



Part 2

LAWS AND REGULATIONS

6 July 2022 / Volume 154

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Part 2 – LAWS AND REGULATIONS

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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;
- (4) regulations made by courts of justice and quasi-judicial tribunals;
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PROVINCE OF QUÉBEC

2ND SESSION

42ND LEGISLATURE

QUÉBEC, 1 JUNE 2022

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 1 June 2022*

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

- 28 An Act to terminate the public health emergency while maintaining transitional measures necessary to protect the health of the population (*modified title*)
- 11 An Act to increase the supply of primary care services and to improve the management of that supply (*modified title*)

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

Québec Official Publisher

PROVINCE OF QUÉBEC

2ND SESSION

42ND LEGISLATURE

QUÉBEC, 7 JUNE 2022

OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 7 June 2022

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

32 An Act respecting academic freedom in the university sector

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

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PROVINCE OF QUÉBEC

2ND SESSION

42ND LEGISLATURE

QUÉBEC, 15 JUNE 2022

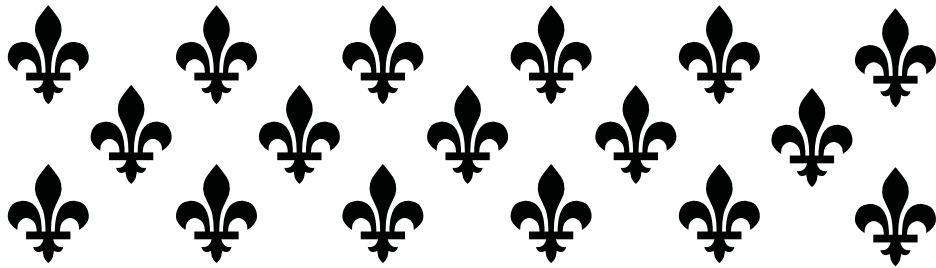
OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 15 June 2022*

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

211 An Act respecting Municipalité de Saint-Damien-de-Buckland

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

Québec Official Publisher



NATIONAL ASSEMBLY OF QUÉBEC

SECOND SESSION

FORTY-SECOND LEGISLATURE

Bill 11
(2022, chapter 16)

**An Act to increase the supply of
primary care services and to improve
the management of that supply**

**Introduced 11 November 2021
Passed in principle 10 February 2022
Passed 31 May 2022
Assented to 1 June 2022**

**Québec Official Publisher
2022**

EXPLANATORY NOTES

This Act amends the Act to promote access to family medicine and specialized medicine services to provide that general practitioners who participate in the Québec Health Insurance Plan are required to add to their caseload of patients only those persons registered for the Québec Family Doctor Finder (GAMF). It also provides that those physicians are required to make themselves available to insured persons through the appointment booking system put in place by the Régie de l'assurance maladie du Québec (the Board) or through an appointment booking system offered by another supplier.

The Act allows the Minister of Health and Social Services to enter into agreements with suppliers of appointment booking systems so that appointments with a same physician may be made by means of more than one such system. It provides that, as soon as a first agreement is entered into, the Minister sees to the management of appointment booking and that every general practitioner must send their hours of availability to the Minister. The Minister is authorized to use the information collected in the course of that management where it is necessary for the exercise of the Minister's functions.

In addition, the Act amends the Act respecting health services and social services so that the Minister may determine the cases in which and the conditions under which certain health services and social services may be provided from a distance.

Moreover, the Act amends the Health Insurance Act to specify that the remuneration of health professionals, within the meaning of that Act, may be different for the provision of medical services from a distance, in particular according to the means used to provide such a service. It also amends that Act to authorize the Board to communicate, to a health and social services institution and to a regional department of general medicine, certain information necessary for medical staff planning and for the application of the Act to promote access to family medicine and specialized medicine services. It also prescribes the conditions under which the Board may communicate to the Minister the information necessary for the exercise of the Minister's functions.

Furthermore, the Act amends the Act respecting the Régie de l'assurance maladie du Québec to set up a system that allows every insured person to find a health and social services professional who agrees to provide medical care to them.

Lastly, the Act contains consequential provisions.

LEGISLATION AMENDED BY THIS ACT:

- Act to promote access to family medicine and specialized medicine services (chapter A-2.2);
- Health Insurance Act (chapter A-29);
- Medical Act (chapter M-9);
- Act respecting the Régie de l'assurance maladie du Québec (chapter R-5);
- Act respecting health services and social services (chapter S-4.2);
- Act to amend certain provisions regarding the clinical organization and management of health and social services institutions (2017, chapter 21).

Bill 11

AN ACT TO INCREASE THE SUPPLY OF PRIMARY CARE SERVICES AND TO IMPROVE THE MANAGEMENT OF THAT SUPPLY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT TO PROMOTE ACCESS TO FAMILY MEDICINE AND SPECIALIZED MEDICINE SERVICES

I. Section 11 of the Act to promote access to family medicine and specialized medicine services (chapter A-2.2) is replaced by the following sections:

“II. Every general practitioner subject to an agreement entered into under section 19 of the Health Insurance Act (chapter A-29) must

(1) add to the caseload of patients they provide medical care to only those persons registered in the information system mentioned in the sixth paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5), which is designed to allow them to find a health and social services professional who agrees to provide medical care to them, except to take over for another physician in the cases referred to in section 10; and

(2) make themselves available to insured persons, within the meaning of the Health Insurance Act, by means of the appointment booking system mentioned in the sixth paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec or another system whose supplier has entered into an agreement referred to in section 11.1 with the Minister.

The Government may, by regulation, prescribe the cases in which and conditions under which physicians may add to their caseload of patients a person other than a person registered in the system referred to in subparagraph 1 of the first paragraph. The Government may, likewise, determine to what extent physicians must make themselves available under subparagraph 2 of that paragraph. The Government may also determine, in such a regulation, the percentage of a physician's hours of availability that must be offered from Monday to Friday, before 8:00 a.m. and after 7:00 p.m., as well as on Saturdays and Sundays and prescribe the requirements relating to the use of the information system or an appointment booking system and the information that must be entered into those systems.

11.1. To allow for the booking of appointments with the same physician using more than one appointment booking system, the Minister may enter into an agreement with a supplier of an appointment booking system other than the one referred to in the sixth paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5).

As soon as a first agreement is entered into, the Minister must see to the management of appointment booking through those systems, in particular by taking the means necessary to prevent there being more than one appointment booked for a single period of availability.

As soon as such an agreement is entered into, every physician to whom section 11 applies must send the Minister their hours of availability referred to in that section, in accordance with the form and content, and at the intervals, determined by government regulation.

The Minister may use the information collected under the second and third paragraphs for any other purpose in addition to the purpose provided for therein, where such use is necessary for the exercise of the Minister's functions, in particular for developing policies, medical staff planning, monitoring the implementation of those policies and that planning, and assessing applications for an approval, authorization or other decision that the Minister is empowered to make under the law in respect of the medical staff or any member of such staff."

2. Section 21 of the Act is amended

(1) by replacing "or under section 10 or 11, the regional department of general medicine is responsible for verifying fulfillment of an obligation under section 6 or" and "or 15" in the first paragraph by ", section 10, subparagraph 1 of the first paragraph of section 11 or section 13.1, the regional department of general medicine is responsible for verifying fulfillment of an obligation under section 6, subparagraph 2 of the first paragraph of section 11 or section" and ", 15 or 15.1", respectively;

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

"Lastly, the Minister is responsible for verifying fulfillment of an obligation under the third paragraph of section 11.1."

3. Section 23 of the Act, amended by section 70 of chapter 21 of the Statutes of 2017, is again amended, in the first paragraph,

(1) by inserting ", the Minister" after "professional services";

(2) by replacing "section 6, 7," by "section 6 or 7, subparagraph 2 of the first paragraph of section 11, the third paragraph of section 11.1 or section".

4. Section 24 of the Act is amended by replacing “general practitioner has failed to fulfill an obligation under subparagraph 1 of the first paragraph of section 4 or under section 10 or 11” by “physician has failed to fulfill an obligation under subparagraph 1 of the first paragraph of section 4, section 10, subparagraph 1 of the first paragraph of section 11 or section 13.1”.

5. Section 30 of the Act, enacted by section 1 of chapter 25 of the statutes of 2015, is amended

(1) by replacing “eighth” in paragraph 1 by “ninth”;

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

“(2) by replacing “sixth or seventh” in the tenth paragraph by “fifth or sixth”.

6. Section 31 of the Act, enacted by section 1 of chapter 25 of the statutes of 2015, is amended by replacing “twelfth” and “tenth” by “thirteenth” and “eleventh”, respectively.

7. Section 39 of the Act, enacted by section 1 of chapter 25 of the statutes of 2015, is amended by replacing “seventh and eighth” and “sixth” by “eighth and ninth” and “seventh”, respectively.

8. Section 63 of the Act, enacted by section 1 of chapter 25 of the statutes of 2015, is replaced by the following section:

“63. Section 377.1 of the Act is amended by replacing “seventh” by “sixth”.”

9. Section 72 of the Act is amended by replacing “the medical appointment system mentioned in the sixth paragraph of section 2 of the Act respecting the Régie de l’assurance maladie du Québec (chapter R-5)” in subparagraph 5 of the first paragraph by “an appointment booking system referred to in subparagraph 2 of the first paragraph of section 11”.

HEALTH INSURANCE ACT

10. Section 19 of the Health Insurance Act (chapter A-29) is amended

(1) by inserting the following paragraph after the fifth paragraph:

“An agreement may provide for a different remuneration for the provision of medical services from a distance, in particular according to the means used to provide such a service.”;

(2) by replacing “in the sixth paragraph” in the ninth paragraph by “in the sixth or seventh paragraph”.

11. Section 19.1 of the Act is amended by replacing “twelfth” in the second paragraph by “thirteenth”.

12. The Act is amended by inserting the following section after section 22.0.0.0.2:

“22.0.0.0.3. A health professional subject to the application of an agreement or a health professional who has withdrawn is entitled to be remunerated for an insured service the health professional provided from a distance only in the cases determined by a regulation made under section 453.2 of the Act respecting health services and social services (chapter S-4.2) and if the conditions determined in the regulation are met.”

13. Section 22.2 of the Act is amended by inserting “or with the cases and conditions determined by a regulation made under section 453.2 of the Act respecting health services and social services (chapter S-4.2), as the case may be” after “in non-conformity with the agreement” in the first paragraph.

14. Section 54 of the Act is amended by adding the following sentence at the end of the first paragraph: “The same applies to a dispute concerning a professional in the field of health who is subject to the application of an agreement and that results from the interpretation or application of a provision of a regulation made under section 453.2 of the Act respecting health services and social services (chapter S-4.2).”

15. Section 65 of the Act is amended

(1) in the fifth paragraph,

(a) by striking out “concerning the remuneration of a physician”;

(b) by inserting “or required for medical staff planning” after “services (chapter A-2.2)”;

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

“The Board may also, in accordance with the conditions and formalities provided for in the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), forward to the Minister the information necessary for the exercise of the Minister’s functions, in particular for developing policies, medical staff planning, monitoring the implementation of those policies and that planning, and assessing applications for an approval, authorization or other decision that the Minister is empowered to make under the law in respect of the medical staff or any member of such staff. Such information must not allow an insured person to be identified.”

