



Part 2

LAWS AND REGULATIONS

6 December 2023 / Volume 155

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

Part 2 – LAWS AND REGULATIONS

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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

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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, 24 OCTOBER 2023

OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 24 October 2023

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

34 An Act to modernize the notarial profession and to promote access to justice

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

Québec Official Publisher

PROVINCE OF QUÉBEC

1ST SESSION

43RD LEGISLATURE

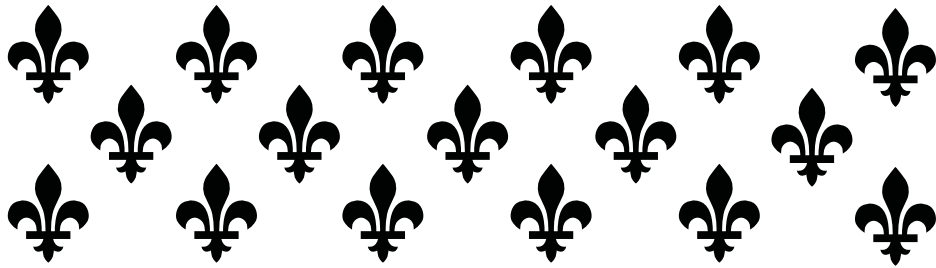
QUÉBEC, 9 NOVEMBER 2023

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 9 November 2023*

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

28 An Act to amend the Act respecting the marketing of agricultural, food and fish products and the Farm Producers Act

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



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 28
(2023, chapter 26)

**An Act to amend the Act respecting
the marketing of agricultural, food
and fish products and the Farm
Producers Act**

**Introduced 8 June 2023
Passed in principle 25 October 2023
Passed 9 November 2023
Assented to 9 November 2023**

**Québec Official Publisher
2023**

EXPLANATORY NOTES

This Act amends the Act respecting the marketing of agricultural, food and fish products to specify that the amount of the contribution required to cover the costs relating to the duties and obligations deriving from an association's certification or its membership in a coordination and development chamber may be calculated according to certain criteria, including the volume of the product marketed and the area under cultivation or operation. It also provides for the power to fix the rate of interest required where the payment of the contribution is late.

The Act also amends the Farm Producers Act to provide that the amount of the annual assessment exigible from a producer to cover the expenses of the association certified under that Act may be fixed or variable. The Act also grants the certified association the power to establish, by by-law, categories of producers for fixing the assessment.

Lastly, the Act makes a consequential amendment.

LEGISLATION AMENDED BY THIS ACT:

- Act respecting the marketing of agricultural, food and fish products (chapter M-35.1);
- Farm Producers Act (chapter P-28).

Bill 28

AN ACT TO AMEND THE ACT RESPECTING THE MARKETING OF AGRICULTURAL, FOOD AND FISH PRODUCTS AND THE FARM PRODUCERS ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE MARKETING OF AGRICULTURAL, FOOD
AND FISH PRODUCTS

1. Section 133 of the Act respecting the marketing of agricultural, food and fish products (chapter M-35.1) is amended by adding the following sentences at the end of the first paragraph: “The amount of the contribution may be calculated according to the volume of the product marketed, the area under cultivation or operation or other equivalent criteria accepted by the Régie. The by-law may also fix the rate of interest required where the payment of the contribution is late.”

FARM PRODUCERS ACT

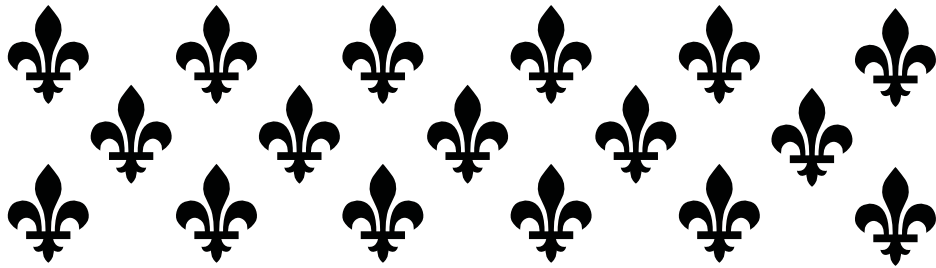
2. Section 31 of the Farm Producers Act (chapter P-28) is amended by replacing the second paragraph by the following paragraph:

“The by-law shall determine an annual assessment, in a fixed or variable amount, exigible from each producer by the certified association. It may also establish, for fixing the assessment, categories of producers.”

3. Section 35 of the Act is amended by striking out “assessments or”.

FINAL PROVISION

4. This Act comes into force on 9 November 2023.



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 34
(2023, chapter 23)

**An Act to modernize the notarial
profession and to promote access
to justice**

**Introduced 14 September 2023
Passed in principle 26 September 2023
Passed 24 October 2023
Assented to 24 October 2023**

**Québec Official Publisher
2023**

EXPLANATORY NOTES

The purpose of this Act is to provide for the use of information technologies in the context of the practice of the notarial profession. The Act therefore amends the Notaries Act in order to provide, among other things, for the execution and preservation of notarial acts en minute on a technological medium, subject to the possibility, in certain cases, of executing or temporarily preserving them in paper form until it is possible to transfer them to a technological medium. It provides that an act must be closed using a technological solution authorized by the board of directors of the Chambre des notaires du Québec. In addition, it constitutes digital central notarial records administered and financed by the Chambre des notaires du Québec and establishes the rules that apply to such records. The Act also provides for the preservation of notarial records in the central notarial records until they are deposited with Bibliothèque et Archives nationales du Québec.

Moreover, the Act provides for the creation of a retired notaries category.

The Act grants new regulatory powers to the board of directors of the Chambre des notaires du Québec, including powers resulting from the establishment, administration and financing of the digital central notarial records, powers concerning the transfer of the information contained in a notarial act en minute to another medium and powers concerning the transfer of notarial records to Bibliothèque et Archives nationales du Québec.

The Act adds to the purposes of the notarial studies fund and of the fund for legal studies that of financing measures designed to promote access to justice.

The Government is given the power to set out, by regulation, a procedure for the forced execution of the payment of a debt resulting from the non-performance of an obligation recorded in a notarial act en minute, and the terms and conditions of such a forced execution.

The Courts of Justice Act is amended with respect to the Supplementary benefits plan for judges of the Court of Québec, judges of municipal courts that are under the authority of a presiding judge and presiding justices of the peace, so that judges' contributions can

be paid into a retirement compensation arrangement trust. The Act also makes it mandatory for the Government to pay, into that trust, an annual contribution at least equal to the contributions made by judges.

The Act provides for the transfer of the rights acquired by judges of the Municipal Court of Montréal within the pension plan in effect in Ville de Montréal to one of the pension plans provided for by the Courts of Justice Act and to one of the supplementary benefits plans referred to therein as well as the terms and conditions relating to the judges' participation in those plans.

Lastly, the Act contains transitional provisions and a final provision.

LEGISLATION AMENDED BY THIS ACT:

- Civil Code of Québec;
- Act respecting the Barreau du Québec (chapter B-1);
- Code of Civil Procedure (chapter C-25.01);
- Notaries Act (chapter N-3);
- Courts of Justice Act (chapter T-16);
- Act to amend the Code of Civil Procedure and other legislative provisions in relation to notarial matters (1998, chapter 51).

LEGISLATION REPEALED BY THIS ACT:

- Notarial Act (chapter N-2).

REGULATION AMENDED BY THIS ACT:

- Supplementary benefits plan for judges covered by the pension plan provided for in Part V.1 of the Courts of Justice Act (chapter T-16, r. 6).

Bill 34

AN ACT TO MODERNIZE THE NOTARIAL PROFESSION AND TO PROMOTE ACCESS TO JUSTICE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

1. Article 441 of the Civil Code of Québec is amended

- (1) by striking out both occurrences of “de la minute” in the French text;
- (2) by replacing “original” in the French text by “d’origine”;
- (3) by replacing “on the original and on” by “on the contract and on”;
- (4) by replacing “the number of his minute” by “its minute number”;
- (5) by adding the following sentence at the end: “The notation of the change may be made on the contract or, if applicable, on a copy of it or on a writing attached to the contract or copy, directly or by a reference.”

2. Article 521.16 of the Code is amended, in the second paragraph,

- (1) by replacing both occurrences of “dépositaire de la minute” in the French text by “dépositaire”;
- (2) by replacing “original” in the French text by “d’origine”;
- (3) by striking out “established by the original contract”;
- (4) by striking out “original of the”;
- (5) by inserting the following sentence after the second sentence: “Such a notation of the reference may be made on the contract or, if applicable, on a copy of it or on a writing attached to the contract or copy, directly or by a reference.”

3. The Code is amended by inserting the following subdivision after article 1603:

“§4.1.—*Forced execution of an obligation recorded in a notarial act*

“1603.1. The creditor may obtain forced execution of the payment of a claim resulting from the non-performance of an obligation recorded in a notarial act *en minute* by following the procedure established by government regulation and according to the terms and conditions the regulation determines.

The regulation may exclude certain obligations or categories of obligations or certain persons or categories of persons from the application of this article.”

4. Article 2176 of the Code is amended

(1) in the second paragraph,

(a) by replacing “mention sur” in the French text by “mention à”;

(b) by replacing “depository of the original” by “depository of the act”;

(c) by replacing “on the original and on” by “on the act and on”;

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

“Such a notation may be made on the mandate or, if applicable, on a copy of it or in a writing attached to the mandate or copy, directly or by a reference.”

5. Article 3110 of the Code is amended by replacing “or if one of the parties is domiciled in Québec” by “, if it is entered into in the ordinary course of business of an enterprise in Québec or if one of the parties is domiciled in Québec or was constituted there”.

ACT RESPECTING THE BARREAU DU QUÉBEC

6. Section 15 of the Act respecting the Barreau du Québec (chapter B-1) is amended by replacing paragraph *h* of subsection 2 by the following paragraph:

“(h) establish and administer a fund for legal studies constituted by the sums voted by the board of directors, by gifts and legacies made for such purpose, by the proceeds of accounts held in trust by advocates in the exercise of their profession and by the proceeds of the fund, in order to

i. promote the quality of professional services, the reform of law, professional training, refresher training, legal research and information, and the creation and maintenance of law libraries; and

ii. finance measures designed to promote access to justice.”

7. Section 129 of the Act is amended by adding the following paragraph at the end:

“(g) the right of a retired notary to perform, within a legal person referred to in section 26.1 of the Notaries Act (chapter N-3) and in accordance with the regulation made under that section, the acts referred to in paragraphs 3 to 5 of section 15 of that Act as well as those referred to in paragraph 7 of that section, with the exception of representing clients in connection with any application that may be dealt with according to the procedure for non-contentious proceedings set out in Book III of the Code of Civil Procedure (chapter C-25.01).”

CODE OF CIVIL PROCEDURE

8. Article 86 of the Code of Civil Procedure (chapter C-25.01) is amended by replacing “in non-contentious proceedings and in the other cases specified in paragraph 7 of section 15 of the Notaries Act (chapter N-3)” by “in connection with any application that may be dealt with according to the procedure for non-contentious proceedings”.

9. Article 456 of the Code is amended

(1) by striking out both occurrences of “of the original” in the first paragraph;

(2) by replacing “refer to the original or a copy of such a contract” in the second paragraph by “consult the contract or a copy of it”.

10. Article 484 of the Code is replaced by the following article:

“484. Notaries are required, on payment of their professional fees and expenses, to issue a copy of or an extract from the acts forming part of their records and required to be published to the parties to the act, their heirs or their representatives, or to otherwise give them access to those acts.

