



Part 2

LAWS AND REGULATIONS

21 December 2022 / Volume 154

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Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
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Partie 2, entitled "Lois et règlements", and the English edition, Part 2 "Laws and Regulations", are published at least every Wednesday. If a Wednesday is a legal holiday, the Official Publisher is authorized to publish them on the preceding day or on the Thursday following such holiday.

Part 2 – LAWS AND REGULATIONS

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Part 2 shall contain:

- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
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\$1.27 per agate line.

A minimum rate of \$278 is applied, however, in the case of a publication of fewer than 220 agate lines.

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PROVINCE OF QUÉBEC

1ST SESSION

43RD LEGISLATURE

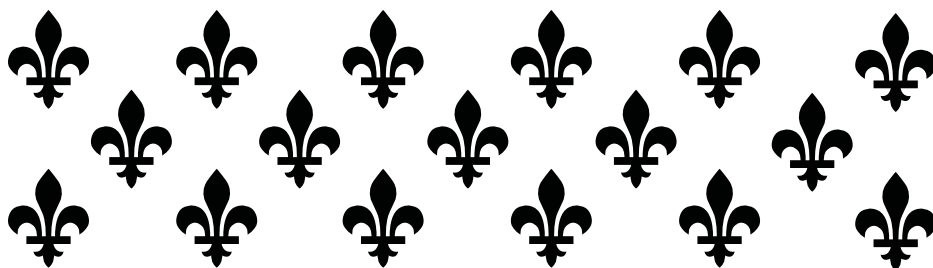
QUÉBEC, 2 DECEMBER 2022

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 2 December 2022*

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

- 5 An Act to ratify the Agreement relating to the concept of parliamentary group, to the conduct of proceedings in the Assembly and in parliamentary committees, to budgetary aspects and to other measures promoting work-family balance

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



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 5
(2022, chapter 28)

An Act to ratify the Agreement relating to the concept of parliamentary group, to the conduct of proceedings in the Assembly and in parliamentary committees, to budgetary aspects and to other measures promoting work-family balance

Introduced 2 December 2022
Passed in principle 2 December 2022
Passed 2 December 2022
Assented to 2 December 2022

Québec Official Publisher
2022

EXPLANATORY NOTES

The purpose of this Act is to ratify the Agreement relating to the concept of parliamentary group, to the conduct of proceedings in the Assembly and in parliamentary committees, to budgetary aspects and to other measures promoting work-family balance.

The Act modifies, for the duration of the 43rd Legislature, the conditions for opposition parties, other than the party of the Official Opposition, to be entitled to the parliamentary offices of leader, House leader and whip, as the case may be.

The Office of the National Assembly is given the power to establish the conditions, scales and modalities of payment of expenses for lodgings in the electoral division of Members whose principal residence is in the territory of Ville de Québec or in its immediate vicinity but who do not represent an electoral division located there.

The Act specifies, in the Code of ethics and conduct of the Members of the National Assembly, that a Member is not in default of maintaining a good attendance record when absent in connection with the Member's pregnancy, the birth of the Member's child or the adoption of a child, while on maternity leave, paternity leave or parental leave, or because of the state of health of a relative or a person for whom the Member acts as a caregiver.

Lastly, the Act empowers the Office of the National Assembly to make any regulation necessary to implement these changes; such a regulation may be retroactive to the date of the beginning of the 43rd Legislature.

LEGISLATION AMENDED BY THIS ACT:

- Act respecting the National Assembly (chapter A-23.1);
- Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1);
- Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1).

Bill 5

AN ACT TO RATIFY THE AGREEMENT RELATING TO THE CONCEPT OF PARLIAMENTARY GROUP, TO THE CONDUCT OF PROCEEDINGS IN THE ASSEMBLY AND IN PARLIAMENTARY COMMITTEES, TO BUDGETARY ASPECTS AND TO OTHER MEASURES PROMOTING WORK-FAMILY BALANCE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE NATIONAL ASSEMBLY

1. Section 25 of the Act respecting the National Assembly (chapter A-23.1) is amended by adding the following paragraph at the end:

“For the duration of the 43rd Legislature, the second paragraph is amended by replacing “twenty” by “twenty-five”.”

2. Section 87 of the Act is amended by striking out the second paragraph.

3. Section 88 of the Act is amended by striking out the second paragraph.

4. Section 95 of the Act is amended by adding the following paragraph at the end:

“For the duration of the 43rd Legislature, a Member designated by the party recognized as the Third Opposition Group may take part, without the right to vote, in the proceedings of the Office.”

5. Section 97 of the Act is amended by striking out the second paragraph.

6. Section 104 of the Act is amended by replacing subparagraph 4 of the first paragraph by the following subparagraph:

“(4) expenses for lodgings,

(a) in the territory of Ville de Québec or in its immediate vicinity, of a Member whose principal residence is outside the territory formed by that of Ville de Québec and an electoral division adjacent to the territory of that city, or of the Member whose principal residence is within the electoral division of Charlevoix–Côte-de-Beaupré and more than 50 kilometres from the Parliament Building by the shortest road, or

(b) in the electoral division of a Member whose principal residence is in the territory of Ville de Québec or in its immediate vicinity but who does not represent an electoral division located there; and”.

7. Section 124.1 of the Act is amended by replacing the third paragraph by the following paragraph:

“For the duration of the 43rd Legislature, the first paragraph is replaced by the following paragraph:

“The Leader of the Official Opposition, the Leader of the party recognized as the Second Opposition Group, the Leader of the party recognized as the Third Opposition Group, the President and the Vice-Presidents of the National Assembly, the Government House Leader, the Official Opposition House Leader, the House Leader of the party recognized as the Second Opposition Group, the Chief Government Whip, the Chief Official Opposition Whip and the Whip of the party recognized as the Second Opposition Group may appoint their respective executive secretaries and the other persons required for the orderly administration of their respective offices.””

CODE OF ETHICS AND CONDUCT OF THE MEMBERS OF THE NATIONAL ASSEMBLY

8. Section 35 of the Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1) is amended by adding the following paragraph at the end:

“A Member is not in default of maintaining a good attendance record when absent for the following reasons:

(1) in connection with the Member’s pregnancy, the birth of the Member’s child or the adoption of a child;

(2) while on maternity leave, paternity leave or parental leave; or

(3) because of the state of health of a relative or a person for whom the Member acts as a caregiver.”

ACT RESPECTING THE CONDITIONS OF EMPLOYMENT AND THE PENSION PLAN OF THE MEMBERS OF THE NATIONAL ASSEMBLY

9. Section 7 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1) is amended by replacing the third paragraph by the following paragraph:

“For the duration of the 43rd Legislature, the first paragraph is amended

(1) by replacing subparagraph 6 by the following subparagraph:

“(6) a Member, other than the Member contemplated in subparagraph 4, who leads an opposition party represented in the Assembly following the 3 October 2022 general election shall receive on an annual basis an indemnity equal to 35% of the annual indemnity;”;

(2) by replacing subparagraph 6.1 by the following subparagraph:

“(6.1) the Member occupying the position of House Leader of the party recognized as the Second Opposition Group shall receive on an annual basis an indemnity equal to 25% of the annual indemnity;”;

(3) by replacing “of a party contemplated in paragraph 6” in subparagraph 11 by “of the party recognized as the Second Opposition Group”.

MISCELLANEOUS AND FINAL PROVISIONS

10. The persons appointed as members of the staff of a Member who holds the position of Leader of a party other than the party of the Official Opposition or of House Leader or Whip of the party recognized as the Second Opposition Group, during the period beginning on 12 October 2022 and ending on 1 December 2022, are deemed to have been appointed as members of the Member’s office staff.

11. The Office of the National Assembly may make any regulation necessary for the purposes of this Act. Such a regulation may have retroactive effect to any date not prior to 12 October 2022.

