



---

## Part 2

# LAWS AND REGULATIONS

---

17 May 2023 / Volume 155

### **Summary**

Table of Contents  
Regulations and other Acts  
Draft Regulations  
Treasury Board

Legal deposit – 1st Quarter 1968  
Bibliothèque nationale du Québec  
© Éditeur officiel du Québec, 2023

All rights reserved in all countries. No part of this publication may be translated, used or reproduced for commercial purposes by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

# NOTICE TO USERS

---

The *Gazette officielle du Québec* is the means by which the Québec Government makes its decisions official. It is published in two separate editions under the authority of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001) and the Regulation respecting the *Gazette officielle du Québec* (chapter M-15.001, r. 0.1).

Partie 1, entitled "Avis juridiques", is published at least every Saturday. If a Saturday is a legal holiday, the Official Publisher is authorized to publish it on the preceding day or on the following Monday.

Partie 2, entitled "Lois et règlements", and the English edition, Part 2 "Laws and Regulations", are published at least every Wednesday. If a Wednesday is a legal holiday, the Official Publisher is authorized to publish them on the preceding day or on the Thursday following such holiday.

## Part 2 – LAWS AND REGULATIONS

### Internet

The *Gazette officielle du Québec* Part 2 is available to all free of charge and is published at 0:01 a.m. each Wednesday at the following address:

[www.publicationsduquebec.gouv.qc.ca](http://www.publicationsduquebec.gouv.qc.ca)

### Contents

Regulation respecting the *Gazette officielle du Québec*, section 4

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;
- (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
- (6) any other document published in the French Edition of Part 2, where the Government orders that the document also be published in English.

### Rates\*

1. Annual subscription to the printed version

Partie 1 «Avis juridiques»:	\$572
Partie 2 «Lois et règlements»:	\$784
Part 2 «Laws and Regulations»:	\$784

2. Acquisition of a printed issue of the *Gazette officielle du Québec*: \$12.24 per copy.

3. Publication of a document in Partie 1:  
\$1.97 per agate line.

4. Publication of a document in Part 2:  
\$1.31 per agate line.

A minimum rate of \$286 is applied, however, in the case of a publication of fewer than 220 agate lines.

\* **Taxes not included.**

### General conditions

The electronic files of the document to be published — a Word version and a PDF with the signature of a person in authority — must be sent by email ([gazette.officielle@servicesquebec.gouv.qc.ca](mailto:gazette.officielle@servicesquebec.gouv.qc.ca)) and received **no later than 11:00 a.m. on the Monday** preceding the week of publication. Documents received after the deadline are published in the following edition.

The editorial calendar listing publication deadlines is available on the website of the Publications du Québec.

In the email, please clearly identify the contact information of the person to whom the invoice must be sent (name, address, telephone and email).

For information, please contact us:

#### **Gazette officielle du Québec**

Email: [gazette.officielle@servicesquebec.gouv.qc.ca](mailto:gazette.officielle@servicesquebec.gouv.qc.ca)  
425, rue Jacques-Parizeau, 5<sup>e</sup> étage  
Québec (Québec) G1R 4Z1

### Subscriptions

For a subscription to the printed version of the *Gazette officielle du Québec*, please contact:

#### **Les Publications du Québec**

Customer service – Subscriptions  
425, rue Jacques-Parizeau, 5<sup>e</sup> étage  
Québec (Québec) G1R 4Z1  
Telephone: 418 643-5150  
Toll free: 1 800 463-2100  
Fax: 418 643-6177  
Toll free: 1 800 561-3479

**All claims must be reported to us within 20 days of the shipping date.**

## Table of Contents

Page

---

### Regulations and other Acts

---

744-2023	Exemption of certain public bodies from the obligation to establish a committee on access to information and the protection of personal information . . . . .	813
769-2023	Keeping and publication of the register of civil status (Amend.) . . . . .	814
781-2023	Distractions while driving . . . . .	815
813-2023	Language of the civil administration . . . . .	816
	Derogations to the duty of exemplarity of the civil administration and the documents drawn up or used in research . . . . .	821
	Extension of the measures for ensuring the proper administration of justice following the fire at the Roberval courthouse. . . . .	823
	Hunting (Amend.) . . . . .	824
	Prohibition on charging certain fees from holders of individual variable insurance contracts relating to segregated funds. . . . .	827

---

### Draft Regulations

---

	Application of section 88.0.17 of the Charter of the French language by the Minister of Higher Education, Research, Science and Technology . . . . .	829
--	--	-----

---

### Treasury Board

---

228302	Classification of public servants . . . . .	831
--------	---	-----



## Regulations and other Acts

Gouvernement du Québec

### O.C. 744-2023, 3 May 2023

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

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

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

WHEREAS, under the first paragraph of section 8.1 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), within a public body, a committee on access to information and the protection of personal information is responsible for supporting the body in the exercise of its responsibilities and the performance of its obligations under the Act, and the committee must also exercise the functions entrusted to it by the Act;

WHEREAS, under subparagraph 4 of the first paragraph of section 155 of that Act, the Government may make regulations exempting a public body from the obligation to establish the committee provided for in section 8.1 of the Act or modify a body's obligations under that section according to criteria it defines;

WHEREAS, under section 156 of that Act, the Minister Responsible for Access to Information and the Protection of Personal Information received a first opinion from the Commission d'accès à l'information on 19 July 2022 and a second one on 13 March 2023;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to exempt certain public bodies from the obligation to establish a committee on access to information and the protection of personal information was published in Part 2 of the *Gazette officielle du Québec* of 21 December 2022 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Access to Information and the Protection of Personal Information:

THAT the Regulation to exempt certain public bodies from the obligation to establish a committee on access to information and the protection of personal information, attached to this Order in Council, be made.

YVES OUELLET  
*Clerk of the Conseil exécutif*

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

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

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

**2.** All public bodies that employed 50 employees or fewer during the preceding calendar year are exempt from the obligation to establish the committee on access to information and the protection of personal information provided for in section 8.1 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

The number of employees in a public body is its average number of employees, determined on the basis of the number of employees on the employer's payroll for each pay period in a calendar year.

**3.** For the purposes of the application of section 2, an employee is any natural person who undertakes to do work for remuneration under the direction or control of an employer, except

(1) a student who works during the school year in an establishment chosen by an educational institution under a program recognized by the Ministère de l'Éducation,

du Loisir et du Sport or the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie which combines practical experience with academic training or a student who works in a field related to the student's field of study in the educational institution the student is attending;

(2) a student employed for his or her vacation period or employed part-time during the school year;

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

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

(5) a firefighter.

**4.** In the case of a public body referred to in sections 1 and 2, the duties entrusted to the committee on access to information and the protection of personal information by the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) are performed by the person in charge of the protection of personal information or, in the case of a municipality, a professional order or a school service centre, by the director general.