They are also required, on receipt of such a payment, to issue a copy of or an extract from the acts that are not required to be published, or to otherwise give access to those acts,

(1) to the parties to the act;

(2) in the case of a protection mandate that has not been revoked, if it is established to the notary’s satisfaction that the incapacity of the mandator is such that the mandator may need to be represented in the exercise of his civil rights, to the mandator’s spouse or to close relatives and persons closely connected to the mandator by marriage or civil union as well as to any person who shows a special interest in the mandator;

(3) in the case of an act containing testamentary provisions that have not been revoked, to the liquidator of the succession, an heir, a successor, an heir by particular title or to a person who, in the absence of testamentary provisions, would have been called to the succession, on proof of the death of the testator or donor; and

(4) to any other person, where provided for by law.

This article also applies to the assignee of notarial records or of part of notarial records, to the provisional custodian of such records, to any other legal depositary and to the mandatary referred to in section 89 of the Notaries Act (chapter N-3).”

11. Article 485 of the Code is amended

(1) by replacing “to give access to or issue a copy of or extract from an act” in the first paragraph by “to issue a copy of an act or an extract from an act or to otherwise give access to it”;

(2) by replacing “access must be given or the copy or extract issued” in the second paragraph by “access is to be given”.

12. Article 486 of the Code is amended by striking out “the minute or” in the first paragraph.

NOTARIAL ACT

13. The Notarial Act (chapter N-2) is repealed.

NOTARIES ACT

14. The Notaries Act (chapter N-3) is amended by inserting the following section after section 2:

“**2.1.** For the purposes of this Act, unless otherwise provided in the Act or unless the context indicates a different meaning, “notary” includes “retired notary”.”

15. Section 4 of the Act is amended by inserting “, excluding a retired notary,” after “notary” in the second paragraph.

16. Section 6 of the Act is replaced by the following section:

“**6.** The board of directors may, by regulation,

(1) provide for professional training, determine the form the training is to take, provide the appropriate instruction and, for such purposes, establish a school of professional training;

(2) establish, and set the rules governing the administration of, a notarial studies fund, made up of the gifts and legacies made for that purpose, any sums paid into it by the Order and the income from the general accounts held in trust by notaries, for the purposes of

(a) promoting the quality of professional services, including the preservation of the acts in the notarial records preserved in the digital central notarial records, law reform, legal research, education and information, and the establishment and maintenance of law library services, and

(b) financing measures to promote access to justice and the digitization and preservation of notarial records and, in accordance with paragraph 5 of section 8, the indemnity fund of the Order;

(3) establish mandatory standards of professional practice, including special standards of practice for notaries practising outside Québec;

(4) determine what constitutes a vacancy on the board of directors; and

(5) determine the conditions that a notary must meet to be certified as regards the institution or review of a tutorship to a person of full age and as regards protection mandates.

Section 95.2 of the Professional Code (chapter C-26) applies to a regulation made under subparagraphs 2 and 4 of the first paragraph.

No regulation may be adopted by the board of directors under subparagraph 5 of the first paragraph unless the secretary of the Order has sent a draft of it to every member of the Order at least 30 days before its adoption by the board of directors. The regulation shall be submitted to the Government, which may approve it with or without amendment.”

17. Section 7 of the Act is amended

(1) by replacing “shall” in the first paragraph by “may”;

(2) by striking out the third paragraph.

18. Section 8 of the Act is amended

(1) by striking out “, by resolution,” in the introductory clause;

(2) by replacing “and content of the notarial seal, and the cases in which a notary is required to use a seal, subject to the right of notaries practising on 1 March 1969 to continue to use the seal in their possession at that time” in paragraph 2 by “of the notarial seal and the information that it must bear, according to the medium used for the act, and the cases in which a notary is required to use it”.

19. Sections 10 and 11 of the Act are replaced by the following sections:

“10. A notary is a legal adviser and takes part in the administration of justice.

A notary, excluding a retired notary, is also a public officer.

“11. In his or her capacity as a public officer, a notary’s mission is to execute acts which the parties wish or are required to endow with the authenticity attaching to acts of public authority. To that end, the notary shall, in particular, fix the date of such acts, verify the identity, quality and capacity of the parties and ensure that they express therein their consent in a free and enlightened manner. The notary must also advise the parties and act impartially towards them.

In the context of this mission, the notary keeps in his or her notarial records the notarial acts *en minute* that he or she executes in order to give access to them, including by issuing copies of or extracts from those acts.”

20. The heading of Division II of Chapter II of the Act is amended by replacing “AND RESUMPTION OF RIGHT TO PRACTISE” by “, RESUMPTION OF RIGHT TO PRACTISE AND EXERCISE OF OTHER POWERS”.

21. Section 12 of the Act is replaced by the following sections:

“12. The board of directors shall constitute a committee to decide applications for admission to the professional training program, for entry on the roll of the Order, whether as notary or retired notary, or, subject to section 12.1, for resumption of the right to practise. The committee members shall take the oath set out in Schedule II to the Professional Code (chapter C-26); however, the oath is not to be construed as prohibiting the sharing of information or documents within the Order for the protection of the public.

To that end, the committee shall ascertain whether a candidate has the moral character and the conduct, competence and qualifications required to practise the notarial profession.

The committee exercises its functions with regard to both candidates to the practice of the profession and members. It may hear the candidate, the member or any other person. However, it may not refuse to grant the candidate’s or the member’s application before giving the candidate or member an opportunity to be heard.

In the exercise of its functions, the committee has the powers provided for in sections 45 to 45.3, 46.0.1, 48 to 52.1, 55.0.1 to 55.3, 56, 159, 161 and 161.0.1 of the Professional Code. The committee also exercises the powers provided

for in section 55 of that Code unless a regulation made under section 90 of the Code provides that they are to be exercised by the professional inspection committee. Chapter VIII of the Code applies to the committee, to its members and to the secretary of the Order.

The committee has the powers needed to carry out its mandate; it exercises, in particular, the powers of the Superior Court to compel, by summons signed by a member of the committee or the secretary of the Order, a candidate, a member or any other person to appear, to answer under oath and to produce any information or document. The Code of Civil Procedure (chapter C-25.01) applies, with the necessary modifications, for the purposes of this paragraph.

Authorization to be entered on the roll or to resume practice may be made subject to any condition that the committee considers necessary for the protection of the public.

“12.1. A candidate who applies for resumption of the right to practise after having been struck off the roll under paragraph 1 or 2 of section 85.3 of the Professional Code (chapter C-26) or a regulation made under subparagraph *o* of the first paragraph of section 94 of that Code shall be re-entered on the roll of the Order provided the candidate remedies the defect that led to the striking off within three months of being struck off.”

22. The Act is amended by inserting the following sections after section 13:

“13.1. A notary 55 years of age or over may be entered on the roll as a retired notary, on an application to the secretary of the Order.

A retired notary may use the prefix “Me” or “Mtre” before his or her name, provided it is followed by the title “retired notary”; he or she may not, however, use the title of notary, verbally or otherwise, or practise the profession of notary. Nevertheless, a retired notary may, within a legal person referred to in section 26.1 and in accordance with the regulation made under that section, perform the acts mentioned in paragraphs 3 to 5 of section 15 as well as those mentioned in paragraph 7 of that section, with the exception of representing clients in connection with any application that may be dealt with according to the procedure for non-contentious proceedings set out in Book III of the Code of Civil Procedure (chapter C-25.01).

“13.2. A retired notary must no longer keep notarial records or be the holder, user, signatory or mandatary of a trust account related to the notarial profession.”

23. Section 14 of the Act is replaced by the following sections:

“14. The secretary of the Order shall keep a notarial register in which the following information in respect of each notary shall be entered:

(1) the notary’s name followed by “practising notary” or “retired notary”, as the case may be;

- (2) the notary's fields of practice, specifying which of them constitutes his or her main field of professional practice;
- (3) honorary notaries' contact information; and
- (4) any other information determined by regulation of the board of directors.

The information entered in the register under subparagraphs 1 and 2 of the first paragraph, together with the information provided for in the Professional Code (chapter C-26), shall constitute the roll of the Order.

“14.01. The names of honorary notaries and the date on which their title was conferred constitute information that is to be kept by the secretary of the Order in the directory provided for in section 46.2 of the Professional Code (chapter C-26).”

24. Section 15 of the Act is replaced by the following sections:

“15. Subject to the provisions of sections 15.1 and 16, no person other than a notary may, on behalf of another person:

- (1) prepare or draw up acts which, under the Civil Code or any other legislative provision, require execution in notarial form;

- (2) prepare or draw up acts under private signature and notarial acts, other than those referred to in paragraph 1, relating to immovables and requiring registration in the land register or the cancellation of such registration;

- (3) prepare or draw up an agreement, application, by-law, resolution or other similar document relating to the constitution, organization, reorganization, dissolution or voluntary winding-up of a legal person or the amalgamation of legal persons;

- (4) prepare, draw up, sign and send the administrative declarations and applications prescribed by the legislative provisions relating to the legal publicity of enterprises;

- (5) give legal advice or opinions;

- (6) send a demand letter arising from an act he or she has executed, provided there is no charge to the person to whom it is addressed;

- (7) represent clients in connection with any application that may be dealt with according to the procedure for non-contentious proceedings set out in Book III of the Code of Civil Procedure (chapter C-25.01), or prepare, draw up or present any related application on their behalf;

- (8) prepare and draw up the documents required in connection with applications presented before him or her under article 312 of the Code of Civil Procedure; or

(9) perform the operations preliminary to the Public Curator's recognition of an assistant to a person of full age.

“15.0.1. Except as provided by law, no person other than a notary may

(1) when drawing up or preparing a notarial act, ascertain or enter, in the act, the parties' statements of facts and declarations relating directly to the juridical act the notarial act contains, or verify and validate such ascertainties or entries; or

(2) perform any other action intrinsically linked to the notary's role as a public officer.”

25. Section 15.1 of the Act is amended by inserting “, excluding a retired notary” at the end of subparagraph 3 of the first paragraph.

26. Section 16 of the Act is amended

(1) by inserting “and retired advocates” after “conferred upon advocates” in paragraph 2;

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

“(4) the right of secretaries or assistant secretaries of legal persons to draw up the minutes of meetings of directors or shareholders and all other documents which they are authorized to draw up under federal or provincial laws; or

“(5) the right of a retired notary to perform the acts mentioned in section 13.1.”

27. Section 19 of the Act is amended by inserting “, subject to section 13.1,” after “and” in the first paragraph.

28. Section 20 of the Act is amended by adding the following paragraph at the end:

“A notary may also, according to the terms determined by regulation of the board of directors, practise his or her profession under another name.”

29. Section 21 of the Act is replaced by the following section:

“21. A notary's official signature shall be handwritten or affixed by means of a technological process.

The official handwritten signature shall consist of the notary's signature followed by the title “notary” or “notaire” or, where applicable, “retired notary” or “notaire à la retraite”.

A notary must obtain the authorization of the secretary of the Order to use the notary's official signature affixed by means of a technological process.

The procedure for authorizing the use of an official signature affixed by means of a technological process and that for revoking such an authorization shall be determined by regulation of the board of directors. The regulation shall identify a technological process that must be used to affix it and the minimal conditions a certification service provider must comply with.

The provisions of a regulation made under the fourth paragraph shall be submitted to the Government, which may, on the recommendation of the ministers responsible for the Act respecting registry offices (chapter B-9) made after consultation with the Office des professions, approve them, with or without amendment.”

30. Section 22 of the Act is amended by replacing “on” in the second paragraph by “to”.

31. Section 23 of the Act is amended by replacing all occurrences of “official written” and “written” by “official handwritten” and “handwritten”, respectively.