16. Section 67 of the Act is amended by striking out the tenth paragraph.

17. Section 69.0.1.1 of the Act is amended by replacing “seventh and eighth” by “eighth and ninth”.

MEDICAL ACT

18. The Medical Act (chapter M-9) is amended by inserting the following section after section 14:

“**14.1.** The president or the person designated by the president may, on request, send to the Minister of Health and Social Services the information concerning physicians or holders of a registration certificate in medicine that the Minister considers necessary for the exercise of his functions, in particular for developing policies, medical staff planning, monitoring the implementation of those policies and that planning, and assessing applications for an approval, authorization or other decision that the Minister is empowered to make under the law in respect of the medical staff or any member of such staff.”

ACT RESPECTING THE RÉGIE DE L'ASSURANCE MALADIE DU QUÉBEC

19. Section 2 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5) is amended by replacing “physician who agrees to provide medical care to the person in collaboration, if applicable, with other health and social services professionals. It shall also set up a system designed to allow every insured person to make an appointment with a general practitioner who is subject to an agreement entered into under section 19 of that Act. The Board may also, at the Minister’s request, allow such a system to be used to make an appointment with” in the sixth paragraph by “health and social services professional who belongs to a class of professionals, and practises in premises belonging to a class, identified by the Minister and who agrees to provide medical care to the person in collaboration, if applicable, with other professionals. The Board shall also set up a system designed to allow every insured person to make an appointment with”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

20. Section 6 of the Act respecting health services and social services (chapter S-4.2) is amended by adding the following sentence at the end of the first paragraph: “The person is also entitled to have those services provided to him in person.”

21. Section 13 of the Act is amended by replacing “The right to health services and social services and the right to choose a professional and an institution as provided in sections 5 and 6” by “The rights provided for in section 5 and in the first paragraph of section 6”.

22. Section 34 of the Act is amended by striking out “or 108.1” in the first paragraph.

23. The Act is amended by inserting the following section after section 105:

“105.0.1. The services determined under section 105 may be provided from a distance only in the cases and on the conditions determined by a regulation made under section 453.2. The same applies to the conduct of activities determined under section 105.”

24. Sections 108.1 and 108.2 of the Act are repealed.

25. Section 109 of the Act is amended by striking out “, 108.1” in the first and fourth paragraphs.

26. The Act is amended by inserting the following section after section 333.4.1:

“333.4.2. The services insured under the plan established by the Health Insurance Act (chapter A-29) may be provided from a distance by a health professional, within the meaning of that Act, who practises in a specialized medical centre referred to in subparagraph 1 of the first paragraph of section 333.3, only in the cases and on the conditions determined by a regulation made under section 453.2.”

27. The Act is amended by inserting the following title after section 338.1:

“TITLE III

“PRIVATE HEALTH FACILITY

“338.2. The services insured under the plan established by the Health Insurance Act (chapter A-29) may be provided from a distance by a health professional, within the meaning of that Act, who practises in a private health facility, only in the cases and on the conditions determined by a regulation made under section 453.2.”

28. Section 377.1 of the Act is amended by replacing “sixth” by “seventh”.

29. The Act is amended by inserting the following chapter after section 453.1:

“CHAPTER II.1

“HEALTH SERVICES AND SOCIAL SERVICES PROVIDED FROM A DISTANCE

“453.2. The Minister may, by regulation, determine the cases in which and the conditions under which the following services may be provided from a distance, in particular to ensure their quality:

- (1) the health services and social services determined under section 105;

(2) the services insured under the plan established by the Health Insurance Act (chapter A-29) and provided by a health professional, within the meaning of that Act, who practises in a specialized medical centre referred to in subparagraph 1 of the first paragraph of section 333.3; and

(3) the services insured under the plan established by the Health Insurance Act and provided by a health professional, within the meaning of that Act, who practises in a private health facility.

The regulation may also determine the conditions under which the activities determined under section 105 may be conducted from a distance.

The Minister may, in particular, determine the cases and circumstances in which a technological product or service certified in accordance with the specific rules defined by the health and social services network information officer under section 5.2 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2) must be used when services are provided or activities are conducted from a distance.”

ACT TO AMEND CERTAIN PROVISIONS REGARDING THE CLINICAL ORGANIZATION AND MANAGEMENT OF HEALTH AND SOCIAL SERVICES INSTITUTIONS

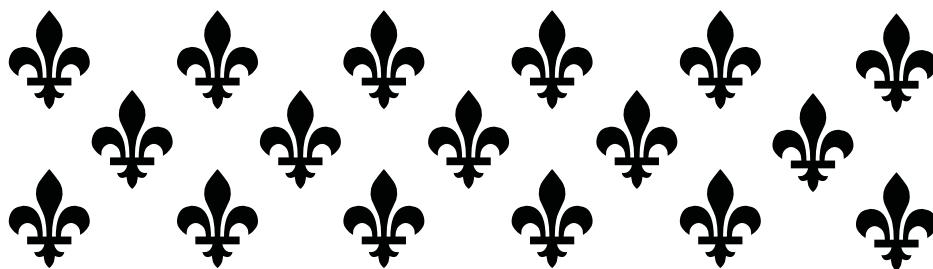
30. Sections 69 and 71 of the Act to amend certain provisions regarding the clinical organization and management of health and social services institutions (2017, chapter 21) are repealed.

FINAL PROVISION

31. The provisions of this Act come into force on the date or dates to be determined by the Government, except

(1) sections 10, 11, 15 to 18 and 28, which come into force on 1 June 2022; and

(2) sections 12 to 14, 20 to 27 and 29, which come into force on the date of coming into force of the first regulation made under section 453.2 of the Act respecting health services and social services (chapter S-4.2), enacted by section 29.



NATIONAL ASSEMBLY OF QUÉBEC

SECOND SESSION

FORTY-SECOND LEGISLATURE

Bill 28
(2022, chapter 15)

**An Act to terminate the public health
emergency while maintaining
transitional measures necessary to
protect the health of the population**

**Introduced 16 March 2022
Passed in principle 11 May 2022
Passed 1 June 2022
Assented to 1 June 2022**

**Québec Official Publisher
2022**

EXPLANATORY NOTES

This Act terminates the public health emergency declared on 13 March 2020.

Under the Act, the measures set out in certain orders of the Minister of Health and Social Services made under the Public Health Act remain in force until 31 December 2022. However, the Government may amend or repeal those orders to allow a gradual easing of the measures.

In addition, the Act provides that certain contracts in force that have been entered into by the Minister or a health and social services institution during the public health emergency may be extended for a period that does not, according to the nature of the contract, extend beyond 31 December 2022 or exceed five years.

Lastly, the provisions of the Act, with certain exceptions, cease to have effect on 31 December 2022.

Bill 28

AN ACT TO TERMINATE THE PUBLIC HEALTH EMERGENCY WHILE MAINTAINING TRANSITIONAL MEASURES NECESSARY TO PROTECT THE HEALTH OF THE POPULATION

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** The public health emergency declared on 13 March 2020 and renewed since is terminated.
- 2.** The measures prescribed by Order 2022-031 of the Minister of Health and Social Services dated 11 May 2022 concerning measures relating to education remain in force until 30 June 2022.

The measures prescribed by the following orders of the Minister remain in force until 31 December 2022:

- (1) Order 2022-028 (2022, G.O. 2, 1015A) concerning operational measures;
- (2) Order 2022-029 (2022, G.O. 2, 1016A) concerning measures relating to vaccination and screening;
- (3) Order 2022-032 dated 11 May 2022 concerning public health measures; and
- (4) Order 2022-033 dated 11 May 2022 concerning measures relating to human resources.

No judicial proceedings may be brought against the Government, the Minister or any other person for acts performed in good faith in applying the above orders.

- 3.** The Government may amend or repeal a ministerial order referred to in section 2 to allow a gradual easing of the measures.

- 4.** Despite any contrary provision of the Act respecting contracting by public bodies (chapter C-65.1) or of any other Act or any regulation, the contracts entered into by the Minister or a health and social services institution during the public health emergency under Order in Council 177-2020 dated 13 March 2020 (2020, G.O. 2, 763A) and its subsequent amendments that are still in force at the end of the public health emergency and are necessary to ensure the proper operation of screening or vaccination clinics may be extended for a period that does not extend beyond 31 December 2022.

Despite the preceding paragraph, the term or value of any existing contract for the storage or transportation of goods acquired during the COVID-19 pandemic may be extended or increased until the stocks have been exhausted. However, the term of such contracts may not extend beyond five years after the end of the public health emergency.

Consequently, this section does not apply to contracts entered into after 23 March 2022.

5. Anyone who

(1) contravenes a measure that has continued to apply or was amended under section 2 or 3,

(2) by an act or omission, helps a person to commit an offence under subparagraph 1, or

(3) by encouragement, advice or consent or by an authorization or an order, induces a person to commit an offence under subparagraph 1,

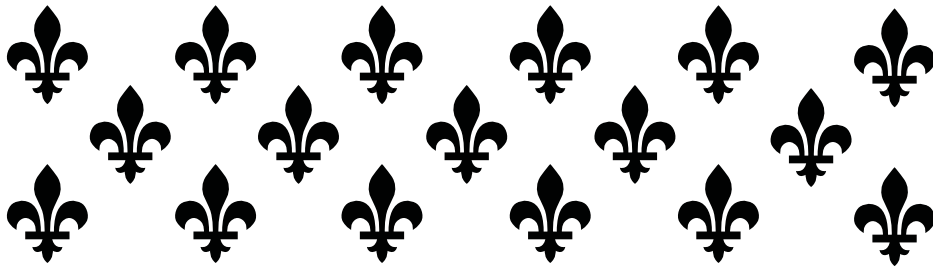
commits an offence and is liable to a fine of \$1,000 to \$6,000.

The fines are doubled for a subsequent offence.

6. The Minister must table in the National Assembly, not later than 10 June 2022, the event report referred to in section 129 of the Public Health Act (chapter S-2.2).

7. The Minister of Health and Social Services is responsible for the administration of this Act.

8. The provisions of this Act come into force on 1 June 2022 and cease to have effect on 31 December 2022, except the provisions of the second paragraph of section 4, which cease to have effect on 1 June 2027 or on any earlier date or dates to be set by the Government.



NATIONAL ASSEMBLY OF QUÉBEC

SECOND SESSION

FORTY-SECOND LEGISLATURE

Bill 32
(2022, chapter 21)

**An Act respecting academic freedom
in the university sector**

**Introduced 6 April 2022
Passed in principle 24 May 2022
Passed 3 June 2022
Assented to 7 June 2022**

**Québec Official Publisher
2022**

EXPLANATORY NOTES

The purpose of this Act is to recognize, promote and protect university academic freedom in order to further the fulfilment of the mission of university-level educational institutions.

To that end, the Act defines the right to university academic freedom as the right of every person to engage freely and without doctrinal, ideological or moral constraint in an activity through which the person contributes to carrying out the mission of such an educational institution.

In addition, the Act requires such educational institutions to adopt a policy pertaining exclusively to university academic freedom and specifies the main elements that the policy must set out or provide for, in particular the establishment and composition of a committee whose main functions are to oversee the implementation of the policy, examine any complaints about university academic freedom and, if applicable, make recommendations concerning such complaints or about any other matter relating to university academic freedom.

The Act also provides that such educational institutions must appoint a person responsible for university academic freedom, who is to be in charge of, among other things, the implementation of the policy.

The Act grants the minister responsible for higher education the power to have corrections made to an institution's policy that is non-compliant.

Lastly, the Act establishes the terms for reporting to the Minister, the Government and the National Assembly.

