a service?
- What are the key details about the issuer's industry and operations? What makes the issuer's business special and different from other competitors in the industry?
- What milestones has the issuer already reached and what do they hope to achieve in the next 2 years? E.g., Complete testing, find a manufacturer, commence a marketing campaign or buy inventory. What is the proposed timeline for achieving each of the milestones?

- *What are the major hurdles that the issuer expects to face in achieving its milestones?*
- *How are the funds raised from this financing expected to help the issuer advance its business and achieve one or more of the milestones?*
- *Has the issuer entered any contracts that are important to its business?*
- *Has the issuer conducted any operations yet?*
- *Where does the issuer see its business in 3, 5 and 10 years?*
- *What are the issuer's future plans and hopes for its business and how does it plan to get there?*
- *What is the issuer's management experience in running a business or in the same industry?*
- *Does the issuer have business premises from which it can operate its business?*
- *How many employees does the issuer have? How many does it need?*

(2) *Do not refer to a measure of financial performance, financial position or cash flow in the offering document unless (i) the issuer has made financial statements available for the most recently completed financial year, and (ii) the measure referred to in the offering document is an amount presented in the financial statements or is reconciled to an amount presented in the financial statements.*

(3) *An issuer must have operations other than to identify and evaluate assets or a business with a view to completing an investment in, merger with, amalgamation with or acquisition of a business, or a purchase of the securities of one or more other issuers. If it has no other operations, it must not raise capital using start-up crowdfunding.*

3.2 Describe the legal structure of the issuer and indicate the jurisdiction where the issuer is incorporated or organized.

Instructions:

(1) *Indicate whether the issuer is a corporation, a limited partnership, a general partnership (except in Québec), an association (as defined under the Regulation) or other.*

(2) *Indicate the province, territory or state where the issuer is incorporated or organized.*

3.3 Indicate where the issuer's articles of incorporation, limited partnership agreement, shareholder agreement or similar document is available for purchasers to review.

Instruction: You may provide online access to these documents for investors.

3.4 Indicate which statement(s) best describe(s) the issuer’s operations (select all that apply)

The issuer

- ☐ has never conducted operations,
- ☐ is in the development stage,
- ☐ is currently conducting operations.

3.5 Indicate whether the issuer has financial statements available. If yes, include the following statement, in bold type:

“Information for purchasers: If you receive financial statements from an issuer conducting a crowdfunding distribution, you should know that those financial statements have not been provided to or reviewed by a securities regulatory authority or regulator. They are not part of this offering document. You should also consider seeking advice from an accountant or an independent financial adviser about the information in the financial statements.”

Instructions:

- (1) Any financial statements made available in connection with the start-up crowdfunding distribution must be prepared in accordance with Canadian GAAP. These financial statements must present the issuer’s results of operations for its most recently completed financial year.
- (2) If an auditor has issued an auditor’s report on the financial statements, it must be included with the financial statements. If the financial statements were not audited, the issuer must label the financial statements as unaudited.

3.6 Describe the number and type of securities of the issuer outstanding as at the date of the offering document. If there are securities outstanding other than the eligible securities being offered, describe those securities.

Item 4 Management

4.1 Provide the information in the following table for each founder, director, officer and control person of the issuer:

Full legal name, municipality of residence and position at issuer	Principal occupation for the last 5 years	Expertise, education, and experience that is relevant to the issuer’s business	Number and type of securities of the issuer owned	Date securities were acquired and price paid for the securities	Percentage of the issuer’s securities held as of the date of this offering document

4.2 Provide the name of the person involved and details of the time, nature and the outcome of the proceedings for each of the persons listed under item 4.1 and the issuer who, as the case may be:

- (a) has ever pleaded guilty to or been found guilty of
 - (i) a summary conviction or indictable offence under the Criminal Code (R.S.C. 1985, c. C-46),
 - (ii) a quasi-criminal offence in any jurisdiction of Canada or a foreign jurisdiction,
 - (iii) a misdemeanor or felony under the criminal legislation of the United States of America, or any state or territory therein, or
 - (iv) an offence under the criminal legislation of any other foreign jurisdiction,
- (b) is or has been the subject of an order (cease trade or otherwise), judgment, decree, sanction, or administrative penalty imposed by, or has entered into a settlement agreement with, a government agency, administrative agency, self-regulatory organization, civil court, or administrative court of Canada or a foreign jurisdiction in the last 10 years related to:
 - (i) the person's involvement in any securities, insurance or banking activity, or
 - (ii) a claim based in whole or in part on fraud, theft, deceit, misrepresentation, conspiracy, breach of trust, breach of fiduciary duty, insider trading, unregistered trading, illegal distributions, failure to disclose material facts or changes, or allegations of similar conduct,
- (c) is or has been the subject of an order, judgment, decree, sanction or administrative penalty imposed by a discipline committee, professional order or administrative court of Canada or a foreign jurisdiction in the last 10 years related to any professional misconduct,
- (d) is or has ever been the subject of a bankruptcy or insolvency proceeding, or
- (e) is a director, officer, founder or control person of a person that is or has been subject to a proceeding described in paragraph (a), (b), (c) or (d) above.

Instruction: A quasi-criminal offence includes offences under the Income Tax Act (R.S.C. 1985, c. 1 (5th Supp.)), the Immigration and Refugee Protection Act (S.C. 2001, c. 27) or the tax, immigration, drugs, firearms, money laundering or securities legislation of any province or territory of Canada or foreign jurisdiction.

Item 5 Crowdfunding distribution

5.1 Provide the name of the funding portal the issuer is using to conduct its crowdfunding distribution. If the issuer is using a funding portal that is operated by a registered dealer, provide the name of the registered dealer.

Instruction: This offering document must not be posted on more than one funding portal.

5.2 Indicate all the jurisdictions (Canadian provinces and territories) where the issuer intends to raise funds and make this offering document available.

