no. 41

Part 2
LAWS AND REGULATIONS

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Summary

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Part 2 shall contain:

(1) Acts assented to;

(2) proclamations and Orders in Council for the coming into force of Acts;

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

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PROVINCE OF QUÉBEC

1ST SESSION

42ND LEGISLATURE

QUÉBEC, 23 SEPTEMBER 2021

OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 23 September 2021

This day, at half past seven o'clock in the evening, His Excellency the Lieutenant-Governor was pleased to assent to the following bill:

105 An Act to establish a perimeter around certain places in order to regulate demonstrations in relation to the COVID-19 pandemic

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

NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION FORTY-SECOND LEGISLATURE

Bill 105
(2021, chapter 26)

An Act to establish a perimeter around certain places in order to regulate demonstrations in relation to the COVID-19 pandemic

Introduced 23 September 2021
Passed in principle 23 September 2021
Passed 23 September 2021
Assented to 23 September 2021

Québec Official Publisher
2021

EXPLANATORY NOTES

This Act proposes to regulate demonstrations in relation to the COVID-19 pandemic by prohibiting them within a 50-metre radius of the grounds of certain places, including places where COVID-19 testing or vaccination services are provided, facilities maintained by a health and social services institution, facilities of holders of a childcare centre or day care centre permit issued under the Educational Childcare Act and educational institutions providing preschool, elementary, secondary or college-level education. The Act also prohibits organizing or inciting anyone to organize such demonstrations.

The Act contains penal provisions for contravening its provisions and allows a judge of the Superior Court to grant an injunction to prevent any act prohibited by them.

Lastly, the provisions of the Act will cease to have effect on 23 October 2021. However, the Act provides that the Government may, before the expiry date, extend the effect of the Act for a period of 30 days at a time. Nevertheless, it may not have effect beyond the date on which the public health emergency declared on 13 March 2020 ends.

Bill 105

AN ACT TO ESTABLISH A PERIMETER AROUND CERTAIN PLACES IN ORDER TO REGULATE DEMONSTRATIONS IN RELATION TO THE COVID-19 PANDEMIC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. No one may be less than 50 metres from the grounds of the following places in order to demonstrate, in any manner, in connection with health measures ordered under section 123 of the Public Health Act (chapter S-2.2), COVID-19 vaccination or any other recommendation issued by public health authorities in relation to the COVID-19 pandemic:

(1) a place where COVID-19 testing or vaccination services are provided;

(2) a facility maintained by a health and social services institution;

(3) a facility of the holder of a childcare centre or day care centre permit issued under the Educational Childcare Act (chapter S-4.1.1); or

(4) an educational institution providing preschool, elementary, secondary, vocational, adult or college-level education.

The prohibition under the first paragraph also applies within a 50-metre perimeter around any mobile clinic providing services referred to in subparagraph 1.

This section must not be interpreted as having the effect of prohibiting demonstrations in relation to the conditions of employment of the personnel of the places referred to in the first and second paragraphs.

2. No one may organize or incite anyone to organize a demonstration that would contravene section 1.

3. Anyone who contravenes the provisions of section 1 or 2 commits an offence and is liable to a fine of $1,000 to $6,000.

Anyone who, in connection with public health measures ordered under section 123 of the Public Health Act, COVID-19 vaccination or any other recommendation issued by public health authorities in relation to the COVID-19 pandemic, threatens or intimidates a person who is going to, trying to access or leaving a place referred to in section 1, commits an offence and is liable to a fine of $2,000 to $12,000.

For a subsequent offence, the fines prescribed in the first and second paragraphs are doubled.

4. A judge of the Superior Court may grant an injunction to prevent any act prohibited by section 1 or 2.

5. This Act comes into force on 23 September 2021 and ceases to have effect on 23 October 2021.

However, the Government may, before the expiry date, extend the effect of the Act for a period of 30 days. On the same conditions, the Government may make any other extension.

Despite the preceding paragraphs, this Act may not have effect beyond the date on which the public health emergency, declared by Order in Council 177-2020 dated 13 March 2020 and renewed in accordance with section 119 of the Public Health Act, ends.

Regulations and other Acts

Gouvernement du Québec

O.C. 1283-2021, 29 September 2021

Cinema Act
(chapter C-18.1)

Licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences

Regulatory offences as regards the cinema

— Amendment

Regulation to amend the Regulation respecting licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences and Regulation to amend the Regulation respecting regulatory offences as regards the cinema

WHEREAS, under paragraph 7 of section 167 of the Cinema Act (chapter C-18.1), the Government may, by regulation, determine the rights and obligations that each category of licence confers on its holder;

WHEREAS, under paragraph 11 of section 168 of the Act, the Government may, by regulation, determine, for every regulation it makes under that section and section 167 of this Act, the provisions of such regulations the contravention of which constitutes an offence;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences and a draft Regulation to amend the Regulation respecting regulatory offences as regards the cinema were published in Part 2 of the *Gazette officielle du Québec* of 12 May 2021 with a notice that they could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulations without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Culture and Communications:

THAT the Regulation to amend the Regulation respecting licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences and the Regulation to amend the Regulation respecting regulatory offences as regards the cinema, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences

Cinema Act
(chapter C-18.1, s. 167)

1. The Regulation respecting licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences (chapter C-18.1, r. 4) is amended by revoking section 34.

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

Regulation to amend the Regulation respecting regulatory offences as regards the cinema

Cinema Act
(chapter C-18.1, s. 168)

1. The Regulation respecting regulatory offences as regards the cinema (chapter C-18.1, r. 2) is amended in section 1 by replacing "34" by "33".

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

105311

Gouvernement du Québec

O.C. 1312-2021, 6 October 2021

Individual and Family Assistance Act
(chapter A-13.1.1)

Act respecting mainly the implementation of certain provisions of the Budget Speech of 10 March 2020
(2021, chapter 15, s. 44)

Individual and Family Assistance — Amendment

Regulation to amend the Individual and Family Assistance Regulation

WHEREAS, under paragraphs 2, 8, 9, 10 and 17 of section 132 of the Individual and Family Assistance Act (chapter A 13.1.1), for the purposes of the Social Assistance Program, the Government may make regulations

— determining the maximum amount of liquid assets referred to in the second paragraph of section 48 of the Act;

— prescribing special benefit amounts to provide for certain particular needs, and determining the cases in which and the conditions under which they are to be granted;

— determining what constitutes liquid assets and property;

— excluding, for the purpose of calculating a benefit, any or all of the income, earnings, benefits, liquid assets and property of a person eligible under the program; and

— prescribing a method for calculating a benefit for the month of application, and determining the maximum amount of liquid assets at the time of the application;

WHEREAS, under paragraph 2.1 of section 133 of the Act, as enacted by section 44 of the Act respecting mainly the implementation of certain provisions of the Budget Speech of 10 March 2020 (2021, chapter 15), for the purposes of the Social Solidarity Program, the Government may make regulations prescribing, for persons referred to in the second paragraph of section 72 of the Individual and Family Assistance Act, the periods that may be considered in calculating the time provided for in the first paragraph of that section and determining the cases in which and the conditions under which such periods are considered;

WHEREAS, under paragraph 6 of section 133.1 of the Act, for the purposes of the Aim for Employment Program, the Government may make regulations prescribing, for the purposes of section 83.5, a method for calculating the Aim for Employment benefit;

WHEREAS, under section 45 of chapter 15 of the Statutes of 2021, for the sole purposes of the second paragraph of section 72 of the Individual and Family Assistance Act, as amended by section 43 of chapter 15 of the Statutes of 2021, the first regulation made under paragraph 2.1 of section 133 of the Individual and Family Assistance Act, as enacted by section 44 of chapter 15 of the Statutes of 2021, may have retroactive effect from 1 October 2021;

WHEREAS the Government made the Individual and Family Assistance Regulation (chapter A 13.1.1, r. 1);

WHEREAS, under sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Individual and Family Assistance Regulation was published in Part 2 of the *Gazette officielle du Québec* on 14 July 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 Labour, Employment and Social Solidarity:

THAT the Regulation to amend the Individual and Family Assistance Regulation, attached hereto, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Individual and Family Assistance Regulation

Individual and Family Assistance Act
(chapter A-13.1.1, s. 132, pars. 2, 8, 9, 10 and 17, s. 133, par. 2.1, and s. 133.1, par. 6)

Act respecting mainly the implementation of certain provisions of the Budget Speech of 10 March 2020
(2021, chapter 15, s. 44)

1. The Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) is amended in section 54 by replacing "134 to 136, 138, except paragraph 10, and sections 139 to 141" in paragraph 1 by "134, 138, except paragraph 10, sections 138.1 and 139 to 141".

2. Section 86 is amended by inserting the following after the second paragraph:

"In the case of the special benefits in sections 97 and 98, the necessity of the need may be certified by an occupational therapist or a physiotherapist.".

3. Section 104 is amended in the second paragraph

(1) by replacing "$32" in subparagraph 1 by "$37.40";

(2) by replacing "$16" in subparagraph 2 by "18.70".

4. Section 111 is amended

(1) by inserting the following after paragraph 21:

"(21.1) the financial assistance aimed at contributing to support for a child born as a result of a sexual aggression received under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13);";

(2) by inserting the following after paragraph 28:

"(28.1) the monetary value of property supplied or services rendered, including in the form of food, housing or transportation, under an assistance program for emergency situations provided for in the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13);".

5. Sections 135, 136 and 137 are revoked.

6. Section 138 is amended by striking out paragraph 11.

7. The following is inserted after section 138:

"**138.1.** For the purpose of calculating a benefit, the lump sums paid to an independent adult or a member of the family to compensate for physical or mental impairment or injury are excluded up to a total value of $235,401.

In the case of a family, each member may benefit individually from that exclusion.

138.2. The exclusion provided for in section 138.1 applies as of the date of the payment of the sums referred to in that section, whether they are received in one or several payments, and 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.".

8. Section 149 is amended by replacing the first paragraph by the following:

"Property acquired by a person using sums referred to in section 138.1 are excluded for the purpose of calculating a benefit, up to the amount provided for in that section.".

9. Section 157.1 is amended by inserting the following after the second paragraph:

"For the purpose of calculating that period, the following periods are also taken into consideration:

(1) the months during which the parent of a person received, in respect of that person, the supplement for handicapped children requiring exceptional care pursuant to the Taxation Act (chapter I-3);

(2) the months during which a person received a disability pension or an additional amount for disability after retirement under the Act respecting the Québec Pension Plan (chapter R-9), except the months in which the recipient who receives it is no longer eligible under the Social Solidarity Program, where the number of those months totals more than 6 months, consecutive or not.".

10. Section 177.1 is amended by adding the following after subparagraph 13 of the third paragraph:

"(14) the amounts referred to in Schedules I, II and III.".

11. Section 177.6 is amended by replacing "section" in the first paragraph by "sections 138.1,".

12. Section 177.29 is amended

(1) by inserting the following after paragraph 19:

"(19.1) the financial assistance aimed at contributing to support for a child born as a result of a sexual aggression paid under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13);";

(2) by inserting the following after paragraph 22:

"(22.1) the monetary value of property supplied or services rendered, including in the form of food, housing or transportation, under an assistance program for emergency situations established under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13);".

13. Section 181 is amended

(1) by inserting "referred to in section 138.1 or" after "income replacement indemnity" in the first paragraph;

(2) by striking out the second paragraph.

14. Schedules I, II and III are replaced by the following:

"**SCHEDULE I**
(s. 96)

GLASSES AND LENSES

DIVISION 1
RULES OF APPLICATION

1.1 **Lenses and supplementary items**

1.1.1 Special benefits cover the cost of the lenses and supplementary items listed in subdivision 2.3 of Division 2 under the rates listed therein.

1.1.2 The cost of both lenses is reimbursed where the weaker eye requires a correction of at least 0.50 dioptres or use of a prism prescribed as a supplementary item. The prism must provide a correction of at least 1 dioptre in the weaker eye.

1.1.3 The cost of a lens is not reimbursed unless it was prescribed by an optometrist or a physician, except to replace a broken lens.

1.1.4 The cost of replacing lenses is paid when the recipient's vision requires a correction of at least 0.50 dioptres and, in the case of a dependent child, when the child's growth so requires.

In the case of accidental breakage, damage or loss, the special benefit may not exceed 75% of the amounts listed in subdivision 2.2 of Division 2.

1.1.5 A recipient who needs bifocal lenses but whose inability to wear them is certified by an optometrist or a physician is entitled to 2 pairs of glasses.

Special benefits may cover, for the purchase of those glasses, only the cost of the pair of bifocal lenses which the recipient is unable to wear, and the cost of 1 pair of frames under the rates listed in Division 2.

1.2 **Contact lenses**

1.2.1 Special benefits cover the cost of hard unifocal contact lenses, hard bifocal contact lenses, hard toric contact lenses and soft contact lenses provided on prescription under the rates listed in subdivision 2.4 of Division 2,

(*a*) upon medical or optometric prescription, when the correction otherwise obtained is not adequate and in any case of

i. myopia of at least 5 dioptres,

ii. hypermetropia of at least 5 dioptres,

iii. astigmatism of at least 3 dioptres,

iv. anisometropia of at least 2 dioptres,

v. keratoconus, or

vi. aphakia, or

(*b*) upon medical prescription, for treatment of any acute or chronic pathology of the eyeball, such as ocular perforation, ulceration of the cornea or dry keratitis.

1.2.2 Special benefits cover the cost of replacing contact lenses under the rates listed in subdivision 2.4 of Division 2

(*a*) when the recipient's vision requires a correction of at least 0.50 dioptres; and

(*b*) in the case of accidental breakage, damage or loss.

1.3 **Frames**

1.3.1 Special benefits cover the cost of purchasing 1 pair of frames under the rates listed in subdivision 2.5 of Division 2, once per 24-month period for an adult and whenever necessary for a dependent child.

1.3.2 When an adult's frames have been accidentally broken or lost, special benefits cover the cost of replacing the frames under the rates listed in subdivision 2.5 of Division 2; in such a case, the cost of another pair of frames may be paid only 24 months after the date of replacement.

DIVISION 2
RATES

2.1 **General**

2.1.1 The notion of "replacement" used in this Schedule concerns situations where a special benefit has already been granted to pay the cost, as the case may be, of a pair of frames, lenses or contact lenses.

2.1.2 The rates in this Division apply for 1 lens, except for the replacement of 2 contact lenses.

2.1.3 The rates in this Division for one bifocal lens apply to a round bifocal lens.

2.1.4 The cylinder must always be calculated in minus terms (-) to determine to which category a spherical or spherico-cylindrical lens belongs.

2.2 **Lenses**

Spherical power	Cylindrical power	Unifocal lens	Bifocal lens
Plano to 4.00		$17.40	$34.80
Plano to 4.00	-0.25 to -3.00	$22.80	$42.60
Plano to 4.00	-3.25 to -6.00	$31.20	$50.40
4.25 to 10.00		$23.40	$40.80
4.25 to 10.00	-0.25 to -3.00	$33.00	$55.20
4.25 to 10.00	-3.25 to -6.00	$41.40	$63.60
10.25 to 12.00		$36.60	$85.80
10.25 to 12.00	-0.25 to -3.00	$45	$93
10.25 to 12.00	-3.25 to -6.00	$49.20	$100.20

2.3 **Supplementary items**

Prism 1 to 7 dioptres: $7.20

Prism 7.25 to 10 dioptres: $10.80

Compensatory prism: $30

Spherical exceeding 12 dioptres: $16.80

Cylindrical exceeding 6 dioptres: $13.20

Addition exceeding 4 dioptres: $10.80

Fresnel lens: $16.80

Safety mineral lens (dependent child only): $4.80

Scratch-resistant coating for organic lenses (dependent child only): $4.80

High index unifocal lens (1.6 or more) if there is a correction of at least 8 dioptres: $26.40

2.4 **Contact lenses**

2.4.1 Purchase or replacement when the correction required is at least 0.50 dioptres

— Spherical lens: $75 each

— Toric lens: $78 each

2.4.2 Replacement due to accidental breakage, damage or loss

— 1 lens: $60

— 2 lenses: $114

2.5 **Frames**

— Purchase: $60

— Replacement due to accidental breakage or loss (adults): $48

SCHEDULE II
(s. 97)

ORTHOPEDIC SHOES AND PLANTAR ORTHOSES

DIVISION 1
RULES OF APPLICATION

1.1 Special benefits cover the cost of custom orthopedic shoes and plantar orthoses up to the maximum amount indicated in the rates listed in Division 2; however, in the case of an orthopedic shoe referred to in paragraph 2.1.1, special benefits cover the cost of only 1 pair of shoes per adult not more than once in a 12-month period, and only for the cost in excess of $50.

In the case of plantar orthoses, benefits cover the cost of a single pair during the first year of the initial fitting.

1.2 The rate for corrective shoes covers standard corrective shoes whether, open, closed or straight toed.

1.3 The rate for a wedge or elevation applies to each shoe and the rate for Thomas heels applies to the pair of shoes.

1.4 Special benefits cover the cost of replacement of plantar orthoses only once per 2-year period, unless a replacement is needed for a dependent child due to the child's growth.

DIVISION 2
RATES

2.1 **Shoes**

2.1.1 Shoes manufactured from a plaster, wood or plastic cast, individual or universal: $600 a pair

2.1.2 Standard corrective shoes, whether open, closed or straight toed (child): $36 a pair

2.2 **Plantar orthoses (foot orthoses or podiatric orthoses):** $216 a pair

2.3 **Wedge (inside or outside)**

— sole: $18

— heel: $24

2.4 **Thomas heels (child):** $18 a pair

2.5 **Elevation of sole and heel**

— less than 15 mm in height: $30

— between 15 and 30 mm in height: $60

— over 30 mm in height: $90

SCHEDULE III
PROSTHESES, ORTHOSES AND ACCESSORIES

DIVISION 1
RULES OF APPLICATION

1.1 Special benefits cover the cost of prostheses, orthoses and accessories up to the maximum amount indicated in the rates listed in Division 2, insofar as the cost is not borne by the Régie de l'assurance maladie du Québec.