Bill 32

AN ACT RESPECTING ACADEMIC FREEDOM IN THE UNIVERSITY SECTOR

AS the production and transmission of knowledge through research, creation and teaching activities and through services to the community are central to the mission of university-level educational institutions;

AS it is vital that such educational institutions offer a quality education to the members of their student community in an environment conducive to learning, discussion and debate;

AS the United Nations Educational, Scientific and Cultural Organization (UNESCO) 1997 Recommendation concerning the Status of Higher-Education Teaching Personnel recognizes that the proper enjoyment of academic freedom requires the autonomy of institutions of higher education;

AS university autonomy and university academic freedom constitute essential conditions for carrying out the mission of such educational institutions;

AS there is a need to see to it that such educational institutions are able to carry out their mission without doctrinal, ideological or moral constraint;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The purpose of this Act is to recognize, promote and protect university academic freedom in order to support the mission of university-level educational institutions, which includes the production and transmission of knowledge through research, creation and teaching activities and through services to the community.

2. This Act applies to the following educational institutions:

(1) educational institutions referred to in paragraphs 1 to 12 of section 1 of the Act respecting educational institutions at the university level (chapter E-14.1); and

(2) legal persons or bodies that are authorized under an Act to confer degrees, diplomas, certificates or any other attestation of university studies and that offer a university-level instructional program, for the purposes of such programs.

3. The right to university academic freedom is the right of every person to engage freely and without doctrinal, ideological or moral constraint, such as institutional censorship, in an activity through which the person contributes to carrying out the mission of an educational institution.

That right includes the person's freedom

(1) to teach and discuss;

(2) to research, create and publish;

(3) to express their opinion about society and about an institution, including their respective institution, and about any doctrine, dogma or opinion; and

(4) to freely take part in the activities of professional organizations or academic organizations.

It must be exercised in accordance with the standards of ethics and of scientific rigour generally recognized by the university sector and taking into account the rights of the other members of the university community.

4. Every educational institution must adopt, after consulting the members of the university community, a policy pertaining exclusively to university academic freedom.

The policy must set out or provide for at least the following:

(1) the establishment and composition of a committee that is representative of the institution's community and composed of students, officers and personnel members, among others, and whose main functions are to oversee the implementation of the policy, examine complaints about university academic freedom and, if applicable, make recommendations concerning such complaints or about any other matter relating to university academic freedom;

(2) the operating rules of the committee referred to in subparagraph 1, including those concerning the procedures for processing complaints;

(3) the measures applicable in the event of a violation of the right to university academic freedom;

(4) the establishment of awareness-raising and information measures for the university community, including those that are intended to improve recognition and protection of university academic freedom; and

(5) the establishment of resources and instructional tools to ensure promotion of and due respect for university academic freedom, including an advisory service.

The policy must not have the effect of preventing ideas and topics that could offend from being broached during an activity that contributes to the university mission or of requiring that such an activity be preceded by a warning when it involves such content.

The institution must send its policy to the Minister within 15 days of its adoption and of any amendment made to it.

The policy must be published on the institution's website.

5. The educational institution must review its policy at least once every 10 years.

6. Every educational institution must appoint a person responsible for university academic freedom, who is to be in charge of, among other things, the implementation of the policy.

7. If an educational institution fails to comply with the obligations set out in this Act, the Minister may, at the institution's expense, have the necessary corrections made by the person designated by the Minister.

The institution must collaborate with the person designated by the Minister.

8. Every educational institution must report annually to the Minister, at the time and in the manner determined by the Minister, on the implementation of its university academic freedom policy.

The report must set out, among other things,

(1) the number of complaints processed and the time frame in which they were processed;

(2) the measures applied, if any; and

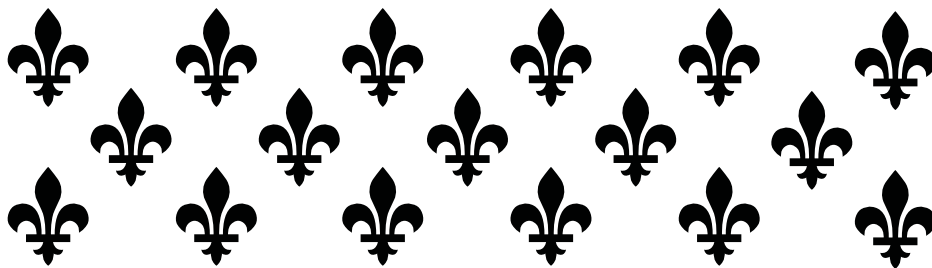
(3) any other information requested by the Minister concerning the implementation of this Act.

9. Not later than 7 June 2027, the Minister must report to the Government on the carrying out of this Act.

Such a report must be tabled by the Minister in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption.

10. The university academic freedom policy to be adopted by an educational institution under section 4 must be adopted not later than 7 June 2023.

- 11.** The minister responsible for the administration of the Act respecting educational institutions at the university level is responsible for the administration of this Act.
- 12.** This Act comes into force on 7 June 2022.



NATIONAL ASSEMBLY OF QUÉBEC

SECOND SESSION

FORTY-SECOND LEGISLATURE

Bill 211
(Private)

**An Act respecting Municipalité
de Saint-Damien-de-Buckland**

**Introduced 2 June 2022
Passed in principle 10 June 2022
Passed 10 June 2022
Assented to 15 June 2022**

**Québec Official Publisher
2022**

Bill 211

(Private)

AN ACT RESPECTING MUNICIPALITÉ DE SAINT-DAMIEN-DE-BUCKLAND

AS Municipalité de Saint-Damien-de-Buckland wishes to acquire an immovable under co-ownership to, in particular, set up cultural, community and residential facilities there in order to meet the needs of its population;

AS, for that purpose, it is in the interest of the municipality that it be granted certain powers;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Municipalité de Saint-Damien-de-Buckland may acquire under divided co-ownership all or part of the immovable consisting of lots 6 388 102, 6 414 565 and 6 414 568 of the cadastre of Québec, registration division of Bellechasse, as well as all or part of the buildings and works situated on those lots, or establish one or more divided co-ownerships on those lots, buildings and works.

2. Any declaration of co-ownership must, in the by-laws of the immovable, provide for a director on the syndicate's board of directors to represent the municipality for as long as the municipality owns a fraction of the immovable described in section 1.

The director representing the municipality is appointed by the municipal council from among its members.

3. Articles 934.1 to 938.4 and 961.2 to 961.4 of the Municipal Code of Québec (chapter C-27.1) apply to the awarding of contracts by the directors or the general meeting of the co-owners of the immovable for as long as the municipality owns a fraction of the immovable described in section 1, to the extent that the portion of the proposed expenditure chargeable to the municipality, taking into account the fraction it holds, attains or exceeds the amounts specified in those articles.

For the purposes of the articles mentioned in the first paragraph, any contract referred to in that paragraph is deemed to be a contract entered into by the municipality.

- 4.** Any decision made by the directors or the general meeting of the co-owners that involves an expenditure of \$25,000 or more for the municipality must be approved by its council or by any officer who has the power to authorize such an expenditure under article 961.1 of the Municipal Code of Québec to be binding on the municipality.
- 5.** This Act must be registered in the land register of the Land Registry Office against lots 6 388 102, 6 414 565 and 6 414 568 of the cadastre of Québec, registration division of Bellechasse.
- 6.** This Act comes into force on 15 June 2022.

Coming into force of Acts

Gouvernement du Québec

O.C. 1251-2022, 22 June 2022

Tourist Accommodation Act (2021, chapter 30)

— Coming into force of the provisions

COMING INTO FORCE of the provisions of the Tourist Accommodation Act

WHEREAS the Tourist Accommodation Act (2021, chapter 30) was assented to on 7 October 2021;

WHEREAS section 57 of the Act provides that the provisions of the Act come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set 1 September 2022 as the date of coming into force of the provisions of the Act;

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

THAT 1 September 2022 be set as the date of coming into force of the provisions of the Tourist Accommodation Act (2021, chapter 30).

YVES OUELLET
Clerk of the Conseil exécutif

105867

Gouvernement du Québec

O.C. 1266-2022, 22 June 2022

Act mainly to improve the transparency of enterprises (2021, chapter 19)

— Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act mainly to improve the transparency of enterprises

WHEREAS the Act mainly to improve the transparency of enterprises (2021, chapter 19) was assented to on 8 June 2021;

WHEREAS section 33 of the Act provides that the provisions of the Act come into force on the date or dates to be determined by the Government, except the provisions of sections 26 and 32, which come into force on 8 June 2021;

WHEREAS it is expedient to set 29 August 2022 as the date of coming into force of paragraph 2 of section 2 and sections 7, 23, 24 and 30 of the Act;

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

THAT 29 August 2022 be set as the date of coming into force of paragraph 2 of section 2 and sections 7, 23, 24 and 30 of the Act mainly to improve the transparency of enterprises (2021, chapter 19).

YVES OUELLET
Clerk of the Conseil exécutif

105869

Gouvernement du Québec

O.C. 1313-2022, 29 June 2022

Act mainly to end petroleum exploration and production and the public financing of those activities (2022, chapter 10)

— Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act mainly to end petroleum exploration and production and the public financing of those activities

WHEREAS the Act mainly to end petroleum exploration and production and the public financing of those activities (2022, chapter 10) was assented to on 13 April 2022;

WHEREAS section 124 of the Act provides that the provisions of the Act come into force on the date or dates to be set by the Government, except sections 74 to 76 of the Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine (2022, chapter 10, section 1), which come into force on 13 April 2022;

WHEREAS it is expedient to set 23 August 2022 as the date of coming into force of the provisions of the Act mainly to end petroleum exploration and production and the public financing of those activities, except those that came into force on 13 April 2022;

IT IS ORDERED, therefore, on the recommendation of the Minister of Energy and Natural Resources:

THAT 23 August 2022 be set as the date of coming into force of the provisions of the Act mainly to end petroleum exploration and production and the public financing of those activities (2022, chapter 10), except those that came into force on 13 April 2022.

YVES OUELLET
Clerk of the Conseil exécutif

105873

Regulations and other Acts

Gouvernement du Québec

O.C. 1160-2022, 22 June 2022

Act respecting the sharing of certain health information
(chapter P-9.0001)

Regulation

—Amendment

Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information

WHEREAS, under paragraph 20 of section 4 of the Act respecting the sharing of certain health information (chapter P-9.0001), the Government may make regulations to determine any other person or partnership to which, in the performance of any act under the Act, the specific information management rules defined by the health and social services network information officer and approved by the Minister of Cybersecurity and Digital Technology in accordance with section 10.1 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03), apply;

WHEREAS, under paragraph 16 of section 69 of the Act respecting the sharing of certain health information, the Government may make regulations to determine any other health and social service provider to whom an access authorization for a health information bank in a clinical domain or an electronic prescription management system for medication may be assigned;

WHEREAS, under paragraph 4 of section 120 of the Act, the Government may make regulations to determine the providers, in addition to those listed in section 69 of the Act, who may act as authorized providers;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information was published in Part 2 of the *Gazette officielle du Québec* of 30 March 2022 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 for Health and Social Services and the Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information, attached to this Order in Council, be made.

YVES OUELLET

Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information

Act respecting the sharing of certain health information
(chapter P-9.0001, s. 4, par. 20, s. 69, par. 16,
and s. 120, par. 4)

1. The Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1) is amended in section 1

(1) by replacing paragraph 1 by the following:

“(1) a person or a partnership that operates a private health facility;”;

(2) by adding the following at the end:

“(4) a person or a partnership that operates a private seniors’ residence referred to in section 346.0.1 of the Act respecting health services and social services (chapter S-4.2);

(5) a palliative care hospice within the meaning of the Act respecting end-of-life care (chapter S-32.0001);

(6) Corporation d’urgences-santé;

(7) a holder of an ambulance service permit issued in accordance with the Act respecting pre-hospital emergency services (chapter S-6.2).”