- | | | |
|---|--|---|
| <input type="checkbox"/> Alberta | <input type="checkbox"/> Newfoundland and Labrador | <input type="checkbox"/> Ontario |
| <input type="checkbox"/> British Columbia | | <input type="checkbox"/> Prince Edward Island |
| <input type="checkbox"/> Manitoba | <input type="checkbox"/> Northwest Territories | <input type="checkbox"/> Québec |
| <input type="checkbox"/> New Brunswick | <input type="checkbox"/> Nova Scotia | <input type="checkbox"/> Saskatchewan |
| | <input type="checkbox"/> Nunavut | <input type="checkbox"/> Yukon |

5.3 Provide the following information with respect to the crowdfunding distribution:

(a) the date before which the issuer must have raised the minimum offering amount for the closing of the distribution (no later than 90 days after the date this offering document is first made available on the funding portal);

(b) the date(s) and description of amendment(s) made to this offering document, if any.

Instruction: An amendment to the offering document must not change the date referred to under paragraph (a).

5.4 Indicate the type of eligible securities offered.

- ☐ Common shares;
- ☐ Non-convertible preference shares;
- ☐ Securities convertible into common shares;
- ☐ Securities convertible into non-convertible preference shares;
- ☐ Non-convertible debt linked to a fixed interest rate;
- ☐ Non-convertible debt linked to a floating interest rate;
- ☐ Limited partnership units;
- ☐ Shares in the capital of an association. Specify type of shares (e.g. membership, investment, preference, etc.): _____.

5.5 The securities offered have the following rights, restrictions and conditions:

- ☐ voting rights;
- ☐ dividends or interests (describe any right to receive dividends or interest);
- ☐ rights on dissolution;
- ☐ conversion rights (describe what each security is convertible into);
- ☐ tag-along rights;

- ☐ drag-along rights;
- ☐ pre-emptive rights;
- ☐ other (describe the rights).

Instruction: This information is found in the organizing documents referred to in item 3.3.

5.6 Provide a brief summary of any other material restrictions or conditions that attach to the eligible securities being offered, such as tag-along, drag along or pre-emptive rights.

Instruction: The restrictions and conditions required to be described here are found in by-laws, shareholder's agreements or limited partnership agreements.

5.7 In a table, provide the following information:

	Total amount (\$)	Total number of securities issuable
Minimum offering amount		
Maximum offering amount		
Price per security		

5.8 Indicate the minimum investment amount per purchaser, or if the issuer has not set a minimum investment amount, state that fact.

5.9 Include the following statement in bold type:

“Note: The minimum offering amount stated in this offering document may be satisfied with funds that are unconditionally available to [insert name of issuer] that are raised using other prospectus exemptions.”

Item 6 Use of funds

6.1 Provide the following information on the funds previously raised by the issuer:

- (a) the amount of funds previously raised;
- (b) how the issuer raised those funds;
- (c) if the funds were raised by issuing securities, the prospectus exemption that the issuer relied on to issue those securities;
- (d) how the issuer used those funds.

If the issuer has not previously raised funds, state that fact.

6.2 Using the following table, provide a detailed breakdown of how the issuer will use the funds raised from this crowdfunding distribution. If any of the funds will be paid directly or indirectly to a founder, director, officer or control person of the issuer, disclose in a note to the table the name of the person, the relationship to the issuer and the amount. If more than 10% of the available funds will be used by the issuer to pay debt and the issuer incurred the debt within the 2 preceding financial years, describe why the debt was incurred.

Description of intended use of funds listed in order of priority	Assuming minimum offering amount	Assuming maximum offering amount

Item 7 Previous crowdfunding distributions

7.1 For each crowdfunding distribution in which the issuer group and each founder, director, officer and control person of the issuer group have been involved in the past 5 years, provide the following information:

- (a) the full legal name of the issuer that made the distribution;
- (b) the name of the funding portal;
- (c) whether the distribution successfully closed, was withdrawn by the issuer or did not close because the minimum offering amount was not reached, and the date on which any of these occurred.

Instruction: Provide the information for all previous crowdfunding distributions involving the issuer group and each founder, director, officer and control person of each member of the issuer group, even if the previous crowdfunding distribution was made by an issuer that is not a member of the issuer group.

Item 8 Compensation paid to funding portal

8.1 Provide a description of each commission, fee or other amount expected to be paid by the issuer to the funding portal for this crowdfunding distribution and the estimated amount to be paid. If a commission is being paid, indicate the percentage that the commission will represent of the gross proceeds of the offering assuming both the minimum and maximum offering amount.

Item 9 Risk factors

9.1 Describe in order of importance, starting with the most important, the risk factors material to the issuer that a reasonable investor would consider important in deciding whether to buy the issuer's securities.

9.2 If the securities being distributed are to pay interest, dividends or distributions and the issuer does not have the financial resources to make such payments, (other than from the sale of securities) state in bold type:

“We do not currently have the financial resources to pay [interest, dividends or distributions] to investors. There is no assurance that we will ever have the financial resources to do so.”

Item 10 Reporting obligations

10.1 Describe the nature and frequency of any disclosure of information the issuer intends to provide to purchasers after the closing of the distribution and explain how purchasers can access this information.

10.2 If the issuer is required by corporate legislation, its constating documents (e.g., articles of incorporation or by-laws) or otherwise to provide annual financial statements or an information circular/proxy statements to its security holders, state that fact.

10.3 If the issuer is aware, after making reasonable inquiries, of any existing voting trust agreement among certain shareholders of the issuer, provide the information:

- (a) the number of shareholders party to the agreement;
- (b) the percentage of voting shares of the issuer subject to the agreement;
- (c) the name of the person acting as a trustee;
- (d) whether the trustee has been granted any additional powers;
- (e) whether the agreement is limited to a specified period of time.

Item 11 Resale restrictions

11.1 Include the following statement, in bold type:

“The securities you are purchasing are subject to a resale restriction. You might never be able to resell the securities.”