1.2 Special benefits cover the rental cost up to the maximum amount indicated in the rates listed in Division 2, insofar as the cost, considering the duration of the need, does not exceed the purchase cost.

1.3 The cost of the articles listed under the heading "Elimination System" is not paid if the recipient already receives special benefits for paraplegia.

DIVISION 2
RATES

2.1 **Hernia belts, all sizes (including pads)**

— single: $48

— double: $81.60

2.2 **Orthopedic supports**

2.2.1 Sacro-iliac supports, all sizes: $90

2.2.2 Sacro-lumbar supports, all sizes (including 2 steel stays)

— men: $90

— women: $102

2.2.3 Dorso-lumbar corsets (including garters, perineal strap and steel stays)

— men: $180

— women: $186

2.3 **Straps (cotton, all sizes)**

2.3.1 Straps (post-operative belts): $44.40

2.3.2 Thoracic supports: $21.60

2.3.3 Abdominal binders: $44.40

2.3.4 Arm straps (supports): $9.60

2.3.5 Shoulder straps (supports): $48

2.4 **Elastic stockings**

2.4.1 20 mm compression

— knee-high: $70.80

— above-knee: $92.40

— tights: $109.20

— maternity: $116.40

2.4.2 30 to 70 mm compression

— knee-high: $70.80

— above-knee: $92.40

— groin: $106.80

— half-tights: $78

— tights: $168

2.5 **Cervical orthoses**

2.5.1 Cervical collars, soft or rigid: $24

2.5.2 Cervical traction set, complete, with bag and chin support: $48

2.6 **Orthoses, upper limbs**

2.6.1 Elbow supports (elastic): $30

2.6.2 Elbow orthoses (elastic): $42

2.7 **Orthoses, lower limbs**

2.7.1 Ankle supports: $30

2.7.2 Ankle orthoses, all sizes: $48

2.7.3 Knee supports: $56.40

2.7.4 Elastic knee braces: $72

2.7.5 Knee braces with metal hinges: $110.40

2.7.6 Knee braces (hinge free): $76.80

2.8 **Elimination system**

2.8.1 Catheter – Probe (each)

— short duration: $7.14

— long duration: $32.16

2.8.2 Strips, adaptors, glue and straps (each)

— Urihesive strips: $6.54

— Self-adhesive elastic strips: $0.18

— Adaptors: $4.62

— Catheter glue (118-ml container): $32.88

— Leg bag straps: $9.54

2.8.3 Tubes and syringes (each)

— Latex tube: $0.90

— Extension tube: $12.12

— Plastic tube clip: $3.30

— Plastic tube clamp: $4.62

— Disposable syringe: $2.58

— Stomach tube, all sizes: $9.60

2.8.4 Drainage bags (unit): $17.16

2.8.5 Urinal

— Complete, reusable bag not included (Davol type): $162

2.8.6 Tray (each)

— Irrigation tray: $7.86

— Catheterization tray – Probe: $6.30

2.8.7 Incontinence pants (case): $72

2.8.8 Incontinence diapers (case): $66

2.8.9 Underpads

— Disposable (each): $0.48

— Washable (package): $36

2.8.10 Sodium chloride or sterile water (500 ml): $5.82

2.9 **Miscellaneous**

2.9.1 Commode chair

— stationary: $180

— adjustable: $374.40

2.9.2 Adjustable toilet seat: $96

2.9.3 Adjustable toilet safety rail

— each: $43.20

— pair: $75.60

2.9.4 Bath bench

— with back: $72

— without back: $54

2.9.5 Bathtub and toilet rail, all lengths

— straight: $25.20

— "L" shaped: $63.60

2.9.6 Bandages and dressings (each)

— Bandage: $11.70

— Sterile dressing: $2.34

— Non-sterile dressing: $0.18

— Antiseptic or aseptic swab: $0.06

2.9.7 Lubricant, solvent and solution

— Lubricant (packet): $0.12

— Lubricant (tube): $6.12

— Solvent (packet): $0.53

— Antiseptic solution (100 ml): $3.96

2.9.8 Gloves and towels (each)

— Sterile glove: $0.78

— Non-sterile glove: $0.18

— Antiseptic or aseptic towel: $0.18

2.9.9 Eggshell mattress pad: $36

2.10 **Ambulatory aids**

2.10.1 Canes

— wood: $19.20

— aluminum (adjustable): $36

2.10.2 Crutches

— wood: $24

— aluminum: $55.20

— forearm: $123.60

2.10.3 Adjustable walkers: $106.80

2.10.4 Wheelchair: $621.60

2.11 **Hospital beds**

2.11.1 Hospital bed: $522

2.11.2 Mattress: $130.80

2.11.3 Bed rails (pair): $156

2.12 **Breathing apparatus**

2.12.1 Model suitable for home use: $309.60

2.12.2 Aerosol compressor: $300

2.13 **Rental**

2.13.1 Wheelchairs: $42/month

2.13.2 Ambulatory aids: $7.20/month

2.13.3 Hospital beds: $82.80/month

2.13.4 Breathing apparatus

— all kinds including: mechanical ventilators, oxygen enrichers, secretion suction devices: $600/month

— oxygen concentrator: $300/month.".

TRANSITIONAL AND FINAL

15. Sections 54, 135, 136, 137, 149 and 181 of the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1), as they read on 31 December 2021, continue to apply, with respect to the sums referred to in sections 135 and 136, to the independent adult or a member of the family who has already received the sums referred to in those sections and who, on that date, is a recipient under a last resort financial assistance program or the Aim for Employment Program, or is eligible to receive dental and pharmaceutical services pursuant to section 48 of the Regulation, so long as the independent adult or the member of the family remains, without interruption, a recipient of the program or is eligible to receive those services.

For the purposes of the first paragraph, section 136 is deemed to have always been read by including the cases provided for in Schedule I.

16. The amount referred to in section 138.1 of the Individual and Family Assistance Regulation, as enacted by section 7 of this Regulation, is increased on 1 January 2022 according to section 177.6 of the Individual and Family Assistance Regulation.

The Minister is to inform the public of the increase under this section in Part I of the *Gazette officielle du Québec* and by such other means as the Minister considers appropriate.

17. Section 9 has effect from 1 October 2021.

18. Section 177.1 of the Individual and Family Assistance Regulation, as amended by section 10 of this Regulation, applies as of 1 January 2023.

19. This Regulation comes into force on 1 January 2022, except sections 9 and 17, which come into force on 1 November 2021.

SCHEDULE I
(Section 15)

The cases referred to in the second paragraph of section 15 of this Regulation are those for which sums were paid to an independent adult or a member of the family under

1. the resolution process between the Government of Canada and the Sayisi Dene First Nation owing to the relocation of persons of that Nation in the 1950s and the 1960s;

2. the Entente concernant la reconnaissance par le Québec de l'effet sur la société inuite de l'abattage de Qimiit (chiens de traîneau) du Nunavik entre 1950 et 1970, approved by Décret 795-2011 dated 3 August 2011, amended by Décret 175-2012 dated 21 March 2012;

3. the constitution on 6 March 1996 of the High Artic Relocatee Trust (HART Trust), amended by the Superior Court judgment rendered on 23 August 2010, concerning the relocation of certain persons to the High Artic;

4. the Superior Court judgment rendered on 22 December 2005 and amended in part by the Court of Appeal on 7 August 2007 following a class action brought against several residential and long-term care centres concerning persons who resided in those centres and who did not receive free laundry services;

5. the Supreme Court of Canada judgment rendered on 20 November 2008 following a class action brought against Ciment du Saint-Laurent inc. concerning persons who suffered neighbourhood disturbances related to the enterprise's activities;

6. the Superior Court judgments rendered on 18 March and 21 May 2009 approving the transactions following a class action brought against the Institut Philippe-Pinel de Montréal and the Attorney General of Québec concerning users of the institute between 1999 and 2002;

7. the Superior Court judgment rendered on 25 September 2009 approving the settlement agreement established following a class action brought against several hospital centres concerning persons who had to wait for radiotherapy treatments;

8. the Superior Court judgment rendered on 1 April 2010 approving an agreement following a class action brought against St. Jude Medical inc. and St. Jude Medical Canada inc. concerning persons who suffered problems following a heart valve implant;

9. the Superior Court judgment rendered on 18 June 2010 approving the transaction following a class action brought against Eli Lilly Canada inc. and Eli Lilly and Company concerning persons who were prescribed and who took Zyprexa;

10. the conciliation agreement in 2011 concerning the compensation of sexual abuse victims of the Diocese of Bathurst in New Brunswick;

11. the Superior Court judgment rendered on 6 December 2011 approving the transaction following a class action brought against La province Canadienne de la Congrégation de Sainte-Croix and the Collège Notre-Dame-Du-Sacré-Cœur concerning persons who suffered sexual abuse when they were students between 1 September 1950 and 1 July 2001;

12. the Superior Court judgment rendered on 9 December 2011 approving the agreement following a class action brought against the Attorney General of Québec and the Agence du Revenu du Québec concerning the fuel tax paid by registered Indians;

13. the Superior Court judgment rendered on 4 October 2012 approving the transaction following a class action brought in particular against Merck & Co inc. concerning the medication Vioxx;

14. the Settlement Agreement of 2 April 2013 between the Government of Canada and the Nipissing First Nation concerning the claim regarding the boundaries of Nipissing Indian Reserve No. 10;

15. the Ontario Superior Court of Justice judgment rendered on 8 May 2013 approving the agreement following a class action brought against Pfizer Canada inc. and Pfizer inc. concerning persons who were prescribed and who took Neurontin;

16. the Superior Court judgment rendered on 28 May 2013 approving the agreement and transaction following a class action brought against Résidence St-Charles-Borromée concerning users who suffered damage between 1 January 1995 and 3 March 2006;

17. the Superior Court judgment rendered on 9 September 2014 approving the agreement following a class action brought against Hôpital Rivière-des-Prairies concerning persons who were admitted or registered from 1985 to 2000;

18. the Superior Court judgment rendered on 17 October 2014 approving the agreement following a class action brought against Collège Saint-Alphonse and Les Rédemptoristes concerning persons who, between 1960 and 1987, were students at Séminaire Saint-Alphonse;

19. the agreement on 8 November 2014 between Ontario Power Generation and the Gull Bay First Nation, in Ontario, following floods caused by the construction of dams on the Nipigon River and the diversion of the Ogoki River in the 1918s;

20. the Superior Court judgment rendered on 26 March 2015, following a class action brought against the Société d'habitation du Québec concerning the reduction of a subsidy provided for in rent supplement programs between July 2004 and January 2015;

21. the agreement on 29 April 2015 between the Government of Canada and the Listuguj Mi'gmaq First Nation concerning the loss of use of ancestral lands;

22. the Superior Court judgment rendered on 15 May 2015 approving the agreement following a class action brought against the Centre hospitalier régional du Suroît de Valleyfield concerning persons who were subject to isolation or restraint measures from 11 June 2005 to 11 June 2008;

23. the Superior Court, Commercial Division, judgment rendered on 3 August 2015 approving the arrangement and transaction plan following the bankruptcy of Montreal, Maine & Atlantic Canada co., particularly in connection with the rail tragedy in Ville de Lac-Mégantic on 6 July 2013;

24. the Superior Court judgment rendered on 16 February 2016 approving the settlement agreement following a class action brought against the Clercs de Saint-Viateur of Canada and the Institut Raymond-Dewar;

25. the Ontario Superior Court of Justice judgment rendered on 28 April 2016 approving and agreement following a class action brought against the province of Ontario concerning persons with developmental disorders or delays, for damages suffered between the 1966s and 1999s in various institutions intended to provide, in particular, hospital care and activities;

26. the Superior Court judgment rendered on 1 June 2016 approving the transaction following a class action brought against Hôpital Lachine concerning the incomplete cleaning process of an instrument used for bariatric surgeries between March 2012 and March 2014;

27. the Superior Court judgment rendered on 4 July 2016 approving the transaction following a class action brought in particular against Zimmer inc. concerning persons who had problems with the Durom Cup hip prosthesis;

28. the implementation on 9 March 2017 of the 1974 Valcartier Grenade Incident Program for health care support and financial recognition for the victims of the 1974 accidental grenade explosion at the Canadian Forces Base Valcartier cadet camp;

29. the Federal Court judgment rendered on 28 March 2018 approving the final settlement agreement following a class action brought against the Attorney General of Canada concerning the current and former members and employees of the Canadian Armed Forces, the Royal Canadian Mounted Police and the federal public service targeted by policies between 1 December 1955 and 20 June 1996 because of their sexual orientation, their gender identity or their gender expression;

30. the judgments rendered by the Federal Court on 11 May 2018 and the Ontario Superior Court of Justice on 20 June 2018 approving the national settlement following various class actions brought against the Attorney General of Canada for compensating survivors for wrongs suffered during the "Sixties Scoop";

31. the Superior Court judgment rendered on 22 May 2018 approving the settlement agreement following a class action brought against Johnson & Johnson inc. and Depuy Orthopaedics inc. concerning persons who received a defective hip prosthesis between July 2003 and August 2010;

32. the Superior Court judgment rendered on 11 December 2018 approving a transaction following a class action brought against, in particular, the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale and the Attorney General of Québec concerning an outbreak of legionellosis in Ville de Québec;

33. the settlement agreement in January 2019 following a class action brought against the Government of Canada concerning failures respecting Canada's fiduciary obligations and its obligations of disposition of land of the Kitigan Zibi Anishinabeg Reserve to develop Ville de Maniwaki;

34. the Federal Court judgment rendered on 30 January 2019 approving the settlement agreement following a class action concerning the reduction of an allowance paid to the members and veterans of the Canadian Armed Forces between 1 April 2006 and 29 May 2012, owing to the deduction of the disability benefits under the Pension Act (Revised Statutes of Canada (1985), chapter P-6);

35. the Federal Court judgment rendered on 19 August 2019 approving the settlement agreement following a class action brought against the Attorney General of Canada concerning the wrongs suffered by persons attending federal Indian day schools;

36. the judgment rendered by the Ontario Superior Court of Justice on 4 October 2019 approving the settlement agreement following a class action brought against, among others, American Medical Systems Canada Inc., concerning woman's pelvic mesh devices;

37. the Superior Court judgment rendered on 13 December 2019 approving a transaction following a class action brought against Canadian Malartic GP to compensate the persons who suffered damages owing the enterprises activities between 16 June 2014 and 31 December 2018;

38. the individual agreements in 2020 with Bard Canada inc., concerning the problems caused by IVC filters (inferior vena cava filters);

39. the Ontario Superior Court of Justice judgment rendered on 2 March 2020 approving the settlement agreement following a national class action brought against Medtronic inc. and Medtronic of Canada Ltd concerning persons who received certain models of Sprint Fidelis leads;

40. the Superior Court judgment rendered on 19 April 2021 approving the transaction following a class action brought against the Attorney General of Québec concerning the compensation of inmates who were strip searched following a release order.

105315

M.O., 2021

Order of the Minister of the Environment and the Fight Against Climate Change dated 28 September 2021

Corrections to the French text and the English text of the Regulation respecting halocarbon destruction projects eligible for the issuance of offset credits

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

CONSIDERING the making of the Regulation respecting halocarbon destruction projects eligible for the issuance of offset credits by Order of the Minister of the Environment and the Fight Against Climate Change dated 11 June 2021 regarding the Regulation respecting halocarbon destruction projects eligible for the issuance of offset credits;

CONSIDERING that errors have slipped into the French text and the English text of subparagraph *b* of the first paragraph of section 59;

CONSIDERING that it is expedient to correct those errors so that the French text and the English text of the Regulation are in compliance;

ORDERS AS FOLLOWS:

The French text and the English text of the Regulation respecting halocarbon destruction projects eligible for the issuance of offset credits, made by Order of the Minister of the Environment and the Fight Against Climate Change dated 11 June 2021 regarding the Regulation respecting halocarbon destruction projects eligible for the issuance of offset credits, are amended by replacing, in subparagraph *b* of the first paragraph of section 59,

—"HFC-143a" by "HFC-134a";

—"HFC-254fa" by "HFC-245fa".

Québec, 28 September 2021

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

105309

M.O., 2021

Order of the Minister of Municipal Affairs and Housing dated 27 September 2021

Act respecting municipal taxation
(chapter F-2.1)

Regulation to amend the Regulation respecting the real estate assessment roll

THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING,

CONSIDERING subparagraph 1 of the first paragraph of section 263 of the Act respecting municipal taxation (chapter F-2.1), which provides that the Minister of Municipal Affairs and Housing may by regulation prescribe the form and content of the property assessment roll and the roll of rental values; prescribe the process by which the rolls are to be prepared and kept up to date; prescribe the information to be collected and established for the purpose of preparing the rolls and keeping them up to date, the form in which it must be sent to a person who is entitled to obtain it under the law and the information that is to accompany the rolls on their deposit; prescribe rules to favour continuity between successive rolls; require the assessor to transmit to the Minister, free of charge, the information included in the summary of the roll in the cases and according to the rules determined by the Minister; refer to a manual containing matters contemplated by the Act, as it exists at the time that the assessor must apply it, provided that the Minister gives notice in the *Gazette officielle du Québec* of each updating of the manual made after the coming into force of the regulations under the paragraph;

CONSIDERING the making of the Regulation respecting the real estate assessment roll by the Minister of Municipal Affairs and Housing by Minister's Order dated 1 September 1994 (1994, G.O. 2, 4104), amended by Minister's Order dated 14 June 2000 (2000, G.O. 2, 3423), by Minister's Order dated 20 July 2010 (2010, G.O. 2, 2415), by Minister's Order dated 8 June 2015 (2015, G.O. 2, 1102) and by Minister's Order dated 21 July 2017 (2017, G.O. 2, 2216);

CONSIDERING that it is expedient to further amend the Regulation;

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the real estate assessment roll was published in Part 2 of the *Gazette officielle du Québec* of 7 July 2021 with a notice that it could be made on the expiry of 45 days following that publication and that any person could submit written comments within the 45-day period;

CONSIDERING that no comments were received;

CONSIDERING that it is expedient to make the Regulation without amendment;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting the real estate assessment roll, attached to this Minister's Order, is hereby made.