2. Section 2 is replaced by the following:

“2. Within the meaning of this Regulation, a private health facility means a consulting room or office, situated elsewhere than in a facility maintained by an institution, in which one or more of the professionals listed below, individually or as a group, regularly practise their profession, privately and solely on their own account, without directly or indirectly providing their patients with lodging:

- (1) a dentist;
- (2) a dental hygienist;
- (3) a dietitian or a nutritionist;
- (4) a physiotherapist;
- (5) a respiratory therapist;
- (6) an occupational therapist;
- (7) a social worker;
- (8) a nurse;
- (9) a podiatrist;
- (10) a psychologist;
- (11) a psychoeducator;
- (12) a chiropractor;
- (13) an optometrist;
- (14) an audiologist or a speech language pathologist.”.

3. Section 6 is amended

(1) by replacing “private dental office” in paragraph 1 by “private health facility”;

(2) by inserting the following after paragraph 1:

“(1.1) a dental medicine resident practising in a private health facility, in a centre operated by an institution, in a private physician’s office or a specialized medical centre;

(1.2) a dental hygienist practising in a private health facility, in a centre operated by an institution, in a private physician’s office or a specialized medical centre;”;

(3) by inserting “in a private health facility,” after “practising” in paragraph 2;

(4) by inserting “in a private health facility,” after “practising” in paragraph 3;

(5) by inserting “in a private health facility,” after “practising” in paragraph 4;

(6) by inserting “in a private health facility,” after “practising” in paragraph 5;

(7) by inserting “in a private health facility,” after “practising” in paragraph 6;

(8) by inserting “in a private health facility,” after “practising” in paragraph 9;

(9) by inserting “in a private health facility, in a community pharmacy, in a private seniors’ residence, in a palliative care hospice,” after “practising” in paragraph 10;

(10) by inserting the following after paragraph 10:

“(10.1) a nursing assistant practising in a private health facility, in a private seniors’ residence or a palliative care hospice;”;

(11) by replacing “or a specialized medical centre” in paragraph 11 by “, in a specialized medical centre or a palliative care hospice”;

(12) by inserting the following after paragraph 12:

“(12.1) the holder of a medical registration certificate practising in a centre operated by an institution, in a private physician’s office or a specialized medical centre;

(12.2) the holder of a training card issued by the secretary of the Collège des médecins du Québec practising in a palliative care hospice;”;

(13) by adding the following at the end:

“(14) a podiatrist practising in a private health facility, in a centre operated by an institution, in a private physician’s office or a specialized medical centre;

(15) a professional technologist carrying on professional activities in the field of orthotics or prosthetics in a centre operated by an institution, in a private physician’s office or a specialized medical centre;

(16) a psychologist practising in a private health facility, in a centre operated by an institution, in a private physician’s office, in a specialized medical centre, in a private seniors’ residence or a palliative care hospice;

(17) a psychoeducator practising in a private health facility, in a centre operated by an institution, in a private physician's office, in a specialized medical centre or a private seniors' residence;

(18) an ambulance technician practising at Corporation d'urgences-santé or on behalf of a holder of an ambulance service permit;

(19) a chiropractor practising in a private health facility, in a centre operated by an institution, in a private physician's office or a specialized medical centre;

(20) an optometrist practising in a private health facility, in a centre operated by an institution, in a private physician's office or a specialized medical centre;

(21) an audiologist or a speech language pathologist practising in a private health facility, in a centre operated by an institution, in a private physician's office or a specialized medical centre.”

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

105857

Gouvernement du Québec

O.C. 1203-2022, 22 June 2022

Professional Code
(chapter C-26)

Opticiens d'ordonnances

— Professional activities that may be engaged in by persons in the process of obtaining a permit issued by the Ordre des opticiens d'ordonnances du Québec

Regulation respecting the professional activities that may be engaged in by persons in the process of obtaining a permit issued by the Ordre des opticiens d'ordonnances du Québec

WHEREAS, under subparagraph *h* of the first paragraph of section 94 of the Professional Code (chapter C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, and the terms and conditions on which such persons may engage in such activities;

WHEREAS, in accordance with subparagraph *h* of the first paragraph of section 94 of the Code, the board of directors of the Ordre des opticiens d'ordonnances du Québec consulted the Ordre des optométristes du Québec before adopting, on 24 October 2021, the Regulation respecting the professional activities that may be engaged in by persons in the process of obtaining a permit issued by the Ordre des opticiens d'ordonnances du Québec;

WHEREAS, pursuant to section 95 of the Professional Code, subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation respecting the professional activities that may be engaged in by persons in the process of obtaining a permit issued by the Ordre des opticiens d'ordonnances du Québec was published in Part 2 of the *Gazette officielle du Québec* of 8 December 2021 with a notice that it could be examined by the Office then submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office examined the Regulation on 18 March 2022 and then submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the professional activities that may be engaged in by persons in the process of obtaining a permit issued by the Ordre des opticiens d'ordonnances du Québec, attached to this Order in Council, be approved.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation respecting the professional activities that may be engaged in by persons in the process of obtaining a permit issued by the Ordre des opticiens d'ordonnances du Québec

Professional Code
(chapter C-26, s. 94, 1st par., subpar. h)

1. The professional activities referred to in sections 8 and 9 of the Dispensing Opticians Act (chapter O-6), except the sale of ophthalmic lenses, may be engaged in by the following persons on the terms and conditions determined in this Regulation:

(1) a person registered in a program of study leading to a diploma giving access to the permit issued by the Ordre des opticiens d'ordonnances du Québec;

(2) a person who must complete a program of study, training, training period or examination as part of the procedure for recognizing the equivalence of a diploma or training provided for by regulation of the Order made under paragraphs *c* and *c.1* of section 93 of the Professional Code (chapter C-26).

2. A person referred to in section 1 may engage in the professional activities provided for therein where the person

(1) engages in the activities as part of a program of study, training, training period or examination referred to in section 1;

(2) engages in the activities under the direct and constant supervision of a dispensing optician responsible for the supervision;

(3) engages in the activities in compliance with the following standards:

(a) the standards of professional conduct provided for by regulation of the Order made under section 87 of the Professional Code (chapter C-26);

(b) the standards related to the keeping of records and offices provided for by regulation of the Order made under section 91 of the Professional Code; and

(4) is duly registered in the register kept for that purpose by the Order.

As part of the registration in the register, a person referred to in section 1 must provide accurate information to the Order.

3. A dispensing optician who meets the following conditions may act as supervisor pursuant to section 2:

(1) has a minimum of 5 years of experience;

(2) has not been the subject, in the 3 years preceding the supervision,

(a) of a decision of the disciplinary council of the Order or the Professions Tribunal imposing a penalty; or

(b) a decision of the board of directors requiring the person to complete a period of refresher training or a refresher course, a restriction on or suspension of the right to practise, striking off the roll of the Order or a revocation of the permit.

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

105858

Gouvernement du Québec

O.C. 1213-2022, 22 June 2022

Civil Code of Québec

Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23)

Various measures in matters of divided co-ownership insurance — Amendment

Regulation to amend the Regulation to establish various measures in matters of divided co-ownership insurance

WHEREAS, under the second paragraph of article 1072 of the Civil Code of Québec, as amended by section 640 of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23), which section 640 is amended by section 71 of the Act mainly to regulate building inspections and divided co-ownership, to replace the name and improve the rules of operation of the Régie du logement and to amend the Act respecting the Société d'habitation du Québec and various legislative provisions concerning municipal affairs (2019, chapter 28), the Government determines, by regulation, the terms according to which the co-owners' minimum contribution to the self-insurance fund is determined;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation to establish various measures in matters of divided co-ownership insurance was published in Part 2 of the *Gazette officielle du Québec* of 2 February 2022 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 without amendment;

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

THAT the Regulation to amend the Regulation to establish various measures in matters of divided co-ownership insurance, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Regulation to establish various measures in matters of divided co-ownership insurance

Civil Code of Québec

Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23, s. 640; 2019, chapter 28, s. 71)

1. The Regulation to establish various measures in matters of divided co-ownership insurance (chapter CCQ, r. 4.1) is amended in section 2 by adding the following paragraph at the end:

“Despite the foregoing, where the minimum contribution of co-owners to the self-insurance fund determined pursuant to subparagraphs 1 and 2 of the first paragraph increases the capitalization of the fund to over \$100,000, that contribution may be lowered in order that the capitalization of that fund is at least \$100,000.”

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

105859

Gouvernement du Québec

O.C. 1214-2022, 22 June 2022

Determination of the costs that must be incurred by the Autorité des marchés financiers for the administration of the Insurers Act and be borne by the authorized insurers, and the contribution for those costs that must be collected from each insurer for 2021-2022

WHEREAS, under the first paragraph of section 481 of the Insurers Act (chapter A-32.1), the costs that must be incurred by the Autorité des marchés financiers for the administration of the Act are to be borne by the authorized insurers, and they are determined annually by the Government based on the forecasts provided to it by the Authority;

WHEREAS, under the second paragraph of section 481 of the Act, such costs, for each insurer, correspond to the sum of the minimum contribution set by the Government and the proportion of those costs corresponding to the proportion that the insurer's total direct premium income for the preceding year in Québec is of the aggregate of the similar income of all the insurers for the same period;

WHEREAS, under the third paragraph of section 481 of the Act, the difference noted between the forecast of the costs that must be incurred for the administration of the Act for a year and those actually incurred for the same year must be carried over to similar costs determined by the Government for the year after the difference is noted;

WHEREAS the costs forecasted by the Autorité des marchés financiers for the administration of the Insurers Act for 2021-2022 are \$22,399,460;

WHEREAS the costs actually incurred by the Autorité des marchés financiers for the administration of the Insurers Act for 2020-2021 were \$855,872 higher than the forecasted costs;

WHEREAS it is expedient to determine the costs that must be incurred by the Autorité des marchés financiers for the administration of the Insurers Act for 2021-2022 at \$23,211,332 to be apportioned between the insurers authorized during 2020-2021;

WHEREAS it is expedient to set the minimum contribution for those costs that must be collected from each insurer authorized during 2020-2021 at \$575;

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

THAT the costs that must be incurred by the Autorité des marchés financiers for the administration of the Insurers Act (chapter A-32.1) for 2021-2022 be determined at \$23,211,332 to be apportioned between the insurers authorized during 2020-2021;

THAT the minimum contribution for those costs that must be collected from each insurer authorized during 2020-2021 be set at \$575.