Item 12 Purchasers’ rights

12.1 Include the following statement, in bold type:

“Rights of Action in the Event of a Misrepresentation

If there is a misrepresentation in this offering document, you have a right

(a) to cancel your agreement with [name of issuer or other term used to refer to issuer] to buy these securities, or

(b) to damages against [name of issuer or other term used to refer to issuer] and may, in certain jurisdictions, have the statutory right to damages from other persons.

These rights are available to you whether or not you relied on the misrepresentation. However, there are various circumstances that limit your rights. In particular, your rights might be limited if you knew of the misrepresentation when you purchased the securities.

If you intend to rely on the rights described in paragraph (a) or (b) above, you must do so within strict time limitations.

Two-day cancellation right:

You may cancel your agreement to purchase these securities. To do so, you must send a notice to the funding portal not later than midnight on the second business day after you enter into the agreement. If there is an amendment to this offering document, you can cancel your agreement to purchase these securities by sending a notice to the funding portal not later than midnight on the second business day after the funding portal provides you notice of the amendment.”

Item 13 Date and certificate

13.1 Include the following statement in bold type:

“This offering document does not contain a misrepresentation.”

13.2 Provide the signature, date of the signature, name and position of the authorized individual certifying this offering document.

13.3 If this offering document is signed electronically, include the following statement in bold type:

“I acknowledge that I am signing this offering document electronically and agree that this is the legal equivalent of my handwritten signature.”

FORM 45-110F2
RISK ACKNOWLEDGEMENT

Issuer Name:

Type of Eligible Security Offered:

WARNING!
BUYER BEWARE: This investment is risky.
Don't invest unless you can afford to lose all the money you pay for this investment.

	Yes	No
1. Risk acknowledgement		
Risk of loss – Do you understand that this is a risky investment and that you may lose all the money you pay for this investment?	<input type="checkbox"/>	<input type="checkbox"/>
No income – Do you understand that you may not earn any income, such as dividends or interest, on this investment?	<input type="checkbox"/>	<input type="checkbox"/>
Liquidity risk – Do you understand that you may never be able to sell this investment?	<input type="checkbox"/>	<input type="checkbox"/>
Lack of information – Do you understand that you may not be provided with any ongoing information about the issuer and/or this investment?	<input type="checkbox"/>	<input type="checkbox"/>
2. No approval and no advice <i>Instruction: Delete “and no advice” if the funding portal is operated by a registered dealer.</i>		
No approval – Do you understand that this investment has not been reviewed or approved in any way by a regulator, except in Québec, or securities regulatory authority?	<input type="checkbox"/>	<input type="checkbox"/>
No advice – Do you understand that you will not receive advice about your investment? <i>Instruction: Delete this row if the funding portal is operated by a registered dealer.</i>	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No
3. Limited legal rights		
<p>Limited legal rights – Do you understand that you will not have the same rights as if you purchased under a prospectus or through a stock exchange?</p> <p>If you want to know more, you may need to seek professional legal advice.</p>	<input type="checkbox"/>	<input type="checkbox"/>
4. Purchaser's acknowledgement		
<p>Investment risks – Have you read this form and do you understand the risks of making this investment?</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Offering document – Has an offering document relating to this investment been made available to you on the funding portal?</p> <p>The offering document contains important information about this investment. If you have not read the offering document or if you do not understand the information in it, you should not invest. You should retain a copy of the offering document for your records.</p> <p>Have you read and do you understand the information in the offering document?</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>First and last name:</p>		
<p>Electronic signature: By clicking the [I confirm] button, I acknowledge that I am signing this form electronically and agree that this is the legal equivalent of my handwritten signature. I will not at any time in the future claim that my electronic signature is not legally binding. The date of my electronic signature is the same as my acknowledgement.</p>		
5. Additional information		
<ul style="list-style-type: none"> You have 2 days to cancel your purchase by sending a notice to the funding portal at: <i>Instruction: Provide email address where purchasers can send their notice. Describe any other manner for purchasers to cancel their purchase.</i> If you want more information about your local securities regulation, go to www.securities-administrators.ca. Securities regulators do not provide advice on investment. To check if the funding portal is operated by a registered dealer, go to www.aretheyregistered.ca. <i>Instruction: Delete if the funding portal is not operated by a registered dealer.</i> 		

**FORM 45-110F3
FUNDING PORTAL INFORMATION****GENERAL INSTRUCTION**

If the funding portal is relying on the start-up crowdfunding registration exemption (section 3 of the Regulation), the funding portal must complete and deliver this form with any attachments and all corresponding Forms 45-110F4 to the regulator, except in Québec, or securities regulatory authority if the funding portal facilitates or intends to facilitate a crowdfunding distribution.

FUNDING PORTAL INFORMATION

1. Provide the following information regarding the funding portal:
 - (a) full legal name of the funding portal as it appears on the funding portal's organizing documents;
 - (b) name that the funding portal will be operating under;
 - (c) website URL;
 - (d) telephone;
 - (e) email address;
 - (f) head office address;
 - (g) jurisdiction where the head office is located (check).

<input type="checkbox"/> Alberta	<input type="checkbox"/> Newfoundland and Labrador	<input type="checkbox"/> Ontario
<input type="checkbox"/> British Columbia		<input type="checkbox"/> Prince Edward Island
<input type="checkbox"/> Manitoba	<input type="checkbox"/> Northwest Territories	<input type="checkbox"/> Québec
<input type="checkbox"/> New Brunswick	<input type="checkbox"/> Nova Scotia	<input type="checkbox"/> Saskatchewan
	<input type="checkbox"/> Nunavut	<input type="checkbox"/> Yukon
2. Provide the following information regarding the contact person for the funding portal:
 - (a) full legal name (first name, middle name and last name);
 - (b) business address;
 - (c) business telephone;
 - (d) email address.

3. Provide the following information regarding each founder, director, officer and control person of the funding portal. If necessary, use an attachment signed and dated by the authorized individual certifying this form.

