



Part 2

LAWS AND REGULATIONS

22 March 2023 / Volume 155

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Part 2 – LAWS AND REGULATIONS

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Part 2 shall contain:

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- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
- (4) regulations made by courts of justice and quasi-judicial tribunals;
- (5) drafts of the texts referred to in paragraphs (3) and (4) whose publication in the *Gazette officielle du Québec* is required by law before they are made, adopted or issued by the competent authority or before they are approved by the Government, a minister, a group of ministers or a government body; and
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Coming into force of Acts

Gouvernement du Québec

O.C. 237-2023, 8 March 2023

**Act mainly to promote the efficiency of penal justice
and to establish the terms governing
the intervention of the Court of Québec
with respect to applications for appeal
(2020, chapter 12)
— Coming into force of certain provisions**

Coming into force of certain provisions of the Act mainly to promote the efficiency of penal justice and to establish the terms governing the intervention of the Court of Québec with respect to applications for appeal

WHEREAS the Act mainly to promote the efficiency of penal justice and to establish the terms governing the intervention of the Court of Québec with respect to applications for appeal (2020, chapter 12) was assented to on 5 June 2020;

WHEREAS, under paragraph 2 of section 173 of the Act, the provisions of the Act come into force on 5 June 2020, except in particular section 71, which come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set 22 March 2023 as the date of coming into force of section 71 of the Act;

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

THAT 22 March 2023 be set as the date of coming into force of section 71 of the Act mainly to promote the efficiency of penal justice and to establish the terms governing the intervention of the Court of Québec with respect to applications for appeal (2020, chapter 12).

YVES OUELLET
Clerk of the Conseil exécutif

106172

Regulations and other Acts

Gouvernement du Québec

O.C. 199-2023, 8 March 2023

Rectification of the territorial boundaries of Ville de Saint-Georges and Municipalité de la paroisse de Saint-Martin and validation of acts performed by the town and municipality

WHEREAS Ville de Saint-Georges, which succeeded Municipalité d'Aubert-Gallion in that respect, is acting without right in a part of territory situated within the territorial limits of Municipalité de la paroisse de Saint-Martin;

WHEREAS the situation has been ongoing since at least 20 February 1911;

WHEREAS, under section 178 of the Act respecting municipal territorial organization (chapter O-9), the Government may, by order, rectify the territorial boundaries of a local municipality in particular where a municipality has acted without right in a territory not subject to its jurisdiction;

WHEREAS, under the first paragraph of section 192 of the Act, the Government may, by order, validate any act performed without right by a municipality in respect of a territory not subject to its jurisdiction;

WHEREAS, under the first paragraph of section 188 of the Act, the rectification may have effect retroactively;

WHEREAS, in accordance with sections 179 and 193 of the Act, the Minister of Municipal Affairs and Housing sent, in writing, to Ville de Saint-Georges, Municipalité de la paroisse de Saint-Martin and Municipalité régionale de comté de Beauce-Sartigan a notice containing the proposed rectification and validation of acts;

WHEREAS Ville de Saint-Georges and Municipalité de la paroisse de Saint-Martin respectively adopted Order in Council 20-11858 dated 23 March 2020 and Order in Council 018-01-2020 dated 9 January 2020, in which they express their agreement on the proposed rectification and validation of acts;

WHEREAS Ville de Saint-Georges and Municipalité de la paroisse de Saint-Martin also held the required consultations;

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

THAT the territorial boundaries of Ville de Saint-Georges and Municipalité de la paroisse de Saint-Martin be rectified and that the acts performed by the town and municipality be validated according to the following:

1. The territory of Ville de Saint-Georges includes the territory described in Schedule A to this Order in Council;

2. The territory of Municipalité de la paroisse de Saint-Martin does not include the territory described in Schedule A to this Order in Council;

3. No illegality may be raised against the acts performed by Ville de Saint-Georges or by any municipality which it succeeded in respect of the territory described in Schedule A from the fact that it did not have jurisdiction over the territory;

4. No illegality may be raised against the acts performed by Municipalité de la paroisse de Saint-Martin or by any municipality which it succeeded in respect of the territory described in Schedule A from the fact that it did not have jurisdiction over the territory;

5. The rectification has effect from 20 February 1911.

YVES OUELLET

Clerk of the Conseil exécutif

SCHEDULE A

OFFICIAL DESCRIPTION

Prepared to rectify part of the territorial boundaries between Ville de Saint-Georges and Paroisse de Saint-Martin, in Municipalité régionale de comté de Beauce-Sartigan

A territory that is currently part of Paroisse de Saint-Martin, in Municipalité régionale de comté de Beauce-Sartigan, comprising with reference to the cadastre of Québec all lots or parts of lots and their successor lots, the hydrographic and topographic entities, built-up sites or parts thereof within the perimeter commencing at the intersection of the northern limit of lot 5 425 660 and the left bank of rivière Chaudière, thence successively the following lines and demarcations: easterly, the extension

of the northern limit of lot 5 425 660 to its intersection with the centre line of rivière Chaudière; southerly, part of the said centre line of rivière Chaudière upstream to its intersection with the easterly extension of the southern limit of lot 5 425 660; successively westerly, the said extension, the southern limit of lot 5 425 660 extended into 6^e Avenue Sud (lot 5 425 825) to its intersection with the axis of the right of way of route Veilleux (lot 5 425 972), thence the said axis of the right of way of route Veilleux (lot 5 425 972) to its intersection with the eastern limit of the right of way of chemin des Sucrieries (lot 4 339 773); northerly, part of the eastern limit of the right of way of chemin des Sucrieries (lot 4 339 773) to its intersection with the northern limit of lot 5 425 552; lastly, easterly, the northern limit of lots 5 425 552, 5 425 825 (6^e Avenue Sud) and 5 425 660, to the point of commencement.

Such perimeter defines the territory to be rectified in favour of Ville de Saint-Georges, in Municipalité régionale de comté de Beauce-Sartigan.

Ministère de l'Énergie et des Ressources naturelles
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Prepared in Québec, on 12 February 2019

By: GENEVIÈVE TÉTREAUULT,
Land surveyor

Record BAGQ: 540439

106171

Gouvernement du Québec

O.C. 251-2023, 8 March 2023

Combative sports between amateur athletes in the territory of Québec

WHEREAS, under subsection 1 of section 83 of the Criminal Code, every one who engages as a principal in a prize fight, advises, encourages or promotes a prize fight, or is present at a prize fight as an aid, second, surgeon, umpire, backer or reporter, is guilty of an offence punishable on summary conviction;

WHEREAS, under paragraph *a* of subsection 2 of section 83 of the Criminal Code, a contest between amateur athletes in a combative sport with fists, hands or feet held in a province if the sport is on the programme of the International Olympic Committee or the International Paralympic Committee and, in the case where the province's lieutenant governor in council or any other person or body specified by him or her requires it, the contest is held with their permission, is not included in the definition of prize fight;

WHEREAS, under paragraph *b* of subsection 2 of section 83 of the Criminal Code, a contest between amateur athletes in a combative sport with fists, hands or feet held in a province if the sport has been designated by the province's lieutenant governor in council or by any other person or body specified by him or her and, in the case where the lieutenant governor in council or other specified person or body requires it, the contest is held with their permission, is not included in the definition of prize fight;