12. This Act comes into force on 2 December 2022.

Regulations and other Acts

Gouvernement du Québec

O.C. 1764-2022, 30 November 2022

Threatened or vulnerable plant species and their habitats —Amendment

Regulation to amend the Regulation respecting threatened or vulnerable plant species and their habitats

WHEREAS, under paragraph 1 of section 10 of the Act respecting threatened or vulnerable species (chapter E-12.01), on the recommendation of the Minister of the Environment, the Fight against Climate Change, Wildlife and Parks, after consultation with the other ministers mentioned in the third paragraph of section 6 of this Act, the Government may, by regulation, designate as threatened or vulnerable any species that requires it;

WHEREAS, under subparagraph 1 of the first paragraph of section 39 of that Act, in addition to the regulatory power provided for in section 10 of that Act, the Government may, by regulation, withdraw certain activities from the application of section 16 of that Act in respect of a threatened or vulnerable plant species designated under that Act;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting threatened or vulnerable plant species and their habitats was published in Part 2 of the *Gazette officielle du Québec* of 22 June 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 the Environment, the Fight Against Climate Change, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting threatened or vulnerable plant species and their habitats, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting threatened or vulnerable plant species and their habitats

Act respecting threatened or vulnerable species
(chapter E-12.01, s. 10, 16 and 39)

1. The Regulation respecting threatened or vulnerable plant species and their habitats (chapter E-12.01, r. 3) is amended in section 2

(1) by replacing

(a) “butterfly weed (*Asclepias tuberosa* (Linnaeus) var. *interior* (Woodson) Shinnery)” by “butterfly weed (*Asclepias tuberosa* (Linnaeus) subsp. *interior* Woodson)”;

(b) “Indian’s dream (*Aspidotis densa* (Brackenridge in Wilkes) Lellinger)” by “Indian’s dream (*Aspidotis densa* (Brackenridge) Lellinger)”;

(c) “white wood aster (*Eurybia divaricata* (Linnaeus) Nesom)” by “white wood aster (*Eurybia divaricata* (Linnaeus) G. L. Nesom)”;

(d) “Gulf of St. Lawrence aster (*Symphyotrichum laurentianum* (Fernald) Nesom)” by “Gulf of St. Lawrence aster (*Symphyotrichum laurentianum* (Fernald) G.L. Nesom)”;

(e) “American water-willow (*Justicia americana* (Linnaeus) M. Vahl)” by “American water-willow (*Justicia americana* (Linnaeus) Vahl)”;

(f) “Victorin’s water-hemlock (*Cicuta maculata* Linnaeus var. *victorinii* (Fernald) Boivin)” by “Victorin’s water-hemlock (*Cicuta maculata* Linnaeus var. *victorinii* (Fernald) B. Boivin)”;

(g) “broom crowberry (*Corema conradii* (Torrey) Torrey)” by “broom crowberry (*Corema conradii* (Torrey) Torrey ex Loudon)”;

(h) “wall-rue (*Asplenium ruta-muraria* Linnaeus)” by “wall-rue (*Asplenium ruta-muraria* Linnaeus var. *cryptolepis* (Fernald) Wherry)”;

(i) “Macoun’s fringed gentian (*Gentianopsis virgata* (Rafinesque) Holub subsp. *macounii* (Th. Holm) J.S. Pringle) where it grows in the territory of Municipalité

régionale de comté de Bonaventure” by “Macoun’s fringed gentian (*Gentianopsis virgata* (Rafinesque) Holub subsp. *macounii* (Holm) J.S. Pringle) where it grows in the territory of Municipalité régionale de comté de Bonaventure”;

(j) “Victorin’s gentian (*Gentianopsis virgata* (Rafinesque) Holub subsp. *victorinii* (Fernald) Lammers)” by “Victorin’s gentian (*Gentianopsis virgata* (Rafinesque) Holub subsp. *victorinii* (Fernald) Lammers)”;

(k) “southern twayblade (*Listera australis* Lindley)” by “southern twayblade (*Neottia bifolia* (Rafinesque) Baumbach)”;

(l) “roundleaf monkeyflower (*Mimulus glabratus* Kunth var. *jamesii* (Torr. & A. Gray) A. Gray)” by “Geyer’s yellow monkeyflower (*Erythranthe geyeri* (Torrey) G.L. Nesom)”;

(m) “la monarde ponctuée (*Monarda punctata* Linnaeus var. *villicaulis* (Pennell) E.J. Palmer & Steyemark)” in the French text by “la monarde à tige velue (*Monarda punctata* Linnaeus var. *villicaulis* (Pennell) E.J. Palmer & Steyemark)”;

(n) “soft-hair marble-seed (*Onosmodium bejariense* A. de Candolle var. *hispidissimum* (Mackenzie) B.L. Turner)” by “soft-hair marble-seed (*Lithospermum parviflorum* Weakley, Witsell & D. Estes)”;

(o) “hooded arrowhead (*Sagittaria montevidensis* Chamisso & Schlechtendal subsp. *spongiosa* (Engelmann) C. Bogin)” by “hooded arrowhead (*Sagittaria montevidensis* Chamisso & Schlechtendal subsp. *spongiosa* (Engelmann) Bogin)”;

(p) “weakstalk bulrush (*Schoenoplectus purshianus* (Fernald) M. T. Strong var. *purshianus*)” by “weakstalk bulrush (*Schoenoplectiella purshiana* (Fernald) Lye var. *purshiana*)”;

(q) “round-leaf ragwort (*Packera obovata* (Muhlenberg ex Willdenow) W.A. Weber et A. L.)” by “round-leaf ragwort (*Packera obovata* (Muhlenberg ex Willdenow) W.A. Weber & Á. Löve)”;

(r) “dwarf arctic ragwort (*Packera cymbalaria* (Pursh) W.A. Weber)” by “dwarf arctic ragwort (*Packera heterophylla* (Fischer) E. Wiebe)”;

(s) “bog fern (*Thelypteris simulata* (Davenport) Nieuwland)” by “bog fern (*Coryphopteris simulata* (Davenport) S.E. Fawcett)”;

(2) by inserting the following in alphabetical order:

—cockspur hawthorn (*Crataegus crus-galli* Linnaeus var. *crus-galli*);

—Puvirnituk Mountain draba (*Draba puvirnitukii* G.A. Mulligan & Al-Shehbaz);

—Wright’s spikerush (*Eleocharis diandra* C. Wright);

—Carolina geranium (*Geranium carolinianum* Linnaeus);

—long-leaved bluets (*Houstonia longifolia* Gaertner);

—sticky locoweed (*Oxytropis borealis* de Candolle var. *viscida* (Nuttall) S.L. Welsh);

—smooth cliff-brake (*Pellaea glabella* Mettenius ex Kuhn subsp. *glabella*);

—redwhiskered clammyweed (*Polanisia dodecandra* (Linnaeus) de Candolle subsp. *dodecandra*)”;

(3) by striking out the following:

—Anticosti aster (*Symphotrichum anticostense* (Fernald) Nesom);

—American alpine lady-fern (*Athyrium alpestre* (Hoppe) Clairville subsp. *americanum* (Butters) Lellinger);

—glacier sedge (*Carex glacialis* Mackenzie), populations of the Côte-Nord administrative region;

—serpentine stitchwort (*Minuartia marcescens* (Fernald) House);

—mountain holly fern (*Polystichum scopulinum* (D.C. Eaton) Maxon);

—Mt. Albert goldenrod (*Solidago simplex* Kunth subsp. *simplex* var. *chlorolepsis* (Fernald) Ringius)”.