(a) full legal name (first name, middle name and last name);

(a) position(s) held.

4. Indicate each jurisdiction where the funding portal is delivering this form. The funding portal must deliver this form in the local jurisdiction if it facilitates or intends to facilitate a crowdfunding distribution in that jurisdiction.

☐ Alberta

☐ Newfoundland and
Labrador

☐ Ontario

☐ British Columbia

☐ Prince Edward Island

☐ Manitoba

☐ Northwest Territories

☐ Québec

☐ New Brunswick

☐ Nova Scotia

☐ Saskatchewan

☐ Nunavut

☐ Yukon

5. Provide the date the funding portal expects to begin to facilitate crowdfunding distributions in the jurisdictions indicated under item 4.

6. If the funding portal is relying on Regulation 45-110 respecting Start-up Crowdfunding Registration and Prospectus Exemptions (*insert reference*) in any jurisdiction, provide the name(s) of the jurisdiction(s) and the date this Funding Portal Information form was delivered to the regulator, except in Québec, or securities regulatory authority.

LEGAL STRUCTURE AND CONSTATING DOCUMENTS

7. Indicate the legal structure of the funding portal.

☐ Sole proprietorship

☐ Partnership

☐ Limited partnership (provide the name of the general partner)

☐ Corporation

☐ Other (specify)

8. Attach the funding portal's organizing documents: for example, the funding portal's articles and certificate of incorporation, any articles of amendments, partnership agreement or declaration of trust. If the funding portal is a sole proprietorship, provide a copy of the registration of the trade name. The attachment must be signed and dated by the authorized individual certifying this form.

9. Attach a chart showing the funding portal's structure and ownership. Include disclosure for all parents, affiliates and subsidiaries. Include the name of each person, and the class, type, amount and voting percentage of ownership of the funding portal's securities. The attachment must be signed and dated by the authorized individual certifying this form.

BUSINESS ACTIVITIES

10. Provide a description of following:

- (a) the proposed business activities of the funding portal;
- (b) the marketing strategy of the funding portal;
- (c) the target issuers, including their sectors;
- (d) the key risks you identify in operating your funding portal.

CRIMINAL DISCLOSURE

11. Has the funding portal ever been found guilty, pleaded no contest to, or been granted an absolute or conditional discharge from

- (a) a summary conviction or indictable offence under the Criminal Code (R.S.C. 1985, c. C-46),
- (b) a quasi-criminal offence in any jurisdiction of Canada or a foreign jurisdiction,
- (c) a misdemeanor or felony under the criminal legislation of the United States of America, or any state or territory therein, or
- (d) an offence under the criminal legislation of any other foreign jurisdiction?

Yes ☐ No ☐

If yes, provide all relevant details in an attachment signed and dated by the authorized individual certifying this form that includes the circumstances, relevant dates, names of the parties involved and the final disposition, if a final disposition has been made.

Instruction: A quasi-criminal offence includes an offence under the Income Tax Act (R.S.C. 1985, c. 1 (5th Supp.)), the Immigration and Refugee Protection Act (S.C. 2001, c. 27) or the tax, immigration, drugs, firearms, money laundering or securities legislation of any province or territory of Canada or foreign jurisdiction.

12. Are there any outstanding or stayed charges against the funding portal alleging a criminal offence that was committed?

Yes ☐ No ☐

If yes, provide all relevant details in an attachment signed and dated by the authorized individual certifying this form that includes the circumstances, relevant dates, names of the parties involved and final disposition, if a final disposition has been made.

CIVIL DISCLOSURE

13. Has the funding portal been the subject of an order (cease trade or otherwise), judgment, decree, sanction, or administrative penalty imposed by, or entered into a settlement agreement with, a government agency, administrative agency, self-regulatory organization, civil court, or administrative court of Canada or a foreign jurisdiction in the last 10 years related to a claim based in whole or in part on fraud, theft, deceit, misrepresentation, conspiracy, breach of trust, breach of fiduciary duty, insider trading, unregistered trading, illegal distributions, failure to disclose material facts or changes, or allegations of similar conduct in Canada or a foreign jurisdiction related to its involvement in any type of securities, derivatives, insurance or banking activity.

Yes ☐ No ☐

If yes, provide all relevant details in an attachment signed and dated by the authorized individual certifying this form that includes the circumstances, relevant dates, names of the parties involved and final disposition, if a final disposition has been made.

14. Are there currently any outstanding civil actions alleging fraud, theft, deceit, misrepresentation or similar misconduct against the funding portal?

Yes ☐ No ☐

If yes, provide all relevant details in an attachment signed and dated by the authorized individual certifying this form that includes the circumstances, relevant dates, names of the parties involved and final disposition, if a final disposition has been made.

PROCESS AND PROCEDURE FOR HANDLING OF FUNDS

15. Provide all relevant details in an attachment that is signed and dated by the authorized individual certifying this form of the relevant documents on the process and procedure for handling all funds in relation to the crowdfunding distribution in a designated trust account at a Canadian financial institution, including the following:

(a) the name of the Canadian financial institution the funding portal will use with the designated trust account number;

(b) the names of the signatories on this account and their role with the funding portal;

(c) details of how the funds held in this account will be separate and apart from the funding portal's own property;

(d) a copy of the trust agreement, or details surrounding the establishment of this account. If the funding portal does not have a trust agreement or an account, please explain;

- (e) details regarding how funds will flow
 - (i) from purchasers to the funding portal's account,
 - (ii) from the funding portal's account to the issuer in the event that the crowdfunding distribution closes, and
 - (iii) from the funding portal's account back to the purchasers in the event that the crowdfunding distribution does not close or the purchaser has exercised their right of withdrawal.

COLLECTION AND USE OF INFORMATION

The information required under this form is collected, used and disclosed by the securities regulatory authority or, where applicable, the regulator of the jurisdiction under the authority granted under securities legislation for the purposes of the administration and enforcement of the securities legislation.