WHEREAS, under the first paragraph of section 26 of the Act respecting safety in sports (chapter S-3.1), every sports federation and every unaffiliated sports body must adopt safety regulations concerning the matters prescribed by regulation of the Government, and see that they are observed by its members;

WHEREAS, under the first paragraph of section 27 of that Act, a sports federation or unaffiliated sports body must have its safety regulations approved by the Minister Responsible for Sports, Recreation and the Outdoors;

WHEREAS it is expedient, for the purposes of paragraph *b* of subsection 2 of section 83 of the Criminal Code, to designate boxing, Greco-Roman wrestling and free-style wrestling, judo, Brazilian jiu-jitsu and taekwondo as amateur combative sports not included in the definition of prize fight, provided they are not excluded pursuant to paragraph *a* of subsection 2 of section 83 of the Criminal Code and are held by a sports federation or an unaffiliated sports body that has a safety regulation approved by the Minister Responsible for Sports, Recreation and the Outdoors in accordance with the Act respecting safety in sports;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Sports, Recreation and the Outdoors:

THAT, for the purposes of paragraph *b* of subsection 2 of section 83 of the Criminal Code, boxing, Greco-Roman wrestling and free-style wrestling, judo, Brazilian jiu-jitsu and taekwondo are designated as amateur combative sports not included in the definition of prize fight, provided they are not excluded pursuant to paragraph *a* of subsection 2 of section 83 of the Criminal Code and are held by a sports federation or an unaffiliated sports body that has a safety regulation approved in accordance with the Act respecting safety in sports (chapter S-3.1).

YVES OUELLET
Clerk of the Conseil exécutif

106173

Replacement Regulations

Gouvernement du Québec

O.C. 195-2023, 8 March 2023

Replacement of certain Orders in Council

WHEREAS, under the first paragraph of section 3 of the Act respecting judgments rendered by the Supreme Court of Canada on the language of statutes and other instruments of a legislative nature (chapter J-1.1), in the case of a regulation or other instrument of a legislative nature which was required to be published in French and in English and was not, the authority empowered to adopt, issue or publish the instrument, as the case may be, may replace the instrument with a text which reproduces it, without amendment, this time in French and in English, and once the text is published in the *Gazette officielle du Québec*, each provision of the text may have effect on the same date as that provided for the corresponding provision of the replaced instrument;

WHEREAS the Government made the Tarif d'honoraires pour services professionnels fournis au gouvernement par des ingénieurs by Order in Council 1235-87 dated 12 August 1987, and the Regulation came into force on 26 August 1987;

WHEREAS the Government made the Règlement modifiant le Tarif d'honoraires pour services professionnels fournis au gouvernement par des ingénieurs by Order in Council 1448-93 dated 20 October 1993, and the Regulation came into force on 18 November 1993;

WHEREAS the Government made the Règlement modifiant le Tarif d'honoraires pour services professionnels fournis au gouvernement par des ingénieurs by Order in Council 194-2023 dated 8 March 2023, and the Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*;

WHEREAS it is expedient to replace those Orders in Council by texts that reproduce them;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Government Administration and Chair of the Conseil du trésor:

THAT Order in Council 1235-87 dated 12 August 1987, enacting the Tarif d'honoraires pour services professionnels fournis au gouvernement par des ingénieurs, be replaced by the text of Schedule I to this Order in Council and have effect from 26 August 1987;

THAT Order in Council 1448-93 dated 20 October 1993, enacting the Règlement modifiant le Tarif d'honoraires pour services professionnels fournis au gouvernement par des ingénieurs, be replaced by the text of Schedule II to this Order in Council and have effect from 18 November 1993;

THAT Order in Council 194-2023 dated 8 March 2023, enacting the Règlement modifiant le Tarif d'honoraires pour services professionnels fournis au gouvernement par des ingénieurs, be replaced by the text of Schedule III to this Order in Council and have effect from the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

YVES OUELLET

Clerk of the Conseil exécutif

SCHEDULE I

Engineers' Fees (Services to Government) Regulation

WHEREAS, under section 49 of the Financial Administration Act (R.S.Q., c. A-6), the Government may make regulations respecting the conditions of contracts made in the name of Her Majesty, and may determine in what cases such contracts are subject to approval either by the Government, or by the Conseil du trésor;

WHEREAS the Government made the Tariff of fees for professional services supplied to the Government (R.R.Q., 1981, c. A-6, r. 30);

WHEREAS Division III of the Tariff no longer meets present needs and it is expedient to replace it by a new regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister delegated to Administration and Chairman of the Conseil du trésor and the Minister of Finance:

THAT the Engineers' Fees (Services to Government) Regulation, attached to this Order in Council, be made.

Engineers' Fees (Services to Government) Regulation

Financial Administration Act
(R.S.Q., c. A-6, s. 49)

DIVISION I SCOPE AND INTERPRETATION

1. Unless otherwise provided by a law or a regulation, this Regulation applies to Government departments and bodies whose budget is voted by the National Assembly.

2. In this Regulation, unless otherwise indicated by the context:

“auxiliary staff” means the staff of the firm other than the professional and technical staff; it includes typists, technical assistants, chainmen, rodmen and polemen (*personnel auxiliaire*);

“client” means the department or body to which a firm supplies professional services (*propriétaire*);

“engineer” means a member of the Ordre des ingénieurs du Québec or a holder of a temporary permit issued by the Order practising as an engineer in the private sector (*ingénieur*);

“firm” means an engineer who carries on business individually under the engineer’s own name or under a firm name, as well as a partnership and a corporation (*firme*);

“lead engineer” means the engineer designated by the firm to manage, coordinate and supervise the engagement, a role which may be carried out by different engineers during the engagement (*patron*);

“support staff” means the staff employed by the firm on a daily basis, other than the professional, technical or auxiliary staff; it includes weighmen, tallymen, clerks and lumberjacks (*personnel de soutien*).

DIVISION II GENERAL

3. For purposes of this Regulation, professional services supplied by a firm are classified as provided for in this Division.

§1. Advisory services

4. Advisory services include consultations, advice, reports, estimates, evaluations, inspections, tests and other services related to the compilation, analysis, evaluation and interpretation of data and information, for the purpose of drawing conclusions and making specialized recommendations.

§2. Preparatory studies

5. Preparatory studies are used as the basis for a design and for conclusions or recommendations related to the carrying out of the project when, in the client’s opinion, the project requires such studies.

They consist of research, exploration, surveys, detailed programs, measurement of the area of land involved in a program, analysis of conditions of possible solutions, economic studies and studies of development costs and surveys of existing works.

§3. Preliminary plans and specifications

6. The preliminary plans and specifications consist of a graphical presentation of the complete program provided by the client. The services include the following in particular:

- (1) the preparation and presentation of preliminary plans and summary specifications;
- (2) the preparation of cost estimates for the work based on the divisions of the specifications;
- (3) a report explaining the design and the proposed technical solution.

§4. Final plans and specifications

7. The final plans and specifications are prepared after the firm has determined under the preceding section the basis for the final technical solution and the client has received it and formally approved it in writing within the prescribed time.