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

106253

Gouvernement du Québec

## O.C. 769-2023, 3 May 2023

Civil Code of Québec  
(Civil Code)

### Keeping and publication of the register of civil status — Amendment

Regulation to amend the Regulation respecting the keeping and publication of the register of civil status

WHEREAS, under the second paragraph of article 146 of the Civil Code, as made by section 41 of the Act respecting family law reform with regard to filiation and amending the Civil Code in relation to personality rights and civil status

(2022, chapter 22), the registrar of civil status may issue certificates of birth, marriage, civil union or death bearing only the particulars determined by government regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the keeping and publication of the register of civil status was published in Part 2 of the *Gazette officielle du Québec* of 25 January 2023 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the keeping and publication of the register of civil status, attached to this Order in Council, be made.

YVES OUELLET  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the keeping and publication of the register of civil status

Civil Code of Québec  
(Civil Code, art. 146; 2022, chapter 22, s. 41)

**1.** The Regulation respecting the keeping and publication of the register of civil status (chapter CCQ, r. 11) is amended by inserting the following after section 5:

### “DIVISION II.1 CERTIFICATES OF BIRTH, MARRIAGE, CIVIL UNION OR DEATH

**5.1.** The certificate of birth of a person shall state

(1) the name of the person;

(2) the designation of sex;

(3) the place, date and time of birth of the person;

(4) the names of the person's father and mother or parents, as well as their parental designation;

(5) an indication that the person has died, where applicable; and

(6) the registration number of the act of birth.

**5.2.** The certificate of marriage or civil union of the spouses shall state

- (1) the name of the spouses;
- (2) the places and dates of birth of the spouses;
- (3) the place and date of the spouses' marriage or civil union;
- (4) the cause of the dissolution of the marriage or civil union, where applicable; and
- (5) the registration number of the act of marriage or civil union.

**5.3.** The certificate of death of the deceased shall state

- (1) the name of the deceased;
- (2) the designation of sex;
- (3) the place, date and time of death of the deceased;
- (4) the place and date of birth of the deceased; and
- (5) the registration number of the act of death.”.

**2.** This Regulation comes into force on 8 June 2023.

106254

Gouvernement du Québec

## O.C. 781-2023, 3 May 2023

Highway Safety Code  
(chapter C-24.2)

### Distractions while driving

Regulation respecting distractions while driving

WHEREAS, under the third paragraph of section 443.1 and subparagraph 51 of the first paragraph of section 621 of the Highway Safety Code (chapter C-24.2), the Government may by regulation determine the manner in which section 443.1 is to be applied, in particular by defining the meaning of certain expressions and prescribing other exceptions to the prohibitions under that section as well as other standards applicable to display screens;

WHEREAS, under the third paragraph of section 443.2 of the Code, the Government may, by regulation, prescribe exceptions to the prohibition under the first paragraph of that section;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting distractions while driving was published in Part 2 of the *Gazette officielle du Québec* of 16 February 2022 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the regulation with amendments;

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

THAT the Regulation respecting distractions while driving, attached to this Order in Council, be made.

YVES OUELLET  
*Clerk of the Conseil exécutif*

## Regulation respecting distractions while driving

Highway Safety Code  
(chapter C-24.2, s. 443.1, 3rd par., s. 443.2, 3rd par., and s. 621, 1st par., subpar. 51)

### DIVISION I APPLICATION OF SECTION 443.1 OF THE HIGHWAY SAFETY CODE

**1.** For the purposes of the first paragraph of section 443.1 of the Highway Safety Code (chapter C-24.2), “hands-free device” means

(1) a device that can be used to operate a cellular telephone or any other portable device, through a vocal command or a simple manual command that the driver can activate without being distracted from driving the road vehicle; or

(2) the speaker function of a cellular telephone, where that function does not require the driver of the road vehicle to handle the telephone or use a display screen.

A part of a road vehicle on which information is projected using a technology to that effect is considered to be a display screen.

**2.** For the purposes of subparagraph a of subparagraph 2 of the first paragraph of section 443.1 of the Highway Safety Code (chapter C-24.2),

(1) information on the vehicle's conditions, use and immediate environment, real-time information on road or weather conditions, and routing and guidance information is considered to be information as is relevant to driving a road vehicle;

(2) heating and air-conditioning systems and audio systems are considered to be usual equipment of a road vehicle.

**3.** For the purposes of subparagraph d of subparagraph 2 of the first paragraph of section 443.1 of the Highway Safety Code (chapter C-24.2), a display screen is considered to be positioned and designed in such a way that the driver of a road vehicle can operate and consult it easily if it is positioned so as to display information in the driver's line of sight in the normal driving position and displays short, simple messages.

**DIVISION II**  
OTHER EXCEPTIONS TO THE PROHIBITIONS  
UNDER SECTIONS 443.1 AND 443.2  
OF THE HIGHWAY SAFETY CODE

**4.** The driver of a road vehicle may use a cellular telephone or any other portable device if

(1) the device is used by a peace officer or the driver of an emergency vehicle in the performance of their duties;

(2) the device is used to make a call to 911 emergency services;

(3) the device is a cordless voice communication device, also known as a two-way radio, which does not allow the callers to speak simultaneously; or

(4) the device is used for contactless payment or to show proof of payment, proof relating to in-vehicle pickup, proof confirming a right of access, or any other proof of the same nature, when the vehicle is stationary without being parked.

**5.** The driver of a road vehicle may consult the following information displayed on a display screen, including that of a portable device, or use a screen command, provided the screen meets the conditions set out in subparagraphs b to d of subparagraph 2 of the first paragraph of section 443.1 of the Highway Safety Code (chapter C-24.2):

(1) information that is used by a peace officer or the driver of an emergency vehicle in the performance of their duties;

(2) information that is used to manage messages as part of an enterprise's activities, to collect fees payable by a passenger, to control a passenger's access to the vehicle, or to ensure a passenger's safety;

(3) information that, in a public utility or telecommunications enterprise vehicle, is useful to their business.

**6.** A peace officer who is riding a bicycle in the performance of their duties may wear only one earphone.

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

106255

Gouvernement du Québec

**O.C. 813-2023, 10 May 2023**

Charter of the French language  
(chapter C-11)

**Language of the civil administration**

Regulation respecting the language of the civil administration

WHEREAS, under the first paragraph of section 16 of the Charter of the French Language (chapter C-11), as amended by section 1 of the Act to amend the Charter of the French Language (2002, chapter 28), the civil administration is to use only the official language in its written communications with other governments and with legal persons established in Québec;

WHEREAS, under the second paragraph of section 16 of the Charter of the French Language, as enacted by section 1 of the Act to amend the Charter of the French Language, the Government may, however, determine by regulation the cases, conditions or circumstances in which another language may be used in addition to the official language;

WHEREAS, under subparagraph 2 of the first paragraph of section 21.4 of the Charter of the French Language, as enacted by section 14 of the Act respecting French, the official and common language of Québec (2022, chapter 14), a version in a language other than French may be attached to the contracts and other related written documents referred to respectively in sections 21 and 21.3 of the Charter in any other situation determined by government regulation;