By submitting this form, the funding portal

- acknowledges that the regulator, except in Québec, or securities regulatory authority may collect personal information about the individuals referred to in this form or information about the funding portal,
- confirms that the individuals referred to in this form have been notified that their personal information is disclosed on this form, the legal reason for doing so, how it will be used and who to contact for more information, and
- consents to the posting on the website of the regulator, except in Québec, or securities regulatory authority of:
 - (i) the name that the funding portal will be operating under;
 - (ii) the website address for the funding portal; and
 - (iii) the funding portal's reliance on a dealer registration exemption.

If you have any questions about the collection and use of this information, contact the regulator, except in Québec, or securities regulatory authority in any jurisdiction in which this form is submitted. Contact information is listed at the end of this form.

CERTIFICATION

By signing this form, the funding portal

- undertakes to comply with all of the applicable conditions set out in Regulation 45-110 respecting Start-up Crowdfunding Registration and Prospectus Exemptions,
- certifies that its platform is complete, ready for viewing in a test environment and designed to comply with Regulation 45-110 respecting Start-up Crowdfunding Registration and Prospectus Exemptions,
- certifies that it has, or reasonably expects to have, sufficient financial resources to continue its operations for at least the next 6 months, and
- acknowledges that the regulator, except in Québec, or securities regulatory authority of a jurisdiction in which this form is submitted may access the books and records relating to the carrying on of its activities and may conduct a compliance review.

On behalf of the funding portal, I certify that the statements made in this form, including any attachments, are true and complete.

Full legal name of
funding portal:

Signature of
authorized individual:

Date:

Print name of
authorized individual:

Position held:

Telephone number:

Email:

IT IS AN OFFENCE TO MAKE A MISREPRESENTATION IN THIS FORM

Contact information:

Alberta The Alberta Securities Commission Suite 600, 250 – 5th Street SW Calgary, Alberta T2P 0R4 Telephone: 403 297-6454 Email: registration@asc.ca www.asc.ca	Nova Scotia Nova Scotia Securities Commission Suite 400, 5251 Duke Street Halifax, Nova Scotia B3J 1P3 Telephone: 902 424-7768 Toll free in Nova Scotia: 1 855 424-2499 Email: nssc.crowdfunding@novascotia.ca nssc.novascotia.ca
British Columbia British Columbia Securities Commission P.O. Box 10142, Pacific Centre 701 West Georgia Street Vancouver, British Columbia V7Y 1L2 Telephone: 604 899-6854 Toll free in Canada: 1 800 373-6393 Email: portal@bcsc.bc.ca www.bcsc.bc.ca	Ontario Ontario Securities Commission 20 Queen Street West, 22nd Floor Toronto, Ontario M5H 3S8 Toll free: 1 877 785-1555 Email: inquiries@osc.gov.on.ca www.osc.ca OSC Electronic Filing Portal https://eforms1.osc.gov.on.ca/e-filings/generic/form.do?token=ec7a3cb6-d86d-419d-9c11-f1febe403cb6
Manitoba The Manitoba Securities Commission 500 – 400 St Mary Avenue Winnipeg, Manitoba R3C 4K5 Telephone: 204 945-2548 Toll free in Manitoba: 1 800 655-2548 Email: exemptions.msc@gov.mb.ca www.mbsecurities.ca	Québec Autorité des marchés financiers Direction de l'encadrement des intermédiaires 800, rue du Square-Victoria, 22 ^e étage C.P. 246, Place Victoria Montréal, Québec H4Z 1G3 Telephone: 514 395-0337 Toll free in Québec: 1 877 525-0337 Email: financement-participatif@lautorite.qc.ca www.lautorite.qc.ca
New Brunswick Financial and Consumer Services Commission 85 Charlotte Street, Suite 300 Saint John, New Brunswick E2L 2J2 Toll free: 1 866 933-2222 Email: emf-md@fcnb.ca www.fcnb.ca	Saskatchewan Financial and Consumer Affairs Authority of Saskatchewan Securities Division Suite 601 – 1919 Saskatchewan Drive Regina, Saskatchewan S4P 4H2 Telephone: 306 787-5645 Email: registrationfcaa@gov.sk.ca www.fcaa.gov.sk.ca

**FORM 45-110F4
PORTAL INDIVIDUAL INFORMATION****GENERAL INSTRUCTIONS**

If the funding portal is relying on the start-up crowdfunding registration exemption (section 3 of the Regulation), each founder, director, officer and control person of the funding portal must complete this form and the funding portal must deliver those completed forms and any attachments, along with the corresponding Form 45-110F3, to the regulator, except in Québec, or securities regulatory authority if the funding portal facilitates or intends to facilitate a crowdfunding distribution.

The information provided on this form must be specific to the individual certifying this form.

FUNDING PORTAL INFORMATION

1. Provide the full legal name of the funding portal as it appears on the funding portal's organizing documents.
2. Provide the name that the funding portal will be operating under.
3. Indicate the position(s) you hold with the funding portal.

INDIVIDUAL INFORMATION

4. Full legal name:

First name

Middle name(s)

Last name

5. Are you currently, or have you ever been, known by any name(s) other than your full legal name stated above, for example nicknames or name changes due to marriage?

Yes ☐ No ☐

If yes, provide details.

6. Telephone number and email address:

Residential:	()	Mobile:	
Business:	()	Email:	

7. Provide all residential addresses for the past five years starting with your current residential address.

Number, street, city, province, territory or state, country and postal/ZIP code	From		To	
	MM	YYYY	MM	YYYY

8. If you are not a resident of Canada, you must have one address for service of process in Canada and provide the following information:

Name of agent for service:	
Name of contact person:	
Address for service:	
Telephone:	

9. Date and place of birth:

Date of birth			Place of birth		
MM	DD	YYYY	City	Province/Territory/State	Country

10. Country of citizenship: _____

11. Are you currently or have you ever been registered or licensed in any capacity with any Canadian securities regulatory authority or regulator?

