



Part 2

LAWS AND REGULATIONS

26 April 2023 / Volume 155

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Legal deposit – 1st Quarter 1968
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Part 2 – LAWS AND REGULATIONS

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Part 2 shall contain:

- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
- (4) regulations made by courts of justice and quasi-judicial tribunals;
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PROVINCE OF QUÉBEC

1ST SESSION

43RD LEGISLATURE

QUÉBEC, 6 APRIL 2023

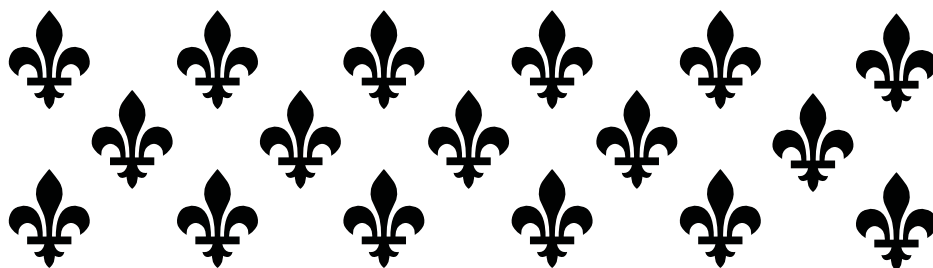
OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 6 April 2023*

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

- 9 An Act amending mainly certain Acts
 establishing public sector pension plans
- 13 An Act respecting the Hertel-New York
 interconnection line

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

Québec Official Publisher



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 9
(2023, chapter 6)

**An Act amending mainly certain Acts
establishing public sector pension
plans**

**Introduced 9 February 2023
Passed in principle 21 February 2023
Passed 5 April 2023
Assented to 6 April 2023**

**Québec Official Publisher
2023**

EXPLANATORY NOTES

This Act allows an enhancement of benefits related to pension credits that have been obtained under the Government and Public Employees Retirement Plan, according to the terms and conditions determined by the pension committee of that plan.

The Act limits to employees who participated in a public sector pension plan administered by Retraite Québec the right to request Retraite Québec to return to the pension plan sums held by Revenu Québec under the Public Curator Act or the Unclaimed Property Act.

The Act amends the Act respecting the Pension Plan of Management Personnel, in particular with regard to the composition of the pension committee of that plan.

The Act allows the amount withheld annually from the pensionable salary paid to an employee who is a member of the Pension Plan of Peace Officers in Correctional Services to no longer be limited to 9% of that salary.

Lastly, the Act includes miscellaneous, transitional and final provisions.

LEGISLATION AMENDED BY THIS ACT:

- Act respecting the Pension Plan of Certain Teachers (chapter R-9.1);
- Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2);
- Act respecting the Government and Public Employees Retirement Plan (chapter R-10);
- Act respecting the Pension Plan of Management Personnel (chapter R-12.1);
- Act respecting Retraite Québec (chapter R-26.3).

Bill 9

AN ACT AMENDING MAINLY CERTAIN ACTS ESTABLISHING PUBLIC SECTOR PENSION PLANS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE PENSION PLAN OF CERTAIN TEACHERS

1. Section 37.1 of the Act respecting the Pension Plan of Certain Teachers (chapter R-9.1) is repealed.

ACT RESPECTING THE PENSION PLAN OF PEACE OFFICERS IN
CORRECTIONAL SERVICES

2. Section 42 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2) is amended by striking out the fourth paragraph.

ACT RESPECTING THE GOVERNMENT AND PUBLIC
EMPLOYEES RETIREMENT PLAN

3. Section 89 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is replaced by the following section:

“89. Unless the pension committee provides otherwise, the pension credit is increased where the actuarial valuation of the pension credits obtained under sections 86, 100, 104, 113 and 115.5.1 identifies sums available for that purpose. The committee shall determine the terms and conditions of the increase, which may prescribe the portion of the available sums to be applied to the increase, vary with the categories of pension credits and persons the committee determines and take effect on any date not prior to 1 January following the date of the production of the actuarial valuation. The terms and conditions shall be published on the website of Retraite Québec.

The increase applies only to the portion of the pension credit paid out of the sums paid by employees for the pension credit.

For the purposes of section 151, the sums owing under this section become payable on the date of the resolution of the pension committee determining the terms and conditions of the increase if those terms and conditions take effect before the date of the resolution.”

4. Section 107.1 of the Act is repealed.

5. Section 128 of the Act is amended by replacing “derived from the past service of an employee under a pension plan to which the employee was a member” by “acquired under sections 86, 100, 104, 113 and 115.5.1”.

6. Section 131 of the Act is amended by replacing “the payment of the pension credit shall be made, first, out of the funds that have been transferred to Retraite Québec for that purpose and, thereafter, out of the Consolidated Revenue Fund” by “the sums necessary for the payment of the pension credit are taken out of the employees’ contribution fund at the Caisse de dépôt et placement du Québec”.

7. The Act is amended by inserting the following section after section 131.1:

“131.2. Notwithstanding section 130, the sums necessary for the payment of the increase of the pension credits obtained under sections 86, 100, 104, 113 and 115.5.1 are taken out of the net assets that are available in respect of those pension credits and that form part of the employees’ contribution fund at the Caisse de dépôt et placement du Québec.”