Québec, 27 September 2021

ANDRÉE LAFOREST
Minister of Municipal Affairs and Housing

Regulation to amend the Regulation respecting the real estate assessment roll

Act respecting municipal taxation
(chapter F-2.1, s. 263)

1. The Regulation respecting the real estate assessment roll (chapter F-2.1, r. 13) is amended in section 1 by replacing "by Les Publications du Québec" in the definition of "Manual" by "on the website of the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire".

2. Section 20 is amended by adding the following at the end:

"The Minister may publish, in an open document format or in another manner that the Minister determines, the entries in the roll concerning an assessment unit, except the name and address of the person in whose name a unit is entered on the roll. The first two paragraphs do not apply to such publication by the Minister.".

3. This Regulation comes into force on the 1 November 2021.

105307

Draft Regulations

Draft Regulation

Act respecting collective agreement decrees
(chapter D-2)

Automotive services industry
– Lanaudière-Laurentides
— Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (chapter D-2), that the Minister of Labour, Employment and Social Solidarity has received an application from the contracting parties to amend the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (chapter D-2, r. 9) and that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the Decree to amend the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree amends the definitions of journeyman and service attendant provided for in the Decree and specifies the salary conditions for employees who hold a qualification certificate for a trade that will no longer require the certificate.

The regulatory impact study shows that the amendments have no impact on employees and professional employers.

Further information on the draft Regulation may be obtained by contacting Louis-Philippe Roussel, Direction des politiques du travail, Ministère du Travail, de l'Emploi et de la Solidarité sociale, 425, rue Jacques-Parizeau, 5e étage, Québec (Québec) G1R 4Z1; telephone: 581 628-8934, extension 80149, or 1 888-628-8934, extension 80149 (toll free); email: louis-philippe.roussel@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, 4e étage, Québec (Québec) G1R 4Z1; email: ministre@mtess.gouv.qc.ca.

Jean Boulet
Minister of Labour, Employment and Social Solidarity

Decree to amend the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions

Act respecting collective agreement decrees
(chapter D-2, ss. 2, 4, 6 and 6.1)

1. The Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (chapter D-2, r. 9) is amended in section 1.01

(1) by replacing paragraph 5 by the following:

"(5) "journeyman": employee whose duties are related mainly to performing one or another of the following tasks: maintenance, tests, inspection, changes and alterations or other work of the same type, necessary or useful to keep a vehicle in good working order, and who has been qualified by the parity committee for one or more of the following trades: bodyman, mechanic, painter, wheel aligner;";

(2) by replacing paragraph 13 by the following:

"(13) "service attendant": employee whose duties are related mainly to one or another of the following tasks: inspection or visual inspection only, lubricating, changing oil, applying anti-rust, balancing wheels, installing or repairing tires, tire pressure sensors, windshield wipers, light bulbs, filters, mufflers, except parts of those systems included between the engine and the catalyst inclusively, and installing or boosting road vehicle batteries. A service attendant may also change all fluids except for the air conditioning system. A service attendant may also restore to its initial condition the oil change indicator and the tire pressure indicator.

A service attendant may perform the duties mentioned in the preceding paragraph only insofar as those duties do not require the service attendant to handle other parts or other components of a system.

A service attendant may not carry on any other task included in the duties of a trade without holding an apprenticeship card for the trade, regardless of the proportion of such tasks in relation to all the tasks the service attendant is authorized to carry out;".

2. The following is inserted after section 13.01:

"**DIVISION 14.00**
TRANSITIONAL

14.00. As of (*insert the date of publication of the Decree in the Gazette officielle du Québec*), the parity committee ceases to deliver qualification certificates for the trades of electrician, radiator specialist and automatic transmission specialist.

Employees who hold such a certificate retain the wage rate corresponding to their classification of journeyman applicable on that date with any salary increases for as long as they continue to perform the duties related to their certificate.".

3. This Decree comes into force on (*insert the date of its publication in the Gazette officielle du Québec*).

105314

Draft Regulation

Public Curator Act
(chapter C-81)

An Act to amend the Civil Code, the Code of Civil Procedure, the Public Curator Act and various provisions as regards the protection of persons
(2020, chapter 11)

Application of the Public Curator Act —Amendment

Notice is hereby given in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) that the draft Regulation to amend the Regulation respecting the application of the Public Curator Act, appearing below, may be made by the government upon the expiry of 45 days following this publication.

This draft Regulation is consequential upon amendments to the Public Curator Act (Chapter C-81) pursuant to the Act to amend the Civil Code, the Code of Civil Procedure, the Public Curator Act and various provisions as regards the protection of persons (2020, chapter 11).

The purpose of this draft Regulation is to establish the form and content of medical and psychosocial assessment reports necessary for the institution of a tutorship to a person of full age and for the temporary representation of an incapable person of full age, to establish the form and content of the documents necessary for the recognition of an assistant to a person of full age and the manner in which they are to be transmitted, and to determine the information to be entered in the registers maintained by the Public Curator and the applicable rules for consulting such registers.

This draft Regulation also makes consequential amendments to reflect the amendments regarding medical and psychosocial assessment reports necessary for the institution of a tutorship to a person of full age.

This draft Regulation has no impact on enterprises specifically small or medium-sized enterprises.

Further information on the draft Regulation may be obtained by contacting Me Stéphanie Beaulieu, Direction générale des affaires juridiques, Public Curator of Québec, 600, boulevard René-Lévesque Ouest, Montréal (Québec) H3B 4W9; telephone: 514 873-5535; e-mail: stephanie.beaulieu@curateur.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Me Denis Marsolais, Public Curator, 600, boulevard René-Lévesque Ouest, Montréal (Québec) H3B 4W9; e-mail: denis.marsolais@curateur.gouv.qc.ca. The Public Curator will forward all comments to the Minister of Families.

Mathieu Lacombe
Minister of Families

Regulation to amend the Regulation respecting the application of the Public Curator Act

Public Curator Act
(c. C-81, s. 68, subsections (2), (3), (3. 1), (3. 2), (3. 3) and (6))

An Act to amend the Civil Code, the Code of Civil Procedure, the Public Curator Act and various provisions as regards the protection of persons
(2020, c. 11, s. 153)

1. The Regulation respecting the application of the Public Curator Act (c. C-81, r. 1) is amended by replacing section 1 with the following:

"**1.** For the application of section 14 of the Public Curator Act (c. C-81), the executive director of a health or social services institution shall forward to the Public Curator the following information and documents concerning a person of full age:

(1) the name of the institution that is treating or providing services to the person of full age;

(2) the medical and psychosocial assessments resulting from the examination of the person of full age, including the information required under sections 1.1 and 1.2;

(3) the opinion of the executive director of a health or social services institution or, where applicable, of the director of professional services of the hospital centre, confirming the incapacity of the person of full age and his need for representation.

"**1.1.** The medical assessment report necessary for the institution of tutorship to the person of full age must contain the following information:

(1) the identification of the person of full age indicating his name as well as the name, if any, he is commonly using, his date of birth, gender, health insurance number, address, e-mail address, if any, and telephone number;

(2) the circumstances giving rise to the application for assessment, the name of the applicant and his relationship to the person of full age;

(3) the date of the examinations conducted by the assessor, the date of the initial meeting with the person of full age, the identification of each person consulted indicating his name, relationship to the person of full age, telephone number, date of consultation and identification of the relevant documents consulted by the assessor and referred to in his report;

(4) the diagnosis respecting the incapacity of the person of full age, the date thereof and the severity of his symptoms;

(5) the relevant medical history of the person of full age, the relevant physical examination, his intellectual and cognitive functions tests, the assessment of his decision-making faculties with respect to self-care and the administration of his property, his relevant paraclinical examination and the risk assessment indicating the impact of the diagnosis respecting his inability to take care of himself or administer his property;

(6) the wishes and preferences of the person of full age regarding the application for the institution of tutorship, if any;

(7) the opinion of the assessor regarding the nature of the incapacity of the person of full age;

(8) the time limit recommended for the medical reassessment and the reasons in support thereof;

(9) the identification of the assessor indicating his name, professional permit number, professional address, e-mail address and telephone number.

The aforementioned medical assessment report must be made on the form provided on the website of the Public Curator and must be signed and dated by the assessor.

"**1.2.** The psychosocial assessment report necessary for the institution of tutorship to the person of full age must contain the following information:

(1) the identification of the person of full age indicating his name as well as the name, if any, he is commonly using, his date of birth, gender, health insurance number, address, e-mail address, if any, telephone number, the name of each parent, his legal status and, if applicable, the name of the Aboriginal community to which he belongs, his civil status and, as the case may be, the name of his spouse;

(2) the circumstances giving rise to the application for assessment, the name of the applicant and his relationship to the person of full age;

(3) the date of the examinations conducted by the assessor, the identification of each person consulted indicating his name, relationship to the person of full age, telephone number, date of consultation and identification of the relevant documents consulted by the assessor and referred to in his report;

(4) a description of the living environment of the person of full age, his needs and his wishes and preferences with regard thereto;

(5) where the person of full age has conferred a protection mandate, the information known in respect thereof, including its form, date, the identification of the notary if any, the identification of the mandataries and replacement mandataries, the intention of the mandataries regarding the homologation of the mandate and, as the case may be, the reasons for not homologating the mandate;

(6) if the protection mandate has been homologated, any known information establishing that it is inadequate or has not been faithfully carried out;

(7) the identification of pending or future legal or administrative proceedings if any, involving the person of full age and all information known in respect thereof;

(8) the psychosocial situation of the person of full age in relation to his incapacity and his need for representation, in particular his environment, the extent of his needs and all other circumstances of his condition, specifically the aspect of his psychosocial history pertaining to his incapacity and

his need for representation, the composition and dynamics of his family and social network, the social roles played by the person of full age, and a description of any abusive or exploitative situations that the person of full age is in or is suspected of being in;

(9) the financial situation of the person of full age, specifically the composition of his patrimony, if known, including his principal sources of income, main recurring expenditures, his assets and liabilities, the name of the administrator of his property and his relationship to the person of full age and the authority pursuant to which he acts;

(10) the assessment of the faculties of person of full age as regards his decision-making abilities, functional autonomy and ability to exercise his civil rights including the right to choose his living environment and the people with whom he associates, the right to enter into contracts to meet his ordinary and usual needs, the right to administer the proceeds of his work, to perform acts related to his employment, craft or profession and to exercise his right to vote;

(11) the names of the persons who wish to be appointed as tutor and as replacement tutor, as the case may be;

(12) the names of the relatives, persons connected by marriage or a civil union or friends of the person of full age who have been consulted and their respective opinions regarding the application for the institution of tutorship, the terms and conditions thereof and the person proposed to act as a tutor or replacement tutor;

(13) the opinion of the person of full age as regards his faculties, the institution of a tutorship, the terms and conditions thereof and the person proposed to act as a tutor or replacement tutor;

(14) the identification of the persons to be called to a meeting of relatives, persons connected by marriage or a civil union or friends indicating each person's name, relationship to the person of full age, address, e-mail address, if any, and telephone number;

(15) the opinion of the assessor as regards the incapacity of the person of full age and his need for representation, the nature of the tutorship, the advisability of modifying or clarifying the rules concerning the capacity of the person of full age in light of his faculties and as regards the persons wishing to be designated as a tutor or a replacement tutor;

(16) the identification of a relative to whom custody of the person of full age could be entrusted if the assessor recommends that the Public Curator should be designated as tutor;

(17) the need to apply for provisional protective measures and the grounds for the application;

(18) the time limit recommended for the psychosocial reassessment and the reasons in support thereof;

(19) the identification of the special needs of the person of full age should it be necessary to interview him;

(20) the identification of the person responsible for the psychosocial follow-up of the person of full age indicating his name, profession, place of practice and telephone number;

(21) the identification of the assessor indicating his name, professional permit number, professional address, e-mail address and telephone number.

The aforementioned psychosocial assessment report must be made on the form provided on the website of the Public Curator and must be signed and dated by the assessor. The report must also be accompanied by a copy of the birth certificate of the person of full age or, failing which, a copy of some other proof of identity.

"**1.3.** The medical assessment report necessary for the release from or the modification of the tutorship to a person of full age must contain the following information:

(1) the identification of the person of full age indicating his name as well as the name, if any, he is commonly using, his date of birth, gender, health insurance number, address, e-mail address, if any, telephone number, and the nature of the tutorship;

(2) the circumstances giving rise to the application for assessment, the name of the applicant and his relationship to the person of full age;

(3) the date of each examination conducted by the assessor, the date of the initial meeting with the person of full age, the identification of each person consulted indicating his name, relationship to the person of full age, telephone number, date of consultation and identification of the relevant documents consulted by the assessor and referred to in his report;

(4) the diagnosis regarding the incapacity of the person of full age, the date thereof and the severity of his symptoms;

(5) the relevant medical history of the person of full age, the relevant physical examination, his intellectual and cognitive functions tests, the assessment of his decision-making faculties with respect to self-care and the administration of his property, his relevant paraclinical assessment

and the risk assessment demonstrating the consequences of the diagnosis respecting his inability to take care of himself or administer his property;

(6) the wishes and preferences of the person of full age concerning his reassessment, if any;

(7) the opinion of the assessor regarding the nature of the incapacity of the person of full age, and his recommendation concerning the release from or modification of the tutorship;

(8) the new time limit recommended for a medical reassessment and the reasons in support thereof, where applicable;

(9) the identification of the assessor indicating his name, professional permit number, professional address, e-mail address and telephone number.

The aforementioned medical assessment report must be made on the form provided on the website of the Public Curator and must be signed and dated by the assessor.

"**1.4.** The psychosocial assessment report necessary for the release from or the modification of the tutorship to a person of full age must contain the following information:

(1) the identification of the person of full age indicating his name as well as the name, if any, he is commonly using, his date of birth, gender, health insurance number, his address, e-mail address, if any, telephone number, civil status and, as the case may be, the name of his spouse;

(2) the nature and terms and conditions of the tutorship and the identification of each tutor;

(3) the circumstances giving rise to the application for reassessment, the name of the applicant and his relationship to the person of full age;

(4) the date of the examinations conducted by the assessor, the identification of each person consulted indicating his name, relationship to the person of full age, telephone number and date of consultation and identification of the relevant documents consulted by the assessor and referred to in his report;

(5) the psychosocial situation of the person of full age that explains the changes relating to his incapacity and his need for representation, including his environment, the extent of his needs and the other circumstances of his condition and the social roles played by the person of full age;

(6) a summary description of the financial situation of the person of full age;

(7) the assessment of the faculties of the person of full age as regards his decision-making abilities, functional autonomy and ability to exercise his civil rights including the right to choose his living environment and the people with whom he associates, the right to enter into contracts to meet his ordinary and usual needs, the right to administer proceeds of his work, to perform acts related to his employment, craft or profession and to exercise his right to vote;

(8) the opinion of the person of full age concerning his faculties and the release from or the modification of the tutorship;

(9) the opinion of the tutor concerning the release from or the modification of the tutorship;

(10) the names of the relatives, persons connected by marriage or a civil union or friends of the person of full age who have been consulted and their respective opinions concerning the release from or the modification of the tutorship;

(11) the identification of the persons to be called to a meeting of relatives, persons connected by marriage or a civil union or friends indicating each person's name, relationship to the person of full age, address, e-mail address, if any, and telephone number;

(12) the opinion of the assessor as regards the incapacity of the person of full age and his need for representation, the release from or the modification of the tutorship and, where applicable, the modifications recommended in light of the nature of the tutorship and the terms and conditions thereof in light of the faculties of the person of full age;

(13) the new time limit recommended for the psychosocial reassessment and the reasons in support thereof, if any;

(14) the identification of the special needs of the person of full age in the event that it is necessary to interview him;

(15) the identification of the person responsible for the psychosocial follow-up of the person of full age indicating his name, profession, place of practice and telephone number;

(16) the identification of the assessor indicating his name, professional permit number, professional address, e-mail address and telephone number.

The aforementioned psychosocial assessment report must be made on the form provided on the website of the Public Curator and must be signed and dated by the assessor.

"**1.5.** Where the medical or psychosocial assessor considers that only the time limit for reassessment of the person of full age should be modified, he must attest to that fact in a report indicating the time limit he considers appropriate and the reasons in support of the modification.

The aforementioned report must be made on the form provided on the website of the Public Curator and signed and dated by the assessor.

"**1.6.** The medical assessment report necessary for the temporary representation of the incapable person of full age must contain the following information:

(1) the identification of the person of full age indicating his name as well as the name, if any, he is commonly using, his date of birth, gender, health insurance number, address, e-mail address, if any, and telephone number;

(2) the circumstances giving rise to the application for assessment, the name of the applicant and his relationship to the person of full age;

(3) a description of the act for which the person of full age needs to be temporarily represented;

(4) the date of each examination conducted by the assessor and the date of the initial meeting with the person of full age, the identification of each person consulted, including his name, relationship to the person of full age, telephone number, date of consultation and identification of the relevant documents consulted by the assessor and referred to in his report;

(5) the diagnosis regarding the incapacity of the person of full age, the date thereof and the severity of his symptoms;

(6) the relevant medical history of the person of full age, the relevant physical examination, his intellectual and cognitive functions tests, the assessment of his decision-making faculties with respect to the specified act and his relevant paraclinical assessment demonstrating the impact of the diagnosis concerning his inability to perform the specific act;

(7) the wishes and preferences of the person of full age concerning the application for temporary representation, if any;

(8) the opinion of the assessor regarding the incapacity of the person of full age to perform the specific act;

(9) the identification of the assessor indicating his name, professional permit number, professional address, e-mail address and telephone number.

The aforementioned medical assessment report must be made on the form provided on the website of the Public Curator and must be signed and dated by the assessor.