Yes ☐ No ☐

If yes, provide your licence or registration type, the securities regulatory authority or regulator, and the start date and ending date, if applicable:

12. Have you ever been dismissed for cause by an employer from a position following allegations that you:

(a) violated any statutes, regulations, rules or standards of conduct,

(b) failed to appropriately supervise compliance with any statutes, regulations, rules or standards of conduct, or

(c) committed fraud or the wrongful taking of property, including, for greater certainty, theft?

Yes ☐ No ☐

If yes, provide all relevant details in an attachment signed and dated by the authorized individual certifying this form that includes the circumstances, relevant dates, names of the parties involved and final disposition, if a final disposition has been made.

CRIMINAL DISCLOSURE

13. Have you ever been found guilty, pleaded no contest to, or been granted an absolute or conditional discharge from

(a) a summary conviction or indictable offence under the Criminal Code (R.S.C. 1985, c. C-46),

(b) a quasi-criminal offence in any jurisdiction of Canada or a foreign jurisdiction,

(c) a misdemeanour or felony under the criminal legislation of the United States of America, or any state or territory therein, or

(d) an offence under the criminal legislation of any other foreign jurisdiction?

Yes ☐ No ☐

If yes, provide all relevant details in an attachment signed and dated by the authorized individual certifying this form that includes the circumstances, relevant dates, names of the parties involved and final disposition, if a final disposition has been made.

Instructions: A quasi-criminal offence includes an offence under the Income Tax Act (R.S.C. 1985, c. 1 (5th Supp.)), the Immigration and Refugee Protection Act (S.C. 2001, c. 27) or the tax, immigration, drugs, firearms, money laundering or securities legislation of any province or territory of Canada or of a foreign jurisdiction.

14. Are there any outstanding or stayed charges against you alleging a criminal offence that was committed?

Yes ☐ No ☐

If yes, provide all relevant details in an attachment signed and dated by the authorized individual certifying this form that includes the circumstances, relevant dates, names of the parties involved and final disposition, if a final disposition has been made.

15. To the best of your knowledge, are there any outstanding or stayed charges against any person of which you were, at the time the criminal offence was alleged to have taken place, a founder, director, officer or control person?

Yes ☐ No ☐

If yes, provide all relevant details in an attachment signed and dated by the authorized individual certifying this form that includes the circumstances, relevant dates, names of the parties involved and final disposition, if a final disposition has been made.

16. To the best of your knowledge, has any person of which you were a founder, or during the period when you were a director, officer or control person, ever been found guilty, pleaded no contest to or been granted an absolute or conditional discharge from a criminal offence that was committed?

Yes ☐ No ☐

If yes, provide all relevant details in an attachment signed and dated by the authorized individual certifying this form that includes the circumstances, relevant dates, names of the parties involved and final disposition, if a final disposition has been made.

CIVIL DISCLOSURE

17. Have you or a person of which you are or were a founder, director, officer or control person been the subject of an order (cease trade or otherwise), judgment, decree, sanction, or administrative penalty imposed by, or entered into a settlement agreement with, a government agency, administrative agency, self-regulatory organization, civil court, or administrative court of Canada or a foreign jurisdiction in the last 10 years related to a claim based in whole or in part on fraud, theft, deceit, misrepresentation, conspiracy, breach of trust, breach of fiduciary duty, insider trading, unregistered trading, illegal distributions, failure to disclose material facts or changes, or allegations of similar conduct in Canada or a foreign jurisdiction related to your involvement in any type of securities, derivatives, insurance or banking activity?

Yes ☐ No ☐

If yes, provide all relevant details in an attachment signed and dated by the authorized individual certifying this form that includes the circumstances, relevant dates, names of the parties involved and final disposition, if a final disposition has been made.

18. Are there currently any outstanding civil actions alleging fraud, theft, deceit, misrepresentation, or similar misconduct against you or a person of which you are or were a founder, director, officer or control person?

Yes ☐ No ☐

If yes, provide all relevant details in an attachment signed and dated by the authorized individual certifying this form that includes the circumstances, relevant dates, names of the parties involved and final disposition, if a final disposition has been made.

COLLECTION AND USE OF PERSONAL INFORMATION

The personal information required under this form is collected, used and disclosed by the securities regulatory authority or, where applicable, the regulator of the jurisdiction under the authority granted in securities legislation for the purposes of the administration and enforcement of the securities legislation.

By submitting this form, you consent to the collection, use and disclosure of this personal information by the regulator, except in Québec, or securities regulatory authority of each jurisdiction in which this form is submitted and any police records, records from other government or non-governmental regulators or self-regulatory organizations, credit records and employment records about you that the securities regulatory authority or regulator may need to determine the completeness of the information submitted in this form and compliance with the conditions of the start-up crowdfunding registration and prospectus exemptions. The regulator, except in Québec, or securities regulatory authority may contact government and private bodies or agencies, individuals, corporations and other organizations for information about you.

If you have any questions about the collection and use of this information, contact the regulator, except in Québec, or securities regulatory authority of any jurisdiction in which this form is submitted. Contact information is listed at the end of this form.

CERTIFICATION

By submitting this form, I

- certify that the statements made in this form, including any attachments, are true and complete, and

- agree to be subject to the securities legislation of each jurisdiction of Canada where I have submitted this form. This includes the jurisdiction of any tribunals or any proceedings that relate to my activities as a founder, director, officer or control person of a funding portal under applicable securities legislation.