8. Section 134 of the Act is amended by striking out subparagraphs 11.3.1 and 13.1 of the first paragraph.

9. Section 147.0.6 of the Act is amended, in the first paragraph,

(1) by inserting “who participated in a pension plan,” after “person”;

(2) by replacing “to have a right in respect of such sums” by “, in respect of such sums and by reason of the person’s participation in that plan, to have a right”.

10. Section 158.0.1 of the Act is repealed.

11. Section 165 of the Act is amended by inserting the following subparagraphs after subparagraph 3 of the first paragraph:

“(3.1) establishing, jointly with the Caisse de dépôt et placement du Québec and after consultation with the pension committee referred to in section 196.2 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1), an investment policy in respect of the sums paid by employees for the pension credits obtained under sections 86, 100, 104, 113 and 115.5.1 of this Act;

“(3.2) after consultation with the pension committee referred to in section 196.2 of the Act respecting the Pension Plan of Management Personnel, determining the terms and conditions of the increase of a pension credit provided for in section 89 of this Act or determining that the pension credit is not to be so increased;”.

12. Section 173 of the Act is amended by replacing “and 3” in the first paragraph by “, 3 and 3.1”.

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

13. Section 2 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended by striking out “within 12 months following the date on which the employee became such a staff member” in paragraph 5.

14. Section 19.1 of the Act is repealed.

15. Section 196.3 of the Act is amended, in subparagraph 1 of the first paragraph,

(1) by replacing “one person representing the employees of the public service sector, appointed” in subparagraph *a* by “two persons representing the employees of the public service sector, appointed”;

(2) in subparagraph *c*,

(*a*) by replacing “four” by “three”;

(*b*) by striking out “one representing the directors general.”.

ACT RESPECTING RETRAITE QUÉBEC

16. Section 58 of the Act respecting Retraite Québec (chapter R-26.3) is amended by inserting the following paragraph after the second paragraph:

“Despite the first and second paragraphs, the sums required to cover the administrative expenses related to the increase of the pension credits obtained under sections 86, 100, 104, 113 and 115.5.1 of the Act respecting the Government and Public Employees Retirement Plan are taken out of the employees’ contribution fund under the Government and Public Employees Retirement Plan.”

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

17. Retraite Québec transfers the sum of \$44,500,000 from the employees’ contribution fund under the Government and Public Employees Retirement Plan to the Consolidated Revenue Fund. The transfer is made not later than 5 June 2023.

18. Pension credits obtained under sections 86, 100, 104, 113 and 115.5.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) are increased as of 1 January 2021 by using the sum of

\$28,031,100, according to the terms and conditions determined by the pension committee referred to in section 163 of that Act, after consultation with the pension committee referred to in section 196.2 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1). Those terms and conditions may vary with the categories of pension credits and persons that the committee determines and are published on the website of Retraite Québec.

The increase applies only to the portion of pension credits paid out of the sums paid by employees for the pension credits.

Despite section 130 of the Act respecting the Government and Public Employees Retirement Plan, the sums necessary for the payment of the increase of the pension credits are taken out of the net assets that are available in respect of the pension credits obtained under sections 86, 100, 104, 113 and 115.5.1 of that Act and that form part of the employees' contribution fund at the Caisse de dépôt et placement du Québec.

For the purposes of section 151 of that Act, the sums owing under this section become payable on the date of the resolution of the pension committee determining the terms and conditions of the increase.

Despite section 58 of the Act respecting Retraite Québec (chapter R-26.3), the sums required to cover the administrative expenses related to the increase of the pension credits are taken out of the employees' contribution fund under the Government and Public Employees Retirement Plan.

19. The pension credits obtained under sections 101 and 158 of the Act respecting the Government and Public Employees Retirement Plan and covered by the Évaluation actuarielle du RREGOP au 31 décembre 2018 à l'égard des crédits de rente acquis à la suite de transferts de régimes complémentaires de retraite (French only) are increased by using a portion of the actuarial surplus pertaining to those pension credits, according to the terms and conditions determined by the pension committee referred to in section 163 of that Act, after consultation with the pension committee referred to in section 196.2 of the Act respecting the Pension Plan of Management Personnel.

The pension committee referred to in section 163 of the Act respecting the Government and Public Employees Retirement Plan may, after consultation with the pension committee referred to in section 196.2 of the Act respecting the Pension Plan of Management Personnel, also use a portion of the actuarial surplus pertaining to those pension credits to prescribe special provisions that may differ from those prescribed in sections 91, 92 and 107 of the Act respecting the Government and Public Employees Retirement Plan and make payments to persons who have obtained those pension credits, in accordance with the terms and conditions it determines.

The terms and conditions determined under the first and second paragraphs take effect on 1 January 2021, may vary according to the nature of the pension credits and the supplemental pension plan under which the pension credits were obtained and are published on the website of Retraite Québec.

The sums owing under this section are taken out of the employees' contribution fund under the Government and Public Employees Retirement Plan at the Caisse de dépôt et placement du Québec.

For the purposes of section 151 of the Act respecting the Government and Public Employees Retirement Plan, the sums owing under this section become payable on the date of the resolution of the pension committee determining the terms and conditions of the increase.

For the purposes of the first and second paragraphs, the actuarial surplus pertaining to the pension credits corresponds to the amount of \$208,384,000, which is adjusted by Retraite Québec on the basis of the actuarial gains and losses related to the performance of the funds that were transferred for the purposes of those pension credits after 31 December 2020, but before 6 April 2023.