32. Section 26 of the Act is replaced by the following sections:

“26. In addition to property declared by law to be exempt from seizure, technological media and property related to a notary’s professional practice, such as notarial records, safes, filing cabinets, files, law books as well as trust accounting documents, where they belong to the notary or, as the case may be, to the partnership or non-profit legal person within which the notary practises, are also exempt from seizure.

However, subject to the conditions determined by regulation of the board of directors, technological media may be seized and sold to recover the balance owing on the price of such property, or seized and sold by a creditor holding a hypothec on such property.

“26.0.1. Where a technological medium related to the practice of the notarial profession is seized but does not belong to the notary or, as the case may be, to the partnership or non-profit legal person within which the notary practises, articles 727 and 728 of the Code of Civil Procedure (chapter C-25.01) apply as if the notary were the debtor or the garnishee.

The first paragraph does not apply if the object of the seizure is the technological medium that supports the digital central notarial records.”

33. Section 26.1 of the Act is amended by inserting the following paragraph after the second paragraph:

“The regulatory standards determined under this section may vary according to the category of members to which the notary belongs.”

34. Section 26.4 of the Act is amended by striking out “is guilty of an offence and” in the second paragraph.

35. Section 30 of the Act is replaced by the following section:

“30. A notary who wishes to cease being entered on the roll must so advise the secretary of the Order and decide with the secretary the date of his or her removal from the roll. The notary ceases to be entered on the roll as of that date and must no longer be the holder, user, signatory or mandatory of a trust account related to the notarial profession.”

36. Section 32 of the Act is amended

(1) by inserting “and retired advocates” after “conferred on advocates” in paragraph 5;

(2) by inserting the following paragraph after paragraph 5:

“(6) performs an action exclusively linked to a notary’s function as a public officer provided for in section 15.0.1 or proposes to perform such an action or seeks or contributes to have a notary not perform the mandatory actions linked to the notary’s function as a public officer,”.

37. The Act is amended by inserting the following section after section 32:

“32.1. Any person other than a member of the Order who, acting as an intermediary between a third person and a notary,

(1) grants or promises or causes to be granted or promised, to the third person, a reduction in the fees or disbursements of the notary;

(2) gets a notary to forego part of his or her fees or disbursements; or

(3) procures, or promises or agrees to procure, professional services for the third person, without any liability on the person’s part towards the notary for the notary’s fees and disbursements,

shall be presumed to usurp the functions of a notary.”

38. Section 33 of the Act is amended by replacing “is guilty of an offence and” by “or retired notary who contravenes the second paragraph of section 13.1 or section 13.2”.

39. Section 35 of the Act is amended

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

“A notarial act *en minute* is an act that a notary must deposit in his or her notarial records in order that it be preserved therein and that access be given to it, including by issuing authentic copies of or extracts from that act.”;

(2) by striking out the first two sentences of the second paragraph;

(3) by replacing “in the notarial records” in the third paragraph by “in his or her notarial records”.

40. The Act is amended by inserting the following section after section 35:

“35.1. Notarial acts *en minute* must be executed in and preserved on a technological medium according to the procedure determined by regulation of the board of directors and in a format authorized by the board.

An act must be closed using a technological solution authorized by the board of directors.

However, an act may be executed and temporarily preserved in paper form, according to the procedure determined by regulation of the board of directors, where the notary considers that executing it in a technological medium is not possible or is inconvenient and that it is in the interest of the parties to promptly close the act or where the act is intended for use outside Québec. The information contained in such an act must be transferred to a technological medium as soon as possible. The act in its original medium may be destroyed after the transfer.

The Order shall, according to the procedure determined by regulation of the board of directors, enter into a written agreement with any service provider of a technological solution authorized under the second paragraph.”

41. Section 36 of the Act is replaced by the following section:

“36. Notarial acts *en minute* forming part of notarial records must be executed separately and then numbered consecutively beginning with the number one at the time of their deposit in the notarial records.”

42. Section 37 of the Act is repealed.

43. Section 38 of the Act is amended by replacing “An act” and “an act” in the first paragraph by “A notarial act” and “a notarial act”, respectively.

44. Section 39 of the Act is amended by replacing the first paragraph by the following paragraph:

“Notarial acts *en brevet* must be executed according to the procedure determined by regulation of the board of directors and in a format authorized by the board.”

45. Section 43 of the Act is amended by replacing “second paragraph of section 50” in the second paragraph by “seventh paragraph of section 46”.

46. Divisions II to IV of Chapter IV of the Act, comprising sections 45 to 92, are replaced by the following divisions:

“DIVISION II

“FORM OF NOTARIAL ACTS

“§1. — *General provisions*

“45. Notarial acts must be written without abbreviations; amounts, dates, numbers and other figures, other than simple references that are not absolutely essential, are to be written out in full and entries written out in full take precedence over figures, should there be a difference.

“46. A notarial act is closed by the signatures of the parties and of the witnesses required, as the case may be, in the physical presence of the officiating notary and by the officiating notary’s signature, which must be affixed immediately after the last of the parties has signed the act and at the place where that party signed.

The notary may exceptionally, if the circumstances so require and if it may be done in keeping with the rights and interests of the parties, authorize a party who so requests to sign the act remotely.

The notary may also, if circumstances permit, authorize a witness to sign the act remotely.

The authorization to sign remotely may be revoked at any time.

When the signing of an act is carried out remotely, the notary must make sure that the conditions are such as to ensure the quality of his or her professional services, the parties’ clear understanding and the confidentiality of the information exchanged, and that they are not derogatory to the honour or dignity of the profession.

The remote act is closed at the place where the notary signs it and according to the procedure determined by regulation of the board of directors. The regulation may also prohibit or limit remote signing in certain cases or for certain acts or types of acts.

The signature of any party to a notarial act may, at the request of the officiating notary or a party to the act, be affixed before a notary other than the officiating notary either in the other notary’s physical presence or remotely, subject to the conditions provided for in the second paragraph, provided that the last signature is affixed before the officiating notary. A signature may also be affixed before a notary who is authorized to practise in a State which has a professional order belonging to the Union internationale du notariat and who is designated by the board of directors, provided that the signature is affixed within the territorial boundaries of the State in which that notary practises. In

such cases, after the party signs, the notary before whom the signature is affixed must enter and sign an attestation, immediately below the party's signature, that the signature was affixed before him or her, indicating the date on which it was affixed.

“47. Before it is signed, a notarial act must be read aloud to each of the parties by the notary or by a third person appointed by the notary. The act need not be read to parties who have themselves read the act or where the parties declare to the notary that they have taken cognizance of it and exempt the notary from reading it. Mention of the declarations and exemption must be made in the act, above the signatures.

The inclusion in the act of the words “After due reading hereof” constitutes a simple presumption that the act has been read in accordance with the provisions of this Act.

“48. A notarial act must indicate:

- (1) the date of its execution;
- (2) the name, official capacity and place of the professional domicile of the notary who executes the act;
- (3) the name, quality and address of the parties and a designation of the powers of attorney or the mandates produced;
- (4) the presence, name, quality and address of the required witnesses;
- (5) the place where the act is executed;
- (6) the fact that the act is executed *en brevet*, where applicable; and
- (7) a mention of the fact that the act was read to the parties or, where applicable, the mention required in the cases described in section 47.

“49. A notarial act must contain the signatures of the parties or their declaration that they are unable to sign, the signatures of the witnesses and the official signature of the notary or notaries.

The official signature of any notary, other than the officiating notary, before whom one of the parties signs constitutes a sufficient designation of the notary.

Where a party signed a notarial act in the presence of a notary other than the officiating notary and that notary entered in it and signed the attestation in accordance with the seventh paragraph of section 46, the party is deemed to have appeared before the officiating notary for the purposes of that act.

“50. A notarial act is declared to be executed at the place where it is closed. If that place is situated in Québec, it is sufficiently described by specifying the name of the municipality. In any other case, the name of the State must also be specified in the act.

“51. Where a notarial act between several parties is signed or consented to by the parties on different days or at different places, the notary may express the plurality of dates or places by mentioning the day on which and the place where each party signed the act or consented to it.

“52. A notarial act *en minute* under the authority of which a notarial act is executed must be sufficiently described in the act by the nature and date of the notarial act *en minute*, the name of the notary who executed it, the minute number given to it and, where applicable, its registration number in the appropriate register for the publication of rights. No copy of a notarial act *en minute* is to be appended to the act.

Any other documents under the authority of which a notarial act is executed must be appended, by being attached directly or by reference, and be sufficiently identified, acknowledged as true and signed in the presence of the notary by the party or parties who produce them and countersigned by the notary.

All other documents that the parties wish to append to a notarial act may be so appended by complying with the formalities prescribed in the second paragraph.

Documents appended to a notarial act form an integral part of it. They must be in the same medium as the act.

“53. A notary may not alter or change a notarial act after a party has signed it unless the party agrees to the alteration or change.

Nor may a notary destroy or alter a notarial act after it is closed, unless authorized by law. Should it be necessary to make changes to the act, the parties may do so only by means of another act.

Any change, destruction or alteration must be done according to the procedure determined by regulation of the board of directors.

“54. Any transfer of the information contained in a notarial act *en minute* to another medium or another format must be made according to the procedure determined by regulation of the board of directors, which must specify the standards applicable to verifying the integrity of the information transferred. The regulation may also, in the cases it determines, make it mandatory to transfer such information from paper form to a technological medium.

Such a transfer does not affect the authentic nature of the act.

“§2. — *Special provisions*

“55. Every act executed by a notary in paper form and signed by him or her, but which does not bear that notary’s official handwritten signature as filed with the secretary of the Order, is nevertheless authentic and has the same effect as if it had been signed with the notary’s official signature.

“56. Notarial acts in paper form must comply with the following formalities:

(1) the acts must be written in good-quality ink, typewritten, or printed legibly and permanently;

(2) the body of the act and the insertions or additions to insertions must not contain any overwriting, interlineation or added word; any overwritten, interlineated or added words, letters, figures or signs are deemed unwritten;

(3) the crossing out of words, letters or figures must be done in such manner that the crossed-out words, letters and figures may be counted;

(4) insertions and additions to insertions must, under pain of nullity, be made in accordance with the procedure determined by regulation of the board of directors;

(5) the acts must not contain any blanks, gaps or intervening spaces, other than the usual spaces, that are not crossed out; and

(6) the number of insertions and additions to insertions, as well as the number of crossed-out words, letters and figures and the fact that they are null, must be mentioned at the end of the act, above the signatures.

“57. In addition to the particulars provided for in section 48, a notarial act *en minute* executed in paper form must also specify the date and time of signing for each of the signatories.

“58. In addition to the items provided for in section 52, the documents appended to a notarial act in a technological medium must be so appended by means of the technological solution used for the closing of the act and must be in the same format as the act or in any other format authorized by the board of directors.

Any transfer of the information contained in an appendix to another medium or another format must be made according to the procedure determined by regulation of the board of directors, which must specify the standards applicable to verifying the integrity of the transfer to be made by the notary.

“59. The information contained in a notarial act *en minute* on a technological medium may be transferred from one format to another to the extent that the other format is authorized by the board of directors.

“DIVISION III**“PRESERVATION OF NOTARIAL ACTS *EN MINUTE*****“§1. — *Keeping of notarial records***

“60. All notarial records must, according to the procedure determined by regulation of the board of directors, be preserved in the digital central notarial records.

“61. Notarial records must include a repertory of the notarial acts executed *en minute* and an index to the repertory, in which the information prescribed by regulation of the board of directors must be entered.

The repertory and the index must be kept, safeguarded and preserved on a technological medium, according to the procedure determined by regulation of the board of directors.

Any transfer of the information contained in a repertory or an index to another medium or another format must be made according to the procedure determined by regulation of the board of directors, which must specify the standards applicable to verifying the integrity of the information transferred.