2. Section 3 is amended

(1) by replacing

(a) “wild leek (*Allium tricoccum* Aiton var. *tricoccum* et *Allium tricoccum* Aiton var. *burdickii* Hanes)” by “wild leek (*Allium tricoccum* Aiton)”;

(b) “flax-leaf aster (*Ionactis linariifolia* (Linnaeus) E.L. Greene)” by “flax-leaf aster (*Ionactis linariifolia* (Linnaeus) Greene)”;

(c) “la cardamine carcajou (*Cardamine diphylla* (Michaux) A. Wood)” in the French text by “la dentaire à deux feuilles (*Cardamine diphylla* (Michaux) A. Wood)”;

(d) “la cardamine géante (*Cardamine maxima* (Nuttall) A. Wood)” in the French text by “la dentaire géante (*Cardamine maxima* (Nuttall) A. Wood)”;

(e) “black maple (*Acer nigrum* Michaux f.)” by “black maple (*Acer nigrum* F. Michaux)”;

(f) “ostrich fern (*Matteuccia struthiopteris* (Linnaeus) Todaro)” by “ostrich fern (*Matteuccia struthiopteris* (Linnaeus) Todaro var. *pensylvanica* (Willdenow) C.V. Morton)”;

(2) by inserting the following in alphabetical order:

—“Anticosti aster (*Symphyotrichum anticostense* (Fernald) Nesom);

—bulbous bittercress (*Cardamine bulbosa* (Schreb. ex Muhl.) Britton, Sterns & Poggenb.);

—panicked tick-trefoil (*Desmodium paniculatum* (Linnaeus) de Candolle var. *paniculatum*);

—mountain holly fern (*Polystichum scopulinum* (D.C. Eaton) Maxon);

—Mt. Albert goldenrod (*Solidago chlorolepis* Fernald);

—cutleaf daisy, populations of the Bas-Saint-Laurent and Gaspésie regions (*Erigeron compositus* Pursh -p01, p11);”.

3. Section 4 is amended by replacing “(*Allium tricoccum* var. *tricoccum* and *Allium tricoccum* var. *burdickii*)” in the portion before the first dash by “(*Allium tricoccum* Aiton)”.

4. Section 5 is amended by replacing in the first paragraph

(1) “la cardamine carcajou” in the French text by “la dentaire à deux feuilles”;

(2) “la cardamine géante” in the French text by “la dentaire géante”;

(3) “la matteucie fougère-à-l’autruche” in the French text by “la matteuccie fougère-à-l’autruche d’Amérique”;

(4) “l’uvulaire grande-fleur” in the French text by “l’uvulaire à grandes fleurs”.

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

106052

Gouvernement du Québec

O.C. 1777-2022, 7 December 2022

Amalgamation of Municipalité de La Morandière and Municipalité de Rochebaucourt

WHEREAS each of the municipal councils of Municipalité de La Morandière and Municipalité de Rochebaucourt adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the two municipalities, in accordance with the first paragraph of sections 84 and 85 of the Act respecting municipal territorial organization (chapter O-9);

WHEREAS the joint application was sent to the Minister of Municipal Affairs and Housing;

WHEREAS, in accordance with section 109 of the Act, the plan referred to in section 87 of the Act has been approved by the Minister of Energy and Natural Resources;

WHEREAS the order constituting the local municipality resulting from the amalgamation must contain the information provided for in the first paragraph of section 108 of the Act;

WHEREAS, under the first paragraph of section 107 of the Act, the Minister may recommend that the Government grant the application with or without amendment;

WHEREAS it is expedient to grant the joint application for amalgamation, without amendment, of Municipalité de La Morandière and Municipalité de Rochebaucourt and to constitute a local municipality resulting from the amalgamation of the two municipalities;

WHEREAS, under the first paragraph of section 110 of the Act, the order comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date indicated therein;

WHEREAS it is expedient to provide that this Order in Council come into force on 1 January 2023;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs:

THAT the joint application for amalgamation of Municipalité de La Morandière and Municipalité de Rochebaucourt be granted and that a local municipality resulting from the amalgamation of the two municipalities be constituted, in accordance with the following provisions:

1. The name of the new municipality is “Municipalité de La Morandière-Rochebaucourt”.

2. The description of the territory of the new municipality is that drawn up by the Minister of Energy and Natural Resources on 26 July 2022; the description appears in Schedule A to this Order in Council.

3. The new municipality is governed by the Municipal Code of Québec (chapter C-27.1).

4. The territory of the new municipality is situated within the territory of Municipalité régionale de comté d’Abitibi.

5. Until such time as the term of the majority of candidates elected in the first general election begins, the new municipality is governed by a provisional council composed of the mayor of the former Municipalité de Rochebaucourt and 6 members. Each of the former municipalities appoints 3 members from among the members of their respective councils in office at the time of coming into force of this Order in Council.

The number of vacant positions of members of the provisional council may not exceed 2. A by-election must be held to fill any vacant position exceeding that number. For the purposes of the by-election, the only persons eligible are the persons who would be eligible under the Act respecting elections and referendums in municipalities (chapter E-2.2) if such election were an election of the members of the former municipality with the greatest number of vacant positions on the provisional council.

6. The mayor of the former Municipalité de Rochebaucourt acts as mayor of the new municipality as of the coming into force of this Order in Council. The person who acts as acting mayor is appointed by the provisional council at its first sitting.

The mayor of the former Municipalité de Rochebaucourt continues to sit on the council of Municipalité régionale de comté d’Abitibi until the first general election following the coming into force of this Order in Council. The acting mayor appointed by the provisional council also sits on the council of Municipalité régionale de comté d’Abitibi. The mayor and the acting mayor have the same number

of votes as the mayors of the former municipalities, and they retain the quality required to sit on any committee and to fulfil any function.

7. A majority of the members in office constitutes the quorum of the provisional council.

8. The first sitting of the provisional council is held at 7:30 p.m. at the municipal office of the former Municipalité de La Morandière, located at 204, route 397, La Morandière, Québec, J0Y 1S0, on the first working Monday following the coming into force of this Order in Council. As of that date, the sittings of the council are to be held on an alternating basis, each month, at the municipal office of the former Municipalité de Rochebaucourt, located at 20, rue Chanoine, Rochebaucourt, J0Y 2J0, and at the municipal office of the former Municipalité de La Morandière.

The provisional council may modify or end the alternation.

9. By-law 75 of the former Municipalité de Rochebaucourt on the sittings of the council applies to the provisional council until it is replaced or repealed.

10. By-law 95 of the former Municipalité de Rochebaucourt on the remuneration of the members of the municipal council applies to the members of the provisional council until it is amended or replaced. However, the salary and allowance provided for therein are increased by 10%.

11. An elected officer of a former municipality whose mandate ends following the coming into force of this Order in Council receives a compensation equal to 3 months of the remuneration and allowance of a council member of the former Municipalité de Rochebaucourt.

For each former elected officer, expenditures related to the compensation are to be charged to the ratepayers of the sector made up of the territory of the former municipality on whose council the elected officer sat. In order to pay those expenditures, the provisional council may apply an amount coming from the accumulated surplus of a former municipality or impose a special tax on the immovables located in the sector made up of the territory of each former municipality.

12. The director general and secretary-treasurer of the former Municipalité de Rochebaucourt acts as director general and first secretary-treasurer of the new municipality.

13. The poll of the first general election is to be held on the first Sunday in November 2023. The second general election is to be held in 2025.

14. In the first general election and any by-election held before the second general election, the only persons eligible for seats 1, 3 and 5 are the persons who would be eligible under the Act respecting elections and referendums in municipalities if such election were an election of the council members of the former *Municipalité de La Morandière*.

The only persons eligible for seats 2, 4 and 6 are the persons who would be eligible under the Act if such election were an election of the council members of the former *Municipalité de Rochebaucourt*.

15. If a budget was prepared and adopted by a former municipality for the fiscal year during which this Order in Council comes into force,

(1) the budget remains applicable;

(2) the expenditures and revenues of the new municipality, for the remainder of the fiscal year during which this Order in Council comes into force, continue to be accounted for separately on behalf of each of the former municipalities as if the amalgamation had not taken place;

(3) an expenditure recognized by the council of the new municipality as resulting from the amalgamation is to be charged to each of the former municipalities in proportion, for each municipality, to its standardized property value in comparison with the total of the standardized property values of the former municipalities, as they appear in the financial statements of those municipalities for the fiscal year preceding the year during which this Order in Council comes into force;

(4) the amount paid for the first year of the amalgamation under the Programme d'aide financière au regroupement municipal (PAFREM), less the expenditures recognized by the council under paragraph 3 of this section and financed from that same amount, constitutes a reserve to be paid into the general fund of the new municipality for the first fiscal year during which it prepares and adopts a budget with respect to all of its territory.