20. Persons who participate in the Pension Plan of Certain Teachers and pensioners under that plan who have obtained pension credits under sections 101 and 158 of the Act respecting the Government and Public Employees Retirement Plan benefit from the same terms and conditions as those determined under section 19 of this Act. However, the amounts required for those purposes are taken out of the Consolidated Revenue Fund.

The terms and conditions determined under section 19 of this Act apply only if they are, for the person or pensioner concerned, more advantageous than the provisions of the Pension Plan of Certain Teachers. Those terms and conditions apply with the necessary modifications.

21. The provisions of Division IX.2.1 of the Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2), as they read on 31 December 2023, continue to apply in respect of the pension credits obtained under sections 86, 100, 104, 113 and 115.5.1 of the Act respecting the Government and Public Employees Retirement Plan that are referred to in those provisions.

22. The provisions of the Regulation respecting pension credits obtained pursuant to sections 101 and 158 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 11), as they read on 5 April 2023, continue to apply in respect of the pension credits obtained under sections 101 and 158 of the Act respecting the Government and Public Employees Retirement Plan that are referred to in those provisions.

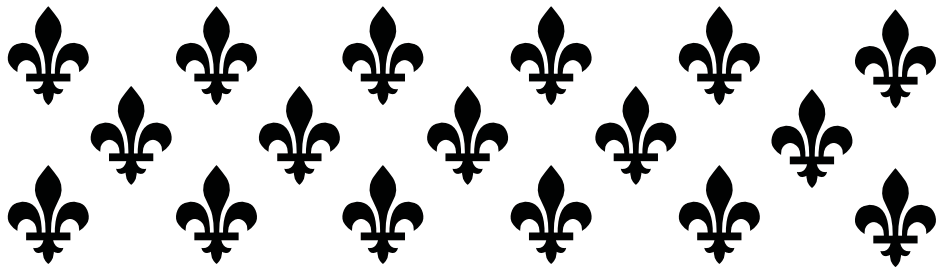
The same provisions apply, with the necessary modifications, to persons who participate in the Pension Plan of Certain Teachers and pensioners under that plan who have obtained a pension credit under sections 101 and 158 of the Act respecting the Government and Public Employees Retirement Plan if those provisions are, for the person or pensioner concerned, more advantageous than the provisions of the Pension Plan of Certain Teachers.

23. The person representing the directors general of the health and social services sector on the pension committee referred to in section 196.2 of the Act respecting the Pension Plan of Management Personnel in office on 5 April 2023 is deemed to have been appointed under subparagraph *a* of subparagraph 1 of the first paragraph of section 196.3 of that Act, as amended by section 15 of this Act.

24. The investment policy established under subparagraph 3 of the first paragraph of section 165 of the Act respecting the Government and Public Employees Retirement Plan applies in respect of the sums paid by employees covered by the Government and Public Employees Retirement Plan for the pension credits obtained under sections 86, 100, 104, 113 and 115.5.1 of that Act, until an investment policy is established under subparagraph 3.1 of the first paragraph of section 165 of that Act, as enacted by section 11 of this Act.

25. Section 2 has effect from 1 January 2022.

26. This Act comes into force on 6 April 2023, except sections 3 and 7, section 8 to the extent that it relates to subparagraph 11.3.1 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan, section 11 to the extent that it relates to subparagraph 3.2 of the first paragraph of section 165 of that Act, and sections 16 and 21, which come into force on 1 January 2024.



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 13
(2023, chapter 7)

**An Act respecting the Hertel-
New York interconnection line**

**Introduced 22 February 2023
Passed in principle 15 March 2023
Passed 4 April 2023
Assented to 6 April 2023**

**Québec Official Publisher
2023**

EXPLANATORY NOTES

The purpose of this Act is to confer a power of transfer on Hydro-Québec in order to facilitate the carrying out of its project of supplying electricity mainly to New York City, which includes the construction and operation of facilities to transmit electricity between the Hertel substation, located in La Prairie, and an interconnection point in the Richelieu river, at the Canada–United States border.

To that end, the Act allows Hydro-Québec to transfer the ownership of the electric power transmission facilities in favour of a legal person or partnership constituted by Hydro-Québec and the Mohawk Council of Kahnawake. The Act determines the purpose of the legal person or partnership and grants them the same powers as Hydro-Québec in carrying on electric power transmission activities.

Furthermore, the Act provides a simplified expropriation procedure applicable to the acquisitions made by Hydro-Québec that are necessary for the construction of the facilities.

Bill 13

AN ACT RESPECTING THE HERTEL-NEW YORK INTERCONNECTION LINE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. In order to facilitate the carrying out of the Hydro-Québec project to supply electricity mainly to New York City, which includes the construction and operation of facilities to transmit electricity between the Hertel substation, located in La Prairie, and an interconnection point in the Richelieu river at the Canada–United States border, the purpose of this Act is to confer on Hydro-Québec the power to transfer the facilities. A further purpose of this Act is to simplify the expropriation procedure applicable to the acquisitions made by Hydro-Québec that are necessary for construction of the facilities.

For the purposes of this Act, “Hertel-New York interconnection line” means the electric power transmission facilities referred to in the first paragraph.

2. Hydro-Québec may, by written agreement, transfer the ownership of the Hertel-New York interconnection line or any right attached to it and the ownership of any immovable or any right attached to an immovable acquired for the construction and operation of the line in favour of the Partnership, that is, the legal person or the partnership constituted by Hydro-Québec or one of its wholly-owned subsidiaries and the Mohawk Council of Kahnawake or a legal person all of whose shares are held directly or indirectly by the Council. If the Partnership is a limited partnership, they must constitute the legal person that is to be the Partnership’s general partner.