The repertory and the index whose information has been transferred may be destroyed, according to the procedure determined by regulation of the board of directors.

“62. Possession of all or part of notarial records may not be surrendered except in the cases provided by law or by regulation of the board of directors. In the latter case, the regulation determines the terms applicable to the surrendering of possession.

Before possession of a notarial act *en minute* may be surrendered, the notary shall make a true copy of the act which, after being signed by the judge ordering the filing of the act or, where section 192 of the Professional Code (chapter C-26) applies, by the person requiring the production of the act in the exercise of his or her functions, is substituted for and stands in lieu of the act until it is re-deposited in the notary's notarial records.

Where an act was executed in a technological medium, a true copy of the act shall be delivered to the judge ordering the filing of the act or, where section 192 of the Professional Code applies, to the person requiring the production of the act in the exercise of his or her functions.

The same obligation applies to any person who, in particular as provisional custodian or assignee, is the depositary of the notarial records.

“63. The Minister of Justice, in his or her capacity as Notary General for Québec, may keep, according to the terms the Minister determines, one or more sets of notarial records in order to preserve the notarial acts executed *en minute* by notaries to whom the Public Service Act (chapter F-3.1.1) applies.

When establishing a set of notarial records, the Minister shall notify the secretary of the Order.

“§2. — *Digital central notarial records*

“64. The Order is responsible for the administration and financing of the digital central notarial records.

The central notarial records group together, for preservation purposes, all the notarial records kept or safeguarded on a technological medium until they are transferred to Bibliothèque et Archives nationales du Québec.

However, the Order may, under a written agreement entered into according to the procedure determined by regulation of the board of directors, entrust a part of the administration of the central notarial records to any person or to any body.

“65. A notary may only access his or her own notarial records as well as the notarial records for which he or she is the assignee, provisional custodian or mandatary under section 92.2.

“66. The Order may access a notary’s notarial records only according to the terms provided for by government regulation.

“67. The Order must ensure the security of the information contained in the digital central notarial records.

To that end, the Order must, every five years, submit to an external audit aimed at ensuring compliance with the highest standards and best practices in matters of information security and it must communicate the audit’s findings to the Minister of Justice.

The Minister may require that the Order take corrective measures, make adequate follow-ups, and comply with any other measure the Minister determines, including monitoring or support measures.

“68. The digital central notarial records must be hosted in Québec. However, the Government may, according to the terms it determines, authorize that the records be hosted outside Québec.

“69. Where the technological medium on which the digital central notarial records are based is the object of a seizure, the bailiff is required to notify the Order of the right to transfer any documents that must be preserved from the medium seized to another.

“70. The board of directors may, by regulation, determine the costs, duties or fees for using the digital central notarial records or for providing any related service, in particular those payable for the issuing of copies of and extracts from acts or for the custody, assignment, surrender and reinstatement of notarial records.

“§3. — Assignment, surrender and provisional custody of notarial records

“71. Notarial records may, subject to the conditions determined by regulation of the board of directors and with its authorization, be assigned, in whole or in part, to any notary. Notarial records may also, according to the terms provided for by regulation of the board of directors, be surrendered, in whole or in part, to the Order.

“72. The files relating to assigned records must be handed over to the assignee notary.

“73. The liquidator of the succession of a deceased notary must notify the Order without delay of the death and see to it that the notary’s notarial records and all notarial records assigned to or under custody of the notary and the related files remain confidential until they are handed over to a provisional custodian.

“74. As soon as a notary who keeps notarial records is removed from the roll or is entered on the roll as a retired notary, the notary shall, according to the terms provided for by regulation of the board of directors, assign the notarial records or surrender them to the Order.

“75. The assignee of notarial records shall surrender the records to the Order at the expiry of the maximum period, determined by regulation of the board of directors, for which the records were assigned.

“76. The surrender of notarial records, where it is mandatory, must be made within 30 days of the event that gives rise to it. However, if the board of directors considers it warranted by the circumstances, the board may grant any extension it deems appropriate.

“77. A person who surrenders notarial records must, before the surrender, destroy, in their original medium, the acts whose information was transferred to a technological medium.

The obligation to destroy referred to in the first paragraph does not apply to acts executed before 1 January 1950, which must be preserved in their original medium.

“78. The fees collected for searches of, copies of or extracts from acts belong to the Order, as the depositary.

“79. The board of directors or, in urgent cases, the president may, in the absence of a mandate referred to in section 80, appoint a provisional custodian for the notarial records, files or trust accounting documents, as well as for the sums and other property entrusted to a practising notary and held in trust, in any of the following cases:

- (1) the notary’s right to practise is limited or suspended;
- (2) in a proceeding before the court, the notary is the subject of an application for the institution of tutorship to a person of full age, for homologation of a protection mandate or for confinement in an institution pursuant to article 30 of the Civil Code;
- (3) a medical report issued in the circumstances described in sections 48 to 51 of the Professional Code (chapter C-26) shows that the notary cannot practise for health reasons;
- (4) the notary is deceased;
- (5) the notary has ceased to be entered on the roll and has not assigned or surrendered his or her notarial records or disposed of his or her files, trust accounting documents or the sums and other property held in trust;
- (6) the notary has not, contrary to that which is required under section 92.2, appointed a mandatary to issue copies of or extracts from the acts in his or her notarial records or in the notarial records assigned to him or her or under his or her provisional custody;
- (7) the notary is the subject of a decision finding him or her guilty of a criminal offence which, in the reasoned opinion of the committee constituted under section 12, is closely related to the practice of the profession;
- (8) the notary is under investigation by a syndic of the Order or is the subject of a complaint or a syndic’s request filed with the disciplinary council; and
- (9) the safekeeping of the notary’s notarial records, files, trust accounting documents or of the sums and other property held in trust is compromised, in the opinion of the board of directors or, as the case may be, the president.

The board of directors or, in urgent cases, the president may also appoint a provisional custodian in respect of property referred to in the first paragraph where a notary mandated to act as provisional custodian under section 80 ceases to be a practising notary, does not properly exercise his or her function or renounces exercising it.

In the cases referred to in subparagraphs 1 to 7 of the first paragraph, the appointment of a provisional custodian may also be made by any other person designated by regulation of the board of directors.

The clerk of the court shall, as soon as possible, notify the secretary of the Order of any proceeding referred to in subparagraph 2 of the first paragraph.

The board of directors shall determine by regulation the terms and conditions relating to provisional custody.

“80. A notary may mandate, by a notarial act *en minute*, another notary to be a provisional custodian in anticipation of the occurrence of any of the cases referred to in subparagraphs 1 to 9 of the first paragraph of section 79.

A statement describing the case giving rise to the mandate and indicating the name of the mandatary, the period and the part of the notarial records covered by the mandate, as well as the name of the officiating notary and the number of the minute of the mandate must be filed immediately with the Order.

The mandator must notify the Order of any change to or revocation of the mandate.

The mandated notary must notify the Order of the effective date of the mandate and of the date on which it ends.

The board of directors may, by regulation, determine other terms and conditions relating to provisional custody.

“81. Where a provisional custodian of the notarial records of a notary who is in one of the cases referred to in subparagraphs 1 to 9 of the first paragraph of section 79 must effect the surrender or assignment of the notarial records, the provisional custodian must first notify in writing the notary or, where applicable, the liquidator of the notary's succession.

At the written request of the notary or the liquidator, the provisional custodian must provide a written estimate of the value of the notarial records. If the provisional custodian does not receive such a request within 10 days of the notary or liquidator receiving the notice referred to in the first paragraph, he or she may effect the surrender or assignment of the notarial records.

The notary or the liquidator may, within 10 days of receiving the estimate, require the provisional custodian to effect, within a reasonable time, the assignment of the notarial records. The proceeds from the assignment are remitted to the notary or to the notary's succession. The provisional custodian may offset out of the proceeds from the assignment any sums owed to him or her for disbursements and fees.

Where the provisional custodian is unable to find an assignee within a reasonable time, he or she may, after so notifying in writing the notary or the liquidator of the notary's succession, effect the surrender of the notarial records.

“82. The board of directors or the president may require that all files relating to notarial records that may be placed under provisional custody be sealed until a provisional custodian is appointed or until the notarial records are assigned or surrendered. The application shall be made to the Superior Court of the judicial district in which the notary who deposited his or her acts in the notarial records last practised. The judge or, in the judge’s absence, the special clerk has full and complete jurisdiction in the matter.

“83. Any person in possession of the notarial records or any other document referred to in section 79 for which a provisional custodian has been appointed shall deliver the notarial records or document to the provisional custodian on being notified a notice of the latter’s appointment in accordance with the Code of Civil Procedure (chapter C-25.01). The person is liable to a fine of \$100 for each day’s delay, beginning from notification of the notice. Every person required to surrender notarial records who refuses or neglects to do so is liable to the same fine upon the expiry of the time given to surrender the notarial records. A notary who contravenes the provisions of this section is liable, in addition, to the disciplinary penalties prescribed by the Professional Code (chapter C-26).

“84. Where a person required to comply with the provisions of section 83 refuses or neglects to do so or where it is impossible to notify the notice of appointment of the provisional custodian, any person designated by the president may, with the authorization of a judge of the Superior Court, take possession of the notarial records or of any other document subject to provisional custody or of the notarial records to be surrendered, and either deliver them to the provisional custodian or surrender them to the Order.

The application may not be presented to the judge unless it has been served on the party concerned at least one clear day beforehand. The judge may, by way of exception, exempt the applicant from serving the application on the person concerned where the judge considers that it would compromise the preservation of the notarial records and other documents, or in urgent cases. The application is heard and decided on an urgent basis.

The judge may, subject to the conditions the judge specifies, authorize the applicant to enter, in the presence of a bailiff, any premises where the notarial records or other documents concerned are kept and, if necessary, cause any locked door, filing cabinet or safe to be opened by any necessary means.

“85. The provisional custodian is, for the duration of the provisional custody, the legal depositary of the notarial records under provisional custody and the custodian of the files or trust accounting documents, as well as of the sums and other property held in trust.

“86. In addition to disbursements, the provisional custodian is entitled to the fees established in the mandate mentioned in section 80 or, if no fees are established in the mandate, to those fixed by the board of directors, which shall be charged to the person whose records are under provisional custody.

However, in the case of provisional custody instituted under subparagraph 2 or 8 of the first paragraph of section 79, the board of directors shall, after a decision is rendered by the court or, as the case may be, by the disciplinary council, determine which of the notary or the Order is to pay the costs.

The provisional custodian is also entitled to fees for making searches and for issuing copies of or extracts from acts.

“§4. — *Transfer of notarial records to Bibliothèque et Archives nationales du Québec*

“**87.** The Order shall transfer to Bibliothèque et Archives nationales du Québec, at the expiry of the period determined by regulation of the board of directors, the notarial records of which it is the depositary.

The regulation determines the other terms of the transfer.

Notarial records transferred under this section are deemed to be public archives within the meaning of the Archives Act (chapter A-21.1).

Regulatory provisions made under the first paragraph must be submitted to the Government, which may, after consultation with the Office des professions and Bibliothèque et Archives nationales du Québec, approve them, with or without amendment.

“DIVISION IV

“COPIES OF OR EXTRACTS FROM NOTARIAL ACTS *EN MINUTE*

“**88.** The right to issue copies of or extracts from a notarial act *en minute* belongs exclusively to the notary who executed the act, to the assignee of that notary’s notarial records, to a person authorized by the depositary of those notarial records or to the mandatary referred to in section 80.

The provisional custodian of notarial records, alone and to the exclusion of any other person referred to in the first paragraph, may issue copies of or extracts from the acts in the notarial records that are under provisional custody.

“**89.** Regulatory provisions made under this division must be part of the same regulation.