The services include

- (1) the preparation of construction drawings, detailed drawings, the statement of work and descriptive specifications connected to the firm’s area of specialization and needed for the tender and construction;
- (2) the preparation of the general statement of work when the project falls entirely within the firm’s area of specialization;

(3) the preparation of the other documents needed to issue a call for tenders;

(4) the preparation of the schedule of requirements with estimated unit prices for the work where it is customary to apply unit prices;

(5) the review of the cost estimates for the work prepared at the preliminary phase, based on the divisions of the specifications; and

(6) the issuing of addenda, the analysis of the tenders and the formulation of appropriate suggestions.

§5. *Services during construction*

8. Services during construction include those rendered in the office and on the worksite. They include

(1) the preparation of large-scale drawings of details that could not be foreseen during the preparation of the final plans and specifications, but that are required for construction purposes;

(2) the preparation of notices of changes and negotiations concerning them;

(3) advice to the client on technical problems arising during the construction;

(4) the verification of workshop drawings and manufacturer's drawings to see that they are in compliance with the plans and specifications, in order to make recommendations to the client;

(5) correspondence regarding construction work;

(6) the verification of substitute materials, in order to make recommendations to the client;

(7) depending on the frequency demanded by progress on the worksite, periodic visits to the worksite in order to make sure that the general progress of the work, its execution, and the quality of the materials and workmanship are in compliance with the requirements of the contractual documents, these visits not necessarily implying qualitative, quantitative, thorough and continuous checking;

(8) on the basis of observations made during periodic visits to the worksite, information to the client about the progress of the work and defects or deficiencies noted in the work of the contractor, and orders for the redoing of work considered not to be in compliance with the contractual documents;

(9) notices to the contractor about the interpretation of plans and specifications;

(10) the drawing up of minutes of meetings at the worksite and meetings with the client;

(11) for a construction contract with a lump sum price, the checking of requests for payment and the issuance of certificates for recommendation of partial and final payments;

(12) the supervision oversight of operating tests on the machinery and apparatus installed to determine whether they meet the warranties for capacity and performance, for the elements in the firm's area of specialization; and

(13) written recommendations to the client regarding the issuance of provisional and final notices of acceptance of the work.

§6. *Special services*

9. Special services consist of any additional work related to the project requested in writing by the client. In particular they include

(1) the preparation of a heat budget;

(2) the preparation of manuals for maintenance and operation of the facility;

(3) assistance for the commissioning of the facility when the firm does not provide worksite services;

(4) training for the technical staff members assigned to operation;

(5) the assignment of permanent staff on the worksite;

(6) designs, in the form of sketches or plans, and the specifications used to prepare the notices of change required by the client;

(7) for general engineering engagements, final inspection and oversight of operating tests for the machinery and apparatus installed to determine whether they meet the warranties for capacity and performance;

(8) services relating to the handing over to the client, at the end of the work, of a copy of the original drawings, on sensitized film, revised to show the works as constructed; and

(9) any other services not provided for in sections 4 to 8.

DIVISION III METHODS OF PAYMENT OF FEES

10. For the purposes of this Regulation, fees may be paid using

- (1) the hourly method;
- (2) the lump sum method; or
- (3) the percentage method.

§1. *Hourly method*

11. The hourly method involves payment for the time worked by staff members of the firm on the engagement, excluding the services provided by secretarial staff.

Despite the first paragraph, the time spent on typing final specifications and technical reports directly related to the engagement is not considered as a secretarial service; in such case, the staff assigned to that work is remunerated on the basis of the hourly rate for auxiliary staff.

12. Subject to section 11, the hourly method may be used for any of the services provided by the firm. Use of this method must however be limited, and the government department or body must, before awarding a contract, evaluate the qualifications required for the staff and estimate, based on the classification of the staff, the number of hours required to complete the engagement.

13. The procedures for the hourly method are as follows:

(1) the staff assigned to the engagement and their qualifications for purposes of remuneration must have been accepted in writing by the client before the beginning of work on the task;

(2) the basic hourly rate for each member of the firm's staff other than the lead engineer must be based on the annual basic salary paid to the staff member, divided by 1,730; the rate may not exceed the maximum hourly rates set by the Conseil du trésor in accordance with the classification to which the staff member belongs;

The basic hourly rate is multiplied by a percentage of 150% to take direct and indirect costs and profit into account.

Despite the preceding paragraph, the percentage applied to the basic hourly rate is 120% for staff members assigned permanently to the worksite and 75% for support staff;

(3) the hourly rate for the lead engineer is a fixed hourly rate set by the Conseil du trésor in accordance with the classification to which the lead engineer belongs;

(4) if the firm assigns staff of a higher classification to duties that normally are performed by staff of a lower classification, the hourly rate applicable in such case is the rate corresponding to the classification for the duty;

(5) any professional, other than an engineer, who is a member of the staff of the firm, and whose participation in the project is approved by the client, receives the same hourly rate as an engineer.

14. Firms must record daily the number of hours, to the nearest half hour, worked on each task and the use that the staff made of the time.

15. Overtime is not reimbursed, except on written authorization from the client. In such case, where a member of the staff of the firm works more than 44 hours in a week on a single engagement, the payment of overtime exceeding the normal workweek of 44 hours is calculated at the hourly rate paid for the normal working hours, increased by the applicable percentage, and again increased by 25%.

§2. *Lump sum method*

16. The lump sum method involves the payment of a lump sum negotiated between the client and the firm engaged. The sum is estimated on the basis of the number of hours considered necessary for carrying out the engagement, on the basis of the rates provided for the hourly method, or on the basis of a percentage of the cost of the work or the budget forecast.

17. The lump sum method may be used for any services provided by the firm.

18. Where the lump sum method is used, the engagement must be explicit and precise in terms of the services to be provided, the results expected and the proposed timetable.

§3. *Percentage method*

19. The percentage method involves paying the firm fees as a percentage of the estimated cost of the work, as determined in the contract, for the preparation of the preliminary plans and specifications, of any revised estimated cost for the final plans and specifications, and of the actual cost of the work for services provided during construction.

20. For the purposes of the percentage method, engineering work must be classified using the groups and classes in the Schedule.

The purpose of the works as a whole, rather than of one of its components, must be taken into consideration for the classification.

Types of works not listed in the Schedule must be placed in the class to which they are most similar, and the choice of the class must be made by agreement between the client and the firm.

21. For the purposes of this subdivision, “estimated cost of the work” and “actual cost of the work” means the total expenditure by the client for the completion of the work for which the firm provides professional services and for which it is responsible, including the cost of the fixed accessories required for occupation, overheads, administrative expenses, profits of the contractor and all applicable taxes.

Despite the preceding paragraph, if the client supplies labour or materials at prices lower than current prices, or if used materials are employed, the estimated or actual cost is that of all the materials and labour required to complete the work, as it would have been if all the materials employed had been new and the labour had been paid at the market price at the time when the work was ordered.

22. The following are excluded from the “estimated cost of the work” or the “actual cost of the work”:

- (1) the fees or expenditures of the firms engaged for the project;
- (2) the cost of other work for which the preparation of the plans and specifications and the supervision of construction work were entrusted to other firms or to the client’s staff;
- (3) the cost of acquiring immovables;
- (4) the cost of demolishing buildings, except if included in the construction contract;
- (5) the cost of borings, tests, analyses, checking and supervision of materials;
- (6) the cost of moving public utilities carried out by their respective owners;
- (7) expenses resulting from errors or omissions by the firm;
- (8) the cost of works of art.