3. The purpose of the Partnership is limited to carrying on electric power transmission activities that Hydro-Québec may carry on using the Hertel-New York interconnection line.

For that purpose, the Partnership has the same powers as Hydro-Québec in carrying on its activities and benefits from all of the rights of Hydro-Québec, unless its constituting act withdraws or restricts those rights.

4. Hydro-Québec must, at all times, control the Partnership in any of the following ways, as applicable:

(1) if the Partnership is a business corporation, Hydro-Québec must hold shares conferring more than 50% of the voting rights or else have the possibility of choosing the majority of its directors;

(2) if the Partnership is a limited partnership, Hydro-Québec must control the legal person that is the Partnership's general partner in the manner prescribed in paragraph 1; or

(3) if the Partnership is a partnership other than a limited partnership, Hydro-Québec must be able to determine collective decisions.

5. The Partnership or, if it is a limited partnership, the legal person that is the Partnership's general partner may not, alone or jointly with anyone, acquire more than 30% of the shares in a partnership nor acquire shares of a legal person carrying more than 30% of the voting rights.

6. Any agreement concerning ownership of the Hertel-New York interconnection line or ownership of the Partnership's shares and, if the Partnership is a limited partnership, its general partner's shares, must be approved by the Government to be valid, including amendments to the agreement or its renewal.

In addition, an agreement concerning ownership of the Partnership's shares or, if the Partnership is a limited partnership, its general partner's shares, must provide that the shares be held at all times by Hydro-Québec or one of its wholly-owned subsidiaries, and the Mohawk Council of Kahnawake or a legal person all of whose shares are held, directly or indirectly, by the Council, unless the Government decides otherwise.

7. Any acquisition by expropriation carried out by Hydro-Québec that is necessary for the construction of the Hertel-New York interconnection line does not require the authorization of the Government under subparagraph 3 of the first paragraph of section 33 of the Hydro-Québec Act (chapter H-5). The Expropriation Act (chapter E-24) applies to such an expropriation, subject to the following modifications:

(1) the expropriation need not be decided or, as applicable, authorized by the Government under the first paragraph of section 36 of that Act;

(2) the notice of expropriation

(a) must specify the date before which the expropriated party, lessee or occupant in good faith must vacate the premises;

(b) must contain a notification specifying that the expropriated party must send the expropriating party, within 60 days after the date of service of the notice of expropriation, documents justifying the indemnity for the injury directly caused by the expropriation; and

(c) must not include the notification required under subparagraph 3 of the first paragraph of section 40 of that Act specifying that the expropriated party has 30 days to contest the right to expropriate before the Superior Court;

(3) the expropriating party's right to expropriate may not be contested and, as a result, sections 44 to 44.3 of that Act do not apply;

(4) the notification required under section 45 of that Act must indicate to the lessee or occupant in good faith

(a) the date before which they must vacate the premises;

(b) the date of service of the notice of expropriation; and

(c) that they must send the expropriating party, within 60 days after the date of service of the notice of expropriation, documents justifying the indemnity for the injury directly caused by the expropriation;

(5) the 30-day period provided for in section 46 of that Act is replaced by a 60-day period and begins on the date of service of the notice of expropriation;

(6) the notice of transfer of title referred to in section 53.3 of that Act need not reproduce the text set out in paragraphs 3 to 5 of Schedule II to that Act, and the date on which the expropriating party takes possession of the property need not be at least 15 days after the date of registration of the notice;

(7) the notice of intention to register the notice of transfer of title referred to in section 53.8 of that Act need not reproduce the text set out in paragraphs 3 to 5 of Schedule II to that Act;

(8) the provisional indemnity, in the cases referred to in section 53.13 of that Act, is set by Hydro-Québec and includes the indemnity Hydro-Québec considers reasonable for the injury directly caused by the expropriation, to the extent that the documents justifying the indemnity, as applicable, were provided within the time prescribed by subparagraph *b* of subparagraph 2 or subparagraph *c* of subparagraph 4 of this section;

(9) the expropriated party, the lessee and the occupant in good faith may not apply, under section 53.14 of that Act, to retain possession of the expropriated property; and

(10) the expropriation indemnity for property is set on the basis of the value of the property and the injury directly caused by the expropriation on the date of the expropriation, but without taking into account the increased value attributable to the public announcement of the project.

From the date of registration of the notice of expropriation in the land register, any employee of Hydro-Québec or any other person mandated by Hydro-Québec may enter and pass over, at any reasonable time, any immovable referred to in the notice of expropriation in order to conduct surveys, examinations, analyses or other preparatory work related to the construction of the Hertel-New York interconnection line.

- 8.** The minister responsible for the administration of the Hydro-Québec Act is responsible for the administration of this Act.
- 9.** This Act comes into force on 6 April 2023.