“**90.** Copies of or extracts from notarial acts *en minute*, regardless of the medium used for the act, may, in accordance with the procedure determined by regulation of the board of directors, be issued in a technological medium or in paper form. The copies or extracts issued in a technological medium must be issued in a format authorized by the board of directors.

The choice of the medium of a copy or extract belongs to the person requesting its issue.

The copies or extracts issued under this section are authentic.

“91. A notary may not issue a copy of or extract from acts that are part of his or her notarial records and whose publication is not required, or otherwise give access to them, except on an order of the court or in the cases provided for in the second paragraph of article 484 of the Code of Civil Procedure (chapter C-25.01).

The first paragraph also applies to the assignee of notarial records or of part of notarial records, to the provisional custodian and any other legal depository of such notarial records and to the mandatary referred to in section 92.2.

A regulation of the board of directors may determine the procedure for issuing the copies or extracts. The regulation may also provide other cases in which the notary may give access to an act.

“92. Copies of notarial acts *en minute* that a person referred to in section 88 certifies as true copies must be faithful reproductions of the text of the acts.

It is not necessary to mention in the copies the number of approved insertions and crossed-out words which appear in the act.

“92.1. Copies of and extracts from notarial acts *en minute*, certified as true by a person referred to in section 88, are authentic and constitute proof of what is contained in the act provided, as regards appended documents, that they were appended pursuant to an Act or that they were acknowledged as true in accordance with section 52.

“92.2. Where a notary expects to not be able to issue copies of or extracts from the acts in his or her notarial records or in the notarial records assigned to him or her or under his or her provisional custody, the notary must give a mandate, by a notarial act *en minute*, to another notary to issue the copies or extracts. A notary may also, at any time, appoint a mandatary for a specified time.

A statement specifying the name of the mandatary, the period and the part of the notarial records covered by the mandate, as well as the name of the officiating notary and the number of the minute of the mandate must be filed immediately with the Order.

The copies or extracts issued under this section are authentic, despite the provisions of articles 2815 and 2817 of the Civil Code.

The board of directors may, by regulation, determine terms and conditions according to which a notary is to give a mandate referred to in the first paragraph.

“92.3. The copies of or extracts from acts signed by a notary in paper form with a signature other than the notary’s official handwritten signature are authentic and have effect as if they had been signed with the notary’s official signature.

“92.4. A notary is not required to issue a copy of or an extract from an act, or to give access to its content, except for the purpose of its registration in the appropriate register for the publication of rights, until the fees and disbursements for the preparation and execution of the act and, where applicable, the registration of the act, have been paid.

A notary may also withhold the documents of a file that pertain to a professional services mandate entrusted to him or her until all fees and disbursements have been paid.

“92.5. The delivery of copies, extracts, title-deeds or acts of any nature does not constitute a presumption that the notary’s fees and disbursements have been paid.”

47. Section 94 of the Act is amended

(1) by striking out “periodically”;

(2) by replacing “attorney, another notary depositing acts in the same joint notarial records, a partner in a general partnership having constituted shared notarial records” by “mandatary”.

48. Section 96 of the Act is amended

(1) by replacing “the manner in which entries are to be made in registers” in the first paragraph by “the procedure for making entries in those registers”;

(2) by striking out the third paragraph.

49. Section 98 of the Act is repealed.

50. Sections 105 and 106 of the Act are repealed.

COURTS OF JUSTICE ACT

51. Section 122 of the Courts of Justice Act (chapter T-16) is amended

(1) by inserting “as well as determine a fund within the plan into which the contributions are to be paid” after “of the contributions” in the second paragraph;

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

“The Chair of the Conseil du trésor is responsible for establishing an investment policy in respect of the fund referred to in the second paragraph.”

52. The Act is amended by inserting the following section after section 122:

“122.0.0.1. Where, in accordance with the second paragraph of section 122, the Government determines a fund into which the judges’ contributions to the plan providing for supplementary benefits are to be paid, it shall pay into that fund an annual contribution at least equal to the total of the contributions paid by the judges in the same year.”

53. Section 127 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: “The sums required for the payment of the supplementary benefits may also be taken out of the fund determined under the second paragraph of section 122.”;

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

“The contribution of the municipalities to the supplementary benefits plan established under the second paragraph of section 122 shall be paid into the Consolidated Revenue Fund.”

54. Section 224.7 of the Act is amended by replacing “section 224.30” in subparagraph 3 of the first paragraph by “section 224.30 or 224.33”.

55. The Act is amended by inserting the following sections after section 224.32:

“224.33. With regard to a judge of the Municipal Court of Montréal who holds office on 31 March 2024, the years and parts of a year that, on that date, are credited under the equivalent pension plan in effect in Ville de Montréal shall be credited under this plan.

“224.34. Any contribution paid before 1 April 2024 by a judge of the Municipal Court of Montréal into the pension plan equivalent to that provided for in this Part in effect in Ville de Montréal and any contribution to that plan from which the judge was exempt before that same date are deemed to have been paid under section 224.2.

“224.35. A judge who, on 31 March 2024, is receiving a pension under the pension plan equivalent to that provided for in this Part in effect in Ville de Montréal is deemed to be a judge who receives a pension under this plan.

Moreover, a judge or any other person who, on that same date, is entitled to a benefit, advantage or reimbursement under the pension plan equivalent to that provided for in this Part in effect in Ville de Montréal continues to be entitled to it under this plan.”

56. The Act is amended by inserting the following section after section 244.13:

“**244.14.** A judge who, on 31 March 2024, is receiving a pension under the pension plan equivalent to that provided for in this Part in effect in Ville de Montréal is deemed to be a judge who receives a pension under this plan.

Moreover, a judge or any other person who, on that same date, is entitled to a benefit, advantage or reimbursement under the pension plan equivalent to that provided for in this Part in effect in Ville de Montréal continues to be entitled to it under this plan.”

57. Section 246.24 of the Act is amended by inserting “Before 1 April 2024,” at the beginning of the first paragraph.

ACT TO AMEND THE CODE OF CIVIL PROCEDURE AND OTHER LEGISLATIVE PROVISIONS IN RELATION TO NOTARIAL MATTERS

58. Section 28 of the Act to amend the Code of Civil Procedure and other legislative provisions in relation to notarial matters (1998, chapter 51) is repealed.

SUPPLEMENTARY BENEFITS PLAN FOR JUDGES COVERED BY THE PENSION PLAN PROVIDED FOR IN PART V.1 OF THE COURTS OF JUSTICE ACT

59. Section 10 of the Supplementary benefits plan for judges covered by the pension plan provided for in Part V.1 of the Courts of Justice Act (chapter T-16, r. 6) is amended by adding the following paragraph at the end:

“The contributions paid under this section shall be paid into a fund taking the form of a retirement compensation arrangement trust.”

TRANSITIONAL AND FINAL PROVISIONS

60. The information contained in a notarial act *en minute* executed in paper form before the date of coming into force of section 40 of this Act may be transferred to a technological medium. The act in its original medium may then be destroyed, provided that it was executed on or after 1 January 1950.

If such information has not been transferred, the act must be safeguarded or preserved in the notary’s notarial records according to the procedure determined by regulation of the board of directors of the Ordre des notaires du Québec, and those records must be safeguarded or preserved in Québec or in any place that is authorized by the board of directors.

61. As regards a notarial act *en minute* executed before the date of coming into force of section 40 of this Act, if the notary finds that a mistake is made in numbering, the notary must immediately make a declaration under his or her oath of office, below the signatures, on any act that contains such an error, describing the nature of the error, and must enter in the repertory the number as it appears on the act. Such a declaration may also be made in a writing attached to the act, directly or by reference.

If a number has been omitted, the notary must enter the omitted number in the repertory with a note to the effect that no act corresponds to the number.

The obligations imposed on notaries under this section are also incumbent on any person who, in particular as provisional custodian or assignee, is the depositary of the notarial records.

62. The first external audit to which the Ordre des notaires du Québec must submit under section 67 of the Notaries Act (chapter N-3), enacted by section 46 of this Act, must be carried out not later than one year after the date of coming into force of that section 67.

63. Despite the second paragraph of section 90 of the Notaries Act, as replaced by section 46 of this Act, the Superior Court may issue a copy of or extract from a notarial act *en minute* in paper form or, if the technological environment of the Court enables it, in a technological medium.

64. The fees collected by the Superior Court as depositary of notarial records forming part of its archives for searches of and the issue of copies of or extracts from acts belong to the State.

65. When the Superior Court deposits notarial records forming part of its archives with Bibliothèque et Archives nationales du Québec, the Court immediately notifies the secretary of the Ordre des notaires du Québec.

66. All notarial records not already surrendered to the Superior Court and in which the most recent notarial act was executed before 1 January 1950 must be transferred to Bibliothèque et Archives nationales du Québec. The notary who transfers them must inform the secretary of the Ordre des notaires du Québec without delay.

The other terms of the transfer are determined by the regulation of the board of directors of the Ordre des notaires du Québec referred to in the second paragraph of section 87 of the Notaries Act, as replaced by section 46 of this Act.

Notarial records transferred under this section are deemed to be public archives within the meaning of the Archives Act (chapter A-21.1).

67. The measures for closing a notarial act *en minute* in a technological medium, including remotely, enacted by Order 2020-4304 (2020, G.O. 2, 2333B) and by Order 2023-5041 (2023, G.O. 2, 2001), are maintained in force beyond 31 August 2024 until the Government repeals those orders.

In addition, the standards established by the board of directors of the Ordre des notaires du Québec under those Orders, and the power of the board of directors to modify those standards, are also maintained in force until that same date.

68. Until the date of coming into force of paragraph 4 of section 56 of the Notaries Act, enacted by section 46 of this Act,

(1) no overwriting, interlineation or added words must appear in the body of a notarial act or in the insertions and additions to insertions; any overwritten, interlined or added words, letters, figures or signs are deemed unwritten, and the crossing out of words, letters or figures must be done in such a manner that the crossed-out words, letters and figures may be counted;

(2) insertions and additions to insertions must only be written in the margin or at the end of the act; they must be initialled by all the signatories to the act, under pain of nullity of the insertions and additions to insertions;

(3) if the length of an insertion requires that it be continued at the end of the act, the insertion must be initialled by all the signatories to the act in the same manner as insertions in the margin, under pain of nullity of that part of the continued insertion. The same applies to additions to insertions at the bottom of the act and to other insertions which cannot be fully contained in the margin; and

(4) the number of insertions and additions to insertions, as well as the number of crossed-out words, letters and figures and the fact that they are null, must be mentioned at the end of the act, above the signatures.

69. Until the date of coming into force of section 71 of the Notaries Act regarding the possibility of surrendering notarial records or the obligation to do so, enacted by section 46 of this Act, any notarial records kept on a technological medium or any part of notarial records kept on such a medium that must be surrendered or that a notary requests to surrender are entrusted to provisional custody.

In addition, any notarial records kept in paper form or part of notarial records kept in paper form that must be surrendered or that a notary requests to surrender must be surrendered to the Superior Court. The provisions of the Notarial Act (chapter N-2), as they read on 23 October 2023, apply to such a surrender.

70. All notarial records surrendered to the Superior Court after 31 March 2020 and before the date of coming into force of section 71 of the Notaries Act regarding the possibility of surrendering notarial records or the obligation to do so, enacted by section 46 of this Act, which contain an act in a technological medium are delivered free of charge to the Ordre des notaires du Québec as depositary.

71. All notarial records and parts of notarial records that have been entrusted to provisional custody under Order 2020-4304 (2020, G.O. 2, 2333B) and Order 2023-5041 (2023, G.O. 2, 2001) or in accordance with section 69 are to be surrendered to the Ordre des notaires du Québec.