YVES OUELLET
Clerk of the Conseil exécutif

105860

Gouvernement du Québec

O.C. 1215-2022, 22 June 2022

Determination of the costs that must be incurred by the Autorité des marchés financiers for the administration of the Deposit Institutions and Deposit Protection Act and be borne by the authorized deposit institutions, and the contribution for those costs that must be collected from each deposit institution for 2021-2022

WHEREAS, under the first paragraph of section 56.1 of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2), the costs that must be incurred by the Autorité des marchés financiers for the administration of the provisions of the Act other than Titles III and VI and section 45.2 are to be borne by the authorized deposit institutions and they are determined annually by the Government based on the forecasts provided to it by the Authority;

WHEREAS, under the second paragraph of section 56.1 of the Act, such costs, for each deposit institution, correspond to the sum of the minimum contribution set by the Government and the proportion of those costs corresponding to the proportion that the deposit institution's gross income in Québec for the preceding year is of the aggregate of the similar income of all the authorized deposit institutions for the same period;

WHEREAS the costs forecasted by the Autorité des marchés financiers for the administration of the Deposit Institutions and Deposit Protection Act for 2021-2022 are \$382,072;

WHEREAS the costs actually incurred by the Autorité des marchés financiers for the administration of the Deposit Institutions and Deposit Protection Act for 2020-2021 were \$102,028 higher than the forecasted costs;

WHEREAS it is expedient to determine the costs that must be incurred by the Autorité des marchés financiers for the administration of the provisions of the Deposit Institutions and Deposit Protection Act other than Titles III and VI and section 45.2 for 2021-2022 at \$484,100 to be apportioned between the authorized deposit institutions during 2020-2021;

WHEREAS it is expedient to set the minimum contribution for those costs that must be collected from each deposit institution during 2020-2021 at \$575;

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

THAT the costs that must be incurred by the Autorité des marchés financiers for the administration of the provisions of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) other than Titles III and VI and section 45.2 for 2021-2022 be determined at \$484,100 to be apportioned between the authorized deposit institutions during 2020-2021;

THAT the minimum contribution for those costs that must be collected from each deposit institution during 2020-2021 be set at \$575.

YVES OUELLET
Clerk of the Conseil exécutif

105861

Gouvernement du Québec

O.C. 1216-2022, 22 June 2022

Determination of the costs that must be incurred by the Autorité des marchés financiers for the administration of the Trust Companies and Savings Companies Act and be borne by authorized trust companies, and the contribution for those costs that must be collected from each company for 2021-2022

WHEREAS, under the first paragraph of section 274 of the Trust Companies and Savings Companies Act (chapter S-29.02), the costs that must be incurred by the Autorité des marchés financiers for the administration of the Act are to be borne by the authorized trust companies and they are determined annually by the Government based on the forecasts provided to it by the Authority;

WHEREAS, under the second paragraph of section 274 of the Act, such costs, for each company, correspond to the sum of the minimum contribution set by the Government

and the proportion of those costs corresponding to the proportion that the company's gross income in Québec for the preceding year is of the aggregate of the similar income of all the companies for the same period;

WHEREAS, under the third paragraph of section 274 of the Act, the difference noted between the forecast of the costs that must be incurred for the administration of the Act for a year and those actually incurred for the same year must be carried over to the similar costs determined by the Government for the year after the difference is noted;

WHEREAS the costs forecasted by the Autorité des marchés financiers for the administration of the Trust Companies and Savings Companies Act for 2021-2022 are \$2,175,681;

WHEREAS the costs actually incurred by the Autorité des marchés financiers for the administration of the Trust Companies and Savings Companies Act for 2020-2021 were \$14,401 lower than the forecasted costs;

WHEREAS it is expedient to determine the costs that must be incurred by the Autorité des marchés financiers for the administration of the Trust Companies and Savings Companies Act for 2021-2022 at \$2,161,280 to be apportioned between the trust companies authorized during 2020-2021;

WHEREAS it is expedient to set the minimum contribution for those costs that must be collected from each company authorized during 2020-2021 at \$575;

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

THAT the costs that must be incurred by the Autorité des marchés financiers for the administration of the Trust Companies and Savings Companies Act (chapter S-29.02) for 2021-2022 be determined at \$2,161,280 to be apportioned between the trust companies authorized during 2020-2021;

THAT the minimum contribution for those costs that must be collected from each company authorized during 2020-2021 be set at \$575.

YVES OUELLET
Clerk of the Conseil exécutif

105862

Gouvernement du Québec

O.C. 1217-2022, 22 June 2022

Determination of the costs that must be incurred by the Autorité des marchés financiers for the administration of the Act respecting financial services cooperatives and be borne by the federations and the credit unions that are not members of a federation, and the minimum amount for each member and non-member credit union exigible for 2021-2022

WHEREAS, under the first paragraph of section 591 of the Act respecting financial services cooperatives (chapter C-67.3), the costs that must be incurred by the Autorité des marchés financiers for the administration of the Act are to be borne by the federations and the credit unions that are not members of a federation and they are determined annually by the Government based on the forecasts provided to it by the Authority;

WHEREAS, under the second paragraph of section 591 of the Act, the difference noted between the forecast of the costs that must be incurred for the administration of the Act for a year and those actually incurred for the same year must be carried over to the similar costs determined by the Government for the year after the difference is noted;

WHEREAS, under section 592 of the Act, the amount exigible from each credit union that is not a member of a federation corresponds to the sum of a minimum amount fixed each year by the Government for each credit union and an amount corresponding to the product obtained by multiplying the sum of the average assets of all the credit unions at the end of the preceding year by the fraction corresponding to the average assets of the credit union at the end of the same year over the said sum;

WHEREAS, under section 593 of the Act, the amount exigible from a federation corresponds to the sum of a minimum amount fixed each year by the Government for each member credit union and an amount corresponding to the product obtained by multiplying the sum of the average assets of all the credit unions at the end of the preceding year by the fraction corresponding to the sum of the average assets of all the member credit unions at the end of the same year over the sum of the average assets of all the credit unions at the end of the same year;

WHEREAS the costs forecasted by the Autorité des marchés financiers for the administration of the Act respecting financial services cooperatives for 2021-2022 are \$8,387,630;

WHEREAS the costs actually incurred by the Autorité des marchés financiers for the administration of the Act respecting financial services cooperatives for 2020-2021 were \$169,523 lower than the forecasted amount;

WHEREAS it is expedient to determine the costs that must be incurred by the Autorité des marchés financiers for the administration of the Act respecting financial services cooperatives for 2021-2022 at \$8,218,107 to be apportioned between the federation and the credit unions that are not members of the federation during 2020-2021;

WHEREAS it is expedient to fix the minimum amount of those costs exigible from the federation for each member credit union and each credit union that is not a member of the federation during 2020-2021 at \$575;

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

THAT the costs that must be incurred by the Autorité des marchés financiers for the administration of the Act respecting financial services cooperatives (chapter C-67.3) for 2021-2022 be determined at \$8,218,107 to be apportioned between the federation and the credit unions that are not members of the federation during 2020-2021;

THAT the minimum amount of those costs exigible from the federation for each member credit union and each credit union that is not a member of the federation during 2020-2021 be fixed at \$575.

YVES OUELLET
Clerk of the Conseil exécutif

105863

Gouvernement du Québec

O.C. 1231-2022, 22 June 2022

Québec Immigration Act
(chapter I-0.2.1)

Québec Immigration — Amendment

Regulation to amend the Québec Immigration Regulation

WHEREAS, under section 9 of the Québec Immigration Act (chapter I-0.2.1), for each class, the Government may, by regulation, determine immigration programs and, for each program, the selection conditions and any selection criteria applicable to foreign nationals;

WHEREAS, under section 22 of the Act, the Government determines, by regulation, which persons or groups of persons may file a sponsorship undertaking application with the Minister and the applicable conditions;

WHEREAS, under section 23 of the Act, an undertaking is entered into according to the terms and for the time prescribed by government regulation;

WHEREAS, under section 24 of the Act, the Government may, by regulation, determine the cases in which an undertaking may be cancelled or considered to have lapsed and the situations in which the Minister may lift the effects of a lapse;

WHEREAS, under section 106 of the Act, a regulation made under the Act may apply to an application according to the date on which it was filed or to the application examination stage and may apply to an expression of interest according to the date on which it was submitted;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Québec Immigration Regulation was published in Part 2 of the *Gazette officielle du Québec* of 30 March 2022 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 Immigration, Francization and Integration:

THAT the Regulation to amend the Québec Immigration Regulation, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Québec Immigration Regulation

Québec Immigration Act
(chapter I-0.2.1, ss. 9, 22, 23, 24 and 106)

1. The Québec Immigration Regulation (chapter I-0.2.1, r. 3) is amended in section 12 by replacing “subscribed to” in the second paragraph by “entered into”.

2. Section 21 is amended by replacing “made” in subparagraph 1 of the second paragraph by “entered into”.

3. Section 60 is amended by replacing “subscribed to” in paragraph 1 by “entered into”.

4. Section 66 is amended

(1) in paragraph 3

(a) by replacing “monetary requirements of the” by “financial requirements contracted under a” in the French text;

(b) by striking out “souscrit” in the French text;

(2) by replacing “cancellation” in paragraph 10 by “revocation”.

5. Section 67 is amended by replacing the first paragraph by the following:

“The undertaking made by a sponsor is entered into as soon as it is signed by the Minister.”.

6. Section 68 is amended

(1) in the first paragraph

(a) by replacing “subscribed to” in the portion before subparagraph 1 by “entered into”;

(b) by inserting the following after subparagraph 4:

“(5) reimburse to the Gouvernement du Québec any amount paid as financial assistance by the Minister under one of its program.”;

(2) in the second paragraph

(a) by replacing “subscribed to” by “entered into”;

(b) by striking out “jointly and”.

7. Section 79 is amended by replacing “subscribed to” by “entered into”.

8. Section 80 is amended in the French text by replacing “rencontrées” in the portion before paragraph 1 by “satisfaites”.

9. Section 82 is amended

(1) in paragraph 4

(a) by replacing “monetary requirements given” by “financial requirements contracted”;

(b) by striking out “souscrit” in the French text;

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

“(5) have registered charity status in accordance with the Income Tax Act (R.S.C. 1985, c. 1 (5th Supp.)).”.

10. Section 83 is amended

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

“(1) has 10 years or more of experience in sponsorship in Québec acquired over a period of 15 years before the date of taking effect of the Minister’s preceding decision providing, under section 50 of the Act, for a period for receiving sponsorship undertaking applications under the program for refugees abroad;

(2) has filed the minimum number of sponsorship undertaking applications set in the Minister’s preceding decision providing, under section 50 of the Act, for a period during which the legal person could file an undertaking application under the program; and

(3) has entered into sponsorship undertakings on behalf of foreign nationals of at least 3 different nationalities in the 36 months before the date of taking effect of the Minister’s preceding decision providing, under section 50 of the Act, for a period during which the legal person could file an undertaking application under the program.”;

(2) by replacing “if the person files only sponsorship undertaking applications of” in the second paragraph by “if the sponsorship undertaking applications filed by the person concern only”.

11. Section 84 is amended by replacing “if the person files only sponsorship undertaking applications of” in the second paragraph by “if the sponsorship undertaking applications filed by the person concern only”.

12. Section 85 is amended by replacing “persons referred to in paragraph 3 of section 81” in the second paragraph by “natural persons”.

13. Section 86 is amended

(1) by replacing “persons referred to in paragraph 3 of section 81” by “2 to 5 natural persons”;

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

“Where a sponsorship undertaking application is filed by a legal person, its administrators, its representatives and the members of its board of directors must meet the conditions set out in paragraphs 4 to 7 and 10 of section 66.”.

14. Section 87 is amended by replacing “persons referred to in paragraph 3 of section 81” by “2 to 5 natural persons”.

15. Section 88 is amended

(1) by replacing “persons referred to in paragraph 3 of section 81” by “2 to 5 natural persons”;

(2) by replacing “income from a Canadian source or property held” by “sufficient financial resources available”.

16. Section 89 is amended

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

“For the purposes of section 88, each person who is part of a group of 2 to 5 natural persons must, in particular, demonstrate that he or she has and will continue to have, for the duration of the undertaking, income to provide for his or her basic needs and those of the family members, at least equal to the minimum income required as determined in Schedule B.

Where a group includes a married or de facto couple, the minimum income required is reached for each of them when the sum of the income of the spouses or de facto spouses is at least equal to the minimum income required as determined in Schedule B.