WHEREAS, under subparagraph 1 of the second paragraph of section 21.5 of the Charter of the French Language, as enacted by section 14 of the Act respecting French, the official and common language of Québec, the contracts mentioned therein may be drawn up only in a language other than French in the cases and on the conditions determined by government regulation;

WHEREAS, under the first and second paragraphs of section 21.9 of the Charter of the French Language, as enacted by section 14 of the Act respecting French, the official and common language of Québec, written documents sent to an agency of the civil administration by a legal person or by an enterprise to obtain a permit or another authorization of the same nature, or a subsidy or other form of financial assistance that is not a contract referred to in section 21 of the Charter must be drawn up exclusively in French and the same applies to the written documents that a legal person or an enterprise receiving such a form of assistance or holding such an authorization is required to send to such an agency because of that assistance or authorization;

WHEREAS, under the fourth paragraph of section 21.9 of the Charter of the French Language, as enacted by section 14 of the Act respecting French, the official and common language of Québec, the Government may determine, by regulation, the situations in which a written document sent to the civil administration may be drawn up in a language other than French;

WHEREAS, under the third paragraph of section 22 of the Charter of the French Language, the Government may determine by regulation the cases, conditions or circumstances in which the civil administration may use French and another language in signs and posters;

WHEREAS, under section 93 of the Charter of the French Language, in addition to its other regulation-making powers under the Charter, the Government may make regulations to facilitate the administration of the Charter, including regulations defining the terms and expressions used in the Act or defining their scope;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the language of the civil administration was published in Part 2 of the *Gazette officielle du Québec* of 1 March 2023 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of the French Language:

THAT the Regulation respecting the language of the civil administration, attached to this Order in Council, be made.

YVES OUELLET  
*Clerk of the Conseil exécutif*

## Regulation respecting the language of the civil administration

Charter of the French language (chapter C-11, s. 16, 2nd par., s. 21.4, 1st par., subpar. 2, s. 21.5, 2nd par., subpar. 1, s. 21.9, 4th par., s. 22, 3rd par., and s. 93; 2002, chapter 28, s. 1; 2022, chapter 14, s. 14)

### DIVISION I WRITTEN COMMUNICATIONS WITH OTHER GOVERNMENTS AND WITH LEGAL PERSONS ESTABLISHED IN QUÉBEC

**1.** In a written communication with another government that does not have French as an official language, an agency of the civil administration may attach to the French version of the communication a version drawn up in another language.

A school body recognized under section 29.1 of the Charter of the French Language (chapter C-11) may do so when communicating with another government having in particular English as the official language.

**2.** In a written communication with a legal person established in Québec, an agency of the civil administration may use another language in addition to the official language where the communication is

(1) addressed only to the head office or an establishment of the legal person, where the head office or establishment is outside Québec;

(2) addressed to a legal person exempted from the application of the Charter of the French language (chapter C-11) under section 95 of the Charter;

(3) addressed to an establishment of a legal person constituted and administered exclusively for the purpose of offering services in a reserve, in an establishment or on the lands referred to in section 97 of the Charter of the French language or to a person referred to in that section;

(4) necessary for implementing measures for cooperation between a competent authority in Québec and that of another State, including the drafting of documents necessary for the application, in Québec, of standards to be harmonized with those of such other State;

(5) sent by an agency of the civil administration assisting the Minister responsible for ensuring that the concerns of the English-speaking community of Québec are taken into consideration in the performance of that responsibility and the other language is English;

(6) sent by an agency of the civil administration acting as the legal representative of a natural person with whom it has the option to communicate in another language;

(7) sent by a school body recognized under section 29.1 of the Charter of the French Language to a legal person that provides educational services in English; or

(8) necessary to ensure that a communication written only in the official language does not compromise the carrying out of the mission of the agency of the civil administration and the agency has taken all reasonable means to communicate only in the official language.

The first paragraph applies to a written communication of an agency of the civil administration with the operator of an enterprise as if the operator were a legal person and with the necessary modifications.

**3.** In a written communication with a natural person operating a sole proprietorship, an agency of the civil administration may use another language in addition to the official language if it has the option to communicate with the person in another language when the person is not acting as part of the operation of the enterprise.

## DIVISION II CIVIL ADMINISTRATION CONTRACTS AND CONTRACT-RELATED WRITTEN DOCUMENTS

**4.** A version in a language other than French may be attached to contracts and other contract-related written documents referred to respectively in sections 21 and 21.3 of the Charter of the French language (chapter C-11) in each of the following situations:

(1) where it is expedient to create the interest of legal persons or enterprises that do not have an establishment in Québec as part of a process for the award of a public contract;

(2) where a bidder or contractor must, with respect to a contract, send written documents that

(a) do not exist in French;

(b) are produced by a third person; and

(c) are related to the field of insurance or are of a financial, technical, industrial or scientific nature;

(3) where an agency of the civil administration enters into a contract or an agreement as part of a research project and at least one contractor or participating establishment is situated outside Québec;

(4) where the written document sent to an agency of the civil administration under a contract is intended to be used outside Québec;

(5) where the information and documents related to the marketing of electric power transmission services and the operation and reliability of the electric power transmission network must be recorded or filed on a platform used to comply with the standards of bodies established outside Québec so that an agency of the civil administration uses the platform to inform and enter into contracts;

(6) where an agency of the civil administration enters into a contract in Québec with a legal person established in Québec and the exchanges necessary for entering into the contract take place with the head office or an establishment of the legal person, where the head office or the establishment is outside Québec;

(7) where an agency of the civil administration adheres to a contract submitted by the head office or the parent company of a legal person established in Québec or by the entity controlling a legal person established in Québec, where the head office, company or entity is outside Québec;

(8) where an agency of the civil administration enters into a contract with both a supplier or a service provider and another government that does not have French as an official language;

(9) where a school body recognized under section 29.1 of the Charter of the French language enters into a contract with a legal person or an enterprise in the English educational network and the object of the contract is services on student school success, the development of educational resources, the offer of training for school personnel or tutoring to students;

(10) where school bodies recognized under section 29.1 of the Charter of the French language enter into a contract with each other;

(11) where a school body recognized under section 29.1 of the Charter of the French language enters into a contract with a legal person that provides educational services in English;

(12) where the contract is entered into by an agency of the civil administration assisting the Minister responsible for ensuring that the concerns of the English-speaking

community of Québec are taken into consideration and the object of the contract is the performance of that responsibility;

(13) where an agency of the civil administration enters into a contract with a legal person or an enterprise constituted and administered exclusively for the purpose of offering services in a reserve, in an establishment or on the lands referred to in section 97 of the Charter of the French language or to a person referred to in that section;

(14) where it is impossible for an agency of the civil administration to obtain in due time and at a reasonable cost the product or service sought or another equivalent product or service;

(15) where an agency of the civil administration enters into a contract in the field of information technologies with respect to licences that do not exist in French;

(16) where an agency of the civil administration acts as the legal representative of a natural person with whom it has the option to use another language;

(17) where an agency of the civil administration enters into a lease of a dwelling with a natural person with whom it has the option to use another language;

(18) where an agency of the civil administration enters into a contract of instantaneous performance with a natural person and for which

- (a) no file opening or registration process is necessary;
- (b) the contract is signed in the presence of the parties;
- (c) the natural person has asked that the body use another language.