72. Despite the first paragraph of section 10 of the Supplementary benefits plan for judges covered by the pension plan provided for in Part V.1 of the Courts of Justice Act (chapter T-16, r. 6), no contributions shall be paid into the Supplementary benefits plan from 20 May 2015 to 31 December 2023.

The application of the first paragraph does not affect the accumulation of years of service credited to the pension plan mentioned in that paragraph.

73. The contributions to be paid by judges of the Municipal Court of Ville de Montréal after 31 December 2023 and before 1 April 2024 to the supplementary benefits plan from which they benefit, including the contributions from which they were exempt, are deemed to have been paid into the fund referred to in the fifth paragraph of section 10 of the Supplementary benefits plan for judges covered by the pension plan provided for in Part V.1 of the Courts of Justice Act, as enacted by section 59 of this Act.

A sum equal to those contributions, excluding the contributions from which those judges were exempt, is to be taken out of the Consolidated Revenue Fund and paid into the fund referred to in the first paragraph.

74. Not later than 1 June 2024, Ville de Montréal shall submit to the Chair of the Conseil du trésor a report on the actuarial value of the benefits accumulated in the pension plans in which the judges of the Municipal Court of Montréal participate on 31 March 2024, as well as the value of the benefits accumulated in the supplementary benefits plans from which those judges benefit at that date. These values are calculated on the basis of the data as at 31 March 2024 and the actuarial assumptions established at that same date but using the actuarial methods that were used for the actuarial valuations prepared for each of those plans on the basis of the data as at 31 December 2019.

The report provided for in the first paragraph must also indicate the discount rate applicable to each of the actuarial values it states.

The report is to be produced by the actuaries designated by Ville de Montréal.

75. Not later than 30 days following the date on which the report referred to in section 74 of this Act is submitted to the Chair of the Conseil du trésor, Ville de Montréal shall pay the Government an amount equal to the sum of the actuarial values stated in the report, with interest accrued since 1 April 2024 and until the date of payment. The interest is calculated by adding the interest accrued during that period on each of those values according to the discount rate applicable to it.

The amount shall be paid into the pension plans sinking fund set up at Caisse de dépôt et placement du Québec under section 8 of the Financial Administration Act (chapter A-6.001).

76. The provisions of this Act come into force on 24 October 2023, except

(1) section 3, which comes into force on the date of coming into force of the first regulation made under article 1603.1 of the Civil Code, enacted by section 3 of this Act;

(2) section 28, section 32 insofar as it enacts the second paragraph of section 26.0.1 of the Notaries Act, paragraph 2 of section 39, sections 40, 41 and 44, section 46 insofar as it enacts the sixth paragraph of section 46, the third paragraph of section 53, section 54, paragraph 4 of section 56, sections 58 and 60, the second, third and fourth paragraphs of section 61, sections 64 to 70, sections 71 and 74 regarding the possibility of surrendering notarial records or the obligation to do so, sections 75 and 77, subdivision 4 of Division III of Chapter IV and section 90 of the Notaries Act, the first paragraph of section 60, and sections 66, 70 and 71, which come into force on the date or dates to be set by the Government;

(3) sections 51 and 52, paragraph 2 of section 53, and sections 59 and 72, which come into force on 1 January 2024;

(4) paragraph 1 of section 53, which comes into force on 1 January 2025;

(5) sections 54 to 57 and 73 to 75, which come into force on 1 April 2024.

Regulations and other Acts

Gouvernement du Québec

O.C. 1675-2023, 22 November 2023

Education Act
(chapter I-13.3)

Basic school regulation for preschool, elementary and secondary education — **Amendment**

Regulation to amend the Basic school regulation for preschool, elementary and secondary education

WHEREAS, under the first paragraph of section 447 of the Education Act (chapter I-13.3), the Government may make regulations to be known as the “basic school regulation”;

WHEREAS, under subparagraph 4 of the third paragraph of section 447 of the Act, the basic school regulation may, in addition, establish rules on the evaluation of learning achievement and the certification of studies;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation to amend the Basic school regulation for preschool, elementary and secondary education was published in Part 2 of the *Gazette officielle du Québec* of 9 August 2023 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 458 of the Education Act, the draft Regulation was submitted to the Conseil supérieur de l'éducation for examination;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Basic school regulation for preschool, elementary and secondary education, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Basic school regulation for preschool, elementary and secondary education

Education Act
(chapter I-13.3, s. 447, 1st par. and 3rd par., subpar. 4)

1. The Basic school regulation for preschool, elementary and secondary education (I-13.3, r. 8) is amended in section 34 by adding the following paragraph:

“In addition to what is provided for in the first paragraph, a mark of at least 50% must be obtained in each competency for French, language of instruction at the Secondary V level.”.

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

106568

Gouvernement du Québec

O.C. 1679-2023, 22 November 2023

Environment Quality Act
(chapter Q-2)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (chapter M-11.6)

Charges payable for the use of water — **Amendment**

Regulation to amend the Regulation respecting the charges payable for the use of water

WHEREAS, under subparagraph *e* of paragraph 16 of section 46 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, regulate withdrawals of surface water or groundwater, in particular on the basis of its different uses, including the collection of groundwater whose use or distribution is governed by the Food Products Act (chapter P-29), in order to determine the cases in and conditions under which two or more existing or planned water withdrawals are deemed to constitute a single withdrawal owing to, among other things, the hydrologic interconnection of the waters concerned, the distance between the withdrawal sites or the intended use of the water withdrawn;

WHEREAS, under subparagraph *g* of paragraph 16 of section 46 of the Environment Quality Act, the Government may, by regulation, regulate withdrawals of surface water or groundwater, in particular on the basis of its different uses, including the collection of groundwater whose use or distribution is governed by the Food Products Act, in order to prescribe standards for the installation and maintenance of equipment or devices for determining the quality or quantity of water withdrawn from or returned to the environment;

WHEREAS, under subparagraph *l* of paragraph 16 of section 46 of the Environment Quality Act, the Government may, by regulation, regulate withdrawals of surface water or groundwater, in particular on the basis of its different uses, including the collection of groundwater whose use or distribution is governed by the Food Products Act, in order to prescribe the documents and information whoever makes or plans to make a water withdrawal is required to send the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks and the conditions governing their sending, including risk assessment studies of protection areas and studies or reports on the actual or potential individual or cumulative impacts of the withdrawal or planned withdrawal on the environment, on other users and on public health, and determine which of those documents and that information is public and must be made available to the public;

WHEREAS, under subparagraph 11 of the first paragraph of section 95.1 of the Environment Quality Act, the Government may make regulations to establish measures providing for the use of economic instruments, including tradeable permits, emission, effluent and waste-disposal fees or charges, advance elimination fees or charges, and fees or charges related to the production of hazardous residual materials or the use, management or purification of water, with a view to protecting the environment and achieving environmental quality objectives for all or part of the territory of Québec;

WHEREAS, under subparagraph 12 of the first paragraph of section 95.1 of the Environment Quality Act, the Government may make regulations to establish any rule that is necessary for or relevant to carrying out measures referred to in subparagraph 11 of the first paragraph of that section and that pertains, in particular, to the determination of persons required to pay the fees or charges referred to in that subparagraph, the conditions applicable to their collection and the interest and penalties payable if the fees or charges are not paid;

WHEREAS, under subparagraph 20 of the first paragraph of section 95.1 of the Environment Quality Act, the Government may make regulations to prescribe the

records, reports, documents and information to be kept and preserved by any person carrying on an activity governed by the Environment Quality Act or the regulations, prescribe the conditions governing their keeping, and determine their form and content and the conditions governing their preservation, in particular the period;

WHEREAS, under subparagraph 21 of the first paragraph of section 95.1 of the Environment Quality Act, the Government may make regulations to prescribe the reports, documents and information that must be provided to the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks by any person carrying on an activity governed by the Environment Quality Act or the regulations, and determine the terms and conditions governing their sending;

WHEREAS, under subparagraph 21.1 of the first paragraph of section 95.1 of the Environment Quality Act, the Government may make regulations to determine the information and documents that are public and, if applicable, the terms and conditions relating to their dissemination;

WHEREAS, under the first paragraph of section 30 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (chapter M-11.6), the Government may, in a regulation made in particular under that Act and the Environment Quality Act, specify that failure to comply with a provision of the regulation may give rise to a monetary administrative penalty and it may set out the conditions for applying the penalty and determine the amounts or the methods for calculating them, which amounts may vary in particular according to the extent to which the standards have been violated;

WHEREAS, under the first paragraph of section 45 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation, the Government may in particular determine the provisions of a regulation the Government has made in particular under that Act and the Environment Quality Act whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government;

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 charges payable for the use of water was published in Part 2 of the *Gazette officielle du Québec* of 12 April 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 Environment, the Fight Against Climate Change, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting the charges payable for the use of water, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the charges payable for the use of water

Environment Quality Act
(chapter Q-2, s. 46, par. 16, and s. 95.1, 1st par., subpars. 11, 12, 20, 21 and 21.1)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6, ss. 30 and 45)

1. The Regulation respecting the charges payable for the use of water (chapter Q-2, r. 42.1) is amended in section 1 by replacing “distribution system” by “waterworks system”.

2. Section 2 is replaced by the following:

“measuring equipment” means a water meter or other device designed to measure and record a volume of water; (*équipement de mesure*)

“rated capacity” means the maximum effective capacity, according to the specifications of the builder or manufacturer of the withdrawal works, facility or equipment; (*capacité nominale*)

“waterworks system” means a waterworks system within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1); (*système d’aqueduc*)

“withdrawal site” means a withdrawal site within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*site de prélèvement*).

For the purposes of this Regulation, is considered a use of water

- (1) any action for lowering or diverting groundwater;
- (2) any other withdrawal of water, even where the water is subsequently returned to its environment of origin.

3. Section 3 is amended

(1) by inserting the following after subparagraph 1 of the first paragraph:

“(1.1) the transportation of water by volume for commercial purposes, regardless of the means used and whether or not the water is intended for human consumption;”;

(2) by replacing ““North American Industry Classification System (NAICS) Canada 2007” published by Statistics Canada (Catalog no.12-501-XIF, 1998, ISBN 0-662-72948-X)” in the second paragraph by ““North American Industry Classification System (NAICS) Canada, published by Statistics Canada””.

4. Section 4 is amended by replacing the first paragraph by the following:

“Every person whose activity results in the use of a daily volume of water equal to or greater than 50,000 litres, at least 1 day in a calendar year, is subject to charges for the use of water for that year and remains so for any subsequent year in which the same activity results in the use of water, regardless of the volume.

The daily volume is determined by adding up, each time that more than one waterworks system, withdrawal site, or groundwater lowering or diversion site is connected to a single establishment, all the volumes of water used from each system or site or, in the cases and in accordance with the conditions provided for in section 8.1, all the volumes of water that may be withdrawn under the authorizations of the establishment issued under section 22 of the Act or the withdrawal rated capacity of all of the establishment’s withdrawal facilities or equipment. Establishments whose activities are related or complementary to one another and are under the responsibility of one person are considered to be part of the same establishment.”.

5. Section 5 is replaced by the following:

“5. The rate of the charges is set at \$35 per 1,000,000 litres of water used, except the water used for the activities referred to in the second paragraph.

The rate of the charges is set at \$150 per 1,000,000 litres of water used where the water is used for the following activities:

(1) the production of water in bottles or other containers, whether or not the water is intended for human consumption;

(1.1) the transportation of water by volume for commercial purposes, regardless of the means used and whether or not the water is intended for human consumption;

- (2) beverage manufacturing (NAICS 3121);
- (3) non-metallic mineral product manufacturing (NAICS 327), when water is incorporated into the product;
- (4) pesticide, fertilizer and other agricultural chemical manufacturing (NAICS 3253), when water is incorporated into the product;
- (5) other basic inorganic chemical manufacturing (NAICS 32518), when water is incorporated into the product;
- (6) oil and gas extraction (NAICS 211).