Signature:

Date:

Print name:

Position held:

IT IS AN OFFENCE TO MAKE A MISREPRESENTATION IN THIS FORM

Contact information:

Alberta The Alberta Securities Commission Suite 600, 250 – 5th Street SW Calgary, Alberta T2P 0R4 Telephone: 403 297-6454 Email: registration@asc.ca www.asc.ca	Nova Scotia Nova Scotia Securities Commission Suite 400, 5251 Duke Street Halifax, Nova Scotia B3J 1P3 Telephone: 902 424-7768 Toll free in Nova Scotia: 1 855 424-2499 Email: nssc.crowdfunding@novascotia.ca nssc.novascotia.ca
British Columbia British Columbia Securities Commission P.O. Box 10142, Pacific Centre 701 West Georgia Street Vancouver, British Columbia V7Y 1L2 Telephone: 604 899-6854 Toll free in Canada: 1 800 373-6393 Email: portal@bcsc.bc.ca www.bcsc.bc.ca	Ontario Ontario Securities Commission 20 Queen Street West, 22nd Floor Toronto, Ontario M5H 3S8 Toll free: 1 877 785-1555 Email: inquiries@osc.gov.on.ca www.osc.ca OSC Electronic Filing Portal https://eforms1.osc.gov.on.ca/e-filings/generic/form.do?token=ec7a3cb6-d86d-419d-9c11-f1febe403cb6
Manitoba The Manitoba Securities Commission 500 – 400 St Mary Avenue Winnipeg, Manitoba R3C 4K5 Telephone: 204 945-2548 Toll free in Manitoba: 1 800 655-2548 Email: exemptions.msc@gov.mb.ca www.mbsecurities.ca	Québec Autorité des marchés financiers Direction de l'encadrement des intermédiaires 800, rue du Square-Victoria, 22 ^e étage C.P. 246, Place Victoria Montréal, Québec H4Z 1G3 Telephone: 514 395-0337 Toll free in Québec: 1 877 525-0337 Email: financement-participatif@lautorite.qc.ca www.lautorite.qc.ca
New Brunswick Financial and Consumer Services Commission 85 Charlotte Street, Suite 300 Saint John, New Brunswick E2L 2J2 Toll free: 1 866 933-2222 Email: emf-md@fcnb.ca www.fcnb.ca	Saskatchewan Financial and Consumer Affairs Authority of Saskatchewan Securities Division Suite 601 – 1919 Saskatchewan Drive Regina, Saskatchewan S4P 4H2 Telephone: 306 787-5645 Email: registrationfcaa@gov.sk.ca www.fcaa.gov.sk.ca

**FORM 45-110F5
SEMI-ANNUAL FINANCIAL RESOURCES CERTIFICATION**

The funding portal certifies that it has, or reasonably expects to have, sufficient financial resources to continue its operations for at least the next 6 months.

On behalf of the funding portal, I certify that the statement made in this form is true and complete.

Full legal name of
funding portal:

Signature of the chief
executive officer, chief
financial officer or
functional equivalent:

Date:

Print name of
individual:

Position held:

Telephone number:

Email:

IT IS AN OFFENCE TO MAKE A MISREPRESENTATION IN THIS FORM

105256

M.O., 2021

**Order number 2021-19 of the Minister
of Transport dated 1 September 2021**

Highway Safety Code
(chapter C-24.2)

Suspension of the application of the definition of minibus with respect to certain motor vehicles equipped with two restraining devices to keep a wheelchair in place

THE MINISTER OF TRANSPORT,

CONSIDERING section 633.2 of the Highway Safety Code (chapter C-24.2), which provides that the Minister of Transport may, by order and after consultation with the Société de l'assurance automobile du Québec, suspend the application of a provision of the Code or the regulations for the period specified by the Minister, if the Minister considers that it is in the interest of the public and is not likely to compromise highway safety;

CONSIDERING that section 633.2 of the Code provides that the Minister may prescribe any rule, applicable when using the exemption, that ensures an equivalent level of safety in the Minister's opinion;

CONSIDERING that section 633.2 of the Code provides that the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to an order made under section 633.2;

CONSIDERING that it is advisable to suspend the application of the definition of minibus set out in section 4 of the Code with respect to certain motor vehicles equipped with two restraining devices to keep a wheelchair in place;

CONSIDERING that it is advisable to suspend the application of section 54 of the Code with respect to every person who drives such a road vehicle or to its owner who allows the vehicle to be driven carrying a registration plate of a class other than the class corresponding to that vehicle, or which is being used for a purpose other than the purpose indicated in its registration;

CONSIDERING that it is advisable to suspend the application of paragraph 1 of section 2 of the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects (chapter C-24.2, r. 27) with respect to the owner of a vehicle who, to comply with this Order, changes the information concerning the use of the vehicle in the registration register held by the Société de l'assurance automobile du Québec;

CONSIDERING that the Minister considers that the suspension of the application of the definition, in certain circumstances, is in the interest of the public and is not likely to compromise highway safety;

CONSIDERING that the Société de l'assurance automobile du Québec has been consulted on the suspension;

ORDERS AS FOLLOWS:

(1) The definition of minibus set out in section 4 of the Highway Safety Code (chapter C-24.2) with respect to a motor vehicle equipped with two restraining devices to keep a wheelchair in place and whose gross vehicle weight rating is 3,100 kg or less or, if the motor vehicle is a vehicle powered by electricity, 3,600 kg or less, is suspended.

(2) The application of section 54 of the Code with respect to every person who drives a vehicle referred to in section 1 or to its owner who allows the vehicle to be driven carrying a registration plate of a class other than the class corresponding to that vehicle, or which is being used for a purpose other than the purpose indicated in its registration, is suspended until 1 January 2022.

(3) The application of paragraph 1 of section 2 of the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects (chapter C-24.2, r. 27) with respect to the owner of a vehicle referred to in section 1 who, to comply with this Order, changes the information concerning the use of the vehicle in the register held by the Société de l'assurance automobile du Québec, is suspended until 1 January 2022.

(4) This Order comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. It is revoked on the day of the fifth anniversary of its coming into force.