**5.** A contract may be drawn up only in a language other than French in the following cases and on the following conditions:

(1) where it is entered into with a person or enterprise that carries on the activities of a clearing house and whose object is financial market transactions;

(2) where it is entered into on a platform that makes it possible to trade in a derivative, a security or other movable property, provided, in the latter case, that the contract is not a consumer contract, and whose object is the management of financial risks or transactions related to the field of electricity.

### **DIVISION III**

#### **WRITTEN DOCUMENTS SENT TO OBTAIN A PERMIT OR ANOTHER AUTHORIZATION OF THE SAME NATURE, OR A SUBSIDY OR OTHER FORM OF FINANCIAL ASSISTANCE**

**6.** A written document sent to an agency of the civil administration by a legal person or by an enterprise to obtain a permit or another authorization of the same nature, or a subsidy or other form of financial assistance that is not a contract referred to in section 21 of the Charter of the French language (chapter C-11) may be drawn up in a language other than French in the following situations:

(1) where the written document is sent as part of a consultation regime established by regulation or a mutual recognition agreement on decisions;

(2) where the written document is sent to both an agency of the civil administration and a third person outside Québec;

(3) where the written document originates from the head office or establishment of a legal person or an enterprise established in Québec, where the head office or establishment is outside Québec;

(4) where the written document is sent by a natural person operating a sole proprietorship and the agency of the civil administration has the option of using another language in addition to the official language in its communications with that person where the person does not act as part of the operation of the enterprise;

(5) where the agency of the civil administration has the option of using another language in addition to the official language in its communications with the legal person or enterprise;

(6) where the written document is sent to an agency of the civil administration assisting the Minister responsible for ensuring that the concerns of the English-speaking community of Québec are taken into consideration in the performance of that responsibility;

(7) where the legal person or enterprise that sends the written document is constituted and administered exclusively for the purpose of offering services in a reserve, in an establishment or on the lands referred to in section 97 of the Charter of the French language or to a person referred to in that section;

(8) where the written document is sent by an agency of the civil administration acting as the legal representative of a natural person with whom it has the option to use another language;

(9) where the object of the written document sent is to obtain an authorization or financial assistance for research;

(10) where the sending of the written document in French only compromises the carrying out of the mission of the agency of the civil administration and the agency has taken all reasonable means to have the written document sent to it only in the official language.

The first paragraph applies to the written documents that a legal person or an enterprise receiving such a form of assistance or holding such an authorization is required to send to an agency of the civil administration because of that assistance or authorization.

#### **DIVISION IV** SIGNS AND POSTERS OF THE CIVIL ADMINISTRATION

**7.** Along any public highway within the meaning of section 4 of the Highway Safety Code (chapter C-24.2), that is used by visitors to enter or leave Québec, the signs and posters of the civil administration that are intended for visitors may be both in French and in another language up to a distance of 15 km from the point of entry into Québec, provided that French is markedly predominant within the meaning of the regulation defining the scope of that expression for the purposes of the Charter of the French language (chapter C-11).

**8.** The signs and posters of the civil administration concerning activities similar to those of business firms may be both in French and in another language, provided that French is markedly predominant within the meaning of the regulation defining the scope of that expression for the purposes of the Charter of the French language (chapter C-11), unless

(1) the signs and posters are billboards or signs of any other type having an area of 16 m<sup>2</sup> or more and visible from any public highway within the meaning of section 4 of the Highway Safety Code (chapter C-24.2); or

(2) the signs and posters are displayed in or on any public means of transportation, in the accesses thereto or in bus shelters.

**9.** The signs and posters of a museum, a botanical garden, a zoo, a cultural or scientific exhibition, a place used to greet or inform tourists or any other tourist attraction may, on the premises thereof, be both in French and in another language, provided that French is markedly predominant within the meaning of the Regulation defining the scope of the expression “markedly predominant” for the purposes of the Charter of the French language (chapter C-11, r. 11).

#### **DIVISION V** PROVISIONS FOR FACILITATING THE ADMINISTRATION OF THE CHARTER OF THE FRENCH LANGUAGE

**10.** The following notices and other documents for which a provision of the Charter of the French language (chapter C-11) requires the publication without prescribing the method, may be published on the website of the agency of the civil administration in charge:

(1) the notices sent by the Office québécois de la langue française in accordance with sections 29.2 and 29.3 of the Charter of the French language;

(2) the list of bodies and institutions recognized under section 29.1 of the Charter of the French language in accordance with section 29.4 of the Charter;

(3) the language policy of the State in accordance with section 29.10 of the Charter of the French language;

(4) the directives approved or made by the Minister of the French Language in accordance with section 29.18 of the Charter of the French language;

(5) the directives approved or made by the French Language Commissioner in accordance with section 29.19 of the Charter of the French language;

(6) the list of enterprises with regard to which the Office québécois de la langue française has refused to issue an attestation, or whose attestation or certificate it has suspended or cancelled in accordance with section 152 of the Charter of the French language;

(7) the list of the agencies of the civil administration published by the Minister of the French Language in accordance with section 156.6 of the Charter of the French language.

Where a municipality recognized under section 29.1 of the Charter of the French Language does not have a website, the notices referred to in subparagraph 1 of the first paragraph may be published in accordance with the provisions on public notices of the Cities and Towns Act (chapter C-19) or the Municipal Code of Québec (chapter C-27.1).

**11.** An agency of the civil administration that has to file an annual report must indicate in the report the information provided for in section 20.1 of the Charter of the French language (chapter C-11).

If the agency is not required to file an annual report, the agency of the civil administration publishes the information on its website or, if it does not have a website, by any other appropriate means and, in that case, so informs the Minister of the French Language.

**12.** In the cases where the Charter of the French language (chapter C-11) authorizes the drawing up of a contract both in French and in another language, both versions must be signed simultaneously.

**13.** In the cases where the Charter of the French language (chapter C-11) authorizes the drawing up of a contract or agreement in French specifying that a version in another language may be attached, there may be a time period between the sending of either version and the signing.

**14.** In the cases where the Charter of the French language (chapter C-11) authorizes the drawing up of a contract or agreement both in French and in another language or in French by specifying that a version in another language may be attached, the parties may determine the legal value of each version.

Failing such explicit indication, the French version prevails.

**15.** For the purposes of the second paragraph of section 21.7 of the Charter of the French language (chapter C-11), members of the personnel who participate in the negotiation or drawing up of contracts or documents of the same nature are also covered.