Regulations and other Acts

M.O., 2023-03

Order number I-13.2.2-2023-03 of the Minister of Finance dated 6 April 2023

Deposit Institutions and Deposit Protection Act
(chapter I-13.2.2)

CONCERNING Regulation to amend the Regulation respecting the application of the Deposit Institutions and Deposit Protection Act

WHEREAS that paragraphs (*f*), (*p*) and (*t*) of section 43 of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) provide that, in addition to the regulatory powers assigned to it by this Act, the *Autorité des marchés financiers* may make regulations for determining the rates of premiums for the guarantee contemplated in section 34 of this Act, the modalities of payment of the premium and the rate of interest exigible when a premium is overdue, prescribing the cases in which a deposit made by a person with an institution or with a bank may be considered, for the purposes of this Act, as separate from any other deposit made by the same person with the same institution or with the same bank and prescribing any form which it deems appropriate for the application of this Act;

WHEREAS section 45 of such Act provides that a regulation of the *Autorité des marchés financiers* under this Act must be submitted for approval to the Minister of Finance who may approve it with or without amendment, that such regulation may not be submitted for approval before the expiry of 30 days after its publication as a draft and that such regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date determined in this regulation;

WHEREAS the draft Regulation to amend the Regulation respecting the application of the Deposit Institutions and Deposit Protection Act was published in the *Bulletin de l'Autorité des marchés financiers*, volume 20, no. 1 of January 12, 2023;

WHEREAS on March 15, 2023, by the decision no. 2023-PDG-0010, the *Autorité des marchés financiers* made Regulation to amend the Regulation respecting the application of the Deposit Institutions and Deposit Protection Act;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment Regulation to amend the Regulation respecting the application of the Deposit Institutions and Deposit Protection Act appended hereto.

6 April 2023

ERIC GIRARD
Minister of Finance

Regulation to amend the Regulation respecting the application of the Deposit Institutions and Deposit Protection Act

Deposit Institutions and Deposit Protection Act
(chapter I-13.2.2, s. 43, pars. (*f*), (*p*) and (*t*))

1. Section 9 of the Regulation respecting the application of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2, r. 1) is amended by adding the following subparagraph at the end of paragraph 1:

“(f) a tax-free first home savings account;”.

2. Section 9.1 of the Regulation is amended by replacing “ and *e*” by “, *e* and *f*” in the first paragraph.

3. Section 9.2 of the Regulation is replaced by the following:

“**9.2.** The rights of each beneficiary of the trust or each person whose property is administered in any deposit made in accordance with paragraph 2 of section 9 are deemed to be deposits of money and to be separate from each other.”.

4. Section 11.1 of the Regulation is amended:

(1) by deleting “under section 40.2.1 of the Act” in the introductory clause;

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

“(3) any deposit of money in a foreign currency must be determined in Canadian dollars in accordance with the exchange rate published on 30 April or, if such rate is not published on that date, immediately before that date by the Bank of Canada or, if there is no such publication by the Bank of Canada, by the authorized deposit institution.”.

5. This Regulation comes into force on 30 April 2023.

106218

M.O., 2023

Order 2023-13 of the Minister of Transport and Sustainable Mobility dated 15 April 2023

Highway Safety Code
(chapter C-24.2, s. 633.2)

Suspension of the requirement to equip with exterior rear-view mirrors certain motor vehicles equipped with a video camera and monitor system

THE MINISTER OF TRANSPORT AND SUSTAINABLE MOBILITY,

CONSIDERING section 633.2 of the Highway Safety Code (chapter C-24.2), which provides that the Minister of Transport may, by order and after consultation with the Société de l'assurance automobile du Québec, suspend the application of a provision of the Code or the regulations for the period specified by the Minister if the Minister considers that it is in the interest of the public and is not likely to compromise highway safety;

CONSIDERING that section 633.2 of the Code also provides that the Minister may prescribe any rule, applicable when using the exemption, that ensures an equivalent level of safety in the Minister's opinion;

CONSIDERING that section 633.2 of the Code provides that the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to an order made under section 633.2;

CONSIDERING that, in accordance with section 9 of the Motor Vehicle Safety Act (S.C. 1993, c. 16), on application by a company as provided for in the regulations, the Minister of Transport of Canada may, by order, grant an exemption for a specified period, in accordance with any conditions specified in the order, for any model of vehicle manufactured or imported by the company from conformity with any prescribed standard if the exemption from that standard would, in the opinion of the Minister, promote the development of new safety features that are equivalent to or superior to those that conform to prescribed standards or new kinds of vehicles, technologies, vehicle systems or components;

CONSIDERING that the Minister of Transport of Canada granted such an exemption to Volvo Group Canada inc. on 4 November 2021 and to Nova Bus inc. on 30 March

2022, and that the exemption allows them to replace the exterior rear-view mirrors on certain vehicle models by a video camera and monitor system;

CONSIDERING that section 262 of the Highway Safety Code provides that every motor vehicle, other than a motorcycle or moped, must be equipped with interior and exterior rear-view mirrors on the conditions prescribed therein;

CONSIDERING that section 59 of the Regulation respecting road vehicles adapted for the transportation of handicapped persons (chapter C-24.2, r. 51) provides that a bus or minibus used for the transportation of handicapped persons must have an interior rear-view mirror and 2 exterior rear-view mirrors;

CONSIDERING that it is advisable to suspend the application of the first, second and third paragraphs of section 262 of the Highway Safety Code and the first paragraph of section 59 of the Regulation respecting road vehicles adapted for the transportation of handicapped persons with regard to the requirement that a motor vehicle, other than a motorcycle or moped, be equipped with exterior rear-view mirrors, provided in particular that the vehicle is equipped with a video camera and monitor system instead of exterior rear-view mirrors and that it is subject to an exemption granted under section 9 of the Motor Vehicle Safety Act to the company that manufactured or imported the vehicle;