"**1.7.** The psychosocial assessment report necessary for temporary representation of the incapable person of full age must contain the following information:

(1) the identification of the person of full age indicating his name as well as the name, if any, he is commonly using, his date of birth, gender, health insurance number, address, e-mail address, if any, telephone number, the names of his parents, his legal status and, if applicable, the name of the Aboriginal community to which he belongs, his civil status and, as the case may be, the name of his spouse;

(2) the circumstances giving rise to the application for assessment, the name of the applicant and his relationship to the person of full age;

(3) a description of the act for which the person of full age needs temporary representation and the relevant information pertaining to the act;

(4) the date of each examination conducted by the assessor, the identification of each person consulted, including his name, relationship to the person of full age, telephone number, date of consultation and identification of the relevant documents consulted by the assessor and referred to in his report;

(5) a summary description of the psychosocial situation of the person of full age;

(6) a description of the need for temporary representation of the person of full age and the impact of the incapacity of the person of full age on accomplishment of the specified act;

(7) the name of the person who wishes to be designated as the temporary representative and his relationship to the person of full age;

(8) the opinion of the person of full age concerning the application for temporary representation, the person proposed to act as the temporary representative, as well as the wishes and preferences of the person of full age concerning the act to be performed;

(9) the names of the relatives, persons connected by marriage or a civil union, or friends of the person of full age who have been consulted and their respective opinions respecting the application for temporary representation and the person proposed to act as temporary representative;

(10) the opinion of the assessor regarding the incapacity of the person of full age, the temporary and circumscribed nature of his need for representation and the person proposed to act as temporary representative;

(11) the identification of the special needs of the person of full age in the event that it is necessary to interview him;

(12) the identification of the person responsible for the psychosocial follow-up of the person of full age indicating the name, profession, place of practice and telephone number of the person responsible for the psychosocial follow-up;

(13) the identification of the assessor indicating his name, professional permit number, professional address, e-mail address and telephone number.

The aforementioned psychosocial assessment report must be made on the form provided on the website of the Public Curator and must be signed and dated by the assessor. The report must also be accompanied by a copy of the birth certificate of the person of full age or, failing which, a copy of some other proof of identity.".

2. The heading of Division II of the Regulation is amended by replacing "ANNUAL REPORT" by "ANNUAL ACCOUNT OF MANAGEMENT".

3. Section 5 of the Regulation is replaced by the following:

"**5.** The annual account of management that a tutor is required to provide under section 20 of the Act must contain the following information:

(1) the identification of the tutor indicating his name, address, telephone number and his e-mail address, as the case may be;

(2) the identification of the person of full age by his Public Curator file number, his name, address, civil status, date of birth and telephone number;

(3) the twelve-month reference period covered by the annual account of management;

(4) a complete and accurate listing of all income, all expenses, all assets and all liabilities that the tutor is responsible for administering or that comprise the patrimony being administered, including the following:

(*a*) in the case of bank accounts or certificates of deposit, the relevant account or certificate number and the name and address of the issuing financial institution;

(*b*) in the case of liabilities, the name and address of the lender or creditor and, where applicable, the credit account number;

(5) the date that the tutor submitted the annual account of his management to the tutorship council.

The aforementioned account of management must be submitted on the form provided on the website of the Public Curator, signed and dated by the tutor, and sufficiently detailed to allow the Public Curator to verify the accuracy thereof.".

4. The titles of Divisions II.1 to II.3 of the Regulation are repealed.

5. The Regulation is amended by inserting the following Division after section 6:

"**DIVISION II.1**
"RECOGNITION OF ASSISTANTS TO PERSONS OF FULL AGE

"**6.1.** An application for the recognition of an assistant to a person of full age submitted to the Public Curator must include the following information and documents:

(1) the identification of the person of full age indicating his name, gender, date of birth, civil status, address, telephone number and, as the case may be, his e-mail address;

(2) the identification of the proposed assistant indicating his name, gender, date of birth, civil status, address, e-mail address, if any, telephone number and relationship to the person of full age;

(3) a description of the difficulties experienced by the person of full age;

(4) as the case may be, the wish of the person of full age that where two assistants are proposed, they should be required to act jointly;

(5) the name and address of the spouse of the person of full age and the addresses of his father, mother and children of full age or, failing that, of at least two persons who show a special interest in him, to the exclusion of any proposed assistant. In the latter case, the relationship of the person of full age to such persons must be indicated;

(6) as the case may be, the reasons for being unable to provide the contact details of at least two persons who are either from the family of the person of full age, or who show a special interest in him, excluding any proposed assistant;

(7) a summary description of the patrimony of the person of full age indicating his income, assets and liabilities;

(8) as the case may be, a conflict of interest declaration by the proposed assistant disclosing any situation that poses a potential, perceived or real conflict between the personal interests of the proposed assistant and those of the person of full age;

(9) an undertaking by the proposed assistant to respect the privacy of person of full age and his personal information;

(10) a statement by the person of full age to the effect that he understands the scope of the application;

(11) for the purpose of verifying if the proposed assistant has a criminal record:

(*a*) his date of birth;

(*b*) his residential address at the time of the application and for the past five years;

(*c*) his consent to a criminal records check;

(12) the consent of the proposed assistant to disclosure of the month and day of his date of birth to a third person for identification purposes if the proposed assistant acts as an intermediary between the third person and the person of full age;

(13) a copy of two identity documents of the person of full age, one of which must contain his photo and have been issued by a government department;

(14) a copy of two identity documents of the proposed assistant, one of which must contain his photo and have been issued by a government department;

(15) where applicable, proof that the proposed assistant is fully emancipated.

The application must be set out in the form provided on the website of the Public Curator, must be signed and dated, as the case may be, by the person of full age or the proposed assistant or both.

Where an application is submitted to the Public Curator by a certified advocate or notary, it must include the minutes of his operations and conclusions and all supporting documents and must be forwarded to the Public Curator on the information technology tool provided for that purpose on the website of the Public Curator. Despite the first paragraph, the application need not be accompanied by a copy of the documents mentioned in subparagraphs 13 and 14 of this paragraph.".

6. Section 7 of the Regulation is amended

(1) by inserting ", protection mandate" after "statement" in paragraph (c) of subsection (1).

(2) by inserting the following paragraph after paragraph (b) of subsection (2):

"(*b*.1) the nature of the tutorship;";

(3) by adding the following at the end of subsection (2):

"(*g*) if applicable, a mention to the effect that the court has modified or clarified the rules concerning the capacity of the person of full age under tutorship;

(4) by inserting, "or mandataries" after "mandatary" in paragraph (c) of subsection (4);

(5) by striking out "and its scope" in paragraph *e* of subsection (4);

(6) by inserting "or the judgment replacing one or more mandataries or the date of acceptance of office by the replacement mandatary" after "mandate" in paragraph (h) of subsection (4);

(7) by adding the following after paragraph (4):

"(5) for the register of authorizations for the temporary representation of an incapable person of full age:

(*a*) the Public Curator file number;

(*b*) the name of the person of full age;

(*c*) the name of the temporary representative or representatives;

(*d*) the date and number of the judgment authorizing the temporary representation;

(*e*) the date, if known, of termination of the temporary representation;

"(6) for the register of assistants to persons of full age:

(*a*) the Public Curator file number;

(*b*) the name of the sole assistant or of the two assistants, as the case may be;

(*c*) the beginning and end dates of the recognition of the assistant or assistants; and

(*d*) where two assistants are recognized, whether the exercise of their office is joint or otherwise.".

7. The Regulation is amended by inserting the following after section 7:

"**7.1.** The register of tutorships to minors, the register of tutorships to persons of full age, the register of homologated protection mandates and the register of authorizations for the temporary representation of a person full age may be consulted remotely, by telephone or by any technological means made available by the Public Curator.

The registers may be consulted on the following cumulative search criteria:

(1) the name of the minor or person of full age;

(2) the date of birth of the minor or person of full age.

"**7.2.** The register of assistants to persons of full age may be consulted remotely, by telephone or by any technological means made available by the Public Curator.

The register may be consulted on the following cumulative search criteria:

(1) the name of the assistant or assistants;

(2) the Public Curator file number.

A third person who consults the register may access a secure interface containing the name of the person of full age and the day and month of the date of birth of the assistant by correctly answering a security question provided by the assistant.

8. Schedule I of the Regulation is repealed.

9. To ensure conformity with the requirements of sections 1.1 and 1.2, enacted by section 1 of this Regulation, the medical and psychosocial assessment reports submitted in support of an application for the institution of protective supervision pending on the date of the coming into force of section 46 of the Act to amend the Civil Code, the Code of Civil Procedure, the Public Curator Act and various provisions as regards the protection of persons (2020, c. 11), must be accompanied by the following additional reports:

(1) an additional medical assessment report containing the following information:

(*a*) the identification of the person of full age indicating his name as well as the name, if any, he is commonly using, his date of birth, gender, health insurance number, address, e-mail address, if any, and telephone number;

(*b*) the time limit recommended for the medical reassessment and the reasons in support thereof;

(*c*) the identification of the assessor indicating his name, professional permit number, professional address, e-mail address and telephone number;

(2) an additional psychosocial assessment report containing the following information:

(*a*) the identification of the person of full age indicating his name as well as the name, if any, he is commonly using, his date of birth, gender, health insurance number, address, e-mail address, if any, and telephone number;

(*b*) the date of each examination conducted by the assessor, the identification of each person consulted indicating his name, relationship to the person of full age, telephone number, date of consultation and identification of the relevant documents consulted by the assessor and referred to in his report;

(*c*) the assessment of the person of full age concerning his ability to exercise his civil rights, including the right to choose his living environment and the people with whom he associates, the right to enter into contracts to meet his ordinary and usual needs, the right to administer the proceeds of his work, to perform acts related to his employment, craft or profession and to exercise his right to vote;

(*d*) as the case may be, the names of the persons who wish to be designated as replacement tutors;

(*e*) any opinion that the person of full age may have concerning the terms and conditions of the tutorship and the person proposed to act as replacement tutor;

(*f*) the opinion of the assessor concerning the terms and conditions of the tutorship in light of the faculties of the person of full age and concerning the persons who wish to be designated as replacement tutor;

(*g*) the opinion of the person of full age and that of the assessor concerning the appointment, as the case may be, of both parents of the person of full age as his tutor;

(*h*) the identification of a relative to whom custody of the person of full age could be entrusted if the assessor recommends that the Public Curator be designated as tutor;

(*i*) the time limit recommended for the psychosocial reassessment and the reasons in support thereof;

(*j*) the identification of the person responsible for the psychosocial follow-up of the person of full age indicating his name, profession, place of practice and telephone number;

(*k*) the identification of the assessor indicating his name, professional permit number, professional address, e-mail address and telephone number.

The aforementioned additional reports must be provided on the forms available on the website of the Public Curator and they must be signed and dated by the assessor.

10. This Regulation comes into force on (enter the date of the coming into force of the Act to amend the Civil Code, the Code of Civil Procedure, the Public Curator Act and various provisions as regards the protection of persons (2020, c. 11), with the exception of subsection (2) of section 153 of that Act insofar as it enacts subsection (3.4) of section 68 of the Public Curator Act (c. C-81)).

105313

Draft Regulation

Environment Quality Act
(chapter Q-2)

Recovery and reclamation of products by enterprises — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting the recovery and reclamation of products by enterprises (chapter Q-2, r. 40.1) to determine the obligations regarding the recovery and reclamation of certain new products marketed that should be assumed by an organization referred to in section 4 of that Regulation in the place and stead of certain persons that are members of that organization.

It also makes an enterprise subject to that Regulation, under certain conditions, if it is an enterprise that has no domicile or establishment in Québec or an enterprise that operates a transactional website by means of which another enterprise that has no domicile or establishment in Québec markets, in Québec, a new product covered by that Regulation.

In addition, the draft Regulation adds three new categories of products to the Regulation respecting the recovery and reclamation of products by enterprises: agricultural products, pressurized fuel containers and pharmaceutical products. It adds new subcategories of products. It also restricts to certain types of products the obligation, imposed on an enterprise that markets a product covered by the Regulation one of whose components is also a product covered by the Regulation, to recover and reclaim any product that is original or similar to that component.

The draft Regulation also provides, in particular, for the following:

— Postponement of and changes to the minimum recovery rates applicable to products already covered by the Regulation respecting the recovery and reclamation of products by enterprises;

— Introduction of eco-design and circular economy objectives that, if attained, will reduce the required minimum recovery rate;

— Granting of compensations for purposes of calculating the minimum recovery rate to be attained, based on the quantity of products recovered prior to 1 January 2022;

— Replacement of the obligation to pay a sum to the Fund for the Protection of the Environment and the Waters in the Domain of the State in case of failure to attain the minimum recovery rate by the obligation to implement a remediation program to enhance the recovery and reclamation plan in order to attain that minimum recovery rate in subsequent years;

— Obligation for recovery and reclamation of products covered by the Regulation be carried out under a program developed pursuant to section 5;

— Changes to the minimum requirements concerning drop-off centres and services offered in northern communities covered by section 17;

— Changes aimed at promoting public access to information concerning the recovery program and its performance;

— Relaxing of operating rules for recovery and reclamation programs, auditing of service providers, annual reporting and audit rules.

Finally, the draft Regulation makes the necessary adjustments regarding monetary administrative penalties applicable in case of non-compliance and penal sanctions applicable in case of an offence, as well as certain transitional provisions and certain necessary technical adjustments.

Concerning the impact on small and medium-sized businesses, enterprises that market the products that the draft Regulation introduces into the Regulation respecting the recovery and reclamation of products by enterprises will be obliged to assume additional costs for implementing a recovery and reclamation program. However, as new avenues are opened up for reclamation of the products in question, the process should generate additional revenues for enterprises. Although the costs related to the measures instituted by the draft Regulation are expected to be low or very low depending on the product, these increases could be reflected in the prices charged to consumers.

Further information may be obtained by contacting Nicolas Boisselle, Direction des matières résiduelles, Ministère de l'Environnement et de la Lutte contre les changements climatiques, édifice Marie-Guyart, 9e étage, boîte 71, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3950, ext. 7090; email: nicolas.boisselle@environnement.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Geneviève Rodrigue, Assistant Director, 3RV-E, Direction des matières résiduelles, Ministère de l'Environnement et de la Lutte contre les changements climatiques, édifice Marie-Guyart, 9e étage, boîte 71, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 455-1569; email: genevieve.rodrigue@environnement.gouv.qc.ca.

Benoit Charette
Minister of the Environment and the Fight Against Climate Change

Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises

Environment Quality Act
(chapter Q-2, s. 53.30, 1st par., subpars. 1, 2, 6 and 7, s. 95.1, 1st par., subpars. 6, 11, 12, 13, 20, 21 and 23, ss. 115.27 and 115.34)

1. The Regulation respecting the recovery and reclamation of products by enterprises (chapter Q-2, r. 40.1) is amended in section 2

(1) by replacing "by means of a recovery and reclamation program" in the first paragraph by "as a measure under subparagraph *b* of subparagraph 6 of the first paragraph of section 53.30 of the Environment Quality Act (chapter Q-2), by means of a recovery and reclamation program";

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

"Despite the first and second paragraphs, the obligation provided for in the first paragraph falls on the enterprise that acts as the first supplier in Québec of a new product covered by this Regulation, in the following cases:

(1) the enterprise referred to in the first or in the second paragraph has no domicile or establishment in Québec;

(2) the product does not bear any brand, name or distinguishing guise.

Where a new product covered by this Regulation is acquired outside Québec in the course of a sale governed by the laws of Québec, the following rules apply:

(1) if the product is acquired by an enterprise that has its domicile or an establishment in Québec for the purpose of marketing it, the obligation provided for in the first paragraph falls

(*a*) on the enterprise that acquires the product, if the enterprise from which it acquired it has no domicile or establishment in Québec;

(*b*) on the enterprise from which the product was acquired, if that enterprise has its domicile or an establishment in Québec;

(2) if that product is acquired by an enterprise or a natural person that is not carrying on an organized economic activity but has its, his or her domicile or an establishment in Québec, by a municipality or by a public body within the meaning of section 4 of the Act respecting contracting by public bodies (chapter C-65.1) for that enterprise's, that person's, that municipality's or that public body's own use, the obligation provided for in the first paragraph falls

(*a*) on the enterprise that operates a transactional website, by means of which the product was acquired, enabling an enterprise that has no domicile or establishment in Québec to market a product in Québec;

(*b*) on the enterprise from which the product was acquired, whether or not it has a domicile or establishment in Québec, in other cases.";

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

"This section does not apply to an enterprise that is a "small supplier" within the meaning of the Act respecting the Québec sales tax (chapter T-0.1).".

2. Section 3 is amended

(1) in the first paragraph

(*a*) by replacing "a component of which is a product referred to in this Regulation, other than a product listed in Division 6 of Chapter VI," by "that is not covered by this Regulation, but is mentioned herein, one of the components of which is a product covered by this Regulation";

(*b*) by inserting "by means of a recovery and reclamation program developed in accordance with section 5," after "cause to be recovered and reclaimed,";

(*c*) by striking out "as that marketed by the enterprise, whether or not the main product is covered" at the end;

(2) in the second paragraph

(*a*) by replacing "main product is not" by "product that contains the component is not";

(*b*) by replacing "main product" by "product that contains the component";

(*c*) by inserting "or cause to be recovered and reclaimed" after "is required to recover and reclaim";

(*d*) by replacing "main product marketed by the enterprise" by "product marketed that contains the component".

3. Section 4 is amended

(1) by inserting "in section 4.4," after "subject to the requirements" in the portion before paragraph 1;

(2) by inserting, "or manufactured or caused to be manufactured by it for its own use" after "marketed by it" in the portion before paragraph 1;

(3) by replacing paragraph 1 by the following:

"(1) the goal or one of the goals of which is to develop and implement, as a measure, a recovery and reclamation system for residual materials or to contribute financially toward the development and implementation of such a system and, in either case, in accordance with the provisions of this Regulation and the terms and conditions determined in an agreement entered into under subparagraph *a* of subparagraph 7 of the first paragraph of section 53.30 of the Environment Quality Act (chapter Q-2); and".

4. The following is added after section 4:

"**4.1.** An organization referred to in section 4 must, in the place and stead of the enterprises that are members of it, recover and reclaim, by means of a recovery and reclamation program developed in accordance with section 5, a product covered by this Regulation that is marketed by an enterprise referred to in section 2 or 3 that is a member of it.

That organization must also, in the place and stead of the enterprises referred to in section 8 that are members of it, provide for the management of the products recovered, in accordance with the conditions provided for in that section, that such an enterprise manufactures or causes to be manufactured for its own use.