**16.** Despite section 152.1 of the Charter of the French language (chapter C-11), an agency of the civil administration may, if its mission is compromised, enter into a contract with an enterprise that does not meet the criteria set out in that section

(1) where, because of the urgency of a situation, human safety or property is threatened; or

(2) where the enterprise is the only one in a position to provide the good or service and no other enterprise offers an equivalent good or service.

**17.** Despite section 152.1 of the Charter of the French Language (chapter C-11), an agency of the civil administration may enter into a contract of instantaneous performance with an enterprise that does not meet the criteria provided for therein where

(1) the circumstances justify entering into the contract immediately;

(2) the agency of the civil administration has no client account with the enterprise and is not aware of its default;

(3) the offer to enter into a contract is the same as the offer made to any unspecified person in the normal course of the enterprise's activities and there is no negotiation; and

(4) the contract is signed in the presence of the parties and includes an expenditure of not more than \$5,000.

## DIVISION VI FINAL

**18.** The Regulation respecting the signs and posters of the civil administration (chapter C-11, r. 1) is revoked.

**19.** Subparagraph 8 of the first paragraph of section 2 and subparagraph 10 of the first paragraph of section 6 cease to have effect on 1 June 2025.

Sections 16 and 17 cease to have effect on 1 June 2026.

**20.** This Regulation comes into force on 1 June 2023.

106259

## M.O., 2023

### Order 2023-001 of the Minister of the French Language dated 10 May 2023

Charter of the French Language  
(chapter C-11)

Regulation respecting the derogations to the duty of exemplarity of the civil administration and the documents drawn up or used in research

THE MINISTER OF THE FRENCH LANGUAGE,

CONSIDERING subparagraph *f* of subparagraph 2 of the first paragraph of section 22.3 of the Charter of the French Language (chapter C-11), which provides that the Minister of the French Language may provide any other purpose, compatible with the objectives of the Charter, for which an agency of the civil administration may depart from its duty of exemplarity and use, in addition to French, another language in its written documents;

CONSIDERING paragraph 3 of section 22.5 of the Charter, which provides that the Minister may determine the documents drawn up or used in research that may be drawn up only in a language other than French;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 1 March 2023, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of the draft Regulation respecting the derogations to the duty of exemplarity of the civil administration and the documents drawn up or used in research with a notice that it could be made by the Minister of the French Language on the expiry of 45 days following that publication;

CONSIDERING the comments received during the consultation;

ORDERS AS FOLLOWS:

The Regulation respecting the derogations to the duty of exemplarity of the civil administration and the documents drawn up or used in research, attached to this Order, is hereby made.

Québec, 10 May 2023

JEAN-FRANÇOIS ROBERGE  
*Minister of the French Language*

## Regulation respecting the derogations to the duty of exemplarity of the civil administration and the documents drawn up or used in research

Charter of the French language  
(chapter C-11, s. 22.3, 1st par., subpar. 2, subpar. f, and s. 22.5, 1st par., subpar. 3)

### DIVISION I DEROGATIONS TO THE DUTY OF EXEMPLARITY

**1.** An agency of the civil administration may depart from paragraph 1 of section 13.2 of the Charter of the French language (chapter C-11) by using another language in addition to French when writing for one of the following purposes:

- (1) providing services leading to the issue of a report or certification intended to be used abroad;
- (2) establishing standards in a specific field, in the case of a standardization body;
- (3) disseminating any financial information it deems necessary for the management of the Consolidated Revenue Fund and the public debt, and for the management of the issue of municipal debt securities;
- (4) disseminating the fiscal policy of the Government;

(5) disseminating public accounts, a pre-election report, a report on any special warrant produced in accordance with section 51 of the Financial Administration Act (chapter A-6.01) and any other document stating the economic situation of Québec and government revenues and expenditures;

(6) making available any site for an invitation to tender or any transactional platform as part of the management of the public debt and the issue of municipal debt securities;

(7) communicating with a legal person established in the public interest of another State that does not have French as the official language;

(8) providing energy to a natural person who, before 13 May 2021, corresponded only in English with Hydro-Québec regarding a file concerning the person;

(9) acting as the legal representative of a natural person with whom it has the option to use another language, including steps where representation is awaiting opening;

(10) ensuring the taking into consideration of the concerns of the English-speaking community of Québec by the agency of the civil administration assisting the Minister in charge of that responsibility;

(11) ensure access to the complaint examination procedure provided for in the Act respecting health services and social services (chapter S-4.2) where the body has used another language, in addition to French, where the health required it;

(12) communicate with a band council and providing services to it;

(13) communicating with a Native group referred to in the first paragraph of section 3.48 of the Act respecting the Ministère du Conseil exécutif (chapter M-30) or a Native in particular as part of consultations;

(14) perform a function related with its mission where the exclusive use of the official language compromises the carrying out of the mission and the agency of the civil administration has taken all reasonable means to communicate only in the official language.

### DIVISION II DOCUMENTS DRAWN UP OR USED IN RESEARCH

**2.** The following documents, drawn up and used in research, may be written only in a language other than French:

- (1) economic and financial documents;

(2) information sent by a participant in research or by a person contributing to the research to provide information;

(3) the material used for a survey or statistical survey, in particular a questionnaire or an interview form;

(4) the documents necessary for a clinical trial, in particular the research protocol, the investigator's brochure, the procedure schedule, the imaging acquisition guide and the pharmacy manual;

(5) the scientific study and its assessment;

(6) the documents attached to an application for authorization or for financial assistance;

(7) a document for which the exclusive use of the official language compromises the carrying out of the mission of the agency of the civil administration where the agency has taken all reasonable means to have the document drawn up only in French.

### DIVISION III FINAL

**3.** Paragraph 14 of section 1 and paragraph 7 of section 2 cease to have effect on 1 June 2025.

**4.** This Regulation comes into force on 1 June 2023.

106260

## M.O., 2023

### Ministerial order 4990 of the Minister of Justice dated 26 April 2023

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

Extension of the measures for ensuring the proper administration of justice following the fire at the Roberval courthouse

THE MINISTER OF JUSTICE,

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

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

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

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

CONSIDERING section 12 of the Regulations Act (chapter R-18.1), which provides that a proposed regulation may be made without having been published as provided for in section 8 of that Act, if the authority making it is of the opinion that a reason provided for in the Act under which the proposed regulation may be made warrants 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 section 27 of that Act, which provides that a regulation may take effect before the date of its publication in the *Gazette officielle du Québec* where the Act under which it is made or approved expressly provides therefor;

CONSIDERING Order 4477 of the Minister of Justice dated 12 May 2021, which provides for measures for ensuring the proper administration of justice following the fire at the Roberval courthouse on 8 May 2021;

CONSIDERING that the effective period of the measures provided for in that Order was extended to 11 May 2023 by Order 4740 of the Minister of Justice dated 11 May 2022;

CONSIDERING that the measures provided for in Order 4477 of the Minister of Justice dated 12 May 2021 cease to have effect on 12 May 2023;

CONSIDERING that the proper administration of justice requires the extension of the measures provided for in that Order;

CONSIDERING that the extension of those measures will have a beneficial effect on the rights of individuals;

CONSIDERING that the proper administration of justice justifies the absence of prior publication of this Order and its coming into force on 11 May 2023, in accordance with section 5.1 of the Act respecting the Ministère de la Justice;

CONSIDERING that the Chief Justice of Québec, the Chief Justice of the Superior Court and the Chief Judge of the Court of Québec have given their agreement to this Order;

CONSIDERING that the opinion of the Barreau du Québec, the Chambre des notaires du Québec and the Chambre des huissiers has been taken into consideration;

ORDERS AS FOLLOWS:

THAT the effective period of the measures provided for in Order 4477 of the Minister of Justice dated 12 May 2021 be extended by one year, that is, from 11 May 2023 to 11 May 2024.