16. The surplus accumulated at the end of the last fiscal year during which separate budgets were adopted are to be paid into the general fund of the new municipality, except for an amount of \$46,000.00, which must be reserved for infrastructure work on the sewer system of the former *Municipalité de Rochebaucourt*.

17. Where applicable, the deficit accumulated on behalf of an applicant municipality at the end of the last fiscal year during which separate budgets were adopted is to be charged to all the taxable immovables of the sector made up of the territory of the applicant municipality.

As of the first fiscal year for which a budget will have been adopted by the new municipality, any loan contracted under a by-law providing that the reimbursement of the loan is to be charged to the ratepayers of all the territory of a former municipality is to be charged to the ratepayers of all the territory of the new municipality.

However, any loan by-law aimed at financing infrastructure work on the sewer system of the former *Municipalité de Rochebaucourt* and adopted within 8 years of the coming into force of this Order in Council is to be charged to the sector made up of the territory of the former municipality in the following proportions:

— all taxable immovables: 15%;

— the taxable immovables in the sector served by the sewer system: 85%.

18. Despite section 110.10.1 of the Act respecting land use planning and development (chapter A-19.1), the new municipality may replace the zoning and subdivision by-laws applicable in its territory. The following sections do not apply to a by-law adopted for that purpose:

(1) the second sentence of the second paragraph and the third and fourth paragraphs of section 126;

(2) the second paragraph of section 127;

(3) sections 128 to 133;

(4) the second and third paragraphs of section 134;

(5) sections 135 to 137.

A by-law referred to in the first paragraph must be approved, in accordance with the Act respecting elections and referendums in municipalities, by the qualified voters of all the territory of the new municipality.

This section applies provided that the by-law referred to therein comes into force within 4 years of the coming into force of this Order in Council.

19. The new municipality must maintain a service point open 1 half-day per week in the territory of the former *Municipalité de Rochebaucourt* for a period of 12 months from the coming into force of this Order in Council.

20. Any debt or gain that may result from legal proceedings for an act performed by a former municipality before the coming into force of this Order in Council is to be charged or credited to all the ratepayers of the sector made up of the territory of that former municipality.

THAT this Order in Council come into force on 1 January 2023.

YVES OUELLET
Clerk of the Conseil exécutif

SCHEDULE A

OFFICIAL DESCRIPTION

of the boundaries of the territory of Municipalité de La Morandière-Rochebaucourt, in Municipalité régionale de comté d'Abitibi

The territory of Municipalité de La Morandière-Rochebaucourt, in Municipalité régionale de comté d'Abitibi, following the amalgamation of Municipalité de La Morandière and Municipalité de Rochebaucourt, comprises, on the date of this description, in reference to the cadastre of Québec and the original survey of the townships of Castagnier Duvernoy, La Morandière, Rochebaucourt and Vassal, all the lots or parts of lots, their successor lots, hydrographic and topographic entities, built-up sites or parts thereof, within the perimeter commencing at the apex of the northeast angle of lot 62 of Range IV of the township of Vassal, and that runs along the following lines and demarcations: southerly, part of the eastern limit of the township of Vassal to its intersection with the northern limit of the township of Rochebaucourt; successively easterly, part of the northern limit of the township of Rochebaucourt, the northern limit of lots 5 614 243, 5 614 244, 5 613 728, 5 614 242, part of the northern limit of the township of Rochebaucourt, the northern limit of lots 5 614 251, 5 614 249, part of the northern limit of the township of Rochebaucourt (extended into Rivière Laflamme), the northern limit of lots 5 614 247, 5 614 246, part of the northern limit of the township of Rochebaucourt (extended across lot 5 615 180) and part of the northern limit of the township of Rochebaucourt to its intersection with the eastern limit of the said township; southerly, part of the eastern limit of the township of Rochebaucourt to its intersection with the southern limit of Range V of the said township; successively westerly, part of the southern limit of Range V of the township of Rochebaucourt, the southern limit of lots 5 614 772, 5 614 771, 5 614 774 (extended into Ruisseau Tourville), 5 614 775, part of the southern limit of Range V of the township of Rochebaucourt, the

southern limit of lots 5 614 769, 5 614 763, 5 614 768 (extended across lot 5 615 175), 5 614 761, 5 614 760, 5 614 762, 5 613 691, 5 614 750, 5 614 749, 5 614 752, 5 614 748, 5 614 746, 5 614 753, 5 614 754 (extended into Ruisseau Rochebaucourt), 5 614 728, 5 614 727, 5 614 729, 5 614 731, 5 615 299 and 5 614 732 to its intersection with the eastern limit of the township of La Morandière; southerly, part of the eastern limit of the township of La Morandière to its intersection with the southern limit of Range III of the said township; successively westerly, part of the southern limit of Range III of the township of La Morandière, the southern limit of lot 5 614 634 and part of the southern limit of Range III of the township of La Morandière extended to its intersection with the centre line of Rivière Laflamme; in a general southerly direction, part of the centre line of Rivière Laflamme to its intersection with the extension, easterly of the southern limit of lot 5 614 526; successively westerly, the said extension, the southern limit of lots 5 614 526, 5 614 523, 5 614 522, part of the southern limit of Range I of the township of La Morandière, the southern limit of lots 5 614 527, 5 614 531, 5 614 529, 5 614 530, 5 614 528, 5 615 134, 5 614 536, 5 614 537, 6 120 113, 6 120 114, part of the southern limit of Range I of the township of La Morandière, the southern limit of lot 5 614 538, then part of the southern limit of Range I of the township of La Morandière to its intersection with the western limit of the said township; northerly, part of the western limit of the township of La Morandière to its intersection with the southern limit of Range II of the township of Duvernoy; westerly, part of the southern limit of Range II of the township of Duvernoy extended across lots 4 005 234, 4 004 532, 4 004 521, again 4 005 234 and 4 005 238 to its intersection with the northwest limit of the latter lot; northeasterly, part of the northwest limit of lots 4 005 238 and 4 005 234 to its intersection with the western limit of lot 54 of Range II of the township of Duvernoy; in a general northerly direction, the western limit of lots 54 of ranges II to VIII of the township of Duvernoy to its intersection with the southern limit of Range IX of the said township; successively westerly, part of the southern limit of Range IX of the township of Duvernoy, then the southern limit of lots 5 615 034 and 5 615 032; in a general northerly direction, the western limit of lots 5 615 032, 5 613 709 and 5 615 029 to its intersection with the southern limit of Range I of the township of Castagnier; westerly, part of the southern limit of Range I of the township of Castagnier to its intersection with the western limit of lot 32 of the said range and township; northerly, the western limit of lots 32 of ranges I to IV of the township of Castagnier; lastly, easterly, part of the northern limit of Range IV of the township of Castagnier (extended into Lac Vassal), then the northern limit of Range IV of the township of Vassal, to the starting point.

Such perimeter defines the territory of Municipalité de La Morandière-Rochebaucourt, in Municipalité régionale de comté d'Abitibi.

Ministère de l'Énergie et des Ressources naturelles
Office of the Surveyor-General of Québec
Service de l'arpentage et des limites territoriales

Prepared in Québec, on 26 July 2022

By: Geneviève Tétreault,
Land surveyor

Record BAGQ: 547005
Reference record BAGQ: 546516

106071

Draft Regulations

Draft Regulation

Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1)

Act to modernize legislative provisions as regards the protection of personal information (2021, chapter 25)

Exemption of certain public bodies from the obligation to establish a committee on access to information and the protection of personal information

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to exempt certain public bodies from the obligation to establish a committee on access to information and the protection of personal information, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The Act to modernize legislative provisions as regards the protection of personal information (2021, chapter 25), assented to on 22 September 2021, introduces into the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), in particular, section 8.1 and subparagraph 4 of the first paragraph of section 155. Those provisions provide for the obligation for public bodies to establish a committee on access to information and the protection of personal information, and for the possibility for the Government to exempt a public body from that obligation by regulation.