The obligations provided for in Chapters V and VI fall on that organization, with the necessary adaptations, in respect of products of the same type as that marketed, or manufactured or caused to be manufactured, by an enterprise referred to in section 2, 3 or 8 that is a member of it.

4.2. An organization referred to in section 4 that ensures the recovery and reclamation of a product in a subcategory for which a recovery rate is prescribed under Chapter VI must recover and reclaim all the types of products in that subcategory.

4.3. An organization referred to in section 4 that recovers a product the recovery and reclamation of which are ensured by another organization referred to in section 4 must provide to it, for each subcategory, the quantity of products recovered, whatever type.

4.4. An enterprise referred to in section 4 must provide to an organization of which it is a member, within 60 days following a request by that organization, the information and documents necessary for preparing the assessments and reports provided for in sections 9, 10 and 11 and determining the recovery rate and the difference referred to in the first paragraph of section 13.".

5. Section 5 is amended

(1) in the first paragraph

(*a*) by replacing subparagraph 3 by the following:

"(3) provide for operating rules, criteria and requirements that must be complied with by a service provider, including subcontractors, in the management of recovered products and provide for the implementation of measures to ensure compliance.

Those operating rules, criteria and requirements must deal with applicable laws, regulations and agreements, management and monitoring of recovered products and materials through to their final destination, measures aimed at risk management and operational safety as well as safe treatment of products and materials, accountability measures including auditing obligations in regard to recovered products management, if applicable, as well as any other measures to ensure that the activities of the supplier and the supplier's subcontractors are in compliance with the program and this Regulation.".

(*b*) by replacing subparagraph 4 by the following:

"(4) enable traceability of products and materials from their recovery through to their final destination. The place of final destination is considered to be the place where those products and materials

(*a*) are rendered available for reuse;

(*b*) undergo the final stage of their treatment so that they can be used as substitutes for raw materials, in particular in a product manufacturing process;

(*c*) are used for purposes of energy recovery;

(*d*) are disposed of.";

(*c*) by replacing "residual materials" in subparagraph 5 by "recovered products and materials through to their place of final destination";

(*d*) by inserting "or, in the case of a product covered by Division 9 of Chapter VI, in accordance with section 53.0.33" after "in accordance with Chapter V" in subparagraph 6;

(*e*) by inserting the following after subparagraph 8:

"(8.1) provide for a means of communication to enable the following information to be made public each year and to be accessed for a minimum period of 5 years:

(*a*) the name of the enterprise, group of enterprises or organization referred to in section 4 that is implementing the program;

(*b*) the name of the program;

(*c*) the types of products covered by the program and, in the case of a program implemented by an enterprise or group of enterprises, their brands;

(*d*) the recovery rates attained, by subcategory of products, as compared to the minimum prescribed recovery rates;

(*e*) for each subcategory of products, the proportion of products and materials recovered that have been reused, recycled, used for energy recovery purposes, otherwise reclaimed, stored or disposed of, as well as their place of final destination;

(*f*) the address of each of the drop-off centres and, if applicable, a description of the collection services;

(*g*) a description of the main information, awareness and education activities conducted during the year;

(*h*) if applicable, a description of the remediation plan, the total sums that are allocated to it, the implementation schedule and a list of the measures implemented during the year;

(*i*) in the case of a program implemented by an organization referred to in section 4:

i. the names of the enterprises that are members of that organization;

ii. for each subcategory of products, the quantity of products marketed during the year covered by the annual report and during the reference year determined in Chapter VI;

iii. for each subcategory of products, the quantity of products recovered and the recovery rate attained as compared to the minimum recovery rate prescribed in Chapter VI;

iv. for each category of products, the percentage of each type of materials composing it that have been reused, recycled, otherwise reclaimed, stored or disposed of;

v. an assessment indicating the income related to the collection, from its members, of fees related to the implementation of the recovery and reclamation program, income from the sale of recovered products and materials, as well as costs related to the implementation of the recovery and reclamation program, specifying the costs associated with the activities mentioned in subparagraph 8 of the first paragraph of section 9;";

(*f*) by replacing "for each" in subparagraph 10 by "by";

(*g*) by replacing subparagraph 11 by the following:

"(11) provide for the auditing of recovered products management and of compliance with the operating rules, criteria and requirements referred to in subparagraph 3 by a person who meets one of the following conditions:

(*a*) the person holds the title of certified environmental auditor conferred by an organization accredited by the Standards Council of Canada;

(*b*) the person is a member of a professional order governed by the Professional Code (chapter C-26) and meets one of the following conditions:

i. the person holds a postsecondary school diploma in a field related to environment protection or industrial ecology;

ii. the person holds an undergraduate university diploma and has at least 5 years' experience in a field of activity related to the recovery and reclamation program;

iii. the person holds a diploma of college studies and has at least 10 years' experience in a field of activity related to the recovery and reclamation program.

The audit must be conducted starting from the first complete calendar year of implementation of the program and, thereafter, at the following frequency:

(*a*) in the case of drop-off centre service providers, including subcontractors, each year at least 10% of them, dispersed across more than one region of Québec, must be audited and, within a 5-year period, all of them must be audited;

(*b*) in other cases, the audit must be conducted at least every 3 years;

(12) provide for criteria to determine which recovered products should be reused rather than recycled, otherwise reclaimed, stored or disposed of;

(13) provide for any other measure required for the purpose of any specific provision applicable to that category of products.".

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

"Where the program provides for the management of a product marketed in a territory covered by section 17, the measures contained in the program and referred to in subparagraphs 3, 8 and 9 of the second paragraph must be adapted to meet the needs and particular circumstances of that territory.".

6. Section 6 is amended

(1) in the first paragraph

(*a*) by replacing "in respect of" in the first paragraph by "for";

(*b*) by replacing "2, 3 or 8" by "2 or 3";

(2) in the second paragraph

(*a*) by replacing "and each type of product" in subparagraph 4 by "of products";

(*b*) by replacing "subcategory of product" in subparagraph 5 by "subcategory of products";

(*c*) by replacing "each type of product" in subparagraph 5 by "products";

(*d*) by replacing "or territory referred to in sections 16 and 17 where each type of product" in subparagraph 6 by ", territory or administrative region covered by sections 16, 17 and 53.0.12 where each product of a subcategory";

(*e*) by striking out "or types" in subparagraph 7;

(*f*) by replacing "or type of product" in subparagraph 8 by "of products";

(*g*) by replacing "they must comply with under the program;" at the end of subparagraph 9 by "service suppliers and their subcontractors must comply with under the program;";

(*h*) by replacing subparagraph 10 by the following:

"(10) a description of the proposed measures for verifying compliance by service providers and their subcontractors with the operating rules, criteria and requirements referred to in subparagraph 3 of the first paragraph of section 5 and subparagraph 9 of the second paragraph of this section";

(*i*) by replacing subparagraph 12 by the following:

"(12) the name and address of the enterprises that intervene in the reclamation process for those products or materials, the name and address of the enterprises that treat those products or materials at the place of their final destination, referred to in subparagraph 4 of the first paragraph of section 5 and, if applicable, their disposal method;";

(3) by inserting the following after subparagraph 3 of the third paragraph:

"(4) if applicable, the name and contract information of the person to which it has given the mandate to represent the enterprise for the purposes of section 4.4, as well as a copy of the contract related to that mandate.";

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

"The enterprise must, as soon as possible, notify the Minister of any change in any information provided pursuant to this section.".

7. The following is added after section 6:

"**6.1.** Not later than one month before the date of implementation of a recovery and reclamation program for a product the recovery and reclamation of which is ensured by an organization referred to in section 4, that organization must provide to the Minister the following information and documents:

(1) the name and contact information of its representative and of the person in charge of the program;

(2) each subcategory of products the recovery and reclamation of which are ensured by the program;

(3) according to each subcategory of products, the estimated quantity of products marketed during a year by the enterprises that are members;

(4) the information and documents referred to in subparagraphs 6 to 13 of the second paragraph of section 6;

(5) an estimate of the annual budget for the first 3 years of implementation indicating, in particular, the expenses attributable to

(*a*) the recovery and reclamation of each subcategory of product;

(*b*) information, awareness and education activities;

(*c*) research and development activities;

(*d*) program administration.".

8. Section 7 is amended by replacing the second paragraph by the following:

"Only an enterprise referred to in section 2 or 3 that markets the product may render visible those internalized costs. In such case, the enterprise must

(1) post information concerning the recovery and reclamation program for the product on a website;

(2) disclose the internalized costs as soon as it markets the product, mention that those costs are used to ensure the recovery and reclamation of the product and indicate the address of the website.".

9. Section 8 is amended

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

"An enterprise, including a municipality or a public body within the meaning of section 4 of the Act respecting contracting by public bodies (chapter C-65.1), that, for its own use, manufactures, or causes to be manufactured, products covered by this Regulation must recover and reclaim, or cause to be recovered and reclaimed, those products after their use.";

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

"Not later than 3 months before the date provided for in Chapter VI for the implementation of a recovery and reclamation program for a product, that enterprise must inform the Minister of its intention to implement an individual program, join a group of enterprises implementing a common program or become a member of an organization referred to in section 4.

An enterprise electing to implement an individual program or to join a group of enterprises must then provide to the Minister the information and documents referred to in subparagraphs 1 to 5, 8, 9 and 12 of the second paragraph of section 6, with the necessary adaptations.

This section does not apply to an enterprise that is a "small supplier" within the meaning of the Act respecting the Québec sales tax (chapter T-0.1).".

10. The following is added after section 8:

"**8.1.** No one may recover or reclaim a product covered by this Regulation, or entrust to another the recovery and reclamation of such a product, except by means of a recovery and reclamation program developed pursuant to section 5.".

11. Section 9 is amended

(1) in the first paragraph

(*a*) by replacing "30 April" in the portion before subparagraph 1 by "15 May";

(*b*) by inserting "or, if applicable, an organization referred to in section 4" after "section 2 or 3" in the portion before subparagraph 1;

(*c*) by inserting the following before subparagraph 1:

"(0.1) if applicable, in respect of each enterprise that is a member of the organization referred to in section 4,

(*a*) the product or subcategory of products the recovery and reclamation of which are ensured by that organization as well as the brand, name or distinguishing guise owned or used by the enterprise;

(*b*) if applicable, the name and contact information of the person referred to in subparagraph 4 of the third paragraph of section 6 to which it entrusts the mandate to represent the enterprise for the purposes of section 4.4;";

(*c*) by replacing "each type of product" in subparagraph 1 by "products";

(*d*) by replacing "if applicable, according to their brand, name or distinguishing guise" at the end of subparagraph 1 by "in the case of a report submitted by an enterprise, according to their brand, name or distinguishing guise, if applicable";

(*e*) by inserting the following after subparagraph 2:

"(2.1) if applicable, the quantity of products covered by section 4.3 recovered or the recovery of which was carried out by another organization referred to section 4;

(2.2) if applicable, the quantity of products recovered that are sent or received under an agreement aimed at entrusting the reclamation of a recovered product to another enterprise referred to in section 2 or 3 or to an organization referred to in section 4;";

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

"(6) for each subcategory of products or materials recovered, the name and address of the enterprises that intervene in the reclamation process for those products or materials, the name and address of the enterprises that treat those products or materials at the place of their final destination, referred to in subparagraph 4 of the first paragraph of section 5 and, if applicable, their method of reclamation or disposal;";

(*g*) by inserting ", the means of communication referred to in subparagraph 8.1 of the first paragraph of section 5" after "education activities" in subparagraph 7;

(*h*) by replacing "or type of product" in subparagraph *a* of subparagraph 8 by "of products";

(*i*) by replacing "and, if applicable, by type of product" in subparagraph 9 by "of products";

(*j*) by replacing subparagraph 10 by the following:

"(10) if applicable, the number and the location of the sites where the audits referred to in subparagraph 11 of the first paragraph of section 5 and in subparagraph 10 of the second paragraph of section 6 were carried out during the year, the name and address of the person who carried out those audits, a copy of the documents showing that the person meets the conditions determined in subparagraph 11 of the first paragraph of section 5, the findings resulting from those audits and, if applicable, the adjustments that will be made to rectify any problems;";

(*k*) by inserting the following after subparagraph 11:

"(12) where the calculation of the recovery rate for a subcategory of products benefits from a reduction in the quantity of products marketed pursuant to the second paragraph of section 13, if applicable,

(*a*) a document issued by a recognized certification organization attesting to the percentage of recycled content in the products in that subcategory;

(*b*) the document indicating the basic guarantee granted free of charge to any consumer for each of the products of the same subcategory;

(*c*) the quantity of products or materials that have been reused or recycled in Québec for each subcategory of products, the name and address of the enterprises that intervene in the reclamation process for those products or materials and the name and address of the enterprises that treat those products or materials at the place of their final destination, referred to in subparagraph 4 of the first paragraph of section 5;

(13) if applicable, where a remediation plan referred to in section 14 has been provided to the Minister,

(*a*) a detailed description of the measures carried out during the year;

(*b*) the expenditures incurred during the year specifically for the implementation of the measures contained in the remediation plan as well as the amount of the sums not yet incurred for that purpose;

(14) any other document or information required in the annual report pursuant to a specific provision applicable to that category of products.";

(2) in the second paragraph

(*a*) by replacing "in the first paragraph must be the subject of an audit engagement, both at the enterprise level" by "in subparagraphs 1, 2, 4, 5, 6, 8, subparagraph *c* of subparagraph 12 and subparagraph 13 of the first paragraph must be audited, at the level of both the enterprise or, if applicable, the organization referred to in section 4,";

(*b*) by striking out "effectuée" in the French version;

(3) by replacing "the audit engagement" in the portion before subparagraph 1 of the third paragraph by "the audit".

12. Section 10 is amended

(1) by inserting "or an organization referred to in section 4" after "section 2 or 3";

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

"The assessment must also indicate, for each subcategory of products during the period covered, the quantity of products actually available for recovery and determined on the basis of a sampling, investigation or survey method that complies with recognized practices.".

13. Section 11 is amended

(1) in the first paragraph

(*a*) by replacing "30 April" in the portion before subparagraph 1 by "15 May";

(*b*) by inserting "or an organization referred to in section 4" after "an enterprise referred to in section 8" in the portion before subparagraph 1;

(*c*) by replacing subparagraph 1 by the following:

"(1) the quantity of products manufactured by it for its own use, by subcategory of product;";

(*d*) by replacing subparagraph 6 by the following:

"(6) the name and address of the enterprises that intervene in the reclamation process for those products or materials and the name and address of the enterprises that treat those products or materials at the place of their final destination referred to in subparagraph 4 of the first paragraph of section 5;";

(2) by inserting "or an organization referred to in section 4" after "An enterprise referred to in section 8" in the second paragraph.

14. Section 12 is amended in the first paragraph

(1) by replacing "referred" by "or organization referred";

(2) by replacing ", every 3 months," by "each year";

(3) by replacing "type of product" by "subcategory of products".

15. The heading of Chapter IV of the Regulation is amended by inserting "REMEDIAL PLAN AND" before "PAYMENT".

16. Section 13 is amended

(1) in the first paragraph

(*a*) by replacing "product under" in the portion before subparagraph 1 by "products under";

(*b*) by replacing "must, for each subcategory of product to which a product marketed by the enterprise belongs" in the portion before subparagraph 1 by "and an organization referred to in section 4 that is required to recover and reclaim such products must, for each subcategory of products to which a product marketed by the enterprise or required to be recovered and reclaimed by the organization, as the case may be, belongs";

(*c*) by inserting "of the same type as those marketed" after "Quantity of products" in subparagraph 1 in the section pertaining to variable A;

(*d*) by inserting ". The value of variable A is deemed to be 0 where the quantities of products recovered have not been audited pursuant to the second paragraph of section 9" after "during the year" in subparagraph 1 in the section pertaining to variable A;

(*e*) by inserting "of the same type as those marketed and actually" after "products" in subparagraph 1 in the section pertaining to variable E;

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

"For the purposes of the first paragraph, where the products of a subcategory of products meet the conditions regarding percentage of recycled content, basic manufacturer's guarantee or reuse or recycling in Québec, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI, as it is determined

by multiplying value B by value C, is reduced by the value prescribed in Chapter VI, up to a maximum reduction of 30%.";

(3) by striking out "before or" in the third paragraph;

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

"In addition, during each of the 2 full calendar years preceding the calendar year for which a minimum recovery rate is prescribed, up to 50% of the quantity of products recovered in the same subcategory of products may be used to compensate for the negative difference in the same subcategory of products for a year preceding by no more than 5 years the first year for which a rate is prescribed.";

(5) by replacing ", the detail and the result of those calculations as well as any use of a positive difference or of the quantity referred to in the fourth paragraph for compensation purposes" in the fourth paragraph by "or the reduction in the quantity of products recovered necessary to attain the minimum recovery rate pursuant to the second paragraph, the detail and the result of those calculations as well as any use of a positive difference or of the quantity referred to in the third paragraph or in section 59.3 for compensation purposes and the quantity of products recovered used to compensate for a negative difference in the cases provided for in the third paragraph and in section 59.3".

17. Section 14 is amended

(1) by replacing the first, second and third paragraphs by the following:

"An enterprise referred to in section 2 or 3 or, if applicable, an organization referred to in section 4 must determine each year, for each subcategory of products, the recovery and reclamation results for the current year, if applicable, after compensation made under the third or fourth paragraph of section 13 or under section 59.3.

Where the results for that year indicate a negative residual difference, the enterprise or, if applicable, the organization must, not later than 30 July after the deadline determined for providing the annual report, submit to the Minister a remediation plan detailing the measures that will be implemented to increase the recovery rate.

The measures contained in the remediation plan must

(1) make it possible to attain the minimum recovery rate fixed in Chapter VI within 2 years;

(2) provide that the enterprise or, if applicable, the organization will incur expenditures equal to or greater than the applicable values provided for in Chapter VI multiplied by the missing quantity of products recovered to attain the minimum recovery rate for that year, in units, weight or volume;

(3) take into account the measures contained in any remediation plan previously submitted to the Minister; any sums not yet incurred for measures contained in that previous plan must be added to the current plan.