Québec, 26 April 2023

SIMON JOLIN-BARRETTE  
*Minister of Justice*

106251

**M.O., 2023**

**Order 2023-0002 of the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks dated 8 May 2023**

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

Regulation to amend the Regulation respecting hunting

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

CONSIDERING subparagraphs 1 and 2 of the fourth paragraph of section 56 of the Act respecting the conservation and development of wildlife (chapter C-61.1),

which provide that the Minister may, by regulation, determine the means and their specifications, and the animals, including domestic animals, with which hunting, trapping or capturing an animal the Minister indicates is permitted and determine the maximum number of animals that may be killed or captured by a person or group of persons during a period and in an area, territory or place the Minister indicates;

CONSIDERING subparagraph 2 of the first paragraph of section 163 of the Act respecting the conservation and development of wildlife, which provides that the Minister may make regulations limiting the number of licences or leases of each class for a zone, territory or place the Minister specifies, and determining the number of licences or leases of each class that a person is authorized to issue under section 54 of the Act for that zone, territory or place;

CONSIDERING the first paragraph of section 164 of the Act, which provides in particular that a regulation made under subparagraphs 2 and 6 of the first paragraph of section 163 is not subject to the publication requirements set out in section 8 of the Regulations Act (chapter R-18.1);

CONSIDERING the making of the Regulation respecting hunting (chapter C-61.1, r. 12);

CONSIDERING that it is expedient to amend certain provisions of the Regulation;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting hunting, attached to this Order, is hereby made.

Québec, May 8, 2023

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

**Regulation to amend the Regulation respecting hunting**

Act respecting the conservation and development of wildlife  
(chapter C-61.1, s. 56, 4th par., subpars. 1 and 2, and s. 163, 1st par., subpars. 2 and 6)

**1.** The Regulation respecting hunting (chapter C-61.1, r. 12) is amended in section 30 by adding “, except in Area 20, where it is permitted to do so at all times” in the third paragraph after “August”.



**2.** Schedule II is replaced by the following:

**“SCHEDULE II**  
(s. 13)

**NUMBER OF HUNTING LICENCES AVAILABLE  
PER YEAR ACCORDING TO AREAS, PARTS  
OF AREAS AND TERRITORY**

**1.** A “White-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20” hunting licence:

(1) in areas:

Area	Number of licences
(a) 1 i. the northern part of Area 1 shown on the plan in Schedule CCXVI	0
ii. the southern part of Area 1 shown on the plan in Schedule CCXVI	0
(b) 2 i. the northeastern part of Area 2 shown on the plan in Schedule IX	0
ii. the southwestern part of Area 2 shown on the plan in Schedule IX	120
(c) 3 i. except the western part shown on the plan in Schedule X	200
ii. the western part of Area 3 shown on the plan in Schedule X, excluding the territory referred to in Schedule CCI	1,800
(d) 4	3,750
(e) 5 i. except the western part shown on the plan in Schedule XXXVIII	475
ii. the western part of Area 5 shown on the plan in Schedule XXXVIII	6,000
(f) 6 i. except the northern part shown on the plan in Schedule XXXIX	9,500
ii. the northern part of Area 6 shown on the plan in Schedule XXXIX	8,000
(g) 7 i. except the southern part shown on the plan in Schedule CXXXIV	2,400
ii. the southern part of Area 7 shown on the plan in Schedule CXXXIV	4,000

Area	Number of licences
(h) 8 i. except the southern part of that area shown on the plan in Schedule XIII and except the eastern part of that area shown on the plan in Schedule CXXXV	3,500
ii. the eastern part of Area 8 shown on the plan in Schedule CXXXV	4,000
iii. the southern part of Area 8 shown on the plan in Schedule XIII	3,750
(i) 9 i. except the western part shown on the plan in Schedule CXXXII	100
ii. the western part of Area 9 shown on the plan in Schedule CXXXII, excluding the parts of the territories of the municipalities: Notre-Dame-de-Bonsecours, Notre-Dame-de-la-Paix, Fassett, Namur, Saint-Émile-de-Suffolk, Boileau, Grenville, Grenville-sur-la-Rouge, Amherst, Huberdeau, Arundel, Barkmere, Montcalm, Lac-des-Seize-Îles, Wentworth-Nord, Brownsburg-Chatham, Harrington that form part of that part of Area 9 shown on the plan in Schedule CXXXII	100
iii. the parts of the territories of the municipalities: Notre-Dame-de-Bonsecours, Notre-Dame-de-la-Paix, Fassett, Namur, Saint-Émile-de-Suffolk, Boileau, Grenville, Grenville-sur-la-Rouge, Amherst, Huberdeau, Arundel, Barkmere, Montcalm, Lac-des-Seize-Îles, Wentworth-Nord, Brownsburg-Chatham, Harrington that form part of the western part of Area 9 shown on the plan in Schedule CXXXII	350
(j) 10 i. except the western part shown on the plan in Schedule XVI excluding the parts of the territories of the municipalities: Notre-Dame-de-Bonsecours, Notre-Dame-de-la-Paix, Fassett, Namur, Saint-Émile-de-Suffolk, Boileau, Grenville, Grenville-sur-la-Rouge, Amherst, Huberdeau, Arundel, Barkmere, Montcalm, Lac-des-Seize-Îles, Wentworth-Nord, Brownsburg-Chatham, Harrington that form part of that part of area	750

Area	Number of licences
ii. the parts of the territories of the municipalities: Notre-Dame-de-Bonsecours, Notre-Dame-de-la-Paix, Fassett, Namur, Saint-Émile-de-Suffolk, Boileau, Grenville, Grenville-sur-la-Rouge, Amherst, Huberdeau, Arundel, Barkmere, Montcalm, Lac-des-Seize-Îles, Wentworth-Nord, Brownsburg-Chatham, Harrington that form part of Area 10 without its western part shown on the plan in Schedule XVI	350
iii. the western part of Area 10 shown on the plan in Schedule XVI	1,750
(k) 11 i. except the western part shown on the plan in Schedule XV	500
ii. the western part of Area 11 shown on the plan in Schedule XV	0
(l) 12	0
(m) 13 the southwestern part of Area 13 shown on the plan in Schedule CXC	0
(n) 15 i. except the western part shown on the plan in Schedule CXXXIII	0
ii. the western part of Area 15 shown on the plan in Schedule CXXXIII	0
(o) 26 i. except the eastern part shown on the plan in Schedule CXCI	0
ii. the eastern part of Area 26 shown on the plan in Schedule CXCI	0
(p) 27 i. except the eastern part shown on the plan in Schedule XI	2,100
ii. the eastern part of Area 27 shown on the plan in Schedule XI	0
(q) 28	0
(2) in wildlife sanctuaries:	
Wildlife sanctuary	Number of licences
La Vérendrye	15
Papineau-Labelle	80
Rouge-Matawin	0
(3) in controlled zones:	
Controlled zone	Number of licences
Bas-Saint-Laurent	0
Jaro, including the territory referred to in Schedule CCI	60

1.1. (revoked).