The draft Regulation exempts the Lieutenant-Governor, the National Assembly and all other public bodies employing 50 employees or fewer from the obligation to establish a committee on access to information and the protection of personal information.

For the bodies so exempt, the draft Regulation provides that the person in charge of the protection of personal information must perform the duties entrusted to the committee on access to information and the protection of personal information by the Act respecting Access to documents held by public bodies and the Protection of personal information.

The draft Regulation has no significant impact on the public, since it only exempts certain public bodies from the administrative requirement to establish such a committee. The draft Regulation has no impact on businesses since it modifies obligations applicable only to public bodies.

Further information on the draft Regulation may be obtained by contacting Jean-Philippe Miville-Deschênes, attorney, Secrétariat à la réforme des institutions démocratiques, à l'accès à l'information et à la laïcité, Ministère du Conseil exécutif, 875, Grande Allée Est, bureau 3.513, Québec (Québec) G1R 4Y8; email: jp.miville-deschenes@mce.gouv.qc.ca; telephone: 418 528-8024, extension 8993.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Julie Samuël, Director, Direction de l'accès à l'information et de la protection des renseignements personnels, Secrétariat à la réforme des institutions démocratiques, à l'accès à l'information et à la laïcité, Ministère du Conseil exécutif, 875 Grande-Allée Est, bureau 3.265, Québec (Québec) G1R 4Y8; email: daiprp@mce.gouv.qc.ca; telephone: 418 528-8024, extension 1241.

JEAN-FRANÇOIS ROBERGE

Minister Responsible for Access to Information and the Protection of Personal Information

Regulation to exempt certain public bodies from the obligation to establish a committee on access to information and the protection of personal information

Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1, s. 155, 1st par., subpar. 4)

Act to modernize legislative provisions as regards the protection of personal information (2021, chapter 25, s. 67, par. 2)

1. The Lieutenant-Governor and the National Assembly are exempt from the obligation to establish a committee on access to information and the protection of personal information provided for in section 8.1 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

2. All other public bodies that, on 31 March of the preceding fiscal year, employed 50 employee or fewer are also exempt, for one fiscal year, from the obligation to establish the committee on access to information and the protection of personal information provided for in section 8.1 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

For the purposes of the application of the first paragraph, an employee is any natural person who undertakes to do work for remuneration under the direction or control of an employer, except:

(1) a student who works during the school year in an establishment chosen by an educational institution under a program recognized by the Ministère de l'Éducation, du Loisir et du Sport or the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie which combines practical experience with academic training or a student who works in a field related to his field of study in the educational institution he is attending;

(2) a student employed for his vacation period;

(3) a trainee undergoing professional training recognized by law;

(4) a person who, engages in an activity within the framework of an employment-assistance measure or program established under Title I of the Individual and Family Assistance Act (chapter A-13.1.1) and in respect of whom the provisions concerning the minimum wage in the Act respecting labour standards (chapter N-1.1) do not apply.

3. In the case of the public bodies referred to in sections 1 and 2, the person in charge of the protection of personal information must perform the duties entrusted to the committee on access to information and the protection of personal information by the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

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

106070

Draft Regulation

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

Compagnies Act (chapter C-38)

Business Corporations Act (chapter S-31.1)

Legal publicity of enterprises

Names of legal persons or associations governed by Part III of the Companies Act

Names of companies governed by Part I of the Companies Act

Names of companies governed by Part IA of the Companies Act
— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the legal publicity of enterprises and the Regulation to amend the Regulation respecting names of legal persons or associations governed by Part III of the Companies Act, the Regulation respecting names of companies governed by Part I of the Companies Act and the Regulation respecting names of companies governed by Part IA of the Companies Act, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation respecting the legal publicity of enterprises replaces the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (chapter P-45, r. 1)

The object of the draft Regulation is to implement certain provisions of the Act mainly to improve the transparency of enterprises (2021, chapter 19), by defining

— the cases and conditions in which a natural person is considered to be an ultimate beneficiary of a registrant;

— the terms for the declaration of the percentage of voting rights that an ultimate beneficiary may exercise based on the number of the registrant's shares or units that the beneficiary holds or controls, or of which the ultimate beneficiary is the beneficiary;

— the addition of information concerning a minor natural person who is an ultimate beneficiary that cannot be consulted in the enterprise register.

The second draft Regulation makes consequential amendments to the Regulation respecting names of legal persons or associations governed by Part III of the Companies Act (chapter C-38, r. 2), the Regulation respecting names of companies governed by Part I of the Companies Act (chapter S-31.1, r. 1.01) and the Regulation respecting names of companies governed by Part IA of the Companies Act (chapter S-31.1, r. 1.02), in connection with the draft Regulation respecting the legal publicity of enterprises.

Further information on the draft Regulations may be obtained by contacting Yves Pepin, Enterprise Registrar, Ministère de l'Emploi et de la Solidarité sociale, 3175, chemin des 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 Regulations is requested to submit written comments within the 45-day period to the Minister of Employment, 425, rue Jacques-Parizeau, 4^e étage, Québec (Québec) G1R 4Z1; email: ministre@mtess.gouv.qc.ca.

KATERI CHAMPAGNE JOURDAIN
Minister of Employment

ERIC GIRARD
Minister of Finance

Regulation respecting the legal publicity of enterprises

Act respecting the legal publicity of enterprises (chapter P-44.1, ss. 150 and 151)

DIVISION I NAME

1. A natural person operating a sole proprietorship in Québec may not add, in or after the name used by the person, a word or expression indicating a plurality of members, unless such word or expression indicates the person's trade or profession.

A general partnership indicates its juridical form correctly if it uses the words "general partnership" in or after its name or if it uses the abbreviation "G.P." only after its name. If it has a limited liability, a limited liability partnership indicates its juridical form properly if it uses the words "limited liability partnership" in or after its name or if it uses the abbreviation "L.L.P." only after its name.

A limited partnership indicates its juridical form correctly if it uses the words "limited partnership" in or after its name or if it uses the abbreviation "L.P." only after its name.

2. The public authorities referred to in subparagraph 6 of the first paragraph of section 17 of the Act respecting the legal publicity of enterprises (chapter P-44.1) are

(1) His Majesty, the Governor General and the Lieutenant-Governor;

(2) the Senate, the House of Commons and the National Assembly;

(3) the departments of the Government of Canada or of the Gouvernement du Québec and the bodies that are mandataries thereof;

(4) the bodies to which staff is appointed in accordance with the Public Service Act (chapter F-3.1.1);

(5) the bodies referred to in the Public Service Employment Act (S.C. 2003, c. 22);

(6) the bodies of which the majority of members or the majority of the members of the board of directors are appointed by the Government of Canada or by the Gouvernement du Québec;

(7) the bodies to which staff is appointed in accordance with a regulation approved by the Government of Canada or by the Gouvernement du Québec;

(8) the bodies all of the voting shares of which are part of the public domain of Canada or Québec;

(9) the municipalities constituted under a general or special Act;

(10) the bodies of which the majority of members or the majority of the members of the board of directors are appointed by a municipality or by a supramunicipal body within the meaning of the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3);

(11) the bodies declared by law to be a mandatory or agent of a municipality;

(12) the supramunicipal bodies within the meaning of the Act respecting the Pension Plan of Elected Municipal Officers;

(13) the Cree Nation Government and the Kativik Regional Government;

- (14) health and social services agencies;
- (15) public institutions within the meaning of paragraphs 3 and 4 of section 98 of the Act respecting health services and social services (chapter S-4.2) and the Nunavik Regional Board of Health and Social Services established under that Act;
- (16) public institutions within the meaning of paragraph *a* of section 10 of the Act respecting health services and social services for Cree and Inuit Native persons (chapter S-5) and the Cree Board of Health and Social Services of James Bay established under that Act;
- (17) school service centres governed by the Education Act (chapter I-13.3), as well as the Comité de gestion de la taxe scolaire de l'île de Montréal;
- (18) the Cree School Board, the Kativik School Board and the Naskapi Education Committee, governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14);
- (19) general and vocational colleges;
- (20) the Université du Québec, its constituent universities, research institutes and superior schools within the meaning of the Act respecting the Université du Québec (chapter U-1);
- (21) professional orders within the meaning of the Professional Code (chapter C-26);
- (22) the governments of foreign States and their diplomatic and consular representations and the governments of their political divisions and their representations; and
- (23) international government bodies.
- 3.** The name of a registrant suggests that the registrant is related to another person, trust, partnership or group of persons if it suggests that the registrant
- (1) controls or sponsors the other person, trust, partnership or group;
 - (2) is controlled or sponsored by the other person, trust, partnership or group;
 - (3) is affiliated with the other person, trust, partnership or group; or
 - (4) carries on its activity with the support, approval or authorization of the other person, trust, partnership or group.