An enterprise or organization that ceases implementing its program must, within 4 months following the date of cessation, determine the recovery and reclamation results for each of the previous years for which no such determination has been made and make a payment into the Fund for the Protection of the Environment and the Waters in the Domain of the State for any negative residual difference. The amount of that payment is calculated by multiplying the applicable values provided for in Chapter VI by the missing quantity of products recovered, in units, weight or volume, to attain the minimum recovery rate for those years, to which are added, if applicable, any sums not yet incurred provided for under a previously submitted remediation plan.";

(2) by striking out ", not later than 30 April following the end of the period concerned or, as the case may be," in the fourth paragraph.

18. Section 16 is amended

(1) by replacing "business" in subparagraph 1 of the first paragraph by "business establishment";

(2) by replacing "operation" in the third paragraph by "service";

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

"For each regional municipality referred to in subparagraph 2 of the first paragraph, there must be at least 1 drop-off centre in service as soon as the program is implemented. Two-thirds of the total number of drop-off centres for all those regional municipalities must be in service as of the first anniversary of the program's implementation and all the drop-off centres must be in service as of its second anniversary.".

19. Section 17 is amended

(1) in the first paragraph

(*a*) by replacing "James Bay Regional Development and Municipal Organization Act (chapter D-8.2)" by "James Bay Region Development Act (chapter D-8.0.1)";

(*b*) by replacing "may, instead of setting up drop-off centres in accordance with subparagraph 1 of the first paragraph of that section," by "must";

(*c*) by replacing "and installed in adequate premises accessible to consumers" by ", installed in sheltered and developed premises suitable for storing recovered products for several months. Those premises must be accessible to consumers or industrial, commercial or institutional clienteles at least 3 days during the year, including at least 2 days during the summer. Periods and conditions of access must be publicized in the territory served and, when those premises are made accessible, a person who has been adequately trained on the identification, handling and storage of the products, adapted to the type of products received, must be present on site to safely receive, sort and store the products received and prepare them to be transported";

(2) in the second paragraph

(*a*) by replacing "at the beginning" by "not later than 1 September"

(*b*) by replacing "in the case of municipalities, cities, towns, urban agglomerations, localities or Native communities of more than 1,000 inhabitants, and not later than the second anniversary of the program in the other cases" by "and, despite the first paragraph, the drop-off centres must be accessible at least 2 days during the year".

20. Section 21 is amended

(1) by replacing "and 17" by ",17, 32.1, 53.0.4, 53.0.12 and 53.0.21";

(2) by replacing "and 20" by ", 20 and 32.1".

21. Section 22 is amended

(1) by replacing "record or save information, images" in the first paragraph by "produce, reproduce, record or save information, images, objects";

(2) by replacing subparagraphs 1 to 10 of the second paragraph by the following:

"(1) desktop or laptop computers as well as electronic pads;

(2) display devices, such as computer screens and television sets;

(3) printers, scanners, fax machines and photocopiers;

(4) telephones of all types, pagers and answering machines;

(5) portable electronic products not covered by the preceding subparagraphs, such as e-book readers, global positioning systems, cameras, walkie-talkies, camcorders, portable digital players, activity trackers, smart glasses, as well as small electronic devices not covered by another subcategory provided for in this section, such as digital photo frames;

(6) non-portable electronic products not covered by another subcategory provided for in this section, such as security systems, projectors, video game consoles, sound, image and wave readers, recorders, burners or storage devices, amplifiers, equalizers, digital receivers and other non-portable electronic products designed to be used with an audiovisual system or marketed as part of a set;

(7) peripherals and accessories designed to be used with a product covered by this Division, such as cables, routers, servers, hard drives whether portable or not, memory cards, USB keys, webcams, earphones, mouses, keyboards, speakers, remote controls and joysticks, as well as spare parts not covered by another subcategory provided for in this section and designed to be used with a product covered by this category.";

(3) by replacing "5" in the third paragraph by "4";

22. Section 23 is amended

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

"For the purposes of this Regulation, every quantity of products referred to in the second paragraph of section 22 must be calculated in units or equivalent weight.";

(2) by replacing "and type of product" in the second paragraph by "of products".

23. Section 24 is replaced by the following:

"**24.** An enterprise referred to in section 2 or 8 that markets, acquires or manufactures products referred to in section 22 must implement its recovery and reclamation program not later than (*insert the year that follows the year of coming into force of this Regulation*) or the date of the marketing, acquisition or manufacture of such a product if it is subsequent to that date.".

24. Section 25 is amended by striking out "or 3".

25. Section 26 is amended

(1) by striking out "or 3" in the first paragraph;

(2) by striking out the second paragraph;

(3) in the third paragraph

(*a*) by striking out ", 3";

(*b*) by striking out "or 10".

26. Section 27 is amended

(1) in the first paragraph

(*a*) by replacing "2020" in the portion before subparagraph 1 by "(*insert the year that occurs one year after the year of coming into force of this Regulation*)";

(*b*) by striking out "or 3" in the portion before subparagraph 1;

(*c*) by replacing subparagraphs 1 and 2 by the following:

"(1) in the case of products referred to in subparagraphs 1 to 3 and 6, the minimum rate for all products in each subcategory is 40%, which is increased by 5% every 2 years until a 50% rate is attained, followed by a 5% increase every 3 years until a 65% rate is attained;

(2) in the case of products referred to in subparagraphs 4 and 5, the minimum rate for all products in each subcategory is 25%, which is increased by 5% every 2 years until a 50% rate is attained, followed by a 5% increase every 3 years until a 60% rate is attained.";

(2) in the second paragraph

(*a*) by replacing "3" by "2" in subparagraph 1;

(*b*) by replacing "subparagraphs 5 and 6" in subparagraph 2 by "subparagraph 4";

(3) by striking out the fourth paragraph.

27. The following is added after section 27:

"**27.1.** For the purposes of the second paragraph of section 13, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by the following values:

(1) where the percentage of recycled content in products of the same subcategory marketed for a reference year is greater than 10% of the total quantity of those products marketed that same year, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by 1% per percentage point of recycled content greater than 10%;

(2) where during the reference year all the products in a subcategory are protected by a basic manufacturer's guarantee covering a period of 3 years or longer and offering to repair or replace the product free of charge, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by 10% per additional year;

(3) where during the year the quantity of recovered products of the same subcategory that was reused or recycled in Québec is equal to or greater than 50% of the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI, the quantity of products recovered necessary to attain that rate is reduced by 1% per percentage point of content reused or recycled in Québec greater than 50% of the quantity of products recovered.".

28. Section 28 is amended

(1) by replacing subparagraphs 1 to 7 by the following:

"(1) in the case of products referred to in subparagraph 1, $3.60 per unit or kilogram equivalent;

(2) in the case of products referred to in subparagraph 2, $15 per unit or kilogram equivalent;

(3) in the case of products referred to in subparagraph 3, $5 per unit or kilogram equivalent;

(4) in the case of products referred to in subparagraph 4, $0.50 per unit or kilogram equivalent;

(5) in the case of products referred to in subparagraph 5, $1 per unit or kilogram equivalent;

(6) in the case of products referred to in subparagraph 6, $4 per unit or kilogram equivalent.";

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

"The values applicable in subparagraphs 1, 2, 3 and 6 are reduced by half where the minimum recovery rate prescribed in section 27 is equal to or greater than 60% and the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate.

The values applicable in subparagraphs 4 and 5 are reduced by half where the minimum recovery rate prescribed in section 27 is equal to or greater than 55% and the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate.".

29. Section 29 is amended

(1) in the first paragraph

(*a*) by replacing "the types of products" in the portion before subparagraph 1 by "the cells, batteries constructed of such cells and battery packs constructed of such cells, of any shape and size, irrespective of the substances of which they are composed";

(*b*) by replacing subparagraphs 1 and 2 by the following:

"(1) rechargeable batteries designed and intended for operating a motor vehicle within the meaning of section 4 of the Highway Safety Code (chapter C-24.2), except lead-acid batteries;

(2) rechargeable batteries, including sealed lead-acid batteries weighing 5 kg or less, except batteries designed and intended for operating a motor vehicle within the meaning of section 4 of the Highway Safety Code, other lead-acid batteries, and batteries exclusively designed and intended for industrial purposes;

(3) single use batteries.";

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

"For the purposes of section 3, the products marketed that may contain, as components, one of the products referred to in subparagraphs 1 to 3 of the first paragraph are toys, drones, small lighting devices, smoke and carbon monoxide detectors, tools, personal care appliances, e-cigarettes, power-assisted bicycles, small individual means of transportation such as scooters and gyroscopic vehicles, mobility aid vehicles, and motor vehicles within the meaning of section 4 of the Highway Safety Code.".

30. Section 31 is replaced by the following:

"**31.** An enterprise referred to in section 2, 3 or 8 that markets, acquires or manufactures products referred to in section 29 must implement its recovery and reclamation program not later than the following dates:

(1) in the case of products referred to in subparagraph 1 of the first paragraph, (*insert the date that occurs three years after the date of coming into force of this Regulation*) or the date of their marketing, acquisition or manufacture if it is subsequent to that date;

(2) in the case of products referred to in subparagraphs 2 and 3 of the first paragraph, (*insert the year that follows the year of coming into force of this Regulation*) or the date of the marketing, acquisition or manufacture of the product if it is subsequent to that date.".

31. Section 32 is amended

(1) by inserting the following before the first paragraph:

"Despite subparagraph 10 of the first paragraph of section 5, the obligation to modulate costs in the program for the products referred to in subparagraph 1 of the first paragraph of section 29 and for sealed lead-acid batteries weighing 5 kg or less does not apply until the beginning of the fourth calendar year following implementation of the program.";

(2) by replacing "paragraph 2" in the portion before subparagraph 1 of the first paragraph by "subparagraph 3 of the first paragraph".

32. The following is added after section 32:

"**32.1.** Despite section 16, an enterprise referred to in section 2, 3 or 8 that markets products referred to in subparagraph 1 of the first paragraph of section 29 must set up a drop-off centre in each regional municipality, other than those referred to in section 17, in the territory of which the products of that enterprise are marketed.

In addition, an enterprise referred to in section 2 or 3 must offer, at least once a year, a collection service directly at the place of industrial, commercial or institutional clienteles whose activities include removing products referred to in subparagraph 1 of the first paragraph of section 29 from motor vehicles within the meaning of section 4 of the Highway Safety Code.

32.2. Not later than (*insert the date that occurs one year after the date of coming into force of this Regulation*), an enterprise referred to in section 2, 3 or 8 that marketed, acquired or manufactured products referred to in subparagraph 1 of the first paragraph of section 29 on (*insert the date of coming into force of this Regulation*) must provide to the Minister the information concerning the quantity of those products marketed, acquired or manufactured during the years 2017 to (*insert the year before the year of coming into force of this Regulation*), including any brand, name or distinguishing guise.

Pursuant to the first paragraph, the documents and information used for the purpose of calculating the quantity of products marketed, acquired or manufactured during a year must be kept for 11 years from the year of calculation.

33. Section 33 is replaced by the following:

"**33.** The minimum recovery rates that must be attained yearly by an enterprise referred to in section 2 or 3 that markets products referred to in section 29 must be equal to the following percentages as of the periods indicated:

(1) in the case of products referred to in subparagraph 1 of the first paragraph of section 29, the minimum rate for all products in that subcategory is 35% as of the year determined in the following subparagraphs, which is increased by 5% every 2 years until a 50% rate is attained, followed by a 5% increase every 3 years until a 90% rate is attained;

(*a*) in the case of an individual program implemented by an enterprise, as of the tenth year following the year of the first marketing of the products, if that year is subsequent to 2017;

(*b*) in the case of a common program implemented by a group of enterprises, as of the tenth year following the year of the most recent marketing of a product referred to in subparagraph 1 of the first paragraph of section 29 whose recovery and reclamation are ensured by the program, if that year is subsequent to 2017;

(*c*) in the case of a program implemented by an organization referred to in section 4, as of the tenth year following the year of the first marketing of a product referred to in subparagraph 1 of the first paragraph of section 29 whose recovery and reclamation are ensured by the program, if that year is subsequent to 2017;

(*d*) in other cases, as of 2027;

(2) in the case of products referred to in subparagraph 2 of the first paragraph of section 29, the minimum rate for all products in that subcategory, except sealed lead-acid batteries weighing 5 kg or less, is 25% as of (*insert the year that follows the year of coming into force of this Regulation*), which is increased by 5% every 2 years until a 50% rate is attained, followed by a 5% increase every 3 years until a 65% rate is attained;

(3) in the case of sealed lead-acid batteries weighing 5 kg or less referred to in subparagraph 2 of the first paragraph of section 29, the minimum rate for all those products is 25% as of 2025, which is increased by 5% every 2 years until a 50% rate is attained, followed by a 5% increase every 3 years until a 65% rate is attained, unless they are recovered and treated without differentiating them from the products referred to in subparagraph 2 of the first paragraph, in which case the minimum rate and the application period are those provided for in subparagraph 2 of this paragraph;

(4) in the case of products referred to in subparagraph 3 of the first paragraph of section 29, the minimum rate for all products in that subcategory is 20% as of (*insert the year that follows the year of coming into force of this Regulation*), which is increased by 5% every 2 years until a 50% rate is attained, followed by a 5% increase every 3 years until a 65% rate is attained.

The rates are calculated on the basis of the quantity of products marketed during the following reference years:

(1) in the case of products referred to in subparagraph 1 of the first paragraph of section 29, the year preceding by 10 years the year for which the rate is calculated or, if the information concerning the quantity of those products marketed during that reference year has not been provided to the Minister pursuant to section 32.2, the first year for which the quantity of products marketed was provided to the Minister pursuant to that section;

(2) in the case of products referred to in subparagraph 2 of the first paragraph of section 29, the year preceding by 5 years the year for which the rate is calculated, which, in the case of sealed lead-acid batteries weighing less than 5 kg, may not be prior to (*insert the year of coming into force of this Regulation*);

(3) in the case of products referred to in subparagraph 3 of the first paragraph of section 29, the year preceding by 3 years the year for which the rate is calculated.

Where the time elapsed since the date of the first marketing of such products by an enterprise is less than that prescribed for those products in subparagraphs 1 or 3 of the second paragraph, the year of that marketing is considered to be the reference year for those products until the time prescribed in those subparagraphs has elapsed.

Where, pursuant to subparagraph 2 or 3 of the second paragraph, the reference year is prior to (*insert the year of coming into force of this Regulation*), that year is considered to be the reference year until 5 years have elapsed, in the case of products referred to in subparagraph 2 of the first paragraph of section 29, and until 3 years have elapsed, in the case of products referred to in subparagraph 3 of the first paragraph of section 29.".

34. The following is added after section 33:

"**33.1.** For the purposes of the second paragraph of section 13, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by the following values:

(1) where the percentage of recycled content in products of the same subcategory marketed for a reference year is greater than 10% of the total quantity of those products marketed that same year, the quantity

of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by 1% per percentage point of recycled content greater than 10%;

(2) where during the reference year all the products referred to in subparagraph 1 of the first paragraph of section 29 are protected by a basic manufacturer's guarantee covering a period of 8 years or 160,000 km, whichever occurs first, and offering to repair or replace the product free of charge if its charging capacity is below 75% of its original charging capacity, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by 5% per additional year or per 20,000 km, whichever occurs first;

(3) where during the year the quantity of recovered products of the same subcategory that was reused or recycled in Québec is equal to or greater than 50% of the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI, the quantity of products recovered necessary to attain that rate is reduced by 1% per percentage point of content reused or recycled in Québec greater than 50% of the quantity of products recovered.".

35. Section 34 is amended

(1) by replacing subparagraphs 1 and 2 by the following:

"(1) in the case of products referred to in subparagraph 1 of the first paragraph, $6 per kilogram;

(2) in the case of products referred to in subparagraph 2 of the first paragraph, $4.80 per kilogram;

(3) in the case of products referred to in subparagraph 3 of the first paragraph, $5.40 per kilogram.";

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

"The value applicable in subparagraph 1 of the first paragraph is reduced by half where the minimum recovery rate prescribed in section 33 is equal to or greater than 80% and the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate.

The values applicable in subparagraphs 2 and 3 of the first paragraph are reduced by half where the minimum recovery rate prescribed in section 33 is equal to or greater than 60% and the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate.".

36. Section 36 is replaced by the following:

"**36.** For the purposes of this Regulation, every quantity of products referred to in section 35 must be calculated in kilograms.".

37. Section 37 is replaced by the following:

"**37.** An enterprise referred to in section 2 or 8 that markets, acquires or manufactures products referred to in section 35 must implement its recovery and reclamation program not later than 14 July 2012 or the date of the marketing, acquisition or manufacture of such a product if it is subsequent to that date.".

38. Section 38 is amended

(1) by striking out "or 3" in the first paragraph;

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

"Despite subparagraph 10 of the first paragraph of section 5, the obligation to modulate costs in the program does not apply to the category of mercury lamps.".

39. Section 39 is replaced by the following:

"**39.** As of (*insert the year that follows the year of coming into force of this Regulation*), the minimum recovery rate that must be attained yearly by an enterprise referred to in section 2 that markets the products referred to in section 35 is 30% for all products in that category considered cumulatively, which is increased by 5% every 2 years until a 50% rate is attained, followed by a 5% increase every 3 years until a 70% rate is attained.

The rates are calculated on the basis of the quantity of products marketed during the year preceding by 3 years the year for which the rate is calculated.

Where the time elapsed since the date of the first marketing of such products by an enterprise is less than the time prescribed for those products in the second paragraph, the year of the first marketing is considered to be the reference year for those products until 3 years have elapsed.".

40. The following is added after section 39:

"**39.1.** For the purposes of the second paragraph of section 13, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by the following values:

(1) where the percentage of recycled content in products marketed for a reference year is greater than 10% of the total quantity of those products marketed that same year, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by 1% per percentage point of recycled content greater than 10%;

(2) where during the year the quantity of recovered products that was reused or recycled in Québec is equal to or greater than 50% of the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI, the quantity of products recovered necessary to attain that rate is reduced by 1% per percentage point of content reused or recycled in Québec greater than 50% of the quantity of products recovered.".

41. Section 40 is replaced by the following:

"**40.** For the purposes of calculating the payment owing under Chapter IV, the value applicable to the products referred to in section 35 is $4.42 per kilogram.