Québec, 1 September 2021

FRANÇOIS BONNARDEL
Minister of Transport

Draft Regulations

Draft Regulation

Individual and Family Assistance Act
(chapter A-13.1.1)

Individual and Family Assistance — 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 Individual and Family Assistance Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation enhances certain amendments proposed in the Regulation to amend the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) published in the *Gazette officielle du Québec* of 14 July 2021.

The draft Regulation published on 14 July proposes in particular a measure to exclude from the calculation of a benefit the sums paid to a recipient to compensate for physical or mental impairment or injury up to the amount provided for.

In this draft Regulation, that exclusion is extended to also include the sums received as death benefit, subject to the conditions set out in the draft Regulation.

The draft Regulation also provides that new periods will be considered for the calculation of the period required to be entitled to the additional adjustment offered to certain persons under the Social Solidarity Program, provided the person has resided in Québec during the period covered.

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 France Edma, Direction des politiques d'assistance sociale, Ministère du Travail, de l'Emploi et de la Solidarité sociale, 425, rue Jacques-Parizeau, 4^e étage, Québec (Québec) G1R 4Z1; telephone: 418 809-7259; email: france.edma@mtess.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 Labour, Employment and Social Solidarity, 425, rue Jacques-Parizeau, 4^e étage, Québec (Québec) G1R 4Z1; email: ministre@mtess.gouv.qc.ca.

JEAN BOULET

*Minister of Labour, Employment
and Social Solidarity*

Regulation to amend the Individual and Family Assistance Regulation

Individual and Family Assistance Act
(chapter A-13.1.1, s. 132, pars. 8, 9, 10 and 17, s. 133,
pars. 2.1 and 3)

1. The Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) is amended by adding the following after section 138:

“**138.1.** For the purpose of calculating a benefit, a death benefit received in a lump sum by an independent adult or a family member following the death of a person are excluded up to a value of \$235,401.

To benefit from that exclusion, the lump sum, or the first payment of the lump sum, if applicable, must have been received during a month in which the independent adult or the family is a recipient under a last resort financial assistance program, otherwise than pursuant to section 49 of the Act, or the Aim for Employment Program, or in which the independent adult or the family is eligible to receive the special benefit for dental and pharmaceutical services pursuant to section 48. Despite the foregoing, if the benefit paid for that month is later claimed in its entirety by the Minister, the exclusion applies, unless the claim is made following a false declaration, up to the date on which a formal repayment notice was sent by the Minister pursuant to section 97 of the Act.

In the case of a family, each member may benefit individually from the exclusion referred to in the first paragraph.

138.2. The exclusion provided for in section 138.1 applies from the date of the payment of the sums referred to, whether they are paid in one or several payments, only in respect of the person entitled thereto.

The exclusion applies if the sums are immediately deposited in a separate account in a financial institution.”.

2. Section 149 is amended in the first paragraph

(1) by replacing “sections 135 and 136” by “sections 135, 136 and 138.1”;

(2) by inserting “up to the amount provided for in the case of section 138.1” after “benefit”.

3. Section 157.1 is replaced by the following:

“**157.1.** Despite section 67.4, the social solidarity allowance granted to an independent adult, a family composed of only 1 adult or the spouse of an ineligible student is adjusted by \$93. The allowance granted to a family composed of 2 adults is adjusted by \$108.

Despite the first paragraph, the social solidarity allowance is adjusted by \$215 in the case of an independent adult and by \$160 in the case of a family composed of 2 adults, where the independent adult or an adult member of the family has been a recipient of the Social Solidarity Program for 66 months in the preceding 72 months.

For the purpose of calculating the period, the months in which the parent of a person who has received, with respect to the person, a supplement for handicapped children requiring exceptional care under the Taxation Act (chapter I-3) are considered.

The months in which a person has received sums while residing in Québec are also considered in any of the following cases:

(1) a disability pension or an additional amount for disability after retirement pursuant to the Act respecting the Québec pension plan (chapter R-9);

(2) a disability pension or a post-retirement disability pension payable under the Canada Pension Plan (Revised Statutes of Canada 1985, c. C-8);

(3) a disability allowance under the War Veterans Allowance Act (Revised Statutes of Canada 1985, c. W-3);

(4) an amount equivalent to the social solidarity allowance under an on-reserve income assistance program of the Government of Canada.

Despite the foregoing, in the case referred to in the fourth paragraph, the months concerned are not considered if the recipient who receives the sums is no longer eligible under the Social Solidarity Program, where the number of months totals more than 6, consecutive or not.

The adjustments provided for in this section do not apply in the case of persons referred to in the second paragraph of section 157.”.

4. Section 164 is amended

(1) by replacing “as well as a death benefit, if the proceeds or benefit” in subparagraph 5 of the first paragraph by “if the proceeds”;

(2) by inserting “the Aim for Employment Program or in which the independent adult or the family” after “Act, or” in the second paragraph;

(3) by striking out “or benefit” in the third paragraph.

5. Section 164.1 is amended by inserting “the Aim for Employment Program or the independent adult or the family” after “Act, or” in the second paragraph.

6. Section 171 is amended by adding the following paragraph at the end:

“In addition, section 138.1 applies only if the independent adult or the family was a recipient under a last resort financial assistance program or was eligible to receive dental and pharmaceutical services pursuant to section 48 during the 6 months preceding the date of application.”.

7. Section 177.6 is amended by replacing “section 147 in the first paragraph by “sections 138.1, 147”.

8. Section 181 is amended by replacing “sections 135 and 136” in the second paragraph by “sections 135, 136 and 138.1”.

9. Despite the fourth paragraph of section 157.1 of the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1), replaced by section 3 of this Regulation, the months that have been considered for the purposes of subparagraph 1 of the fourth paragraph, for calculating the period provided for in that section, as it read on 1 November 2021, continue to be considered provided the independent adult or the family member remains, after that same date, a recipient under the Social Solidarity Program or a recipient of the special benefit for dental and pharmaceutical services pursuant to section 48 of that Regulation.

10. This Regulation comes into force on 1 January 2022.

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