4. In determining whether a name suggests that a registrant is related to another person, trust, partnership or group of persons in the cases mentioned in section 3 or leads to confusion with a name used by another person, trust, partnership or group of persons in Québec, the following criteria must be taken into account:

- (1) the distinctiveness of each of the names and of each of their elements, their visual or phonetic similarity and the similarity between the images conjured up by the names; and

- (2) the way in which each name is used.

5. If a name is likely to suggest a relationship or lead to confusion in accordance with the criteria mentioned in section 4, the prominence of each name must be taken into account, along with the existence of competition or the likelihood of competition between the persons, trusts, partnerships or groups of persons that those names designate, having regard to

- (1) their objects or activities;

- (2) the goods they produce or the services they offer, the quantity thereof or the means by which they are produced or offered; and

- (3) the territories where they carry on their activities and the number of persons they serve.

DIVISION II ULTIMATE BENEFICIARY

6. A natural person who controls, directly or indirectly, the number of a registrant's shares or units referred to in subparagraph 1 or 2 of the first paragraph of section 0.4 of the Act is considered to be an ultimate beneficiary of a registrant.

The same applies to a natural person who controls, directly or indirectly, a number of the shares or units of an entity that is a party to an agreement referred to in the second paragraph of section 0.4 of the Act.

7. For the purposes of subparagraph 2.1 of the second paragraph of section 33 of the Act, a registrant must declare the percentage of voting rights that an ultimate beneficiary may exercise based on the number of the registrant's shares or units that the ultimate beneficiary holds or of which the ultimate beneficiary is the beneficiary, using the following ranges:

- (1) 25% to 50%;

- (2) over 50% to 75%;

- (3) over 75%.

The same applies to the declaration of the fair market value of the number of the registrant's shares or units that an ultimate beneficiary holds or controls or of which the ultimate beneficiary is the beneficiary.

DIVISION III INFORMATION CONTAINED IN THE REGISTER THAT CANNOT BE CONSULTED

8. In addition to the information provided for in subparagraph 3 of the first paragraph of section 99.1 of the Act, any other name used in Québec by a minor natural person who is an ultimate beneficiary and by which that person identifies himself or herself cannot be consulted.

DIVISION IV CHARGE PAYABLE

9. A charge of \$5 per document is payable for the issue of a copy or extract of a document deposited in the register.

DIVISION V FINAL

10. This Regulation replaces the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (chapter P-45, r. 1).

11. This Regulation comes into force on 31 March 2023.

Regulation to amend the Regulation respecting names of legal persons or associations governed by Part III of the Companies Act, the Regulation respecting names of companies governed by Part I of the Companies Act and the Regulation respecting names of companies governed by Part IA of the Companies Act

Compagnies Act
(chapter C-38, ss. 23, 123.169 and 233)

Business Corporations Act
(chapter S-31.1, s. 725)

1. The Regulation respecting names of legal persons or associations governed by Part III of the Companies Act (chapter C-38, r. 2) is amended in section 1

(1) by replacing “the reigning monarch” in paragraph 1 by “His Majesty”;

(2) by inserting the following after paragraph 4:

“(5) the bodies referred to in the Public Service Employment Act (S.C. 2003, c. 22);”;

(3) by replacing “one or more municipalities” in paragraph 10 by “a municipality or by a supramunicipal body within the meaning of the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3)”;

(4) by replacing paragraph 11 by the following:

“(11) the bodies declared by law to be a mandatory or agent of a municipality;”;

(5) by striking out paragraph 13;

(6) by adding “and the Nunavik Regional Board of Health and Social Services established under that Act” at the end of paragraph 16;

(7) by adding “and the Cree Board of Health and Social Services of James Bay established under that Act” at the end of paragraph 17;

(8) by replacing paragraph 23 by the following:

“(23) the governments of foreign States and their diplomatic and consular representations and the governments of their political divisions and their representations;”.

2. Section 5 is amended by replacing “If the name” in the portion before paragraph 1 by “If a name”.

3. The Regulation respecting names of companies governed by Part I of the Companies Act (chapter S-31.1, r. 1.01) is amended in section 1

(1) by replacing “the reigning monarch” in paragraph 1 by “His Majesty”;

(2) by inserting the following after paragraph 4:

“(5) the bodies referred to in the Public Service Employment Act (S.C. 2003, c. 22);”;

(3) by replacing “one or more municipalities” in paragraph 10 by “a municipality or by a supramunicipal body within the meaning of the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3)”;

(4) by replacing paragraph 11 by the following:

“(11) the bodies declared by law to be a mandatory or agent of a municipality;”;

- (5) by striking out paragraph 13;
- (6) by adding “and the Nunavik Regional Board of Health and Social Services established under that Act” at the end of paragraph 16;
- (7) by adding “and the Cree Board of Health and Social Services of James Bay established under that Act” at the end of paragraph 17;
- (8) by replacing paragraph 23 by the following:
- “(23) the governments of foreign States and their diplomatic and consular representations and the governments of their political divisions and their representations;”.
- 4.** Section 5 is amended by replacing “If the name” in the portion before paragraph 1 by “If a name”.
- 5.** The Regulation respecting names of companies governed by Part IA of the Companies Act (chapter S-31.1, r. 1.02) is amended in section 1
- (1) by replacing “the reigning monarch” in paragraph 1 by “His Majesty”;
- (2) by inserting the following after paragraph 4:
- “(5) the bodies referred to in the Public Service Employment Act (S.C. 2003, c. 22);”;
- (3) by replacing “one or more municipalities” in paragraph 10 by “a municipality or by a supramunicipal body within the meaning of the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3);”;
- (4) by replacing paragraph 11 by the following:
- “(11) the bodies declared by law to be a mandatory or agent of a municipality;”;
- (5) by striking out paragraph 13;
- (6) by adding “and the Nunavik Regional Board of Health and Social Services established under that Act” at the end of paragraph 16;
- (7) by adding “and the Cree Board of Health and Social Services of James Bay established under that Act” at the end of paragraph 17;
- (8) by replacing paragraph 23 by the following:
- “(23) the governments of foreign States and their diplomatic and consular representations and the governments of their political divisions and their representations;”.

- 6.** Section 5 is amended by replacing “If the name” in the portion before paragraph 1 by “If a name”.

FINAL

- 7.** This Regulation comes into force on 31 March 2023.

106073

Draft Regulation

Act respecting threatened or vulnerable species
(chapter E-12.01)

Threatened or vulnerable wildlife species and their habitats — 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 threatened or vulnerable wildlife species and their habitats, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation designates new threatened or vulnerable species and amends the status of one species. It also updates or adds characteristics of certain habitats of threatened or vulnerable species.