Where a group includes a person who has a dependent child and whose income is at least equal to the minimum income required as determined in Schedule B, the dependent child is not taken into account when counting the number of family members for the purpose of assessing the person’s income.”;

(2) in the second paragraph

(a) by striking out “from a Canadian source”;

(b) by striking out “the presumption provided for in”;

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

“In addition, the group must have the minimum amount required to provide for the sponsored person’s basic needs, as determined in Schedule D.”.

17. Section 90 is replaced by the following:

“**90.** For the purposes of section 88, a legal person must in particular have and will continue to have, for the duration of the undertaking, an annual amount at least equal to the amount required for the sponsored person’s basic needs, as determined in Schedule C.”.

18. Section 91 is amended

(1) by replacing “subscribed to” by “entered into”;

(2) by replacing “persons referred to in paragraph 3 of section 81” by “2 to 5 natural persons”.

19. Section 93 is amended by adding the following paragraph at the end:

“The report must, in particular, demonstrate that the legal person or the group of 2 to 5 natural persons has in fact used the means presented in the reception and integration plan.”.

20. Section 94 is amended by replacing “persons referred to in paragraph 3 of section 81 if, in the 2” by “2 to 5 natural persons if, in the 3”.**21.** Section 95 is amended

(1) by replacing “from an undertaking subscribed to” in the first paragraph by “from an undertaking application or an undertaking entered into”;

(2) by replacing “on behalf of whom the undertaking has been subscribed to” in the second paragraph by “covered by the undertaking”.

22. Section 96 is amended by replacing “subscribed to” by “entered into”.**23.** Section 97 is amended by replacing “subscribed to” in the portion before paragraph 1 by “entered into”.**24.** Section 110 is amended

(1) by replacing “taken” in the portion before paragraph 1 by “entered into”;

(2) by replacing “24 months following the date on which the undertaking is signed” in paragraph 3 by “48 months following the date on which the undertaking is entered into”.

25. The following is inserted after section 118.6:

“**118.7.** The following sponsorship undertaking applications under the program for refugees abroad are processed and decided under sections 88 to 90 and 93 as they read on (*insert the date preceding the date of coming into force of this Regulation*):

(1) those filed before (*insert the date of coming into force of this Regulation*);

(2) those filed on behalf of a foreign national on behalf of whom a sponsorship undertaking that lapsed was entered into further to an application filed before (*insert the date of coming into force of this Regulation*).

Subparagraph 5 of the first paragraph of section 68 and paragraph 5 of section 82 do not apply to such applications.”.

26. This Regulation comes into force on 17 August 2022.
105864

Gouvernement du Québec

O.C. 1242-2022, 22 June 2022

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

Program Respecting Certain Services Provided by Dental Hygienists

CONCERNING the Program Respecting Certain Services
Provided by Dental Hygienists

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

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

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

WHEREAS under the first paragraph of section 2.1. of the Act respecting the Régie de l'assurance maladie du Québec, the Board recovers, from the department or body concerned, the cost of services and goods it assumes under a program entrusted to it by law or by the Government, to the extent provided for under that program;

WHEREAS it is expedient that the Board be entrusted with the Program Respecting Certain Services Provided by Dental Hygienists;

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

THAT the Régie de l'assurance maladie du Québec be entrusted with the Program Respecting Certain Services Provided by Dental Hygienists, the text of which is attached to this Order in Council;

YVES OUELLET
Clerk of the Conseil exécutif

PROGRAM RESPECTING CERTAIN SERVICES PROVIDED BY DENTAL HYGIENISTS

DIVISION I INTRODUCTORY PROVISIONS

1. The Program Respecting Certain Services Provided by Dental Hygienists is intended to remunerate the dental hygienist who provides certain services to insured persons under 10 years of age and to certain insured persons who are eligible for a financial assistance program.

2. The Régie de l'assurance maladie du Québec (hereinafter “the Board”) shall administer, apply and assume the cost of the Program Respecting Certain Services Provided by Dental Hygienists according to the terms and conditions provided for under this program.

3. For the application of this program, “Agreement” means the Agreement respecting Health Insurance between the Minister of Health and Social Services (hereinafter the “Minister”) and the Association des chirurgiens dentistes du Québec, made under section 19 of the Health Insurance Act (chapter A 29), hereinafter the “HIA”, including any letter of agreement or supplementary agreement agreed upon by the parties.

4. Services provided by a hygienist as an employee of a dentist who receives remuneration for these services from the Board under the Agreement are not covered by this program.

DIVISION II ELIGIBILITY CRITERIA

5. A person is eligible under this program if the person meets the following criteria:

1° the person is an insured person within the meaning of the subparagraph g.1 of the first paragraph of section 1 of the HIA, that is, a person who is a resident or temporary resident of Québec and who is duly registered with the Board;

2° as determined in Schedule A, the person is a person concerned by the service covered and the frequency provided for that service, if applicable.

DIVISION III AMOUNT AND REIMBURSEMENT TERMS AND CONDITIONS

6. Subject to compliance with the eligibility criteria and terms and conditions provided in this division, the Board shall reimburse, upon application, the cost of the services covered to in Schedule A rendered by a dental hygienist to an eligible person concerned in that Schedule, at the same rates and under the same conditions as those set out for those services in the Agreement, including the surcharge for asepsis and for children under 6 years of age.

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

7. Any person wishing to obtain a reimbursement for the services referred to in section 6 must apply therefor within the prescribed time limit using the form made available for that purpose by the Board and provide the required information.

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

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

8. Where the Board so requires it, the person must provide any document or information that the Board requires for the application of this program or grant the authorizations necessary to obtain them.

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

9. Any application for reimbursement under the provisions of this program must be sent to the Board no later than one year after receiving the services.

The Board may agree to consider an application submitted after this deadline if the person demonstrates that they were, in fact, unable to submit the application sooner.

10. The dental hygienist who wishes to bill the Board directly for services rendered pursuant to section 6 must first conclude an individual agreement to that effect with the Board, using the form made available for that purpose by the Board and provide the required information.

11. The dental hygienist who has concluded an individual agreement in accordance with section 10 must, in order to bill the Board, file an application for payment within the time limits set out in the individual agreement, using the form made available for that purpose by the Board and provide the required information.

The dental hygienist must also declare that the eligible person or their representative has presented a valid health insurance card or claim booklet, as the case may be.

12. A dental hygienist may only charge and receive from the eligible person or the Board the remuneration provided for in the Agreement for services covered by this program.

13. A dental hygienist is entitled to be paid under this program even if the service was lawfully provided by an employee of the dental hygienist, including any student or trainee under the supervision of the dental hygienist.

14. This program does not cover the services obtained outside Québec.

DIVISION IV FINANCIAL ASSISTANCE RECEIVED WITHOUT ENTITLEMENT

15. The Board shall recover any amount unduly paid under this program where a person received a reimbursement or a payment without entitlement.

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

DIVISION V PROGRAM MANAGEMENT

16. The Minister and the Board may agree upon, by written agreement, any procedural amendment, as well as any amendment necessary to take into account, among other things, amendments to the framework for the professional practice of dental hygienists, amendments to the Agreement or amendments to the coverage of services under the HIA or the Regulation respecting its application.

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

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

DIVISION VI FINAL PROVISIONS

19. The Board shall publish this program on its website no later than the day it comes into force. It shall also publish on its website, no later than the day it comes into force, any amendment made to it, so as to keep the public informed.

20. This program comes into effect on 1 June 2023.

SCHEDULE A

Services covered under this program

Services covered	Persons concerned
Sedative dressing	Any insured person under 10 years of age
	Insured person 10 years of age or over who has held, for at least 12 consecutive months, a valid claim booklet issued in accordance with section 71.1 of the Act
Teaching and demonstration of oral hygiene measures*	Insured person 12 years of age or over who has held, for at least 12 consecutive months, a valid claim booklet issued in accordance with section 71.1 of the Act
Cleaning of teeth*	Insured person 12 years of age or over who has held, for at least 12 consecutive months, a valid claim booklet issued in accordance with section 71.1 of the Act
Scaling*	Insured person 16 years of age or over who has held, for at least 12 consecutive months, a valid claim booklet issued in accordance with section 71.1 of the Act
Topical fluoride application*	Insured person of at least 12 years of age and less than 16 years of age , who has held, for at least 12 consecutive months, a valid claim booklet issued in accordance with section 71.1 of the Act

* *Service covered only once per 12-month period*

105865

Gouvernement du Québec

O.C. 1252-2022, 22 June 2022

Tourist Accommodation Act
(2021, chapter 30)

Tourist Accommodation

Tourist Accommodation Regulation

WHEREAS, under section 3 of the Tourist Accommodation Act (2021, chapter 30), the Act is binding on the Government and its departments and bodies, except to the extent provided for by government regulation;

WHEREAS, under the first paragraph of section 5 of the Act, a tourist accommodation establishment must be registered by means of an application for registration accompanied in particular by a declaration of its accommodation offering and of the related activities and other related services, containing the information and documents prescribed by government regulation;

WHEREAS, under the second paragraph of section 5 of the Act, the registration, including its renewal at the time of the annual update required under section 20 of the Act, is made on payment of the fees determined by government regulation, which may vary in particular according to the number of accommodation units and the class of establishment determined by such a regulation;

WHEREAS, under the third paragraph of section 5 of the Act, the regulation may, subject to the terms and conditions it determines, exempt a class of tourist accommodation establishments or certain establishments of a given class or, as applicable, the person who operates such an establishment, from the application of the Act or the regulations or some of their provisions;

WHEREAS, under the first paragraph of section 12 of the Act, at the request of a municipality, the Minister of Tourism may, in the cases provided for by government regulation and in accordance with the second paragraph of the section, suspend or cancel the registration of a tourist accommodation establishment;

WHEREAS, under the first paragraph of section 20 of the Act, a person who operates a tourist accommodation establishment must, once a year and during the period determined by government regulation, send an application for registration renewal accompanied by an updating declaration in which the person indicates that the information and documents regarding the establishment as well as the information and documents relating to its

accommodation offering and the related activities and other related services are accurate or, if such is not the case, the changes that must be made;

WHEREAS, under section 21 of the Act, the Government may determine by regulation any other condition the operator of a tourist accommodation establishment is required to comply with, including a condition regarding the display of the establishment's registration number in any medium and on any platform that promotes tourist accommodation establishments or allows such establishments to be reserved;

WHEREAS, under section 22 of the Act, the Minister of Tourism communicates to a municipality, subject to the terms and conditions determined by government regulation, the information determined by that regulation regarding tourist accommodation establishments established in its territory that it requires for taxation purposes or for the application of a by-law made under the Act respecting land use planning and development (chapter A-19.1) or the Municipal Powers Act (chapter C-47.1);

WHEREAS, under section 27 of the Tourist Accommodation Act, anyone who contravenes in particular a regulatory provision determined by government regulation commits an offence and is liable to a fine of \$1,000 to \$10,000 in the case of a natural person and \$2,000 to \$20,000 in all other cases;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Tourist Accommodation Regulation was published in Part 2 of the *Gazette officielle du Québec* of 30 March 2022 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 Tourism:

THAT the Tourist Accommodation Regulation, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Tourist Accommodation Regulation

Tourist Accommodation Act
(2021, chapter 30, ss. 3, 5, 12, 20, 21, 22 and 27)

DIVISION I CLASSES OF TOURIST ACCOMMODATION ESTABLISHMENTS

1. The classes of tourist accommodation establishments are the following:

(1) principal residence establishments: establishments that offer, following a single reservation, accommodation in the principal residence of the natural person who operates the establishment for one person or one group of related persons at a time and not including any meals served on the premises;

(2) youth tourist accommodation establishments: establishments in which at least 30% of accommodation units consist of beds in one or more dormitories or where accommodation is mainly offered as part of activities intended primarily for underprivileged individuals or individuals who have a disability;

(3) general tourist accommodation establishments: establishments, other than principal residence establishments and youth tourist accommodation establishments, that offer accommodation in one or more types of accommodation units.