Where the water is used for the production of water in bottles or other containers, or for the transportation of water by volume for commercial purposes and whatever the means used, whether or not the water is intended for human consumption, additional charges of \$350 per 1,000,000 litres of water used is added to the charges provided for in the second paragraph.”

6. The following is inserted after section 5:

“5.1. Despite section 5, no charges for the use of water are payable where the amount is less than \$250.”

7. Section 6 is replaced by the following:

“6. Every person subject to charges for the use of water is required to determine the volume of water the person uses and discharges annually by direct measurement taken by measuring equipment installed as close as possible to a withdrawal site or another water entry location and each discharge point for water and the installation, operation, monitoring and measurement of which meet, with the necessary modifications, the requirements of Chapter IV of the Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14).

If such measuring equipment is not installed in accordance with the first paragraph, the person must, when establishing or altering such a withdrawal site, another water entry location or a discharge point, instal it in accordance with that paragraph. Until the person establishes or alters such measuring, the person may determine the volume of water the person uses annually by estimates based on indirect or spot measurements, in accordance with section 7 of that Regulation.”

8. Section 8 is replaced by the following:

“8. Persons subject to charges for the use of water must, when they are withdrawers referred to in the Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14), indicate in the annual declaration to be sent to the Minister under section 9 of that Regulation, the amount of the charges paid to the Minister of Finance.

The persons must also indicate in the annual declaration the monthly volumes and the annual volume of water used and discharged, in litres, and, in the case of several activities, the volumes broken down for each activity.

If they are not withdrawers referred to in the Regulation respecting the declaration of water withdrawals, the persons subject to charges for the use of water must declare to the Minister each year, not later than 31 March of the year following the year that is the subject of the declaration or, if they have ceased using the water in one year, within 60 days after the cessation, the following information:

(1) their name, address, telephone number, email address and, where applicable, the Québec business number and those of their representatives and their establishments;

(2) the waterworks system from which comes the water used;

(3) the number of days during which water was taken from that system;

(4) the activity for which the water is used, identified by its NAICS code;

(5) the monthly volumes and the annual volume of water used and discharged, in litres, and, in the case of several activities, the volumes broken down for each activity;

(6) the type of measuring equipment installed and any malfunction, breakdown, abnormality or other defect that affected the operation of the equipment, and the number of days during which the volumes could not be measured in a reliable and accurate manner or, if an estimation method is used, the name of the professional who estimated the volumes of water used and his or her profession and a description of the estimation method used.

The declaration provided for in the third paragraph is completed and sent electronically, using the form on the website of the Ministère du Développement durable, de l'Environnement et des Parcs. The person who completes the declaration must certify that the information it contains is accurate. Documents in support of the declaration must be kept on the premises of the establishment concerned for a period of 5 years and be sent to the Minister within 20 days after a request to that effect.

The persons referred to in the third paragraph must also keep a register in accordance with section 10 of the Regulation respecting the declaration of water withdrawals, with the necessary modifications.

The information on the use of water referred to in the second and third paragraphs, except the information referred to in subparagraph 6 of the third paragraph and personal information, is public and the Minister publishes the information of the Minister's department's website, in keeping with the principle of transparency stated in section 7 of the Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (chapter C-6.2).”

9. The following is inserted after section 8:

“**8.1.** Where a person subject to charges for the use of water is a withdrawer referred to in the Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14) and has not sent to the Minister, within the period prescribed, the annual declaration provided for in section 9 of that Regulation with the information provided for in the second paragraph of section 8 of this Regulation, the charges payable are established,

(1) if the water withdrawal is authorized by the Minister under section 22 of the Act, according to the maximum daily water volume that the authorization allows to be withdrawn for the current year; and

(2) in the other cases, according to the withdrawal rated capacity of the withdrawal facility or equipment.

Where a person subject to charges for the use of water is not a withdrawer referred to in the Regulation respecting the declaration of water withdrawals and has not sent to the Minister, within the period prescribed, the declaration provided for in the third paragraph of section 8 of this Regulation, the charges payable are established according to the withdrawal rated capacity of the withdrawal facility or equipment.

Before imposing the charges established under this section, the Minister must give prior notice to the person concerned and grant the person at least 30 days to submit observations.”

10. Section 9 is replaced by the following:

“**9.** The rates of the charges set in the first and second paragraphs of section 5 are increased by operation of law on 1 January of each year, according to an annual rate of 3%.

The amount set in section 5.1 is adjusted in the manner provided for in section 83.3 of the Financial Administration Act (chapter A-6.001).”

11. Until 31 December 2025 and despite section 4 of the Regulation, as amended by section 4 of this Regulation, the daily volume of water, for the purposes of section 4 of the Regulation, is established at 75,000 litres.

12. This Regulation comes into force on 1 January 2024.

106569

Gouvernement du Québec

O.C. 1680-2023, 22 November 2023

Environment Quality Act
(chapter Q-2)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (chapter M-11.6)

**Declaration of water withdrawals
— Amendment**

Regulation to amend the Regulation respecting the declaration of water withdrawals

WHEREAS, under subparagraph *g* of paragraph 16 of section 46 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, regulate withdrawals of surface water or groundwater, in particular on the basis of its different uses, including the collection of groundwater whose use or distribution is governed by the Food Products Act (chapter P-29), in order to prescribe standards for the installation and maintenance of equipment or devices for determining the quality or quantity of water withdrawn from or returned to the environment;

WHEREAS, under subparagraph *l* of paragraph 16 of section 46 of the Environment Quality Act, the Government may, by regulation, regulate withdrawals of surface water or groundwater, in particular on the basis of its different uses, including the collection of groundwater whose use or distribution is governed by the Food Products Act, in order to prescribe the documents and information whoever makes or plans to make a water withdrawal is required to send the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks and the conditions governing their sending, including risk assessment studies of protection areas and studies or reports on the actual or potential individual or cumulative impacts of the withdrawal or planned withdrawal on the environment, on other users and on public health, and determine which of those documents and that information is public and must be made available to the public;

WHEREAS, under the first paragraph of section 30 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (chapter M-11.6), the Government may, in a regulation made in particular under that Act and the Environment Quality Act, specify that failure to comply with a provision of the regulation may give rise to a monetary administrative penalty and it may set out the conditions for applying the penalty and determine the amounts or the methods for calculating them, which amounts may vary in particular according to the extent to which the standards have been violated;

WHEREAS, under the first paragraph of section 45 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation, the Government may in particular determine the provisions of a regulation the Government has made in particular under that Act and the Environment Quality Act whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government;

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 declaration of water withdrawals was published in Part 2 of the *Gazette officielle du Québec* of 12 April 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 Environment, the Fight Against Climate Change, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting the declaration of water withdrawals, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the declaration of water withdrawals

Environment Quality Act
(chapter Q-2, s. 46, par. 16)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6, ss. 30 and 45)

1. The Regulation respecting the declaration of water withdrawals (chapter Q-2, r. 14) is amended in section 2

(1) by inserting the following definitions in alphabetical order:

““level 1 drainage basin” means a territory whose waters converge towards a watercourse that flows directly into the St. Lawrence River or James Bay; (*bassin versant de niveau 1*)

““rated capacity” means the maximum effective capacity, according to the specifications of the builder or manufacturer of the withdrawal works, facility or equipment; (*capacité nominale*)

““aquaculture site” means an aquaculture site within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1); (*site aquacole*)

““fishing pond site” means a fishing pond site within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*site d’étang de pêche*)

““sewer system” means a sewer system within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*système d’égout*)

““storm water management system” means a storm water management system within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*système de gestion des eaux pluviales*)”;

(2) by striking out “continuously” in the definition of “measuring equipment”;

(3) by replacing the definition of “withdrawal site” by ““withdrawal site” means a water withdrawal site within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*site de prélèvement*)”;

(4) by replacing the definition ““waterworks system” or “distribution system”” by ““waterworks system” means a waterworks system within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*système d’aqueduc*)”.

2. Section 3 is amended

(1) in the second paragraph

(a) by replacing subparagraph 1 by the following:

“(1) withdrawals whose maximum daily volume is less than 50,000 litres per day, every day in a calendar year;”.

(b) by replacing “or that are not used to fill a water supply reservoir for subsequent use” by “, that are not used to fill a water supply reservoir for subsequent use or that are not made for mining, quarrying and oil and gas extraction (NAICS 21)” in subparagraph 8;

(2) by replacing “agricultural or fish-breeding purposes” in subparagraph 1 of the third paragraph by “agricultural purposes or for the operation of a fishing pond site or an aquaculture site”.

3. Section 9 is amended

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

“Every withdrawer whose daily volume of water withdrawals is equal to or greater than 50,000 litres, at least 1 day in a calendar year, is required to send to the Minister, for that year and any subsequent year in which the withdrawer withdraws water, regardless of the volume, an annual declaration describing the withdrawal activities by specifying the volumes of water withdrawn, including withdrawals less than 50,000 litres per day.”.

(2) in the fifth paragraph

(a) by inserting “email address” after “telephone number” in subparagraph 1;

(b) by inserting “representative and” before “establishments” in subparagraph 1;

(c) by striking out “, the name of the professional who evaluated the total volumes of water withdrawn in the year and his or her profession and a description of the estimation method used” in subparagraph *e* of subparagraph 3;

(d) by inserting the following after subparagraph *e* of subparagraph 3:

“(e.1) if the volumes of water withdrawn are not measured using measuring equipment, the name of the professional who evaluated the total volumes of water withdrawn in the year and his or her profession and a description of the estimation method used;”;

(e) by replacing subparagraph *h* of subparagraph 3 by the following:

“(h) the activities for which the withdrawals are made, identified by their North American Industry Classification System (NAICS) codes;”.

(f) by replacing subparagraph *i* of subparagraph 3 by the following:

“(i) where the withdrawals are for multiple activities, the volumes of water, in percentage or litres, broken down per activity;

(j) a statement specifying that the withdrawals total a daily volume equal to or greater than 75,000 litres, at least 1 day in the year, where applicable.”;

(3) in the seventh paragraph

(a) by striking out “and made available to the Minister”;

(b) by adding “and be sent to the Minister within 20 days after a request to that effect” at the end;

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

“The information on withdrawal activities and the volumes of water withdrawn referred to in the fifth paragraph, except the information referred to in subparagraphs *d*, *e.1* and *g* of paragraph 3 and personal information, is public and the Minister publishes the information on the Minister’s department’s website, in keeping with the principle of transparency stated in section 7 of the Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (chapter C-6.2).”.

4. The following is inserted after section 9:

“**9.1.** Despite subparagraph 1 of the second paragraph of section 3, and unless the water is withdrawn exclusively for the purposes of human consumption for an establishment, a facility or a waterworks system supplying 20 persons or less, or is withdrawn out of the St. Lawrence River Basin for agricultural purposes or for the operation of a fishing pond site or an aquaculture site, a withdrawer whose water withdrawal does not reach the daily volume provided for in section 9 must record in a register and keep up to date the following information:

- (1) a description of the means used to withdraw the water;
- (2) the nature of the needs to fulfil;
- (3) the maximum daily volume of water withdrawn;
- (4) where applicable, the use for that water.

The information must be kept at the operation site for a period of 5 years and be sent to the Minister within 20 days after a request to that effect.”

5. Section 11 is amended by adding “or, in the case of an aquaculture site or a fishing pond site, as close as possible to each discharge point for the water into the environment, a sewer system or a storm water management system” at the end of paragraph 1.