The value is reduced by half where the minimum recovery rate prescribed in section 39 is equal to or greater than 65% and the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate.".

42. Section 42 is amended

(1) in the first paragraph

(*a*) by replacing "100 mm" by "100 ml";

(*b*) by replacing "50 l" by "25 l";

(*c*) by inserting ", regardless of the use for which they are intended," after "aerosol containers and such containers",;

(2) by replacing subparagraphs 1 to 3 of the second paragraph by the following:

"(1) the following types of paint:

(*a*) latex paint;

(*b*) the other types of paint than those referred to in subparagraph *a* and subparagraph 2;

"(2) aerosol paint and aerosol containers, as well as containers of any sort used for marketing the products referred to in subparagraph 1.".

43. Section 43 is amended

(1) in the first paragraph

(*a*) by replacing "paragraphs 1 and 2" in subparagraph 1 by "subparagraph 1";

(*b*) by replacing "paragraph 3" in subparagraph 2 by "subparagraph 2";

(2) by replacing "and type of product" in the second paragraph by "of products".

44. Section 45 is replaced by the following:

"**45.** For the purposes of section 9, the products listed in subparagraphs *a* and *b* of subparagraph 1 of the second paragraph of section 42 are considered to belong to separate subcategories of products.".

45. Section 46 is amended

(1) in the first paragraph

(*a*) by replacing "2020" by "(*insert the year that follows the year of coming into force of this Regulation*)";

(*b*) by replacing "subparagraphs 1 and 2" in subparagraph 1 by "subparagraph 1 of the second paragraph";

(*c*) by replacing "each subcategory" in subparagraph 1 by "that subcategory";

(*d*) by replacing subparagraph 2 by the following:

"(2) in the case of products referred to in subparagraph 2, the minimum rate for all products in that subcategory is 30% of the quantity of containers marketed, which is increased by 5% every 2 years until a 50% rate is attained, followed by a 5% increase every 3 years until a 60% rate is attained;";

(2) by replacing subparagraphs 1 to 3 of the second paragraph by the following:

"(1) in the case of products referred to in subparagraph 1 of the second paragraph of section 42, on the basis of 7.18% of the quantity of paint marketed during the year;

(2) in the case of products referred to in subparagraph 2 of the second paragraph of section 42, on the basis of the total quantity of containers marketed during the year.".

46. The following is added after section 46:

"**46.1.** For the purposes of the second paragraph of section 13, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by the following values:

(1) where the percentage of recycled content in products of the same subcategory marketed during the year is greater than 10% of the total quantity of those products marketed that same year, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by 1% per percentage point of recycled content greater than 10%;

(2) where during the year the quantity of recovered products of the same subcategory that was reused or recycled in Québec is equal to or greater than 50% of the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI, the quantity of products recovered necessary to attain that rate is reduced by 1% per percentage point of content reused or recycled in Québec greater than 50% of the quantity of products recovered.".

47. Section 47 is amended

(1) by replacing subparagraphs 1 to 3 by the following:

"(1) in the case of products referred to in subparagraph 1, $0.65 per kilogram or equivalent volume;

(2) in the case of products referred to in subparagraph 2, $0.25 per kilogram or litre of an equivalent capacity.";

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

"The value applicable in subparagraph 1 is reduced by half where the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate prescribed in section 46.

The value applicable in subparagraph 2 is reduced by half where the minimum recovery rate prescribed in section 46 is equal to or greater than 55% and the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate.".

48. Section 48 is amended

(1) in the first paragraph

(*a*) by replacing subparagraph 2 by the following:

"(2) containers of 50 l or less used

(a) for marketing the products referred to in subparagraph 1, including containers used for marketing oils that are excluded in that subparagraph, as well as aerosol containers used to market brake cleaners;

(*b*) for marketing the products referred to in subparagraph 4;";

(*b*) by striking out subparagraph 5;

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

"For the purposes of section 3, the products marketed that may contain, as components, one of the products referred to in subparagraphs 1 to 4 of the first paragraph are

(1) transportation and recreational vehicles of all types such as automobiles, motorcycles, ATVs and other recreational vehicles;

(2) machinery such as heavy machinery, farm and forest machinery, lawn tractors and snow blowers;

(3) electrical equipment such as transformers and condensers.".

49. Section 49 is amended

(1) by replacing "paragraphs 2 and 5" in subparagraph 2 of the first paragraph by "paragraph 2";

(2) by replacing "and type of product" in the second paragraph by "of products".

50. Section 50 is amended by replacing "in paragraphs 4 and 5" in subparagraph 2 of the first paragraph by "in subparagraph *b* of subparagraph 2 and in subparagraph 4 of the first paragraph".

51. Section 51 is revoked.

52. The following is added after section 51:

"**51.1.** For the purposes of section 9, the products identified in subparagraphs *a* and *b* of subparagraph 2 of the first paragraph of section 48 are considered to belong to separate subcategories of products.".

53. Section 52 is amended

(1) in the first paragraph

(*a*) by replacing "The rates" in the portion before subparagraph 1 by "As of (*insert the year that follows the year of coming into force of this Regulation*), the rates";

(*b*) by striking out "from the time indicated" in the portion before subparagraph 1;

(*c*) by striking out "from 2020" in subparagraph 1;

(*d*) by replacing subparagraphs 2 and 3 by the following:

"(2) in the case of products referred to in subparagraph 4 of the first paragraph of section 48, the minimum rate for all products in that subcategory is 25%, which is increased by 5% every 2 years until a 50% rate is attained, followed by a 5% increase every 3 years until a 70% rate is attained.";

(2) in the second paragraph

(*a*) by replacing "48:" in subparagraph 1 by "48, 72.9% of the total quantity of that product marketed during the year;";

(*b*) by striking out subparagraphs *a* to *j* of subparagraph 1;

(*c*) by replacing ", 3 and 5" , in subparagraph 2 by "and 3";

(*d*) by replacing "45%" in subparagraph 3by "39.9%".

54. The following is added after section 52:

"**52.1.** For the purposes of the second paragraph of section 13, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by the following values:

(1) where the percentage of recycled content in products of the same subcategory marketed during the year is greater than 10% of the total quantity of those products marketed that same year, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by 1% per percentage point of recycled content greater than 10%;

(2) where during the year the quantity of recovered products of the same subcategory that was reused or recycled in Québec is equal to or greater than 50% of the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI, the quantity of products recovered necessary to attain that rate is reduced by 1% per percentage point of content reused or recycled in Québec greater than 50% of the quantity of products recovered.".

55. Section 53 is amended

(1) by replacing subparagraphs 1 to 5 by the following:

"(1) in the case of products referred to subparagraph 1 of the first paragraph, $0.10 per litre or kilogram equivalent;

(2) in the case of products referred to subparagraph 2 of the first paragraph, $0.18 per litre of capacity or kilogram equivalent;

(3) in the case of products referred to subparagraph 3 of the first paragraph, $0.38 per unit or kilogram equivalent;

(4) in the case of products referred to subparagraph 4 of the first paragraph, $0.39 per litre or kilogram equivalent, according to their equivalence to a pure product.";

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

"The values applicable in subparagraphs 1 to 3 are reduced by half where the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate prescribed in section 52.

The value applicable in subparagraph 4 is reduced by half where the minimum recovery rate prescribed in section 52 is equal to or greater than 65% and the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate.".

56. Section 53.0.1 is amended

(1) in the first paragraph

(*a*) by inserting ", in particular," after "used";

(*b*) by replacing "the conservation or storage of food or beverages" by "conservation or storage";

(2) in the third paragraph

(*a*) by replacing "the conservation or storage of food or beverages" in subparagraph 1by "conservation or storage";

(*b*) by replacing "the conservation or storage of food or beverages" in subparagraph 2by "conservation or storage".

57. Section 53.0.3 is amended by adding the following paragraph at the end:

"Despite the first paragraph, an enterprise referred to in section 2 or 8 that markets, acquires or manufactures products referred to in the third paragraph of section 53.0.1 that are not used for cooking, the conservation or storage of food or beverages, the washing or drying of dishware, cloth or clothing, or products that control the ventilation, the temperature or the humidity in a room or dwelling, must implement its recovery and reclamation program not later than (*insert the date that occurs one year after the date of*

coming into force of this Regulation) or the date of their marketing, acquisition or manufacture if it is subsequent to that date.".

58. Section 53.0.4 is amended by adding the following paragraph at the end:

"Despite the third paragraph, an enterprise referred to in section 2 is not required to offer an additional collection service directly at the consumer in the territory of a regional municipality or territory referred to in section 17.".

59. Section 53.0.6 is amended in the first paragraph

(1) by replacing "per year" in subparagraph 1 by "every 3 years";

(2) by replacing "per year" in subparagraph 2 by "every 2 years until the rate reaches 50%, followed by an increase of 5% every 3 years";

(3) by replacing "per year" in subparagraph 3 by "every 2 years until the rate reaches 50%, followed by an increase of 5% every 3 years";

(4) by replacing "per year" in subparagraph 4 by "every 3 years".

60. The following is added after section 53.0.6:

"**53.0.6.1.** For the purposes of the second paragraph of section 13, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by the following values:

(1) where the percentage of recycled plastic in products of the same subcategory marketed for a reference year is greater than 10% of the total quantity of plastic in those products marketed that same year, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by 1% per percentage point of recycled content greater than 10%;

(2) where during the reference year all the products in a subcategory are protected by a basic manufacturer's guarantee covering a period of 5 years or longer and offering to repair or replace the product free of charge, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by 10% per additional year;

(3) where during the year the quantity of recovered products of the same subcategory that was reused or recycled in Québec is equal to or greater than 50% of the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI, the quantity of products recovered necessary to attain that rate is reduced by 1% per percentage point of content reused or recycled in Québec greater than 50% of the quantity of products recovered.".

61. Section 53.0.7 is amended

(1) by replacing paragraphs 1 and 2 by the following:

"(1) in the case of products referred to in subparagraph 1, $60 per unit or kilogram equivalent;

(2) in the case of products referred to in subparagraph 2, $60 per unit or kilogram equivalent;

(3) in the case of products referred to in subparagraph 3, $6 per unit or kilogram equivalent;

(4) in the case of products referred to in subparagraph 4, $11 per unit or kilogram equivalent.";

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

"The values applicable in subparagraphs 1 and 4 are reduced by half where the minimum recovery rate prescribed in section 53.0.6 is equal to or greater than 80% and the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate.

The value applicable in subparagraph 2 is reduced by half where the minimum recovery rate prescribed in section 53.0.6 is equal to or greater than 70% and the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate.

The value applicable in subparagraph 3 is reduced by half where the minimum recovery rate prescribed in section 53.0.6 is equal to or greater than 65% and the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate.".

62. The following is inserted after section 53.0.7:

"**DIVISION 7**
AGRICULTURAL PRODUCTS

53.0.8. The category of agricultural products is composed of the subcategories provided for in the following paragraphs, which include the types of products listed therein:

(1) sheeting, netting and twine, tubing and fittings, bags and canvas used for conserving and baling silage or hay;

(2) other bags designed and intended for agricultural purposes, such as grain bags and grain silo bags, seed bags, feed bags, peat moss bags, growing medium bags, as well as bags that have been used to market a product referred to in paragraph 7;

(3) containers designed and intended for agricultural purposes, such as canisters, tanks and barrels holding seed or sanitary supplies and containers that have been used to market a product referred to in paragraph 7;

(4) plastic mulch, plastic sheeting for tunnel coverings, as well as plastics used in drip irrigation systems;

(5) floating tarpaulins or covers, plastics used to cover greenhouses, anti-insect and anti-bird netting, manure pit covers, watering mats and ground mats;

(6) plastics for maple sugar production, such as tubing, mainline tubes, fittings and spouts;

(7) Class 1 to 3A pesticides according to the Regulation respecting permits and certificates for the sale and use of pesticides (chapter P-9.3, r. 2), as well as chemical fertilizers, soil amendments and seed coated with pesticides intended for non-household purposes.

53.0.9. For the purposes of this Regulation, every quantity of products referred to in section 53.0.8 must be calculated,

(1) in the case of products referred to in paragraphs 1, 4, 5 and 6, in kilograms;

(2) in the case of products referred to in paragraphs 2 and 3, in units or equivalent weight;

(3) in the case of products referred to in paragraph 7, in litres or equivalent weight.

The quantity must also be accompanied, for each subcategory and type of product, by the conversion factor in units, litres or weight, as the case may be, as well as the methodology used to establish that factor.

53.0.10. An enterprise referred to in section 2 or 8 that markets, acquires or manufactures products referred to in section 53.0.8 must implement its recovery and reclamation program not later than,

(1) in the case of products referred to in paragraphs 1, 2, 3, 6 and 7, (*insert the date that occurs one year after the date of coming into force of this Regulation*) or the date of the marketing, acquisition or manufacture of the product if it is subsequent to that date;

(2) in the case of products referred to in paragraphs 4 and 5, (*insert the date that occurs three years after the date of coming into force of this Regulation*) or the date of the marketing, acquisition or manufacture of the product if it is subsequent to that date.

53.0.11. Despite subparagraph 10 of the first paragraph of section 5, the obligation to modulate costs in the program for agricultural products does not apply until the beginning of the fourth calendar year following implementation of the program.

53.0.12. Despite section 16, subject to sections 17, 19, 20 and 21, an enterprise referred to in section 2 that markets products referred to in section 53.0.8 must set up drop-off centres whose quantity, kind and location correspond to one of the following options:

(1) for each business establishment or other premises where that enterprise's products are marketed, there must be a permanent drop-off centre at the business establishment or the premises or at any other location less than 5 km from the business establishment or premises by roads usable by motor vehicles year round;

(2) for any administrative region, other than those that include regional municipalities referred to in section 17, in the territory of which the products of that enterprise are marketed,

(*a*) where the agricultural area is equal to or less than 100,000 hectares, there must be at least 1 permanent drop-off centre in that territory;

(*b*) where the agricultural area is between 100,001 and 400,000 hectares, there must be at least 3 permanent drop-off centres in that territory and 1 seasonal drop-off centre;

(*c*) where the agricultural area is between 400,001 and 710,000 hectares, there must be at least 4 permanent drop-off centres in that territory and 1 seasonal drop-off centre;

(*d*) where the agricultural area is equal to or greater than 710,001 hectares, there must be at least 15 permanent drop-off centres in that territory.

Where more than 1 drop-off centre is required in the territory of an administrative region, the drop-off centres must be dispersed across the territories of the various regional municipalities.

The drop-off centres referred to in subparagraph 1 of the first paragraph must be in service as soon as a program is implemented.

One-third of the total number of drop-off centres for all the administrative regions referred to in subparagraph 2 of the first paragraph must be in service as soon as a program is implemented, and that number may not be less than 1 per administrative region. Two-thirds of the total number of drop-off centres for all those administrative regions must be in service as of the first anniversary of the program's implementation and all of the drop-off centres must be in service as of the third anniversary of its implementation.

53.0.13. In addition to the conditions provided for in Chapter V, the location and access times for a drop-off centre must be adapted to meet the needs of users in the territory where it is located, in view of the fact that those needs may vary depending on the type of agricultural activity practised there and the seasons.

53.0.14. The minimum recovery rates that must be attained yearly by an enterprise referred to in section 2 that markets products referred to in section 53.0.8 must be equal to the following percentages from the time indicated:

(1) in the case of products referred to in paragraphs 1 and 2 of section 53.0.8, the minimum rate for all products in each subcategory is 45% as of 2025, which is increased to 50% in 2027, followed by a 5% increase every 3 years until a 75% rate is attained;

(2) in the case of products referred to in paragraphs 3 and 6 of section 53.0.8, the minimum rate for all products in each subcategory is 50% as of 2025, which is increased by 5% every 3 years until an 80% rate is attained;

(3) in the case of products referred to in paragraphs 4 and 5 of section 53.0.8, the minimum rate for all products in each subcategory is 25% as of 2027, which is increased by 5% every 2 years until a 50% rate is attained, followed by a 5% increase every 3 years until a 75% rate is attained.

The rates are calculated on the basis of the quantity of products marketed during the following reference years:

(1) in the case of products referred to in paragraphs 1 to 4 of section 53.0.8, the year for which the rate is calculated;

(2) in the case of products referred to in paragraph 5 of section 53.0.8, the year preceding by 7 years the year for which the rate is calculated;

(3) in the case of products referred to in paragraph 6 of section 53.0.8, the year preceding by 10 years the year for which the rate is calculated.

Where the time elapsed since the date of the first marketing of such products by an enterprise is less than that prescribed in subparagraphs 2 and 3 of the second paragraph, the year of that marketing is considered to be the reference year for those products until the time prescribed in those subparagraphs has elapsed.

Where, pursuant to subparagraphs 2 and 3 of the second paragraph, the reference year is prior to (*insert the year of coming into force of this Regulation*), the latter is considered to be the reference year until 7 years have elapsed, in the case of products referred to in paragraph 2 of section 53.0.8, and until 10 years have elapsed, in the case of products referred to in paragraph 3 of section 53.0.8.

53.0.15. For the purposes of the second paragraph of section 13, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by the following values:

(1) where the percentage of recycled content in products of the same subcategory marketed for a reference year is greater than 10% of the total quantity of those products marketed that same year, the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI is reduced by 1% per percentage point of recycled content greater than 10%;

(2) where during the year the quantity of recovered products of the same subcategory that was reused or recycled in Québec is equal to or greater than 50% of the quantity of products recovered necessary to attain the minimum recovery rate prescribed in Chapter VI, the quantity of products recovered necessary to attain that rate is reduced by 1% per percentage point of content reused or recycled in Québec greater than 25% of the quantity of products recovered.

53.0.16. For the purposes of calculating the amount payable under Chapter IV, the values applicable to the products referred to in section 53.0.8 are the following:

(1) in the case of products referred to in paragraph 1, $0.45 per kilogram;

(2) in the case of products referred to in paragraph 2, $1.20 per unit or kilogram equivalent;

(3) in the case of products referred to in paragraph 3, $0.55 per unit or kilogram equivalent;

(4) in the case of products referred to in paragraphs 4 to 6, $0.35 per kilogram.