For the purposes of subparagraph 2 of the first paragraph, a dormitory is a room that contains at least 2 beds offered for rent individually.

DIVISION II REGISTRATION AND ACCOMMODATION OFFERING

2. An application for the registration of a tourist accommodation establishment must be submitted in writing. It must be signed and contain

(1) the name, civic address, email address and telephone number of the person who intends to operate the establishment and, if applicable, those of the signatory if it is a different person;

(2) if applicable, the business number in the enterprise register referred to in Chapter II of the Act respecting the legal publicity of enterprises (chapter P-44.1) of the person who intends to operate the establishment;

(3) if applicable, the name of the establishment;

(4) the address of the establishment and, if it is operated in part of an immovable, its location inside the immovable;

(5) the class of the establishment and, in the case of a general tourist accommodation establishment, the type of establishment (bed and breakfast establishment, hotel, outfitting operation, tourist home, camping ground and trailer park, etc.); and

(6) if the person who intends to operate the establishment has, in the last 3 years, been found guilty of an offence under the Tourist Accommodation Act (2021, chapter 30), the Building Act (chapter B-1.1), the Act respecting the conservation and development of wildlife (chapter C-61.1), the Consumer Protection Act (chapter P-40.1), the Environment Quality Act (chapter Q-2) or a Regulation made under any of those Acts, a description of the offence.

If the application for registration is filed by a mandatory of the person who intends to operate the establishment, the following information must also be provided:

(1) the name, civic address, email address and telephone number of the mandatory and, if applicable, those of the mandatory's representative;

(2) if applicable, the business number in the enterprise register referred to in Chapter II of the Act respecting the legal publicity of enterprises (chapter P-44.1) of the mandatory.

For the purposes of subparagraph 5 of the first paragraph,

“bed and breakfast establishment” means an establishment that offers accommodation in rooms in a private residence where the operator resides and makes available not more than 5 rooms that receive a maximum of 15 persons, including only a breakfast served on the premises, for a lump sum;

“outfitting operation” means an outfitting operation referred to in the Act respecting the conservation and development of wildlife (chapter C-61.1);

“tourist home” means an establishment, other than a principal residence, that offers accommodation in furnished apartments, houses or cottages, including self-catering kitchen facilities

3. An application for the registration of a tourist accommodation establishment must be accompanied by

(1) the declaration of the establishment's accommodation offering and of the related activities and other related services referred to in section 4;

(2) if the signatory of the application is not the person who intends to operate the establishment for which the application is made, the document authorizing the signatory to file the application;

(3) if the person who intends to operate the establishment is the owner of the establishment, a copy of the title of ownership or of the municipal or school tax account for the establishment;

(4) if the establishment is situated in an immovable held in divided co-ownership, a copy of the provisions of the declaration of co-ownership allowing the establishment to be operated for tourist accommodation purposes or, in the absence of such provisions, the authorization of the syndicate of co-owners to that effect;

(5) if the person who intends to operate the establishment is the lessee of the establishment, a copy of the leasing contract for the establishment allowing the operation of the establishment as a tourist accommodation establishment or, if the leasing contract has no such provisions, the authorization of the owner to that effect;

(6) proof that the person who intends to operate the establishment holds a valid civil liability insurance policy which meets the requirements prescribed by section 8; and

(7) outdoor and indoor photographs of the establishment corresponding, if applicable, to the photographs intended to be broadcast on a digital accommodation platform.

The documents referred to in subparagraphs 3 and 4 of the first paragraph need not be provided if the establishment is situated on lands in the domain of the State. The same applies to those referred to in subparagraphs 3 to 5 of the first paragraph if the establishment is situated on the land of an Indian reserve.

4. The declaration of the tourist accommodation establishment's accommodation offering and of the related activities and other related services must be submitted in writing and contain

(1) a physical description of the establishment;

(2) the types of accommodation units offered, the number of units for each type and, unless the application concerns a general tourist accommodation establishment corresponding to a camping ground and trailer park, the total accommodation capacity;

(3) the facilities offered in the accommodation units;

(4) the accessibility to individuals who have a disability;

(5) the possibility of bringing a companion animal;

(6) the period of operation of the establishment over a 12-month period;

(7) the various activities offered to tourists by the establishment;

(8) the other services offered;

(9) the tariffs for accommodation and the modes of payment accepted; and

(10) if applicable, the address of the establishment's website.

DIVISION III

RENEWAL OF THE REGISTRATION AND UPDATE OF THE ACCOMMODATION OFFERING

5. Subject to the second paragraph, the operator of a tourist accommodation establishment must, within the 60 days preceding the date on which the operator's registration ends, send the application for the renewal of the registration of the establishment, as well as a declaration of the updating of the information concerning the accommodation offering and the related activities and other related services.

The operator of a general tourist accommodation establishment must send the application and the declaration referred to in the first paragraph between 1 February and 31 March if the establishment is an outfitting operation to which the Act respecting the conservation and development of wildlife (chapter C-61.1) applies, and between 1 September and 31 October if the establishment consists of a camping ground and trailer park.

DIVISION IV

FEES PAYABLE

6. The fees payable for the registration of a tourist accommodation establishment are the following:

(1) in the case of a principal residence establishment, \$50;

(2) in the case of a youth tourist accommodation establishment, \$120;

(3) in the case of a general tourist accommodation establishment, \$145.

7. The fees payable for the annual renewal of the registration of a tourist accommodation establishment are the following:

(1) in the case of a principal residence establishment, \$50;

(2) in the case of a youth tourist accommodation establishment, \$120;

(3) in the case of a general tourist accommodation establishment, \$145.

DIVISION V

OTHER CONDITIONS

8. The operator of a tourist accommodation establishment must take out and maintain civil liability insurance for at least \$2,000,000 per claim that covers bodily injury and property damage caused in the course of operation of the establishment.

The first paragraph does not apply if the establishment is operated by the Government or by one of its departments or bodies.

9. The operator of a tourist accommodation establishment must clearly indicate the registration number and, if applicable, the name of the establishment in any advertising used to promote the establishment, and on any website, whether transactional or non-transactional, used in connection with the operation of the establishment. In the case of verbal advertising, the indication of the registration number is replaced by a mention that the establishment is registered in accordance with the Tourist Accommodation Act (2021, chapter 30).

The operator must also post, in full view of tourists at the main entrance to the establishment, a written notice indicating the registration number, the civic address and, if applicable, the name of the establishment, as well as its class.

DIVISION VI

CASES GIVING RISE TO AN APPLICATION FOR SUSPENSION OR CANCELLATION BY A MUNICIPALITY

10. The following cases may lead to the suspension or cancellation of the registration of a tourist accommodation establishment under section 12 of the Tourist Accommodation Act (2021, chapter 30):

(1) the fact that the operator of the establishment has, within a 12-month period, committed and been found guilty of at least 2 offences under any municipal by-law as regards uses, nuisances, sanitation or safety in connection with the operation of the establishment;

(2) the fact that the clients of a principal residence establishment have, within a 12-month period, committed and been found guilty of at least 2 offences under any municipal by-law as regards nuisances, sanitation or safety when using the establishment.

DIVISION VII INFORMATION TO MUNICIPALITIES

11. The information relating to tourist accommodation establishments that may be communicated to a municipality under section 22 of the Tourist Accommodation Act (2021, chapter 30) includes

- (1) the name, civic address and email address of the establishment;
- (2) the class of the establishment and, in the case of a general tourist accommodation establishment, the type of establishment;
- (3) the name of the operator of the establishment;
- (4) the date of registration of the establishment; and
- (5) the types of accommodation units offered and the number of units for each type.

12. For the purposes of section 11, a municipality must first send to the Minister

- (1) the type of information requested;
- (2) the class of the tourist accommodation establishments concerned;
- (3) unless the request concerns all of the tourist accommodation establishments situated in the municipality's territory, the postal code of the establishments concerned; and
- (4) the intended use of the information requested.

DIVISION VIII EXEMPTION FROM CERTAIN PROVISIONS OF THE ACT AND THE REGULATION

13. A general tourist accommodation establishment operated in an outfitting operation to which the Act respecting hunting and fishing rights in the James Bay and New Québec territories (chapter D-13.1) applies is not subject to the Tourist Accommodation Act (2021, chapter 30).

14. Despite the first paragraph of section 5 of the Tourist Accommodation Act (2021, chapter 30) and subparagraph 1 of the first paragraph of section 3 of this Regulation, the registration application of a principal residence establishment must not be accompanied by a declaration of its accommodation offering and of the related activities and other related services.

DIVISION IX OFFENCES

15. The regulatory provision to which section 27 of the Tourist Accommodation Act (2021, chapter 30) refers is sections 8 and 9.

DIVISION X TRANSITIONAL AND FINAL

16. Until 1 September 2025, subparagraph 6 of the first paragraph of section 2 is to be read as follows:

“(6) if the person who intends to operate the establishment has, in the last 3 years, been found guilty of an offence under the Act respecting tourist accommodation establishments (chapter E-14.2), the Tourist Accommodation Act (2021, chapter 30), the Building Act (chapter B-1.1), the Act respecting the conservation and development of wildlife (chapter C-61.1), the Consumer Protection Act (chapter P-40.1), the Environment Quality Act (chapter Q-2) or a Regulation made under any of those Acts, a description of the offence.”

17. This Regulation comes into force on 1 September 2022.

105868

Gouvernement du Québec

O.C. 1267-2022, 22 June 2022

Individual and Family Assistance Act
(chapter A-13.1.1)

Individual and Family Assistance —Amendment

Regulation to amend the Individual and Family Assistance Regulation

WHEREAS, under paragraphs 8, 10 and 11 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

—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;

—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;

—prescribing a method for calculating income, earnings, the value of benefits, liquid assets and the value of property, determining the cases in which those amounts may be averaged and the time from which they are deemed received, and prescribing standards for the allocation of arrears in support payments;

WHEREAS, under paragraphs 6 and 7 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 of the Act, a method for calculating the Aim for Employment benefit;

—prescribing, for the purposes of section 83.6 of the Act, the manner in which the amount of the participation allowance is to be established and determining the cases in which and the conditions under which such an allowance is granted;

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

WHEREAS, in accordance with 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* of 20 April 2022 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 to this Order in Council, 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. 8, 10 and 11, and s. 133.1, pars. 6 and 7)

1. The Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) is amended in section 89 by replacing “\$0.465” in the third paragraph by “\$0.54”.

2. Section 111 is amended by replacing “\$350” in paragraph 21 by “\$500”.

3. Section 121 is amended by replacing subparagraphs 1 to 3 of the first paragraph by the following:

- “(1) over any period after 31 March 2023;
- (2) over any period after 30 September 2019;
- (3) over any period after 28 February 2011;
- (4) over any period after 30 November 2005;
- (5) over any period after 30 April 1998.”.