23. The estimated cost of the work may be revised at the time of approval of the preliminary and final plans and specifications, but may not exceed the estimated cost provided by the contract, unless it involves changes to the program specifically required by the client.

24. Where, following the opening of tenders, the lowest acceptable tender exceeds the revised estimated cost, the client may require that the firm revise wholly or partly, at its own expense, the plans and specifications, on condition that such requirement be specifically specified in the contract.

25. The fees payable must be calculated using the appropriate class in the grid of percentages established by the Conseil du trésor and must be allocated as follows: 75% for the services described in sections 6 and 7 and 25% for the services described in section 8.

26. If the client asks the firm to provide, during construction, only the services described in section 8 for work for which the plans and specifications were prepared by a third party, the fees are 35% of the fees calculated using the appropriate class in the grid of percentages established by the Conseil du trésor.

27. When the client proceeds with a new construction using plans and specifications previously used for another project for which the firm provided services, the fees for the first use are 15% of the fees calculated for the appropriate class in the grid of percentages established by the Conseil du trésor on the basis of the cost of the new construction. The fees for subsequent uses must be negotiated and may not exceed 15% of the fees calculated using the appropriate class in the grid of percentages established by the Conseil du trésor.

28. When the services to be provided by the firm concern work consisting solely or mainly of work to recycle, restore, enlarge or renovate a building, and when the client has no defined program, the fees for the preliminary plans and specifications phase may be paid using the hourly or lump sum method.

29. When the percentage method is used, the fees for travel time are reimbursed from the second hour onwards, in accordance with the rates established for the hourly method. In no case may the firm claim in travel time more hours than the hours usually prescribed for the daily work of its employees.

DIVISION IV ELIGIBLE EXPENSES

30. The client is required to reimburse only expenses prescribed by this Division, according to the following conditions and procedures.

§1. *Expenses for printing plans and specifications*

The expenses authorized by the client related to the printing of plans and specifications are reimbursed on the conditions prescribed by the contract.

When the lump sum or percentage method is used, the firm must supply at its expense up to 5 copies of all plans and specifications, printed on opaque paper, for the approval of the preliminary plans and specifications, and of the final plans and specifications. It must also supply, at its expense, a copy of the final plans on sensitized film, and a copy of the final specifications in a form that can be reproduced, for the purposes of calling for tenders.

§2. *Communications expenses*

The cost of long-distance calls and messenger services are reimbursed if they are incurred at the client's request.

§3. *Travel expenses*

Expenses authorized by the client related to travel undertaken by staff of the firm under the engagement may be reimbursed in accordance with the directives issued for that purpose by the Conseil du trésor.

§4. *Data processing expenses*

When the hourly method is used, specialized data processing operations, excluding office automation, required and authorized by the client, are reimbursed as follows:

(1) where the firm uses its own equipment, the method of reimbursement is the method prescribed by the contract;

(2) where the firm leases data processing services outside the firm, the cost of use of the equipment is reimbursed on submission of vouchers.

§5. *Onsite expenses*

For services provided permanently onsite, the firm is reimbursed for expenses authorized by the client related to the supply and maintenance of office facilities on the site and for the coverage of the special risks incurred, on submission of vouchers.

§6. *Expenses related to the hiring of consultants*

The client reimburses expenses incurred by the firm related to the hiring of consultants at cost, on submission of vouchers, on condition that the client gives prior authorization for the hiring in writing.

In such a case, the fees and expenses for the hiring of consultants may not exceed those prescribed by this Regulation.

These expenses may also be shared between the parties.

DIVISION V PAYMENT

31. The firm is paid on monthly submission of a statement of its fees and expenditures, once progress on the engagement has been taken into consideration.

32. Despite section 31, where the professional fees of the firm are established using the percentage method, they are paid in accordance with the following procedure:

(1) for the preliminary plans and specifications, the firm is paid, on monthly submission of its statement of fees and according to progress on the engagement, up to 30% of the fees indicated in the grid of percentages established by the Conseil du trésor, calculated using the appropriate class, taking as a base the estimated cost of the work;

(2) the firm is then paid proportionately to the completed part of its work up to 75% of the fees indicated in the grid of percentages established by the Conseil du trésor, calculated using the appropriate class, taking as a base the revised estimated cost of the work;

(3) for services rendered under section 8, the firm is paid proportionately to the completed part of its work up to 25% of the fees indicated in the grid of percentages established by the Conseil du trésor, calculated using the appropriate class, taking as a base the actual cost of the work.

The maximum amount of the fees set for each of the phases is payable only after the written approval of the client has been obtained for each phase, in accordance with the prescribed timetable.

DIVISION VI MISCELLANEOUS

33. Unless the client has specifically requested the firm to provide them as part of the services prescribed under section 5, the client must provide the firm with the following documents and information:

(1) a precise survey of the location indicating the public utilities supplying it and the other installations;

(2) exact plans and other relevant data on existing buildings or works having an effect on the work to be carried out;

(3) information in its possession that could affect the work to be carried out;

(4) a copy of the tenders and the contracts for the work for which the firm is responsible and a copy of all the certificates of payment and any final account related to the work, if the documents are not prepared by the firm;

(5) all correspondence relevant to the project.

34. If the engagement of the firm is abandoned or deferred wholly or in part by the client, the firm is paid proportionately for the services rendered, on submission of vouchers.

35. The engagement of a firm by the client must be recorded in a contract containing, in particular,

(1) a clause to the effect that the firm agrees to respect the procedures for applying the Government's purchasing policy;

(2) a clause forbidding the total or partial transfer of the contract without the written consent of the client;

(3) a clause setting the client's limit of financial liability;

(4) a clause providing for the establishment of a time-frame for the carrying out and approval of the engagement, which must be determined jointly between the parties and form an integral part of the contract; and

(5) a specific clause concerning engagements or work paid using the hourly method, stating that the client may inspect and verify the time registers and the accounts of expenditures of the firm at any time convenient to the parties, and that the firm must facilitate such inspections or verifications.

36. All drawings, study models, specifications and documents prepared by the firm are instruments of service for the carrying out of the work and remain the firm's property, whether the work is carried out or not. The client may not use them for other works, unless the firm has given its consent in writing, and is paid for that purpose in accordance with section 27.

37. During the carrying out of the work, the firm may, following in this respect the procedures stipulated in the contract, order or have carried out for the client's account, any emergency work or any that is necessary or advisable in the client's interest or for the protection of the public.

DIVISION VII **TRANSITIONAL AND FINAL**

38. This Regulation applies to contracts for professional services made with a firm after the date of its coming into force.

39. Despite section 38, the client and the firm may agree to apply the provisions of this Regulation, on the date of its coming into force or at any later date, to a contract made before 26 August 1987; in such a case, the contract is governed by the whole of the Regulation and not only by certain parts of it.

40. Despite section 38, when the client and the firm agree to use the percentage method for a contract made before 26 August 1987 to replace the target cost method in the contract, the replacement may in no case result in the payment to the firm of fees for which the allocation to design and implementation exceeds 100%.

41. This Regulation replaces Division III comprising sections 24 to 45 and Schedule 2 to the Tariff of fees for professional services provided to the Government (R.R.Q., 1981, c. A-6, r. 30).

42. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE

CLASSIFICATION OF ENGINEERING WORK

GROUP 1: GENERAL ENGINEERING

Class I: bridges and viaducts, small dams (excluding hydrological studies), catchment basins, embankments and retaining walls, storm sewers and surface drainage systems, culverts and channel tubes, irrigation systems excluding pumping stations, domestic and industrial sewage systems, water distribution systems, highways and controlled-access expressways in rural surroundings, including interchanges and other related works, street and highway lighting, landing fields and small airports with minimum facilities;

Class II: tunnels, bridges and viaducts whose non-repetitive elements, curvature, skew, inclination and simple design are important factors, flood control works, retention basins, interceptor, relief and overflow sewers and separate sewer systems, locks, canals, wharves and harbours, streets, sidewalks, controlled-access expressways in urban surroundings including interchanges and other related works, site layout work for institutional,

industrial, commercial or sports complexes, including grading, landscaping, water and sewage systems, drainage, parking lots, roads, sidewalks and turfing, large airports with extensive facilities, food processing plants, mines, ore processing plants and foundries, diesel-electric generators under 1,000 kW capacity, railways and industrial assembly plants;

Class III: oxidation ponds, pumping stations, water purification plants, wastewater treatment plans, plans to treat industrial and household waste, gas turbine plants and diesel generators over 1,000 kW capacity, and material handling and conveying systems.

GROUP 2: BUILDINGS

SUBGROUP 1 — FOUNDATIONS AND STRUCTURES

Class I: foundations and structures for warehouses and large open structures of multiple bays, educational institutions without gymnasiums or auditoriums, hangars, public garages, machine shops, multi-family dwellings, row housing, duplexes, multiple housing complexes, reception centres, local community service centres and industrial buildings of a typical bay-construction;

Class II: foundations and structures for educational institutions with gymnasiums or auditoriums, hospitals, penitentiaries, office buildings, research laboratories, courthouses and museums.

SUBGROUP 2 — MECHANICAL AND ELECTRICAL WORK

Class I: non existent;

Class II: Conventional plumbing and heating, conventional lighting and power distribution, exhaust ventilation with simple ductwork, on all types of buildings.

Class III: Plumbing heating, lighting, power distribution and air conditioning work without ductwork on the following types of buildings: educational institutions, multiple housing complexes, reception centres, local community service centres, office buildings, penitentiaries and courthouses;

Class IV: Electrical and mechanical work for full ventilation systems, air conditioning with ductwork for induction and all-air systems, refrigeration, for all types of buildings.

Also applies to Class III mechanical and electrical work for the following types of buildings: hospitals, research laboratories and museums.

SCHEDULE II

Regulation to amend the Engineers' Fees (Services to Government) Regulation

WHEREAS, under section 49 of the Financial Administration Act (R.S.Q., c. A-6), the Government may, by regulation, on the recommendation of the Conseil du trésor, determine the conditions of contracts made in the name of the Government by a department, made by a public body whose operating budget is voted wholly or in part by the National Assembly, or made by any other public body;

WHEREAS the Government made the Tarif d'honoraires pour services professionnels fournis au gouvernement par des ingénieurs by Order in Council 1235-87 dated 12 August 1987;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Conseil du trésor has recommended the making of the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Administration and the Public Service and Chairman of the Conseil du trésor:

THAT the Regulation to amend the Engineers' Fees (Services to Government) Regulation, attached to this Order in Council, be made.

Regulation to amend the Architects' Fees (Services to Government) Regulation

Financial Administration Act
(R.S.Q., c. A-6, s. 49)

1. The Engineers' Fees (Services to Government) Regulation, made by Order in Council 1235-87 dated 12 August 1987, is amended by inserting the following paragraphs after the first paragraph of section 25:

“The costs of the work in the grid of percentages includes taxes.

When calculating fees in accordance with the grid of percentages, a client exempted from certain taxes must, despite the first paragraph of section 21, add an amount equivalent to those taxes to the cost of the work.”

2. The following is inserted after section 40:

“40.1 The client and the firm may agree to apply the second and third paragraphs of section 25 to a contract in progress on 18 November 1993, but solely for the remuneration of the services referred to in section 8.”

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

SCHEDULE III

Regulation to amend the Engineers' Fees (Services to Government) Regulation

WHEREAS, under paragraph 1 of section 23 of the Act respecting contracting by public bodies (chapter C-65.1), the Government may, by regulation and on the recommendation of the Conseil du trésor, determine conditions other than those determined in the Act for contracts referred to in the first paragraph of section 3 or subparagraph 1 of the second paragraph of that section entered into by public bodies, for subcontracts related to such contracts or for any other contracts related to such contracts or subcontracts, including contract or subcontract management rules or procedures;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Règlement modifiant le Tarif d'honoraires pour services professionnels fournis au gouvernement par des ingénieurs was published in Partie 2 of the *Gazette officielle du Québec* dated 28 December 2022 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 23 of the Act respecting contracting by public bodies, the Conseil du trésor has recommended the making of the Regulation;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Government Administration and Chair of the Conseil du trésor:

THAT the Regulation to amend the Engineers' Fees (Services to Government) Regulation, attached to this Order in Council, be made.

Regulation to amend the Engineers' Fees (Services to Government) Regulation

Act respecting contracting by public bodies (chapter C-65.1, s. 23, par. 1)

1. The Engineers' Fees (Services to Government) Regulation is amended by replacing the words "by the Conseil du trésor" wherever they appear in section 13 by "in Schedule I".

2. Section 20 is amended

(1) by replacing "the Schedule" in the first paragraph by "Schedule II";

(2) by replacing "the Schedule" in the third paragraph by "Schedule II".

3. The following is inserted after section 42:

“SCHEDULE I

(section 13)

MAXIMUM HOURLY RATES

| CLASSIFICATION EXPERIENCE | | FROM (insert the date of coming into force of this Regulation) TO (insert the date that is 9 months after the date of coming into force of this Regulation) | | AS OF (insert the date that is 9 months after the date of coming into force of this Regulation) | |
|-----------------------------------|------------------|---|--|---|---|
| | | MAXIMUM HOURLY RATE (\$) | FIXED HOURLY RATE OF LEAD ENGINEER(\$) | MAXIMUM HOURLY RATE (\$) | FIXED HOURLY RATE OF LEAD ENGINEER (\$) |
| ENGINEERS | | | | | |
| –Senior principal | Note 1 | 68.14 | 170.35 | 53.40 | 133.50 |
| –Senior | 10 years or more | 59.46 | 148.72 | 46.60 | 116.55 |
| –Intermediate | 5 to 10 years | 53.08 | 132.77 | 41.60 | 104.05 |
| –Junior | 0 to 5 years | 43.64 | 109.03 | 34.20 | 85.45 |
| TECHNICIANS, DRAFTSPERSONS | | | | | |
| –Principal | 15 years or more | 51.30 | | 40.20 | |
| –Senior | 10 to 15 years | 40.83 | | 32.00 | |
| –Intermediate | 5 to 10 years | 34.58 | | 27.10 | |
| –Junior | 0 to 5 years | 29.73 | | 23.30 | |
| –Auxiliary staff | n/a | 23.61 | | 18.50 | |
| –Support staff | n/a | 23.61 | | 18.50 | |

Note 1: The hourly rate applicable to this class is reserved for engineers who perform duties involving a very high degree of responsibility for the firm, characterized by highly technical content. Such engineers generally coordinate and manage one or more of the specialties offered by the firm. The duties must be entrusted to professionals with at least fifteen years' experience.