The values applicable in paragraphs 1, 2 and 4 are reduced by half where the minimum recovery rate prescribed in section 53.0.14 is equal to or greater than 65% and the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate.

The value applicable in paragraph 3 is reduced by half where the minimum recovery rate prescribed in section 53.0.14 is equal to or greater than 70% and the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate.

DIVISION 8
PRESSURIZED FUEL CONTAINERS

53.0.17. The products covered by this category are containers used to hold liquids or gases under pressure that are to be used as fuel, such as propane, butane, isobutane or propylene, except lighters and fire starters.

The category of pressurized fuel containers is composed of the subcategories provided for in the following subparagraphs, which include the types of products listed therein:

(1) non-refillable containers;

(2) refillable containers marketed in a territory referred to in section 17.

53.0.18. For the purposes of this Regulation, every quantity of products referred to in section 53.0.17 must be calculated in units or equivalent weight on the basis of empty containers.

The quantity must also be accompanied by the conversion factor in units or weight, as the case may be, as well as the methodology used to establish that factor.

53.0.19. An enterprise referred to in section 2 or 8 that markets, acquires or manufactures products referred to in section 53.0.17 must implement its recovery and reclamation program not later than (*insert the date that occurs two years after the date of coming into force of this Regulation*) or the date of the marketing, acquisition or manufacture of the product if it is subsequent to that date.

53.0.20. In addition to the elements mentioned in section 5, the recovery and reclamation program of an enterprise referred to in section 2 or 8 that markets, acquires or manufactures products covered by this Division must provide for measures, if applicable, aimed at recovering and treating liquids and gases contained in recovered containers, in accordance with any applicable environmental standard.

Despite subparagraph 10 of the first paragraph of section 5, the obligation to modulate costs in the program for pressurized fuel containers does not apply until the beginning of the fourth calendar year following implementation of the program.

53.0.21. In addition to the drop-off centres referred to in section 16, an enterprise referred to in section 2 that markets products referred to in section 53.0.17 must set up drop-off centres at the entrance to national parks, outfitting operations, controlled zones, campgrounds and other outdoor recreation areas where such products are used, except municipal parks.

53.0.22. As of 2027, the minimum recovery rate that must be attained yearly by an enterprise referred to in section 2 that markets products referred to in section 53.0.17 must be equal to the following percentages:

(1) in the case of products referred to in subparagraph 1 of the second paragraph, the minimum rate for all products in that subcategory is 25%, which is increased by 5% every 2 years until a 50% rate is attained, followed by a 5% increase every 3 years until a 75% rate is attained;

(2) in the case of products referred to in subparagraph 2 of the second paragraph, the minimum rate for all products in that subcategory is 75%, which is increased to 80% in 2030.

The rates are calculated on the basis of the quantity of products marketed during the year for which the rate is calculated.

53.0.23. For the purposes of calculating the amount payable under Chapter IV, the values applicable to the products referred to in section 53.0.17 are the following:

(1) in the case of products referred to in subparagraph 1 of the second paragraph, $2 per unit or kilogram equivalent;

(2) in the case of products referred to in subparagraph 2 of the second paragraph, $0.90 per kilogram.

The value applicable in subparagraph 1 of the first paragraph is reduced by half where the minimum recovery rate prescribed in section 53.0.22 is less than 65% and the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate.

The value applicable in subparagraph 2 of the first paragraph is reduced by half where the quantity of products recovered is equal to or greater than 90% of the quantity necessary to attain the minimum recovery rate prescribed in section 53.0.22.

DIVISION 9
PHARMACEUTICAL PRODUCTS

53.0.24. The category of pharmaceutical products is composed of the subcategories provided for in the following paragraphs, which include the types of products listed therein:

(1) any substance or mixture of substances marketed or otherwise distributed in a community pharmacy or veterinary clinic that can be used

(*a*) to diagnose, treat, mitigate or prevent a disease, disorder, abnormal physical or mental state or their symptoms in human beings or domestic animals; or

(*b*) to restore, correct or modify organic functions in human beings or domestic animals;

(2) natural health products within the meaning of the Natural Health Products Regulations (SOR/2003-196) and food supplements marketed or otherwise distributed in a community pharmacy or veterinary clinic;

(3) instruments, apparatus, contrivances or articles as well as pointed, cutting or sharp objects used for medical purposes to administer a product referred to in subparagraph 1 or 2.

Despite the first paragraph, the following are not covered by this Division:

(1) products used in the course of supplying care by a professional within the meaning of section 1 of the Professional Code (chapter C-26) or for remuneration, particularly in a health and social services institution referred to in the Act respecting health services and social services (chapter S-4.2) or in the Act respecting health services and social services for Cree Native persons (chapter S-5), a private health facility within the meaning of those Acts, a veterinary clinic, a pet shop, a zoo, a park or a zoological garden;

(2) foods that serve a special dietary purpose within the meaning of section 2 of the Food and Drugs Act (R.S.C. 1985, c. F-27);

(3) contact lens disinfectants;

(4) anti-dandruff products including shampoos, and antiperspirants and sun screens;

(5) mouthwashes and fluoridated toothpastes;

(6) lozenges for cough, sore throat or halitosis;

(7) topical substances that do not contain antibiotics, anti-fungal agents or anti-inflammatories;

(8) radiopharmaceuticals.

53.0.25. For the purposes of this Regulation, every quantity of products referred to in section 53.0.24 must be calculated by subcategory of products and in units or equivalent weight.

The quantity must also be accompanied, for each subcategory of products and each type of product, by the conversion factor in units or weight, as the case may be, as well as the methodology used to establish that factor.

53.0.26. An enterprise referred to section 2 that markets, acquires or manufactures products referred to in section 53.0.24 must implement its recovery and reclamation program not later than (*insert the date that occurs two years after the date of coming into force of this Regulation*) or the date of the marketing, acquisition or manufacture of the product if it is subsequent to that date.

53.0.27. For the purposes of developing the recovery and reclamation program for products referred to in section 53.0.24, subparagraphs 9 and 12 of the first paragraph of section 5 do not apply and the obligations provided for in subparagraphs 1, 7, 8, 10 and the first paragraph of subparagraph 11 of the first paragraph of section 5 are replaced by the following:

(1) provide for the management of recovered products so as to ensure that they are disposed of or destroyed safely;

(2) provide for measures aimed at promoting the recovery, reuse and recycling, as the case may be, of containers and other packages not covered by this Regulation that have been used to bring to drop-off centres or transport to treatment centres the products referred to in section 53.0.24, including containers specially designed for the safe handling of pointed, cutting or sharp objects in which consumers take such objects to collection points, except containers that have been in contact with products referred to in subparagraph 1 of the first paragraph of section 53.0.24 in liquid form;

(3) provide for information, awareness and education activities adapted to community pharmacies and veterinary clinics so as to promote the recovery of such products;

(4) provide for the determination of the costs related to the recovery of each subcategory of product;

(5) provide for the auditing of recovered products management and of compliance by a member of the Ordre des pharmaciens du Québec with the operating rules, criteria and requirements referred to in subparagraph 3 of the first paragraph of section 5.

53.0.28. In addition to the elements mentioned in the first paragraph of section 5, the recovery and reclamation program of an enterprise referred to in section 2 must

(1) provide for the obligation to transfer the products to premises authorized to receive them in order to safely dispose of or destroy them;

(2) provide for a study to be conducted, starting from the fourth full civil year of the implementation of the program and thereafter every 3 years, to determine the level of consumer awareness of and participation in the recovery program for products referred to in section 53.0.24;

(3) provide for a study to be conducted, starting from the sixth full civil year of the implementation of the program and thereafter every 5 years, to determine the quantity of products referred to in section 53.0.24 that are held by a consumer and have not yet been used or have expired.

Despite subparagraph 10 of the first paragraph of section 5, the obligation to modulate costs in the program does not apply to the category of pharmaceutical products.

53.0.29. For the purposes of the notification to be supplied to the Minister as provided for in section 6, the second paragraph of subparagraph 8 and subparagraph 13 of the second paragraph of section 6 do not apply.

53.0.30. For the purposes of the report referred to in section 9, subparagraphs 3, 5 and 9 of the first paragraph of section 9 do not apply and the information and documents required in subparagraphs 2, 6, 7, 8 and 10 of that same paragraph are replaced by the following:

(1) for each subcategory of products, the quantity of products recovered and the quantity of products transferred to premises to be safely disposed of or destroyed;

(2) for each subcategory of products recovered and for containers and other packages not covered by this Regulation that have been used to bring to drop-off centres or transport to treatment centres the products referred to in section 53.0.24, the name and address of the enterprises that treat those products or materials at the place of their final destination referred to in subparagraph 4 of the first paragraph of section 5;

(3) a description of the information, awareness and education activities that took place in the year and those planned for the following year;

(4) the costs related to the implementation of the program, specifying the costs associated with

(*a*) the recovery and disposal of products referred to in section 53.0.24 and, if applicable, their storage;

(*b*) the information, awareness and education of customers;

(*c*) program management;

(5) if applicable, the number and the location of the sites where the audits referred to in paragraph 5 of section 53.0.27 and subparagraph 10 of the second paragraph of section 6 were carried out during the year, the name and address of the person who carried out those audits, a copy of the documents showing that the person is a member of the Ordre des pharmaciens du Québec, the findings resulting from those audits and, if applicable, the adjustments that will be made to rectify any problems.

Despite the second paragraph of section 9, only the information referred to in subparagraph 1 of the first paragraph of section 9 and in subparagraphs 1, 2 and 4 of the first paragraph of this section is required to be audited.

53.0.31. In addition to the elements mentioned in section 9, the report must describe the efforts made to ensure the separation and recycling of containers and packages not covered by this Regulation that have been used to bring to drop-off centres or transport to treatment centres the products referred to in section 53.0.24, as well as the quantity of those containers transferred for recycling if that activity is carried out elsewhere than at the various drop-off centres.

Where a management method may not be used in the order provided for in subparagraph 1 of the first paragraph of section 5 in respect of containers and other packages not covered by this Regulation that have been used to bring to drop-off centres or transport to treatment centres the products referred to in section 53.0.24, the report must contain the information and documents mentioned in subparagraph *a* or *b*, as the case may be, of subparagraph 3 of the first paragraph of section 9.

53.0.32. Section 10 does not apply to an enterprise referred to in section 2 that implements a recovery and reclamation program for a product referred to in section 53.0.24.

53.0.33. An enterprise referred to in section 2 that markets a product referred to in section 53.0.24 must, as soon as the program is implemented, set up drop-off centres whose quantity, kind and characteristics meet the following conditions:

(1) for any regional municipality or territory referred to in sections 16 and 17 where the products of that enterprise are marketed, a permanent drop-off centre within the meaning of the second paragraph of section 15 must be set up in at least 80% of the business establishments in the territory of that regional municipality or in the territory where the products of that enterprise are marketed;

(2) the drop-off center must be designed to ensure safe storage and handling conditions for the products recovered.

Access to and deposit of products at drop-off centres must be free of charge.".

63. Section 53.1 is amended

(1) by inserting the following before paragraph 1:

"(0.1) to provide to the organization referred to in section 4 the information prescribed by 4.3;

(0.2) to provide to the organization referred to section 4, within the period prescribed in section 4.4, the information and documents prescribed by that section;

(0.3) to provide to the Minister, within the period prescribed in section 6.1, the information and documents prescribed by that section;";

(2) by replacing paragraph 5 by the following:

"(5) to inform the Minister, within the period prescribed by the third paragraph of section 8, of its intention to implement an individual program, join a group of enterprises implementing a common program or become a member of an organization referred to in section 4, or to provide to the Minister for that purpose the information and documents prescribed by the fourth paragraph of section 8;";

(3) in paragraph 10

(*a*) by striking out ", to provide the information in the manner provided for in the second paragraph of that section";

(*b*) by replacing "third" by "second";

(4) by replacing paragraph 11 by the following:

"(11) to provide the Minister the information referred to in the first paragraph of section 32.2;";

(5) by replacing "second" in paragraph 12 by "third";

(6) by striking out paragraph 13.

64. Section 53.2 is amended by adding the following at the end:

"(3) to include in the recovery and reclamation program measures aimed at recovering and treating halocarbons, their isomers and any other alternative substance, as well as any hazardous material, as prescribed by section 53.0.4.".

65. Section 53.3 is amended

(1) by inserting the following after paragraph 1:

"(1.1) to provide to the Minister a remediation plan, at the frequency and on the conditions provided for by the second paragraph of section 14, or to include in the remediation plan one of the measures prescribed by the third paragraph of that section;";

(2) in paragraph 2

(*a*) by striking out " second paragraph of section 13 or the second or";

(*b*) by replacing "third" by "fourth";

(*c*) by replacing "fourth" by "fifth";

(3) by replacing "or 58 or to continue to implement a recovery system as prescribed by the first paragraph of section 59" in paragraph 8 by ", 53.0.10, 53.0.19 or 53.0.26".

66. Section 53.4 is amended

(1) by inserting the following after paragraph 2:

"(2.1) to recover and reclaim a product or component by means of a recovery and reclamation program, according to the conditions prescribed by sections 4.1 and 4.2;";

(2) by replacing "11" in paragraph 3 by "13";

(3) by inserting the following after paragraph 3:

"(3.1) to comply with the prohibition provided for in section 8.1 related to agreements concerning the treatment of products covered by this Regulation;";

(4) by replacing "or 17" in paragraph 4 by ", 17, 32.1, 53.0.4, 53.0.12, 53.0.13, 53.0.21 or 53.0.33".

67. Section 54 is amended

(1) by replacing paragraph 1 by the following:

"(1) contravenes section 4.3, 4.4, 6, 6.1 or 7, the second, third or fourth paragraph of section 8, section 10, 11 or 12, the fifth paragraph of section 13, section 26 or 32, the first paragraph of section 32.2 or the first or third paragraph of section 38;";

(2) by striking out paragraph 2.

68. Section 56 is amended in paragraph 1

(1) by striking out "the second paragraph of section 13,";

(2) by replacing "or fourth" by ", fourth or fifth";

(3) by replacing "or 53.0.3" by ", 53.0.3, 53.0.10, 53.0.19 or 53.0.26".

69. Section 56.1 is amended:

(1) by replacing "3 or 5" in paragraph 1 by "3, 4.1, 4.2, 5 or 8.1";

(2) by replacing "or 17" in paragraph 2 by ", 17, 32.1, 53.0.4, 53.0.12, 53.0.13, 53.0.21 or 53.0.33".

70. Section 59.1 is amended by replacing "30 April" in the third paragraph by "15 May".

71. The following is added after section 59.1:

"**59.2.** Sections 24 and 29 of this Regulation, as they read on (*insert the date that occurs one day before the date of coming into force of this Regulation*), continue to apply in respect of the subcategories of products referred to in sections 22 and 31 as they read at that date, until (*insert the date that occurs one year after the date of coming into force of this Regulation*).

59.3. Any positive difference calculated under subparagraph 2 of the first paragraph of section 13 and in sections 27, 33, 39, 46 and 52, as they read before 19 September 2019, may be used, in whole or in part and for the same subcategory of products, to compensate for a negative difference calculated for a year prior to (*insert the year that occurs five years after the year of coming into force of this Regulation*).".

TRANSITIONAL AND FINAL

72. This Regulation comes into force on (*insert the date of coming into force of this Regulation*), except:

(1) section 1, paragraph 1 of section 3, sections 4 and 8 and subparagraph *c* of paragraph 1 of section 19, which come into force on (*insert the date that occurs six months after the date of coming into force of this Regulation*);

(2) section 10, which comes into force on (*insert the date that occurs three months after the date of coming into force of this Regulation*).

105312

Draft Minister's Order

Act respecting the exercise of certain municipal powers in certain urban agglomerations
(chapter E-20.001)

Rules to establish the fiscal potential of the related municipalities of the urban agglomeration of Montréal for the purpose of apportioning urban agglomeration expenditures

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Order concerning the Rules to establish the fiscal potential of the related municipalities of the urban agglomeration of Montréal for the purpose of apportioning urban agglomeration expenditures, appearing below, may be made on the expiry of 45 days following this publication.

The draft Order renews the rules of the Minister's Order dated 16 December 2020 in order to establish the fiscal potential, which are closer to the definition of fiscal potential set out in section 261.5 of the Act respecting municipal taxation (chapter F-2.1).

Further information may be obtained by contacting Erika Desjardins Dufresne, 10, rue Pierre-Olivier-Chauveau, 5e étage, La Tour, Québec (Québec), G1R 4J3; telephone 418 691 2015, extension 83807; fax: 418 643-2206; email: erika.desjardins-dufresne@mamh.gouv.qc.ca.

Any person wishing to comment on the draft Order is requested to submit written comments within the 45-day period to Erika Desjardins-Dufresne at the above mentioned contact information.

Andrée Laforest
Minister of Municipal Affairs and Housing

Rules to establish the fiscal potential of the related municipalities of the urban agglomeration of Montréal for the purpose of apportioning urban agglomeration expenditures

Act respecting the exercise of certain municipal powers in certain urban agglomerations
(chapter E-20.001, s. 118.80)

DIVISION I
GENERAL

1. The provisions of this Order set out the rules for establishing the fiscal potential of the related municipalities of the urban agglomeration of Montréal for the purpose of apportioning the urban agglomeration expenditures of Ville de Montréal.

DIVISION II
GENERAL

2. The fiscal potential of each related municipality of the urban agglomeration of Montréal, for the purpose of apportioning the urban agglomeration expenditures of Ville de Montréal, is established in accordance with section 261.5 of the Act respecting municipal taxation (chapter F-2.1), with the necessary modifications, in particular, the replacement of the coefficient "0.48" in subparagraph 2 of the first paragraph by "2.68".

DIVISION III
SPECIAL AND FINAL

3. This Order comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* and takes effect as of the 2022 fiscal year.

105308

Erratum

Notice

Automobile Insurance Act
(chapter A-25)

Insurance contributions

Gazette officielle du Québec, Part 2, October 6, 2021, Volume 153, No. 40, page 4457.

In the table of contents, the document "Insurance contributions" should have appeared under the heading "Regulations and other Acts", since this document is a duly approved regulation.

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