4. Section 177.1 is amended

(1) by replacing “third paragraph” in the first paragraph by “fourth paragraph”;

(2) by adding the following after the second paragraph:

“Despite the second paragraph, in the cases provided for in subparagraphs 9.1 and 14 of the fourth paragraph, if an amount that results from the adjustment provided for in the first paragraph is not a multiple of \$1, it must be rounded to the higher multiple of \$0.50.”;

(3) by inserting the following after subparagraph 9 of the third paragraph:

“(9.1) the amounts referred to in the second paragraph of section 104.”;

5. Section 177.29 is amended by replacing “\$350” in paragraph 19 by “\$500”.

6. Section 177.36 is amended by replacing “\$38” in the third paragraph by “\$70”.

7. This Regulation comes into force on 1 April 2023, except sections 1 and 6, which come into force on 1 August 2022, and section 4, which comes into force on 1 January 2023.

105870

M.O., 2022**Order 2022-002 of the Minister of Higher Education dated 17 June 2022**

Professional Code
(chapter C-26)

Amount of the contribution payable by the members of the professional orders for the 2023-2024 fiscal year of the Office des professions du Québec

THE MINISTER OF HIGHER EDUCATION,

CONSIDERING the first paragraph of section 196.2 of the Professional Code (chapter C-26), which provides that the expenditures incurred by the Office des professions du Québec in a fiscal year are to be payable by the members of the professional orders;

CONSIDERING the second paragraph of section 196.2 of the Code, which provides that, for each fiscal year of the Office, the members of the orders are required to pay a contribution determined by the Minister responsible for the administration of the Professional Code and the Acts constituting the professional orders, after consulting with the Minister of Finance, the Minister Responsible for Immigration, the Minister of Health and Social Services and the Chair of the Conseil du trésor;

CONSIDERING the third paragraph of section 196.2 of the Code, which provides that, each fiscal year, the surplus of the Office for the preceding fiscal is added to, or its deficit for the preceding fiscal year is deducted from, the expenditures determined by the Office in its budget estimates for the following fiscal year;

CONSIDERING the third paragraph of section 196.2 of the Code, which provides that any surplus or deficit expected by the Office for a fiscal year may also be taken into account in whole or in part;

CONSIDERING the third paragraph of section 196.2 of the Code, which provides that the resulting amount is then divided by the number of members in all the orders on 31 March of the calendar year in progress and that the quotient is the amount of the annual contribution of each member;

CONSIDERING the first paragraph of section 196.8 of the Code, which provides that every person or group and every department or other government body are to pay the charge determined by regulation of the Government after consultation with the Office and the Québec Interprofessional Council in respect of any request they submit to the Office or of any act that must be performed by the Office in the exercise of its functions;

CONSIDERING the second paragraph of section 196.8 of the Code, which provides that the charges collected during a fiscal year are taken into account in establishing the contribution computed under section 196.2 of the Code;

CONSIDERING that, under subparagraph 4 of the first paragraph of section 19.1 of the Code, the Minister of Higher Education has submitted to the Québec Interprofessional Council, for advice, the amount of the contribution of each member of an order for the 2023-2024 fiscal year of the Office;

CONSIDERING that the Minister of Finance, the Minister Responsible for Immigration, the Minister of Health and Social Services and the Chair of the Conseil du trésor have been consulted;

CONSIDERING that it is expedient to determine the amount of the contribution of each member of a professional order for the 2023-2024 fiscal year of the Office;

ORDERS AS FOLLOWS:

THAT \$29.00 be determined as the amount of the contribution of each member of a professional order for the 2023-2024 fiscal year of the Office des professions du Québec.

Québec, 17 June 2022

DANIELLE MCCANN
Minister of Higher Education

105854

Draft Regulations

Notice

Act respecting the Ministère de la Justice
(chapter M-19)

Draft Order of the Minister of Justice concerning the extension of certain measures for ensuring the proper administration of justice

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Order appearing below may be made by the Minister of Justice on the expiry of 45 days following this publication.

The draft Order extends, among the measures for ensuring the proper administration of justice amid the COVID-19 pandemic situation provided for in Order 2020-4304 of the Minister of Justice dated 31 August 2020, the measures concerning the territorial jurisdiction of administrative justices of the peace, officers of justice, and the staff of the Superior Court and the Court of Québec, as well as the measures concerning the closing of a notarial act *en minute* using a technological medium.

Further information on the draft Order may be obtained by contacting Véronique Morin, Secretary General, Direction du Bureau de la sous-ministre et du Secrétariat général, Ministère de la Justice, 1200, route de l'Église, 9^e étage, Québec (Québec) G1V 4M1; email: veronique.morin@justice.gouv.qc.ca.

Any person wishing to comment on the draft Order is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, Québec (Québec) G1V 4M1.

SIMON JOLIN-BARRETTE
Minister of Justice

Draft Order of the Minister of Justice

Act respecting the Ministère de la Justice
(chapter M-19)

Extension of measures for ensuring the proper administration of justice

THE MINISTER OF JUSTICE,

CONSIDERING section 5.1 of the Act respecting the Ministère de la Justice (chapter M-19), which provides that, in a state of emergency declared by the Government or in a situation where it is impossible in fact to comply with the rules of the Code of Civil Procedure (chapter C-25.01) or of the Code of Penal Procedure (chapter C-25.1), the Minister of Justice may, if necessary for the proper administration of justice, amend any rule of procedure, introduce a new one or provide for any other measure;

CONSIDERING that section 5.1 of the Act provides that the measures are to be published in the *Gazette officielle du Québec*, may take effect on the date on which the state of emergency is declared or the situation occurs or on any later date specified in the measures, and are applicable for the period determined by the Minister of Justice, which may not exceed one year after the end of the state of emergency or of the situation;

CONSIDERING that section 5.1 of the Act provides that the Minister of Justice may, each year for five years, extend the period before it expires if necessary for the proper administration of justice;

CONSIDERING that section 5.1 of the Act provides that, before extending the measures, the Minister must take into consideration their effects on the rights of individuals, obtain the agreement of the Chief Justice of Québec and the Chief Justice of the Superior Court or the Chief Judge of the Court of Québec, according to their jurisdiction, and take into consideration the opinion of the Barreau du Québec and, if applicable, the Chambre des notaires du Québec or the Chambre des huissiers de justice du Québec;

CONSIDERING section 27 of the Regulations Act (chapter R-18.1), which provides that a regulation may take effect before the date of its publication in the *Gazette officielle du Québec* where the Act under which it is made or approved expressly provides therefor;

CONSIDERING that Order 2020-4304 dated 31 August 2020 provides for measures for ensuring the proper administration of justice amid the COVID-19 pandemic situation;

CONSIDERING that Order 2021-4556 dated 20 August 2021 provides that the effective period of the measures provided for in the first five paragraphs of the operative part of Order 2020-4304 dated 31 August 2020 is extended by one year, that is, from 1 September 2021 to 31 August 2022;

CONSIDERING that the measures provided for in Order 2020-4304 dated 31 August 2020, whose effective period was extended by Order 2021-4556 dated 20 August 2021, cease to have effect on 1 September 2022;

CONSIDERING that the proper administration of justice requires the extension of those measures, in particular to ensure the continuity of judicial and notarial services;

CONSIDERING that those measures have and continue to have a beneficial effect on the rights of individuals;

CONSIDERING that the Chief Justice of Québec, the Chief Justice of the Superior Court and the Chief Judge of the Court of Québec have given their agreement on the extension of the measures provided for in this Order;

CONSIDERING that the Barreau du Québec and the Chambre des notaires du Québec have been consulted and their opinion has been taken into consideration;

ORDERS AS FOLLOWS:

THAT the effective period of the measures provided for in the first five paragraphs of the operative part of Order 2020-4304 dated 31 August 2020 be extended by one year, that is, from 1 September 2022 to 31 August 2023.

SIMON JOLIN-BARRETTE
Minister of Justice

105855

Draft Regulation

Health Insurance Act
(chapter A-29)

Regulation — 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 Health Insurance Act, the text of which appears hereafter, may be made by the Government on the expiry of the 45-day period following this publication.

This draft regulation aims to ensure that services provided by correspondence or telecommunication are no longer services that should not be considered insured services for the purposes of the Health Insurance Act (chapter A-29), with the exception of services provided remotely under a group insurance contract whose main purpose is not the provision of these services.

This draft regulation would have positive effects on insured persons within the meaning of the Health Insurance Act, would not entail any additional costs for enterprises, in particular, on small or medium-sized enterprises, and would not affect the level of employment in Québec.

Additional information concerning this draft regulation is available by contacting Lucie Poitras, Assistant Director General, Direction générale adjointe des services hospitaliers, du médicament et de la pertinence clinique, Ministère de la Santé et des Services sociaux, 2021, avenue Union, Montréal (Québec) H3A 2S9, telephone: 514 873-3010, email: lucie.poitras@msss.gouv.qc.ca.

Anyone wishing to comment on this draft regulation may write, before the expiry of the 45-day period mentioned above, to the Minister of Health and Social Services, at 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

CHRISTIAN DUBÉ
Minister of Health and Social Services

Regulation to amend the Regulation respecting application of the Health Insurance Act

Health Insurance Act
(chapter A-29, s. 69, 1st para., subpara. *b* and *b.1*)

1. Section 22 of the Regulation respecting application of the Health Insurance Act (chapter A-29, r. 5) is amended:

1° by deleting subparagraph *d*;

2° by adding, at the end, the following subparagraph:

“w) any service provided remotely under a group insurance contract whose main purpose is not the provision of these services.”

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

105866

Draft Regulation

Act respecting the legal publicity of enterprises
(chapter P-44.1)

Regulation — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of enterprises, appearing below, may be made by the Minister of Labour, Employment and Social Solidarity on the expiry of 45 days following this publication.

The draft Regulation exempts a category of declarants from paying the fee for the registration declaration.

Further information on the draft Regulation may be obtained by contacting Yves Pépin, Enterprise Registrar, Ministère du Travail, de l'Emploi et de la Solidarité sociale, 3175, chemin Quatre Bourgeois, bureau 105.08, Québec (Québec) G1W 2K7; telephone: 418 780-8968; email: yves.pepin@req.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Labour, Employment and Social Solidarity, 425, rue Jacques-Parizeau, 4^e étage, Québec (Québec) G1R 4Z1; email: ministre@mtess.gouv.qc.ca.

JEAN BOULET
*Minister of Labour, Employment
and Social Solidarity*

Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of enterprises

Act respecting the legal publicity of enterprises
(chapter P-44.1, s. 148, 2nd par., subpar. 2)

1. The Regulation respecting the application of the Act respecting the legal publicity of enterprises (chapter P-44.1, r. 1) is amended by inserting the following after section 4:

“DIVISION IV.1 REGISTRANTS EXEMPTED FROM PAYING THE FEE FOR THE REGISTRATION DECLARATION

4.1. A registrant that is a legal person governed by a law of Ontario is exempted from paying the fee referred to in the first paragraph of section 32 of the Act.”

2. This Regulation comes into force on 29 August 2022.

105878

Erratum

Gouvernement du Québec

O.C. 972-2022, 8 June 2022

Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001)

Environment Quality Act (chapter Q-2)

Act to amend mainly the Environment Quality Act with respect to deposits and selective collection (2021, chapter 5)

Act mainly to reinforce the enforcement of environmental and dam safety legislation, to ensure the responsible management of pesticides and to implement certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles (2022, chapter 8)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8)

Development, implementation and financial support of a deposit-refund system for certain containers —Amendment

Gazette officielle du Québec, Part 2, June 22, 2022, Volume 154, No. 25, page 1890.

On page 1890,

“Development, implementation and financial support of a deposit-refund system for certain containers —Amendment”

should read

“Development, implementation and financial support of a deposit-refund system for certain containers”

105856