Note 2: The maximum hourly rates apply, as of the date indicated in the table, to the fees under a contract in progress. With respect to fees for which payment is made according to the lump-sum method on the basis of the rates set out in the hourly rate method where a contract is in progress, the rates apply as of the date on which an agreement resulting from a negotiation referred to in section 16 and continue to apply until the end of the agreement. This note applies despite any stipulation to the contrary in the contract.”.

4. The Schedule is amended by replacing the word “SCHEDULE” by “SCHEDULE II”.

TRANSITIONAL AND FINAL

5. For a contract entered into after 22 November 2022, the maximum hourly rates in force on (insert the date of coming into force of this Regulation) apply, as of that date, with respect to fees for which payment is made according to the lump-sum method on the basis of the rates set out in the hourly rate method where a contract and an agreement

resulting from a negotiation referred to in section 16 of the Engineers' Fees (Services to Government) Regulation (chapter C-65.1, r. 12) are in progress on (insert the date of coming into force of this Regulation). The rates continue to apply until the end of the agreement.

The first paragraph applies despite any stipulation to the contrary in a contract and despite Schedule I to the Engineers' Fees (Services to Government) Regulation (chapter C-65.1, r. 12), as made by section 3 of this Regulation.

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

106169

Gouvernement du Québec

O.C. 196-2023, 8 March 2023

Replacement of certain Orders in Council

WHEREAS, under the first paragraph of section 3 of the Act respecting judgments rendered by the Supreme Court of Canada on the language of statutes and other instruments of a legislative nature (chapter J-1.1), in the case of a regulation or other instrument of a legislative nature which was required to be published in French and in English and was not, the authority empowered to adopt, issue or publish the instrument, as the case may be, may replace the instrument with a text which reproduces it, without amendment, this time in French and in English, and once the text is published in the *Gazette officielle du Québec*, each provision of the text may have effect on the same date as that provided for the corresponding provision of the replaced instrument;

WHEREAS the Government made the Règlement modifiant le Tarif d'honoraires pour services professionnels fournis au gouvernement par des architectes by Order in Council 1447-93 dated 20 October 1993, and the Regulation came into force on 18 November 1993;

WHEREAS the Government made the Règlement modifiant le Tarif d'honoraires pour services professionnels fournis au gouvernement par des architectes by Order in Council 193-2023 dated 8 March 2023, and the Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*;

WHEREAS it is expedient to replace those Orders in Council by texts that reproduce them;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Government Administration and Chair of the Conseil du trésor:

THAT Order in Council 1447-93 dated 20 October 1993, enacting the Règlement modifiant le Tarif d'honoraires pour services professionnels fournis au gouvernement par des architectes, be replaced by the text of Schedule I to this Order in Council and have effect from 18 November 1993;

THAT Order in Council 193-2023 dated 8 March 2023, enacting the Règlement modifiant le Tarif d'honoraires pour services professionnels fournis au gouvernement par des architectes, be replaced by the text of Schedule II to this Order in Council and have effect from the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

YVES OUELLET

Clerk of the Conseil exécutif

SCHEDULE I

Regulation to amend the Architects' Fees (Services to Government) Regulation

WHEREAS, under section 49 of the Financial Administration Act (R.S.Q., c. A-6), the Government may, by regulation, upon the recommendation of the Conseil du trésor, determine the conditions of contracts made in the name of the Government by a department, made by a public body whose operating budget is voted wholly or in part by the National Assembly, or made by any other public body;

WHEREAS the Government made the Architects' Fees (Services to Government) Regulation by Order in Council 2402-84 dated 31 October 1984;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Conseil du trésor has recommended the making of the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister Responsible for Administration and the Public Service and Chairman of the Conseil du trésor:

THAT the Regulation to amend the Architects' Fees (Services to Government) Regulation, attached to this Order in Council, be made.

Regulation to amend the Architects' Fees (Services to Government) Regulation

Financial Administration Act
(R.S.Q., c. A-6, s. 49)

1. The Architects' Fees (Services to Government) Regulation, made by Order in Council 2402-84 dated 31 October 1984, is amended by inserting the following after section 23:

“**23.1** The estimated and actual cost of the works in the tables in Schedule I shall include taxes.

When calculating fees in accordance with Schedule I, a client exempted from certain taxes must, notwithstanding subsection 1 of section 21, add an amount equivalent to those taxes to the cost of the works.”

2. The Regulation is amended by inserting the following after section 38:

“**38.1** The client and the firm may agree to apply section 23.1 to a contract in progress on 18 November 1993, but solely for the remuneration of the services referred to in section 8.”

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

SCHEDULE II

Regulation to amend the Architects’ Fees (Services to Government) Regulation

WHEREAS, under paragraph 1 of section 23 of the Act respecting contracting by public bodies (chapter C-65.1), the Government may, by regulation and on the recommendation of the Conseil du trésor, determine conditions other than those determined in that Act for contracts referred to in the first paragraph of section 3 or subparagraph 1 of the second paragraph of that section entered into by public bodies, for subcontracts related to such contracts or for any other contracts related to such contracts or subcontracts, including contract or subcontract management rules or procedures;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Règlement modifiant le Tarif d’honoraires pour services professionnels fournis au gouvernement par des architectes was published in Partie 2 of the *Gazette officielle du Québec* dated 28 December 2022 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 23 of the Act respecting contracting by public bodies, the Conseil du trésor has recommended the making of the Regulation;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Government Administration and Chair of the Conseil du trésor:

THAT the Regulation to amend the Architects’ Fees (Services to Government) Regulation, attached to this Order in Council, be made.

Regulation to amend the Architects’ Fees (Services to Government) Regulation

Act respecting contracting by public bodies (chapter C-65.1, s. 23, par. 1)

1. The Architects’ Fees (Services to Government) Regulation (chapter C-65.1, r. 9) is amended in section 13 by striking out “, set by the Conseil du trésor in accordance with the classification prescribed by Schedule II, and” in paragraph 2.

2. Schedule II is replaced by the following:

“SCHEDULE II

(section 13)

FIXED HOURLY RATE

| CLASSIFICATION EXPERIENCE | | FROM (insert the date of coming into force of this Regulation) TO (insert the date that precedes the date that is 9 months after the date of coming into force of this Regulation) | | AS OF (insert the date that is 9 months after the date of coming into force of this Regulation) | |
|--------------------------------------|------------------|---|---|--|---|
| | | FIXED HOURLY RATE (\$) | FIXED HOURLY RATE OF SUPERIOR (\$) | FIXED HOURLY RATE (\$) | FIXED HOURLY RATE OF SUPERIOR (\$) |
| ARCHITECTS | | | | | |
| –Senior principal | 15 years or more | 148.08 | 192.48 | 116.05 | 150.85 |
| –Senior | 10 years or more | 117.52 | 152.74 | 92.10 | 119.70 |
| –Intermediate | 5 to 10 years | 98.25 | 140.49 | 77.00 | 110.10 |
| –Junior | 0 to 5 years | 80.90 | 105.14 | 63.40 | 82.40 |
| –In training | n/a | 70.37 | | 55.15 | |
| TECHNICIANS, DRAFTSPERSONS | | | | | |
| –Principal | 15 years or more | 110.82 | | 86.85 | |
| –Senior | 10 to 15 years | 83.13 | | 65.15 | |
| –Intermediate | 5 to 10 years | 71.14 | | 55.75 | |
| –Junior | 0 to 5 years | 61.12 | | 47.90 | |
| –Auxiliary staff | n/a | 35.98 | | 28.20 | |

Note 1: Junior, intermediate, senior and senior principal architects are credited 3 years of experience for their training.