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

Further information on the draft Regulation may be obtained by contacting Lysanne Rivard, coordinator, regulations governing structured wildlife territories, Service des affaires législatives fauniques, Direction de la conservation des habitats, des affaires législatives et des territoires fauniques, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, 880, chemin Sainte-Foy, 2^e étage, Québec (Québec), G1S 4X4; telephone: 418 521-3888, extension 707378; email: lysanne.rivard@mffp.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Julie Bissonnette, Assistant Deputy Minister for Wildlife and Parks, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, 880, chemin Sainte-Foy, bureau RC-120, Québec (Québec), G1S 4X4.

BENOIT CHARETTE

*Minister of the Environment, the Fight Against
Climate Change, Wildlife and Parks*

Regulation to amend the Regulation respecting threatened or vulnerable wildlife species and their habitats

Act respecting threatened or vulnerable species
(chapter E-12.01, s. 10)

1. The Regulation respecting threatened or vulnerable wildlife species and their habitats (chapter E-12.01, r. 2) is amended by adding “AND THEIR HABITATS” at the end of the heading of Division I.

2. Section 1 is replaced by the following:

“**1.** The species designated as threatened wildlife species and, where applicable, the characteristics used to identify their habitats are:

(1) among mollusks,

(a) the alewife floater (*Utterbackiana implicata*);

(b) the olive hickorynut (*Obovaria olivaria*);

(2) among insects,

(a) rusty-patched bumble bee (*Bombus affinis*);

(b) the nine-spotted lady beetle (*Coccinella novemnotata*);

(c) the salt marsh copper (*Lycaena dospassosi*);

(d) the maritime ringlet (*Coenonympha nipisiquit*); the habitat of the maritime ringlet corresponds to “a territory consisting of salt marshes dominated by host plants used for oviposition and larval development (salt marsh hay [*Spartina patens*]) and as a source of nectar for adults (for example, sea lavender [*Limonium carolinianum*]), and transitional zones and adjacent terrestrial environments where other plant species necessary for feeding are present, used for breeding, developing, feeding, resting or moving, as demarcated on a chart prepared by the Minister”;

(3) among fish,

(a) the deepwater sculpin (*Myoxocephalus thompsonii*);

(b) the copper redhorse (*Moxostoma hubbsi*); the habitat of the copper redhorse corresponds to “an aquatic territory consisting of a river, fluvial lakes, watercourses or floodplains, delimited by the high-water level, used for breeding, feeding, larvae drifting, rearing, sheltering, resting, moving, migrating or hibernating, as demarcated on a chart prepared by the Minister”;

(c) the cisco (*Coregonus artedii*);

(d) the eastern sand darter (*Ammocrypta pellucida*); the habitat of the eastern sand darter corresponds to “an aquatic territory consisting of a river, fluvial lakes, watercourses or a ditch, delimited by the high-water level, used for breeding, feeding, larvae drifting, rearing, sheltering, resting, moving or hibernating, as demarcated on a chart prepared by the Minister”;

(e) the Northern brook lamprey (*Ichthyomyzon fossor*);

(f) the winter skate (*Leucoraja ocellata*);

(4) among amphibians,

(a) the Western chorus frog (*Pseudacris triseriata*); the habitat of the Western chorus frog corresponds to “a territory consisting of permanent or temporary wetlands, adjacent terrestrial environments and lands that allow connectivity of populations used by that amphibian for breeding, feeding, resting, hibernating or moving, as demarcated on a chart prepared by the Minister”;

(b) the Allegheny mountain dusky salamander (*Desmognathus ochrophaeus*); the habitat of the Allegheny mountain dusky salamander corresponds to “a territory consisting of a permanent or intermittent watercourse, a water source or a water discharge area, and adjacent terrestrial environments used for breeding, feeding, resting, moving or hibernating, as demarcated on a chart prepared by the Minister”;

(5) among turtles,

(a) the Eastern spiny softshell turtle (*Apalone spinifera*); the habitat of the Eastern spiny softshell turtle corresponds to “a territory consisting of watercourses, bodies of water, wetlands and adjacent terrestrial environments used for breeding, nesting, feeding, resting, hibernating or moving, as demarcated on a chart prepared by the Minister”;

(b) the Blanding’s turtle (*Emydoidea blandingii*); the habitat of the Blanding’s turtle corresponds to “a territory consisting of bodies of water, watercourses, permanent or temporary wetlands and adjacent terrestrial environments used for breeding, nesting, feeding, resting, hibernating or moving, as demarcated on a chart prepared by the Minister”;

(c) the common musk turtle (*Sternotherus odoratus*); the habitat of the common musk turtle corresponds to “a territory consisting of watercourses, bodies of water, permanent or temporary wetlands and adjacent terrestrial environments used for breeding, feeding, resting, hibernating or moving, as demarcated on a chart prepared by the Minister”;

- (d) the leatherback turtle (*Dermochelys coriacea*);
- (6) among snakes, the brown snake (*Storeria dekayi*);
- (7) among birds,
- (a) the rufa red knot (*Calidris canutus rufa*); the habitat of the rufa red knot corresponds to “a territory consisting of intertidal coastal areas, limestone flats, sandy beaches, mudflats, salt marshes, brackish lagoons, beds of bivalves, aquatic grass beds, rocks, rocky islands or open coastal habitats used for feeding, resting, moving or migrating, as demarcated on a chart prepared by the Minister”;
- (b) the grasshopper sparrow (*Ammodramus savannarum*);
- (c) the horned grebe (*Podiceps auritus*); the habitat of the horned grebe corresponds to “a territory consisting of lakes, ponds, marshes, bodies of brackish water or floodplains used for nesting, feeding, moulting or raising the young, as demarcated on a chart prepared by the Minister”;
- (d) the chimney swift (*Chaetura pelagica*);
- (e) the golden winged warbler (*Vermivora chrysoptera*);
- (f) the cerulean warbler (*Septophaga cerulea*); the habitat of the cerulean warbler corresponds to “a territory consisting of mature deciduous forests forming a canopy closed by the high density of the foliage and an open undergrowth used for nesting, feeding, raising the young, resting, moving or migrating, as demarcated on a chart prepared by the Minister”;
- (g) the red-headed woodpecker (*Melanerpes erythrocephalus*);
- (h) the loggerhead shrike (*Lanius ludovicianus*);
- (i) the piping plover (*Charadrius melodus*); the habitat of the piping plover corresponds to “a territory consisting of beaches, sand flats or coastal dunes covered with gravel, pebbles, stones, shell fragments, algae or any other natural substratum used for nesting, feeding or raising the young, as demarcated on a chart prepared by the Minister”;
- (j) the yellow rail (*Coturnicops noveboracensis*); the habitat of the yellow rail corresponds to “a territory consisting of wetlands dominated by a dense and short graminoid vegetation, whose fields and wet prairies bordering the marshes or peatlands, freshwater and brackish high marshes, coastal or estuarine salt marshes, the floodplains of watercourses and bodies of water, used for nesting, feeding, raising the young, resting, moving, migrating or moulting, as demarcated on a chart prepared by the Minister”;
- (k) the Caspian tern (*Sterna caspia*);
- (l) the roseate tern (*Sterna dougallii*); the habitat of the roseate tern corresponds to “a territory consisting of wholly or partly vegetated islands, present in the lagoons or bays of the Magdalen Islands used for nesting or raising the young, as demarcated on a chart prepared by the Minister”;
- (8) among mammals,
- (a) the beluga, St. Lawrence estuary population (*Delphinapterus leucas*); the habitat of the beluga, St. Lawrence estuary population, corresponds to “an aquatic territory consisting of the estuary and the gulf of the St. Lawrence and its tributaries, delimited by the high-water level, used for breeding, calving, raising the young, feeding, moving, migrating or hibernating, as demarcated on a chart prepared by the Minister”;
- (b) the wolverine (*Gulo gulo*);
- (c) the woodland caribou, mountain ecotype, Gaspésie population (*Rangifer tarandus caribou*); the habitat of the woodland caribou, mountain ecotype, Gaspésie population, corresponds to “a territory consisting of alpine and subalpine environments used by that caribou for calving, mating, feeding or migrating, as demarcated on a chart prepared by the Minister”;
- (d) the Northern long-eared bat (*Myotis septentrionalis*); the habitat of the Northern long-eared bat corresponds to “a territory including feeding areas, swarming sites, migration corridors and shelters, consisting of trees, cavities or anthropogenic structures used for raising the young, breeding or resting during the day”; the habitat of the Northern long-eared bat also corresponds to “a territory including a natural or artificial cavity, whether a cavern, crevasse, cave, abandoned mine or anthropogenic structure and the habitat located on the periphery”, those habitats being as demarcated on a chart prepared by the Minister”;
- (e) the little brown bat (*Myotis lucifugus*); the habitat of the little brown bat corresponds to “a territory including feeding areas, swarming sites, migration corridors and shelters consisting of trees, cavities or anthropogenic structures used for raising the young, breeding or resting during the day”; the habitat of the little brown bat also corresponds to “a territory including a natural or artificial cavity, whether a cavern, crevasse, cave, abandoned mine or anthropogenic structure and the habitat located in the periphery”, those habitats being as demarcated on a chart prepared by the Minister”;
- (f) the Eastern pipistrelle (*Perimyotis subflavus*); the habitat of the Eastern pipistrelle corresponds to “a territory including feeding areas, swarming sites, migration corridors