CONSIDERING that the Minister of Transport and Sustainable Mobility considers that the suspension of the application of the first, second and third paragraphs of section 262 of the Highway Safety Code and the first paragraph of section 59 of the Regulation respecting road vehicles adapted for the transportation of handicapped persons is in the interest of the public and is not likely to compromise highway safety;

CONSIDERING that the Minister is of the opinion that the prescribed rules, applicable when using the exemption, ensure an equivalent level of safety;

CONSIDERING that the Société de l'assurance automobile du Québec has been consulted;

ORDERS AS FOLLOWS:

1. The application of the first and second paragraphs of section 262 of the Highway Safety Code (chapter C-24.2) and the first paragraph of section 59 of the Regulation respecting road vehicles adapted for the transportation of handicapped persons (chapter C-24.2, r. 51) is suspended with regard to the requirement that a motor vehicle, other

than a motorcycle or moped, be equipped with exterior rear-view mirrors, provided the following conditions are met:

(1) the vehicle is equipped with a video camera and monitor system instead of exterior rear-view mirrors;

(2) the vehicle is subject to an exemption granted under section 9 of the Motor Vehicle Safety Act (S.C. 1993, c. 16) to the company that manufactured or imported the vehicle;

(3) a label bearing the information prescribed by subsection 5 of section 13 of the Motor Vehicle Safety Regulations (C.R.C., c. 1038) is applied to the windshield or one of the side windows of the vehicle.

The application of the third paragraph of section 262 of the Code is suspended with regard to a vehicle referred to in the first paragraph if the vehicle is drawing a trailer or semi-trailer, provided the conditions provided for in the first paragraph are met and the video camera and monitor system enables the driver to have a clear view to the back of the combination of vehicles.

Where a motor vehicle referred to in the first paragraph has undergone a mechanical inspection or a circle check under the Highway Safety Code, the video camera and monitor system must be verified and comply with the following standards:

(1) be adequate, that is, appropriate to its function and constantly kept in good working order;

(2) be solidly attached;

(3) have no sharp edges.

Any departure from the standards provided for in subparagraphs 1 to 3 of the third paragraph constitutes a minor defect.

2. A video camera and monitor system with which a vehicle is equipped in accordance with section 1 is considered to be exterior rear-view mirrors in the following cases:

(1) for the purpose of calculating the width dimension of the vehicle for the purposes of the Vehicle Load and Size Limits Regulation (chapter C-24.2, r. 31), the Regulation respecting special permits (chapter C-24.2, r. 35) and the Regulation respecting the visibility and traffic of farm machines wider than 2.6 metres (chapter C-24.2, r. 52.1);

(2) for the purposes of the check to be made before each occasion on which the vehicle is operated for the purposes of the Regulation respecting road vehicles adapted for the transportation of handicapped persons (chapter C-24.2, r. 51).

3. This Order comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* and ceases to have effect on 1 June 2025.

Québec, 15 April 2023

GENEVIÈVE GUILBAULT
Minister of Transport and Sustainable Mobility

106225

M.O., 2023

Order of the Minister of Agriculture, Fisheries and Food dated 12 April 2023

Animal Health Protection Act
(chapter P-42)

Regulation respecting the temporary sanitary conditions of bird stock-raising places to prevent the propagation of the highly pathogenic avian influenza virus

THE MINISTER OF AGRICULTURE, FISHERIES AND FOOD,

CONSIDERING paragraph 3 of section 3 of the Animal Health Protection Act (chapter P-42), which provides that the Minister of Agriculture, Fisheries and Food may make regulations in particular to regulate the sanitary conditions of stables and other stock-raising places;

CONSIDERING section 12 of the Regulations Act (chapter R-18.1), which provides that a proposed regulation may be made without having been published in the *Gazette officielle du Québec* pursuant to section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

CONSIDERING section 13 of that Act, which provides that the reason justifying the absence of prior publication must be published with the regulation;

CONSIDERING the first paragraph of section 18 of that Act, which provides that a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* if the authority that made it is of the opinion that the urgency of the situation requires it;

CONSIDERING the second paragraph of section 18 of that Act, which provides that the reason justifying such coming into force must be published with the regulation;

CONSIDERING the urgency owing to the following circumstances justifies the absence of prior publication and such coming into force of the Regulation respecting the temporary sanitary conditions of bird stock-raising places to prevent the propagation of the highly pathogenic avian influenza virus:

— the highly pathogenic avian influenza virus causes a severe infection in domestically-raised birds that can rapidly cause the majority of them to die;

— the propagation of the virus in domesticated bird stock-raising places and the mass mortality can cause considerable economic impacts and also have repercussions on international trade;

— on rare occasions, when in close contact with birds, the virus can be transmitted to humans and cause an illness ranging from benign to deadly;

— Québec and the rest of Canada faced an unprecedented situation in 2022 with regard to H5N1 highly pathogenic avian influenza in wildlife and stock-raising places;

— it is expected that the epidemiological situation in Canada in 2023 will be similar to that of 2022;

— the movement of live birds and the gathering of birds from different sources are significant risk factors for the propagation of avian influenza;

— certain bird species may be infected without showing any signs of illness and contaminate other stock-raising places;

— cases of highly pathogenic avian influenza in Québec in 2022 were associated with the movement of birds;

— new cases of highly pathogenic avian influenza have already occurred in winter 2023 in Québec in bird stock-raising places, that is, outside of the usual migratory periods of spring and fall;

— additional sanitation measures are essential and must be put in place in stock-raising places rapidly due to the first cases that appeared in stock-raising places earlier this year and because of the start of the migratory period.