Note 2: The maximum hourly rates apply, as of the date indicated in the table, to the fees under a contract in progress. With respect to fees for which payment is made according to the lump-sum method on the basis of the rates set out in the hourly rate method where a contract is in progress, the rates apply as of the date on which an agreement resulting from a negotiation referred to in section 16 and continue to apply until the end of the agreement. This note applies despite any stipulation to the contrary in the contract.”.

TRANSITIONAL AND FINAL

3. For a contract entered into after 22 November 2022, the fixed hourly rates in force on (*insert the date of coming into force of this Regulation*) apply, as of that date, with respect to fees for which payment is made according to the lump-sum method on the basis of the rates set out in the hourly rate method where a contract and an agreement resulting from a negotiation referred to in section 16 of the Architects’ Fees (Services to Government) Regulation (chapter C-65.1, r. 9) are in progress on (*insert the date of coming into force of this Regulation*). The rates continue to apply until the end of the agreement.

The first paragraph applies despite any stipulation to the contrary in a contract and despite Schedule II of the Architects’ Fees (Services to Government) Regulation (chapter C-65.1, r. 9), as replaced by section 2 of this Regulation.

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

106170

Draft Regulations

Draft Regulation

Securities Act
(chapter V-1.1)

System fees

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft regulation 13-102 respecting system fees, appearing below, may be submitted to the Government, which may approve it with or without amendment, on the expiry of 45 days following this publication.

The draft regulation replaces the Regulation 13-102 respecting System Fees for SEDAR and NRD (chapter V-1.1, r. 2.1) and determines the fees payable for filing documents with the System for Electronic Document Analysis and Retrieval+ (SEDAR+).

The proposed draft regulation will have impacts on some enterprises. While the formalities required from the enterprises that are reporting issuers remain unchanged, some enterprises may experience an overall increase of the fees payable for filing documents in comparison with the current situation.

Further information on the draft regulation may be obtained by contacting Jean-Hubert Smith-Lacroix, coordinator, legislative and regulatory development, Direction générale du droit corporatif et des politiques relatives au secteur financier, Ministère des Finances, by email at: Jean-Hubert.Smith-Lacroix@finances.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 Finance, 390, boulevard Charest Est, 8^e étage, Québec (Québec) G1K 3H4.

ERIC GIRARD
Minister of Finance

REGULATION 13-102 RESPECTING SYSTEM FEES

Securities Act

(chapter V-1.1, s. 331, 1st par., par. (9) and (12))

Definitions

1. (1) In this Regulation,

“annual information form” means

(a) an “AIF” as defined by Regulation 51-102 respecting Continuous Disclosure Obligations (chapter V-1.1, r. 24), or

(b) an annual information form referred to in Part 9 of Regulation 81-106 respecting Investment Fund Continuous Disclosure (chapter V-1.1, r. 42);

“principal regulator” means the principal regulator determined under section 5 of Regulation 13-103 respecting the System for Electronic Data Analysis and Retrieval + (SEDAR+) (*insert reference*);

“shelf prospectus” means a prospectus filed under Regulation 44-102 respecting Shelf Distributions (chapter V-1.1, r. 17);

“system fee” means a fee set out in Appendix A or B.

(2) In this Regulation, a term referred to in Column 1 of the following table has the meaning ascribed to it in the Regulation referred to in Column 2 opposite that term:

| Column 1 Defined Term | Column 2 Regulation |
|----------------------------------|---|
| CPC instrument | Regulation 45-106 respecting Prospectus Exemptions (chapter V-1.1, r. 21) |
| document | Regulation 13-103 respecting the System for Electronic Data Analysis and Retrieval + (SEDAR+) |
| long form prospectus | Regulation 41-101 respecting General Prospectus Requirements (chapter V-1.1, r. 14) |
| preliminary MJDS prospectus | National Instrument 71-101, The Multijurisdictional Disclosure System (chapter V-1.1, r. 36) |
| rights offering circular | Section 2.1 of Regulation 45-106 respecting Prospectus Exemptions |
| SEDAR+ | Regulation 13-103 respecting the System for Electronic Data Analysis and Retrieval + (SEDAR+) |
| short form prospectus | Regulation 41-101 respecting General Prospectus Requirements |
| sponsoring firm | Regulation 33-109 respecting Registration Information (chapter V-1.1, r. 12) |

Inconsistency with other regulations

2. If there is any conflict or inconsistency between this Regulation and Regulation 13-103 respecting the System for Electronic Data Analysis and Retrieval + (SEDAR+) (*insert reference*), this Regulation prevails.

System fees for transmission

3. (1) A person described in Column A of Appendix A must pay the corresponding system fee specified in Column C of the Appendix to the person's principal regulator, if the person transmits a filing of a type described in Column B of the Appendix.

(2) Subsection (1) does not apply unless the securities regulatory authority in the local jurisdiction is the person's principal regulator

Annual registrant system fee

4. On December 31 of each year, a sponsoring firm must, for each individual registrant of the sponsoring firm, pay the system fee specified in Column C of Appendix B to the securities regulatory authority if the securities regulatory authority in the local jurisdiction is the individual registrant's principal regulator on that date.

Means of payment

5. A person required to pay a system fee must pay the fee through SEDAR+.

Exemption

6. (1) The regulator, except in Québec, or the securities regulatory authority may grant an exemption from this Regulation, in whole or in part, subject to such conditions or restrictions as may be imposed in the exemption.

(2) Despite subsection (1), in Ontario, only the regulator may grant such an exemption.

(3) Except in Alberta and Ontario, an exemption referred to in subsection (1) is granted under the statute referred to in Appendix B of Regulation 14-101 respecting Definitions (chapter V-1.1, r. 3), opposite the name of the local jurisdiction.

Transition

7. (1) Despite section 5, a person required to pay a system fee under Item 1 of Appendix A or under Appendix B must pay the fee through NRD, as defined in Regulation 31-102 respecting National Registration Database (chapter V-1.1, r. 9), until Regulation 13-103 respecting the System for Electronic Data Analysis and Retrieval + (SEDAR+) (*insert reference*) requires that the person transmit, through SEDAR+, a filing of a type described in Item 1 of Appendix A or in Appendix B.

(2) Despite section 3, a person is not required to pay a system fee under Item 2 of Appendix A until Regulation 13-103 respecting the System for Electronic Data Analysis and Retrieval + (SEDAR+) requires that the person transmit, through SEDAR+, a filing of a type described in Item 2 of Appendix A.