2. (revoked).

3. A “Female moose more than 1 year old” hunting licence:

(1) in areas:

Area	Number of licences
1	7,500

(2) in wildlife sanctuaries:

Wildlife sanctuary	Number of licences
Ashuapmushuan	48
Chic-Chocs	183
Laurentides	0
La Vérendrye	0
Mastigouche	77
Matane	500
Papineau-Labelle	0
Port-Daniel	6
Portneuf	0
Rouge-Matawin	5
Saint-Maurice	65

(3) in controlled zones:

Controlled zone	Number of licences
Batiscan-Neilson	0
Buteux-Bas-Saguenay	0
Casault	160
Jaro, including the territory referred to in Schedule CCI	10
Lac-au-Sable (du)	0
Lavigne	0
Lesueur	10
Maganasipi	20
Martres (des)	0
Mazana	5
Mitchinamecus	10
Normandie	10
Nymphes (des)	0

Area	Number of licences
Petawaga	55
Rapides-des-Joachims	20
Rivière-Blanche (de la)	0
Saint-Patrice	30
Wessonneau	70

**3.** Schedule IV is amended in section 1 by striking out paragraph 6.

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

106261

## M.O., 2023-04

### Order number A-32.1-D-9.2-2023-04 of the Minister of Finance, 4 May 2023

Insurers Act  
(chapter A-32.1)

Act respecting the distribution of financial products and services  
(chapter D-9.2)

CONCERNING Regulation respecting the prohibition on charging certain fees from holders of individual variable insurance contracts relating to segregated funds

WHEREAS paragraph 1 of section 485 of Insurers Act (chapitre A-32.1) provides that in addition to other regulations that it may make under this Act, the Autorité des marchés financiers may, by regulation, determine the standards applicable to authorized insurers in relation to their commercial practices and their management practices;

WHEREAS the third paragraph of section 486 of such Act provides that a draft of a regulation must be published in the bulletin of the Autorité des marchés financiers with the notice required under section 10 of the Regulations Act (chapter R-18.1);

WHEREAS the first, fourth et fifth paragraphs of section 486 of such Act provide, in particular, that a regulation made under this Act by the Autorité des marchés financiers is approved by the Minister of Finance with or without amendment, that such regulation may not be submitted for approval before 30 days have elapsed since

its publication as a draft, that such regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in it and it must also be published in the Authority's bulletin;

WHEREAS section 496 of such Act provides that the Autorité des marchés financiers may, in a regulation made under this Act, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty, that regulation may define the conditions for applying the penalty and set forth the amounts or the methods for determining them and the amounts may vary according to the seriousness of the failure to comply, without exceeding the maximum amounts provided for in section 494 of this Act;

WHEREAS paragraph 13.1 of section 223 of the Act respecting the distribution of financial products and services (chapter D-9.2) provides that the Autorité des marchés financiers may, by regulation, determine for each sector other rules relating to the activities of a firm, an independent representative or an independent partnership;

WHEREAS the first and the second paragraphs of section 194 of such Act provide, in particular, that the Autorité des marchés financiers shall publish its draft regulations in the information bulletin and every draft regulation must be published with a notice stating the time that must elapse before the draft regulation may be made or be submitted for approval, and stating the fact that any interested person may, during that time, submit comments to the person designated in the notice;

WHEREAS the first and the third paragraphs of section 217 of such Act provide, in particular, that a regulation made by the Autorité des marchés financiers under this Act must be submitted to the Minister of Finance for approval with or without amendment, that such regulation may not be submitted for approval before 30 days have elapsed since 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 specified in this regulation;

WHEREAS the draft Regulation respecting the prohibition on charging certain fees from holders of individual variable insurance contracts relating to segregated funds was published in the Bulletin de l'Autorité des marchés financiers, volume 19, no. 49 of December 15, 2022;

WHEREAS the Autorité des marchés financiers made, on April 17, 2023, by the decision no. 2023-PDG-0013, Regulation respecting the prohibition on charging certain fees from holders of individual variable insurance contracts relating to segregated funds;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation respecting the prohibition on charging certain fees from holders of individual variable insurance contracts relating to segregated funds appended hereto.

4 May 2023

ERIC GIRARD  
*Minister of Finance*

## **Regulation respecting the prohibition on charging certain fees from holders of individual variable insurance contracts relating to segregated funds**

Insurers Act  
(chapter A-32.1, s. 485 par. (1) and s. 496)

Act respecting the distribution of financial products and services  
(chapter D-9.2, s. 223 par. (13.1))

**1.** This Regulation applies to:

(1) any insurer authorized under the Insurers Act (chapter A-32.1) only to the extent that the insurer has entered into an individual variable insurance contract, defined as an individual contract of life insurance, including an annuity, or an undertaking to provide an annuity, under which the insurer's liabilities vary in amount depending upon the market value of the segregated funds that it holds and in which it allocates the amounts invested by the holder of the contract, which are, with the corresponding rights it holds thereunder, represented by means of segregated fund units allocated to the contract; and

(2) any firm, independent partnership or independent representative registered in the sector of insurance of persons under the Act respecting the distribution of financial products and services (chapter D-9.2) that offers a contract referred to in paragraph 1 or services related thereto.

**2.** An authorized insurer, firm, independent partnership or independent representative may not, in any way whatsoever, require fees or compensation from the holder of the contract when the latter requests to have all or a portion of the invested amounts withdrawn or transferred to another segregated fund or requests a change in the

fee option under the contract for the investing of such amounts, except for the following fees where these are provided for in the contract:

(1) management fees, fees related to operating expenses, trading fees or small policy fees;

(2) insurance fees, where such fees are not included in the fees referred to in paragraph 1;

(3) fees related to advisory services paid for by the holder of the contract to the firm, independent partnership or independent representative, paid out by the insurer from the amounts invested by the holder of the contract; and

(4) withdrawal or transfer fees, where such fees are not reduced on a sliding scale based on the length of time between when the amounts are invested and when they are withdrawn or transferred to another segregated fund.