CONSIDERING that it is expedient to make the Regulation without having been published as a draft publication and to have it come into force on the date of its publication;

ORDERS AS FOLLOWS:

The Regulation respecting the temporary sanitary conditions of bird stock-raising places to prevent the propagation of the highly pathogenic avian influenza virus is hereby made.

Québec, 12 April 2023

ANDRÉ LAMONTAGNE
Minister of Agriculture, Fisheries and Food

Regulation respecting the temporary sanitary conditions of bird stock-raising places to prevent the propagation of the highly pathogenic avian influenza virus

Animal Health Protection Act
(chapter P-42)

1. This Regulation sets out the temporary sanitary conditions of bird stock-raising places, as the term “bird” is defined in section 2 of the Regulation respecting the sanitary conditions applicable to places where birds are kept in captivity (chapter P-42, r. 4), to reduce the risk of propagation of the highly pathogenic avian influenza virus between such stock-raising places.

Small poultry-raising places for the purpose of personal consumption are in particular subject to this Regulation.

2. It is prohibited to assemble in a stock-raising place, for the purposes of selling or exchanging or for the purposes of a competition, exhibition or fair, birds from different stock-raising places.

It is also prohibited to bring or to have someone bring birds to a place where birds are assembled for any of the purposes set out in the first paragraph.

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

The Regulation ceases to have effect on 30 November 2023.

106220

Draft Regulations

Notice

Act respecting collective agreement decrees
(chapter D-2)

Security guards —Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (chapter D-2), that the Minister has received an application by the contracting parties to amend the Decree respecting security guards (chapter D-2, r. 1) and that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Decree to amend the Decree respecting security guards, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree mainly revises the wage premiums offered to security guards and increases wage rates and certain hourly premiums provided for in the Decree.

The regulatory impact analysis shows that the amendments proposed in the draft Decree may have a moderate impact on the enterprises subject to the Decree.

Further information on the draft Decree may be obtained by contacting Catherine Doucet, Direction des politiques du travail, Ministère du Travail, 425, rue Jacques-Parizeau, 5^e étage, Québec (Québec) G1R 4Z1; telephone: 581 628-8934, extension 80082, or 1 888-628-8934, extension 80082 (toll free); email: catherine.doucet@mtess.gouv.qc.ca.

Any person wishing to comment on the draft Decree is requested to submit written comments within the 45-day period to the Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1; email: ministre@travail.gouv.qc.ca.

JEAN BOULET
Minister of Labour

Decree to amend the Decree respecting security guards

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

1. The Decree respecting security guards (chapter D-2, r. 1) is amended in the first paragraph of section 1.01

(1) by replacing subparagraph 6 by the following:

“(6) “P-3 premium”: benefit paid to a guard who works in an institution within the meaning of section 94 of the Act respecting health services and social services (chapter S-4.2) and who, during the 2 preceding years, underwent crisis management training given by an instructor recognized by the Crisis Prevention Institute Inc., of a minimum duration of 16 hours, further to which a training certificate was issued by the instructor. The P-3 premium is also paid to a guard working in another sector if such training is required by a customer;”;

(2) by replacing subparagraph 7 by the following:

“(7) “P-4 premium”: benefit paid to a guard who, during the 3 preceding years, underwent first-aid, CPR and defibrillator training given by a training agency recognized by the Commission des normes, de l'équité, de la santé et de la sécurité du travail, of a minimum duration of 16 hours, further to which a training certificate was issued by the instructor;”;

(3) by inserting the following after subparagraph 10:

“(10.1) “P-8 premium”: benefit paid to a guard who works in the judicial or extra-judicial sector (judicial or quasi-judicial courts and premises where they are located including courthouses) or performing a duty related to those sectors (monitoring of inmates, witnesses and juries) and who, during the 2 preceding years, underwent use-of-force training given by an instructor recognized by the École nationale de police du Québec or the Association provinciale des agences de sécurité (A.P.A.S.), of a minimum duration of 20 hours, further to which a training certificate was issued by the instructor. The P-8 premium is also paid to a guard working in another sector if such training is required by a customer;”;

(4) by inserting the following paragraphs after paragraph 10.4:

“(10.5) “P-11 premium”: benefit paid to a guard for the hours worked between 10:00 p.m. and 6:00 a.m.;

(10.6) “P-12 premium”: benefit paid to a guard who, during the 2 preceding years, underwent customer service training given by the Association provinciale des agences de sécurité (A.P.A.S.) or a training school recognized by the Bureau de la sécurité privée, of a minimum duration of 4 hours, further to which a training certificate was issued by the instructor;

(11) “P-13 premium”: benefit paid to a guard who works when a public health emergency has been declared by the Gouvernement du Québec throughout the territory of Québec under the Public Health Act (chapter S-2.2);”

2. Section 3.04 is amended by inserting “, excluding P-4 and P-12 premiums which are included in the calculation of overtime” at the end of the first paragraph.