Repeal

8. Regulation 13-102 respecting System Fees for SEDAR and NRD (chapter V-1.1, r. 2.1) is repealed.

Effective date

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

APPENDIX A SYSTEM FEES

In this Appendix,

“application” means a request transmitted through SEDAR+ for a decision of the regulator or securities regulatory authority but, for greater certainty, does not include a pre-filing;

“pre-filing” means a request to consult with the principal regulator regarding the application of securities legislation or securities directions generally or the application of securities legislation or a direction to a particular transaction or matter or proposed transaction or matter.

| Item | Column A Person required to file | Column B Filing Type | Column C System Fee |
|------|--|---|-------------------------------|
| 1 | Sponsoring firm – in respect of an individual registrant | Application for registration or reactivation of registration | \$86 |
| 2 | International dealer or international adviser | Annual notice of reliance on exemption from dealer registration requirement or adviser registration requirement | \$350 |
| 3 | Investment fund that is a reporting issuer | Annual financial statements | \$525 |

| Item | Column A Person required to file | Column B Filing Type | Column C System Fee |
|------|---|--|--|
| 4 | Investment fund | Preliminary, pro forma, or combined preliminary and pro forma long form prospectus | \$2200, regardless of whether the applicable long form prospectus relates to the distribution of the securities of one or more than one investment fund |
| | | Preliminary, pro forma, or combined preliminary and pro forma simplified prospectus | \$2200, regardless of whether the applicable simplified prospectus relates to the distribution of the securities of one or more than one investment fund |
| 5 | Reporting issuer other than an investment fund | Annual financial statements | \$765 |
| 6 | Reporting issuer, other than an investment fund, that is not a short form prospectus issuer | Annual information form | \$430 |
| 7 | Investment fund that is not a short form prospectus issuer | Annual information form | \$430 |
| 8 | Reporting issuer that is a short form prospectus issuer | Annual information form | \$2530 |
| 9 | Issuer other than an investment fund | Preliminary long form prospectus | \$950 |
| | | Preliminary prospectus governed by a CPC instrument | |
| | | Preliminary short form prospectus, preliminary shelf prospectus or preliminary MJDS prospectus | \$1500 |

| Item | Column A Person required to file | Column B Filing Type | Column C System Fee |
|------|---------------------------------------|--|------------------------|
| 10 | All filers | Issuer bid circular filed under Part 2 of Regulation 62-104 respecting Take-Over Bids and Issuer Bids (chapter V-1.1, r. 35) or take-over bid circular filed under Part 2 of Regulation 62-104 respecting Take-Over Bids and Issuer Bids | \$350 |
| 11 | Issuer, other than an investment fund | Rights offering circular | \$1500 |
| 12 | All filers | Report of exempt distribution | \$40 |
| 13 | All filers | Pre-filing that is transmitted through SEDAR+ | \$350 |
| 14 | All filers | Application that is required to be transmitted through SEDAR+ under Regulation 13-103 respecting the System for Electronic Data Analysis and Retrieval + (SEDAR+) (<i>insert reference</i>), (a) if a pre-filing referred to in Item 13 was previously transmitted in respect of the application, and (b) in any other case. | \$0 \$350 |

APPENDIX B SYSTEM FEES

| Column A Person required to file | Column B Filing Type | Column C System Fee |
|--|-----------------------------|------------------------|
| Sponsoring firm – in respect of each individual registrant sponsored by the firm | Annual registration renewal | \$86 |

Draft Regulation

Charter of the French language
(chapter C-11; 2022, chapter 14)

Subtractions from subsidies paid to institutions providing college instruction

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting subtractions from subsidies paid to institutions providing college instruction, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation follows the assent of the Act respecting French, the official and common language of Québec (2022, chapter 14) on 1 June 2022 by fixing the amount that the Minister of Higher Education, Research, Science and Technology subtracts from subsidies the Minister pays to an institution providing college instruction for every student in excess of its defined total number of students or its quota, determined in accordance with the Charter of the French language (chapter C-11).

Further information on the draft Regulation may be obtained by contacting Geneviève St-Onge, Director, Direction des politiques et des partenariats, Ministère de la Langue française; telephone: 418 263-2008; email: genevieve.st-onge@mlf.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 the French Language, 800, rue D'Youville, 13^e étage, Québec (Québec) G1R 3P4.

JEAN-FRANÇOIS ROBERGE
Minister of the French Language

Regulation respecting subtractions from subsidies paid to institutions providing college instruction

Charter of the French language
(chapter C-11, s. 88.0.9, 1st par.; 2022, chapter 14, s. 60)

1. The amount that the Minister of Higher Education, Research, Science and Technology is to subtract from subsidies the Minister pays to an institution providing college instruction for every student in excess of its defined total number of students, in accordance with section 88.0.9 of the Charter of the French language (chapter C-11), is fixed at

(1) \$7,048 for each of the first 50 students in excess; and

(2) \$14,096 for each of the other students in excess.

2. For the 2023-2024 school year, the amount provided for in paragraph 2 of section 1 is fixed at \$7,048.

3. 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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Draft Ministerial Order

Act respecting the conservation and development of wildlife
(chapter C-61.1)

Tracking dog handlers — Amendment

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

The draft Ministerial Order amends certain terms for the search and killing of an animal that is fatally injured of the Tracking Dog Handler Pilot Project.

It also restricts to certain specific cases the requirement for a tracking dog handler to call SOS Braconnage during the search for an animal that is fatally injured.

Study of the matter has not shown any negative impact on enterprises, including small and medium-sized businesses.

Further information on the draft Ministerial Order may be obtained by contacting Daniel Couture, 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; email: daniel.couture@mffp.gouv.qc.ca.

Any person wishing to comment on the draft Ministerial Order 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, RC-120, Québec (Québec) G1S 4X4.

BENOIT CHARRETTE

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

Ministerial Order to amend the Tracking Dog Handler Pilot Project

Act respecting the conservation and development of wildlife
(chapter C-61.1, s. 164.1)

1. The Tracking Dog Handler Pilot Project (chapter C-61.1, r. 25.1) is amended in section 5 by striking out “with a view to killing it in order to put an end to its suffering and avoid its flesh going to waste”.

2. Section 6 is replaced by the following:

“6. A tracking dog handler must call SOS Braconnage at 1 800 463-2191 in the following cases:

- (1) before beginning each day of a search;
 - (a) during a hunting period with a type 6 or 11 implement within the meaning of the Regulation respecting hunting (chapter C-61.1, r. 12);
 - (b) outside a hunting period; or
 - (c) at night;
- (2) after a search during which the handler has discharged a firearm.

For the purposes of subparagraph 2 of the first paragraph, the tracking dog handler must call SOS Braconnage within 5 hours after the discharge of the firearm.”.

3. The following is inserted after section 6:

“6.1. When a tracking dog handler calls SOS Braconnage in the cases listed in section 6, the handler must provide

- (1) his or her name and telephone number;
- (2) the attestation number;

- (3) the search area;

- (4) the date and time of the start or end of the search, as the case may be; and

- (5) the name and telephone number, or the number of the hunter’s certificate, of the hunter who requires the tracking dog handler’s services to find an animal that is fatally injured.”.

4. Section 7 is amended

- (1) by replacing “telescope or laser sight” in paragraph 1 by “magnifying optical instrument”;

- (2) by replacing paragraph 4 by the following:

“(4) make sure that the dog is kept leashed at all times;”.

5. Section 12 is amended by replacing “15” in the second paragraph by “1”.

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

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