**3.** A monetary administrative penalty of \$1,000 in the case of a natural person or of \$5,000 in any other case may be imposed on an authorized insurer that, in contravention of section 2, requires fees from the holder of the contract when the latter requests to have all or a portion of the invested amounts withdrawn or transferred to another segregated fund or requests a change in the fee option under the contract for the investing of such amounts.

**4.** This Regulation comes into force on 1 June 2023.

106256

## Draft Regulations

### Draft Regulation

Charter of the French language  
(chapter C-11)

#### Application of section 88.0.17 of the Charter of the French language by the Minister of Higher Education, Research, Science and Technology

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to authorize the Minister of Higher Education, Research, Science and Technology to make an exception to the application of section 88.0.17 of the Charter of the French language, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the conditions and circumstances where or whereunder the Minister of Higher Education, Research, Science and Technology is authorized to make an exception to section 88.0.17 of the Charter of the French language (chapter C-11) in respect of a student who resides or has resided on a reserve, a settlement in which a native community lives or on Category I and Category I-N lands within the meaning of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1).

Further information on the draft Regulation may be obtained by contacting Sonia Pratte, advisor, Ministère de la Langue française; email: [sonia.pratte@mlf.gouv.qc.ca](mailto:sonia.pratte@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<sup>e</sup> étage, Québec (Québec) G1R 3P4.

JEAN-FRANÇOIS ROBERGE  
*Minister of the French Language*

### Regulation to authorize the Minister of Higher Education, Research, Science and Technology to make an exception to the application of section 88.0.17 of the Charter of the French language

Charter of the French language  
(chapter C-11, s. 97)

**1.** The Minister of Higher Education, Research, Science and Technology is authorized to make an exception to section 88.0.17 of the Charter of the French language (chapter C-11) by issuing a Diploma of College Studies to a student who does not meet the condition set out in subparagraph 1 of the first paragraph of that section, on the following conditions and in the following circumstances:

(1) the student resides or has resided on an Indian reserve, a settlement in which a native community lives or on Category I and Category I-N lands within the meaning of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1);

(2) the student has received elementary or secondary instruction in English, in an Aboriginal language, or in English and an Aboriginal language for at least one year, as shown by a certificate of school attendance issued by the school that provided that instruction;

(3) the student has received college instruction in English.

The certificate of school attendance provided for in subparagraph 2 of the first paragraph must indicate the period during which the student received the instruction and specify the language in which it was provided.

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

106258



## Treasury Board

Gouvernement du Québec

### T.B. 228302, 2 May 2023

Public Service Act  
(chapter F-3.1.1)

#### Classification of public servants

Regulation respecting the classification of public servants

WHEREAS, under section 54.1 of the Public Service Act (chapter F-3.1.1), the Conseil du trésor determines by regulation the standards for the classification of public servants;

WHEREAS the Government made the Règlement sur le classement des fonctionnaires (chapter F-3.1.1, r. 2);

WHEREAS it is expedient to replace the Regulation;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation respecting the classification of public servants, attached to this Decision, is hereby made.

*Le greffier du Conseil du trésor,*  
LOUIS TREMBLAY

#### Regulation respecting the classification of public servants

Public Service Act  
(chapter F-3.1.1, s. 54.1)

#### CHAPTER I OBJECT AND SCOPE

##### DIVISION I OBJECT

**1.** The object of this Regulation is to establish the classification standards of public servants in the public service.

#### DIVISION II SCOPE

**2.** This Regulation applies to all public servants appointed in accordance with the Public Service Act (chapter F-3.1.1), except administrators of state.

#### CHAPTER II DETERMINATION OF CLASSIFICATION

##### DIVISION I COMPONENTS OF CLASSIFICATION

**3.** The classification of a public servant is made to a class of positions and, where applicable, to the grade provided for in schedule I to the Directive concernant la classification et l'évaluation des emplois de la fonction publique.

The classification of a public servant may also be made to a casual position provided for in schedule 2 to the Directive concernant les emplois occasionnels de la fonction publique.

**4.** Despite section 3, the classification of a public servant may contain more than one class of positions in the case of

(1) a public servant belonging to the category of workmen staff, provided that the different classes all belong to that category; or

(2) a manager posted outside Québec, insofar as the other class of positions is under the responsibility of the category of professional staff or the category of management staff.

**5.** Despite section 3, the class of positions and the level of education assigned to a public servant in the category of teaching staff corresponds to the level of education acquired by the public servant on the date of appointment, in accordance with the Directive concernant la classification des professeurs de l'État (675).

**6.** The classification of the public servant to a class of positions or a grade, where applicable, is associated with the applicable salary scale or wage rate, that is, those relating to the assigned class or grade.

**DIVISION II****ASSIGNMENT OF CLASSIFICATION**

**7.** A classification is assigned to a public servant when the person comes into office or changes position.

**8.** A public servant may be assigned a new classification

(1) if, following a reevaluation of the primary and habitual duties and powers exercised by the public servant, those duties and powers correspond to another class of positions that is accessible to the public servant by reclassification; or

(2) during the public servant's period of employment stability.

This section does not apply to casual positions or management staff.

**9.** The assignment of classification must be recorded in a document. The document must specify, as provided for in Division I, the class of positions and, where applicable, the grade to which the position corresponds.

The document must also mention

(1) the indication "candidate", where the public servant was admitted in that capacity in accordance with section III of chapter III of the Directive concernant la classification et l'évaluation des emplois de la fonction publique;

(2) the title of each class of positions, if they were assigned to the public servant under section 4; and

(3) the job title of the public servant.

**10.** Where the public servant is the subject of a notice of integration issued by the deputy minister or the chief executive officer, the notice of integration replaces the document required in section 9.

**DIVISION III****OTHER PROVISIONS**

**11.** This section does not apply to casual positions.

**12.** A public servant who does not pass the probationary period provided for with a promotion to certain classes of positions is assigned, when the deputy minister ends the probation period or where the public servant asks to be reintegrated into the former class of positions, the class of positions and, where applicable, the grade held before the probationary period.

**13.** A public servant who is appointed, in the capacity of candidate, to a class of positions or a grade under subdivisions III or IV of division III of chapter III of the Directive concernant la classification et l'évaluation des emplois de la fonction publique and who does not provide the required documents within the specified time period, is assigned the class of positions held prior to admission in the capacity of candidate.

**14.** A public servant who is assigned, appointed or promoted to a management position outside Québec and ceases to hold that office, in accordance with the Directive concernant la classification et la gestion des emplois de cadres et de leurs titulaires (630), is assigned, on the date of returning to Québec, the classification that the public servant would have been entitled to having remained in the class of positions to which the public servant belonged before being assigned, appointed or promoted a manager outside Québec.

**CHAPTER III****FINAL**

**15.** This Regulation replaces the Règlement sur le classement des fonctionnaires (chapter F-3.1.1, r. 2).

**16.** This Regulation comes into force on 2 May 2023.

106252