3. Section 4.07 is amended

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

“**4.07.** The hourly rates and premiums to which employees are entitled are at least those set in the following table:

	As of (insert the date of coming into force of the Decree)	As of 30 June 2024	As of 29 June 2025	As of 28 June 2026	As of 4 July 2027
Class A employee	\$19.34	\$19.69	\$20.09	\$20.60	\$21.10
Class B employee	\$19.59	\$19.94	\$20.34	\$20.85	\$21.35
Premiums					
P-1 premium*	\$0.35	\$0.35	\$0.35	\$0.35	\$0.35
P-2 premium*	\$0.55	\$0.55	\$0.55	\$0.55	\$0.55
P-3 premium*	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00
P-4 premium*	\$0.60	\$0.60	\$0.60	\$0.60	\$0.60
P-5 premium*	<i>Revoked</i>	<i>Revoked</i>	<i>Revoked</i>	<i>Revoked</i>	<i>Revoked</i>
P-6 premium*	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50
P-7 premium*	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00
P-8 premium *	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00
P-9 premium*	\$0.15	\$0.15	\$0.15	\$0.15	\$0.15
P-10 premium*	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00
P-11 premium*	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00
P-12 premium*	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50
P-13 premium*	\$0.50	\$1.00	\$2.00	\$2.00	\$2.00

* More than one premium may be applicable at the same time.

”;

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

“The employee, who receives a wage rate that is higher than the wage rate provided for in the Decree, is entitled to the salary increase provided for in the Decree. That employee is also entitled, where applicable, to premiums.”.

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

106221

Notices

Notice

An Act respecting transport infrastructure partnerships
(chapter P-9.001)

P-15020 Bridge of Highway 25 that spans the Rivière des Prairies — Fee Schedule

In compliance with Article 5 of the Regulations for toll roads operated under a public-private partnership agreement, Concession A25 S.E.C. publishes its Fee Schedule. The following tables constitute the Fee Schedule that will be effective on the P-15020 Bridge of Highway 25 that spans the Rivière des Prairies on June 1st, 2023.

TOLL CHARGES																
PERIODS	WORKING DAYS								WEEK-ENDS & HOLIDAYS							
	PHAM		OPHD		PHPM		OPHN		PHAM		OPHD		PHPM		OPHN	
HOURS	From	To	From	To	From	To	From	To	From	To	From	To	From	To	From	To
SOUTHBOUND	6:01 AM	9:00 AM	9:01 AM	3:00 PM	3:01 PM	6:00 PM	6:01 PM	6:00 AM			12:00 AM	12:00 PM			12:00 PM	12:00 AM
NORTHBOUND	6:01 AM	9:00 AM	9:01 AM	3:00 PM	3:01 PM	6:00 PM	6:01 PM	6:00 AM			12:00 AM	12:00 PM			12:00 PM	12:00 AM
Category A, rate per axle	\$ 80.00		\$ 80.00		\$ 80.00		\$ 80.00				\$ 80.00				\$ 80.00	
Category B, rate per axle	\$ 1.95		\$ 1.56		\$ 1.95		\$ 1.56				\$ 1.56				\$ 1.56	
Category C, rate per axle	\$ 3.90		\$ 3.12		\$ 3.90		\$ 3.12				\$ 3.12				\$ 3.12	

PHAM: Peak Hour - Morning

OPHD: Off Peak Hour - Daytime

PHPM: Peak Hour - Evening

OPHN: Off Peak Hour - Night

TYPE OF VEHICLE	DESCRIPTION
Category A	Any oversized vehicle according to Article 462 of the Highway Safety Code
Category B	Any road vehicle not covered by Category A with a height less than 230 cm
Category C	Any road vehicle not covered by Category A with a height equal to or greater than 230 cm

ADMINISTRATIVE FEES				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
MONTHLY ADMINISTRATIVE FEES FOR EACH VEHICLE REGISTERED TO A USER ACCOUNT IN GOOD STANDING AND EQUIPPED WITH A WORKING TRANSPONDER *				
●	Administrative fees for a customer account using the automatic replenishment method	\$ 1.30	\$ 1.30	\$ 1.30
●	Administrative fees for a customer account using the manual replenishment method	\$ 3.25	\$ 3.25	\$ 3.25
FEES FOR EVERY TRANSIT OF A VEHICLE REGISTERED TO A USER ACCOUNT IN GOOD STANDING BUT NOT EQUIPPED WITH A TRANSPONDER *				
●	Collection fees for every transit on the A25 Bridge in addition to all toll charges incurred for the vehicle transit	\$ 3.90	\$ 3.90	\$ 3.90
ADMINISTRATIVE FEES FOR ANY TRANSIT OF A VEHICLE UNREGISTERED TO A CUSTOMER ACCOUNT				
●	Administrative fees for the collection of toll charges (first payment request) for every transit on the A25 Bridge, in addition to all toll charges incurred for the vehicle transit.	\$ 6.50	\$ 6.50	\$ 6.50
●	Administrative fees related to the collection of toll charges (second toll notice) for every transit on the A25 Bridge in addition to all toll charges and administrative fees incurred for the transit of a vehicle, pursuant to article 17 of the Act respecting transport infrastructure partnerships.	\$ 35.00	\$ 35.00	\$ 35.00

* Fees that apply to any transit of a vehicle registered to a customer account that is not in good standing are the same fees that apply to any transit of a vehicle that is not registered to a customer account.

INTEREST RATE				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
	Interest rate applied to all amounts that remain unpaid 30 days following the date they become due and payable	Annual interest rate of 8% **		

** This monthly interest rate cannot exceed the per diem rate for Canadian bankers' acceptance of a month quoted on CDOR page of Reuter's Monitor Service by 10 AM on the date on which the amount becomes payable bearing interest for the first time, which is increased by 4%.

PIERRE BRIEN
Private Partner Representative of Concession A25 S.E.C.

106226