and shelters consisting of trees, cavities or anthropogenic structures used for raising the young, breeding or resting during the day”; the habitat of the Eastern pipistrelle also corresponds to “a territory including a natural or artificial cavity, whether a cavern, crevasse, cave, abandoned mine or anthropogenic structure and the habitat located on the periphery”, those habitats being as demarcated on a chart prepared by the Minister.”.

3. The heading of Division II is amended by adding “AND THEIR HABITATS” at the end.

4. Section 2 is replaced by the following:

“2. The species designated as vulnerable wildlife species and, where applicable, the characteristics used to identify their habitats are:

(1) among insects, the two-spotted lady beetle (*Adalia bipunctata*);

(2) among fish,

(a) the American shad (*Alosa sapidissima*);

(b) the grass pickerel (*Esox americanus vermiculatus*);

(c) the stonecat (*Noturus flavus*);

(d) the river redhorse (*Moxostoma carinatum*);

(e) the rainbow smelt, population of the south of the St. Lawrence estuary (*Osmerus mordax*); the habitat of the rainbow smelt, population of the south of the St. Lawrence estuary, corresponds to “an aquatic territory consisting of intertidal and subintertidal zones of the south of the St. Lawrence estuary and watercourses tributaries of that zone, delimited by the high-water level, used for breeding, feeding, larvae drifting, rearing, sheltering, resting, moving or hibernating, as demarcated on a chart prepared by the Minister”;

(f) the channel darter (*Percina copelandi*); the habitat of the channel darter corresponds to “an aquatic territory consisting of a river, fluvial lakes watercourses or a ditch, delimited by the high-water level, used for breeding, feeding, larvae drifting, rearing, sheltering, resting, moving, migrating or hibernating, as demarcated on a chart prepared by the Minister”;

(g) the bridle shiner (*Notropis bifrenatus*); the habitat of the bridle shiner corresponds to “an aquatic territory consisting of a river, fluvial lakes, watercourses, ditches and floodplains, delimited by the high-water level, used for breeding, feeding, larvae drifting, rearing, sheltering, resting, moving or hibernating, as demarcated on a chart prepared by the Minister”;

(h) the Sunapee trout (*Salvelinus alpinus oquassa*);

(3) among amphibians, the spring salamander (*Gyrinophilus porphyriticus*); the habitat of the spring salamander corresponds to “a territory consisting of a permanent or intermittent watercourse, a water source or discharge area, and adjacent terrestrial environments used for breeding, feeding, resting, moving or hibernating, as demarcated on a chart prepared by the Minister”;

(4) among turtles,

(a) the wood turtle (*Glyptemys insculpta*); the habitat of the wood turtle corresponds to “a territory consisting of a watercourse and adjacent terrestrial and aquatic environments used for breeding, nesting, feeding, resting, hibernating or moving, as demarcated on a chart prepared by the Minister”;

(b) the map turtle (*Gratemys geographica*); the habitat of the map turtle corresponds to “a territory consisting of watercourses, bodies of water, wetlands and adjacent terrestrial environments used for breeding, nesting, feeding, resting, hibernating or moving, as demarcated on a chart prepared by the Minister”;

(5) among snakes,

(a) the watersnake (*Nerodia sipedon*);

(b) the milksnake (*Lampropeltis triangulum*);

(6) among birds,

(a) the golden eagle (*Aquila chrysaetos*); the habitat of the golden eagle corresponds to “a territory consisting of rock faces, cliffs, perches, valleys, watercourses, bodies of water, lakes and their banks or shores, forests, burns, coastal zones, plateaus, plains, prairies, marshes, swamps or peatlands used for nesting, feeding, raising the young, resting, moving, migrating or hibernating, as demarcated on a chart prepared by the Minister”;

(b) the harlequin duck (*Histrionicus histrionicus*); the habitat of the harlequin duck corresponds to “a territory consisting of a watercourse and its banks or rocky coastal habitats used for nesting, feeding, raising the young, resting, moving, migrating, moulting or hibernating, as demarcated on a chart prepared by the Minister”;

(c) the Eastern whip-poor-will (*Antrostomus vociferus*);

(d) the peregrine falcon *anatum* (*Falco peregrinus anatum*); the habitat of the peregrine falcon *anatum* corresponds to “a territory consisting of rock faces, cliffs, gentle slopes, valleys, coastal zones, plains, marshes,

plateaus, peatlands, watercourses, lakes and their shores or banks, anthropogenic structures or perches used for nesting, feeding, raising the young, resting, moving, migrating or hibernating, as demarcated on a chart prepared by the Minister”;

(e) the Barrow’s goldeneye (*Bucephala islandica*); the habitat of the Barrow’s goldeneye corresponds to “a territory consisting of small freshwater lakes, in particular, those rich in aquatic invertebrates and generally lacking fish communities, and a band of mature riparian forests surrounding the lakes and coastal waters of bays, estuaries and gulfs used for nesting, feeding, raising the young, moving, migrating, moulting or hibernating, as demarcated on a chart prepared by the Minister”;

(f) the bobolink (*Dolichonyx oryzivorus*);

(g) the Bicknell’s thrush (*Catharus bicknelli*); the habitat of the Bicknell’s thrush corresponds to “a territory consisting of coniferous forests, in particular, those located in mountain and coastal zones, consisting of stands presenting a high density, or more open environments, and used for nesting, feeding, raising the young, resting, moving or migrating, as demarcated on a chart prepared by the Minister”;

(h) the olive-sided flycatcher (*Contopus cooperi*);

(i) the least bittern (*Ixobrychus exilis*); the habitat of the least bittern corresponds to “a territory consisting of permanent freshwater marshes and swamps characterized by a dense and emergent aquatic, herbaceous or woody vegetation, and areas of open water used for nesting, feeding, raising the young, resting, moving or migrating, as demarcated on a chart prepared by the Minister”;

(j) the bald eagle (*Haliaeetus leucocephalus*);

(7) among mammals,

(a) the wood caribou, woodland ecotype (*Rangifer tarandus caribou*); the habitat of the wood caribou, woodland ecotype, corresponds to “a forest territory frequented by caribou and used by caribou for calving, mating or winter feeding, as demarcated on a chart prepared by the Minister”;

(b) the Eastern red bat (*Lasiurus borealis*); the summer habitat of the Eastern red bat corresponds to “a territory including feeding areas, swarming sites, migration corridors and shelters consisting of trees, cavities or anthropogenic structures used for raising the young, breeding or resting during the day, as demarcated on a chart prepared by the Minister”;

(c) the polar bear (*Ursus maritimus*);

(d) the finback whale (*Balaenoptera physalus*).”.

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

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