6. Section 12 is amended by inserting “that belongs to the withdrawer” after “equipment” in subparagraph 3 of the first paragraph.

7. Section 18.1 is revoked.

8. The following is inserted before section 18.8:

“**18.7.1.** A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails to record, update, keep or send to the Minister the information prescribed by section 9.1, on the conditions provided for in that section.”

9. Section 18.10 is amended by striking out “or alters the proper functioning or reading of”.

10. The following is inserted before section 19:

“**18.11.** Every person who fails to record, update, keep or send to the Minister the information prescribed by section 9.1, on the conditions provided for in that section commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.”

11. The following is added after section 23:

“**24.** The provisions of this Regulation must be evaluated not later than every 5 years to ensure a better knowledge and a better protection of water resources.”

12. Until 31 December 2024 and despite sections 3 and 9 of the Regulation, as amended by sections 2 and 3 of this Regulation, the daily volume of water applicable for the purposes of subparagraph 1 of the second paragraph of section 3 and the first paragraph of section 9 of the Regulation is established at 75,000 litres.

13. This Regulation comes into force on 1 January 2024.

106570

Gouvernement du Québec

O.C. 1681-2023, 22 November 2023

Financial Administration Act
(chapter A-6.001)

**Borrowings made by a body
—Amendment**

Regulation to amend the Regulation respecting borrowings made by a body

WHEREAS under the first paragraph of section 77.1 of the Financial Administration Act (chapter A-6.001), a body may not make a borrowing unless the borrowing is authorized by the Minister responsible for the administration of the Act governing the body and its nature, terms and conditions are authorized by the Minister of Finance;

WHEREAS under the fourth paragraph of section 77.1 of the Financial Administration Act, the authorization of the Minister of Finance is not required in the cases and subject to the terms and conditions determined by the Government in a regulation, and the provisions of the regulation may apply in whole or in part to one or more bodies and may specify the applicable categories of borrowings;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting financial commitments made by a body was published in Part 2 of the *Gazette officielle du Québec* on 30 August 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 this regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting borrowings made by a body, attached hereto, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation amending Regulation respecting borrowings made by a body

Financial Administration Act
(chapter A-6.001, s. 77.1)

1. Section 2 of the Regulation respecting borrowings made by a body (chapter A-6.001, r. 3) is amended by replacing, in paragraph 3, subparagraph b by the following:

“b) the interest rate of the borrowing does not exceed:

i. for any borrowing whose reference rate is the CORRA rate, the CORRA rate published by Bank of Canada applicable on the dates of determination of the rate, increased by 0,62%, including all fees;

ii. for any other borrowing, the rate of Canadian bankers’ acceptances on the CDOR page of the Reuters system on the date of the borrowing, increased by 0.3%, including all fees;”.

2. Section 4 of this Regulation is repealed.

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

106571

Gouvernement du Québec

O.C. 1694-2023, 22 November 2023

Individual and Family Assistance Act
(chapter A-13.1.1)

Individual and Family Assistance — Amendment

Regulation to amend the Individual and Family Assistance Regulation

WHEREAS, under paragraphs 8 and 9 of section 131 of the Individual and Family Assistance Act (chapter A-13.1.1), for the purposes of Title I, the Government may make regulations

— determining the cases in which and the conditions under which a child is not a person’s dependant or is a dependant of another adult than the child’s father or mother or parents or one of them and designating that adult; and

— determining the circumstances in which a person remains, ceases to be or becomes a member of a family;

WHEREAS, under paragraphs 1, 8, 10, 11, 15 and 17 of section 132 of the Act, for the purposes of the Social Assistance Program, the Government may make regulations

— determining basic benefit amounts and the cases in which and the conditions under which those amounts are to be granted;

— prescribing special benefit amounts to provide for certain particular needs, and determining the cases in which and the conditions under which they are to be granted;

— excluding, for the purpose of calculating a benefit, any or all of the income, earnings, benefits, liquid assets and property of a person eligible under the program;

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

— prescribing a method for calculating the parental contribution, and specifying the net incomes of an adult’s father and mother or parents required to be considered for that purpose; and

— prescribing a method for calculating a benefit for the month of application, and determining the maximum amount of liquid assets at the time of the application;

WHEREAS, under paragraph 3 of section 133 of the Act, for the purposes of the Social Solidarity Program, the Government may make regulations prescribing, for the purposes of the third paragraph of section 72 of the Act, more flexible rules concerning the matters referred to in that paragraph;

WHEREAS, under paragraph 6 of section 133.1 of the Act, for the purposes of the Aim for Employment Program, the Government may make regulations prescribing, for the purposes of section 83.5 of the Act, a method for calculating the Aim for Employment benefit;

WHEREAS, under paragraph 6 of section 133.2 of the Act, for the purposes of the Basic Income Program, the Government may make regulations prescribing, for the purposes of section 83.21 of the Act, the method for calculating the basic income;

WHEREAS, under paragraph 3 of section 134 of the Act, for the purposes of Chapter II of Title III, the Government may make regulations determining, for the purposes of section 88 of the Act, the cases in which the amounts are not repayable;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Individual and Family Assistance Regulation was published in Part 2 of the *Gazette officielle du Québec* of 30 August 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 Responsible for Social Solidarity and Community Action:

THAT the Regulation to amend the Individual and Family Assistance Regulation, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Individual and Family Assistance Regulation

Individual and Family Assistance Act
(chapter A-13.1.1, s. 131, pars. 8 and 9, s. 132, pars. 1, 8, 10, 11, 15 and 17, s. 133, par. 3, s. 133.1, par. 6, s. 133.2, par. 6, and s. 134, par. 3)

1. The Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) is amended in section 12 by replacing “or mother” by “, mother or parents or one of them”.

2. Section 13 is amended in the first paragraph

(1) by inserting “or parents” after “father and mother”;

(2) by inserting “or parents” after “the father, mother”.

3. Section 19 is amended by inserting “or a temporary certificate of compliance” after “certificate of compliance” in subparagraph 3.1 of the second paragraph.

4. Section 57 is amended in the first paragraph

(1) by replacing “or mother,” in the portion before paragraph 1 by “, mother or parents or one of them,”;

(2) by inserting “or the parents or one of them” after “mother” in subparagraph 1;

(3) by inserting “or the parents or one of them” after “mother” in subparagraph 2;

(4) by inserting “or the parents or one of them” after “mother” in subparagraph 4;

(5) in subparagraph 5

(a) by replacing “of the grandfather, grandmother,” by “of one of the grandparents,”;

(b) by replacing “or mother,” by “or mother or of one of the parents,”;

(c) by inserting “or the parents or one of them” after “the father or mother”.

5. Section 58 is amended by inserting “or the parents or one of them” after mother” in the first paragraph.

6. Section 60 is amended by inserting “or a temporary certificate of compliance” after “certificate of compliance” in the second paragraph.

7. Section 61 is amended by inserting “or a temporary certificate of compliance” after “certificate of compliance” in the second paragraph.

8. Section 88.1 is amended by inserting “or a temporary certificate of compliance” after “certificate of compliance” in the first paragraph.

9. Section 89 is amended by replacing “\$0.145” in the second paragraph by “\$0.170”.

10. Section 95 is amended by replacing “\$0.145” in the second paragraph by “\$0.170”.

11. Section 101 is amended

(1) by inserting “or the breast-feeding parent” after “mother” in the first paragraph;

(2) by inserting “or to the breast-feeding parent” after “mother” in the second paragraph.

12. Section 110 is amended by inserting “, except, despite the second paragraph of section 3.1, an independent adult with a spouse who is a recipient under the Basic Income Program” after “independent adult” in the second paragraph.

13. Section 111 is amended

(1) by replacing “or mother,” in paragraph 5 by “, mother or parents or one of them,”;

(2) by inserting the following after paragraph 21.1:

“(21.2) the financial contribution received pursuant to the Civil Code as support for the needs of a child born as a result of a sexual aggression;”.

14. Section 112 is amended

(1) by inserting “or parents or one of them” after “mother” in paragraph 2;

(2) by inserting “or parents or one of them” at the end of paragraph 3.

15. Section 138 is amended by adding the following paragraph at the end:

“(18) for the month of its receipt, the financial contribution received pursuant to the Civil Code as support for the needs of a child born as a result of a sexual aggression.”.

16. Section 138.3 is amended by replacing “or the Basic Income Program” in the second paragraph by “the Aim for Employment Program or the Basic Income Program” .**17.** Section 142 is amended by replacing “or the Aim for Employment Program” in the second paragraph by “, the Aim for Employment Program, the Basic Income Program”.**18.** Section 152 is amended

(1) by inserting “or the parents” after “mother” in the first paragraph;

(2) by inserting “or parents” after “mother” in the second paragraph.

19. Section 153 is amended by inserting “or the parents” after “mother” in the portion before paragraph 1.**20.** Section 164 is amended by replacing “or the Aim for Employment Program or” in the second paragraph by “the Aim for Employment Program or the Basic Income Program or during a month”.**21.** Section 164.1 is amended by replacing “or the Aim for Employment Program” in the second paragraph by “the Aim for Employment Program or the Basic Income Program”.**22.** Section 171 is amended by inserting “, the Basic Income Program” after “the Aim for Employment Program” in the third paragraph.**23.** Section 172 is amended by inserting “or the Basic Income Program” after “last resort financial assistance program” in the first paragraph.**24.** Section 173 is amended by inserting “, the Basic Income Program” after “last resort financial assistance program” in the third paragraph.**25.** Section 177.29 is amended by inserting the following after paragraph 19.1:

“(19.2) the financial contribution received pursuant to the Civil Code as support for the needs of a child born as a result of a sexual aggression;”.

26. Section 177.108 is amended by inserting the following paragraph at the end:

“(13) for the month of its receipt, the financial contribution received pursuant to the Civil Code as support for the needs of a child born as a result of a sexual aggression.”.

27. Section 180 is amended by inserting “or parents or one of them” after “mother”.**28.** This Regulation comes into force on 1 January 2024.

106572

Gouvernement du Québec

O.C. 1696-2023, 22 November 2023

Highway Safety Code
(chapter C-24.2)

**Flashing Green Light
—Amendment**

Regulation to amend the Flashing Green Light Regulation

WHEREAS, under subparagraph 5.2 of the first paragraph of section 621 of the Highway Safety Code (chapter C-24.2), the Government may by regulation determine the conditions under which the authorization referred to in subparagraph 1 of the first paragraph of section 226.2 of the Code may be obtained, the form and content of the authorization certificate, as well as the technical standards the light must meet, which may vary according to the vehicle on which the light is installed, and the method for its installation;

WHEREAS, under subparagraph 5.3 of the first paragraph of section 621 of the Code, the Government may by regulation determine in what cases and on what conditions more than one flashing green light may be used on a road vehicle other than an emergency vehicle;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Flashing Green Light Regulation was published in Part 2 of the *Gazette officielle du Québec* of 5 July 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 Transport and Sustainable Mobility:

THAT the Regulation to amend the Flashing Green Light Regulation, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Flashing Green Light Regulation

Highway Safety Code
(chapter C-24.2, s. 621, 1st par., subpars. 5.2 and 5.3)

1. The Flashing Green Light Regulation (chapter C-24.2, r. 25.1) is amended in section 1

(1) in the first paragraph

(a) by replacing the portion before subparagraph 1 by the following:

“A municipal authority authorizes a firefighter who is a member of the fire safety service established by the municipal authority and who applies to the municipal authority to use a flashing green light on a road vehicle other than an emergency vehicle when responding to an emergency call from a fire safety service, where”;

(b) by striking out “that has established the fire safety service of which the firefighter is a member” in subparagraph 1;

(c) by replacing “the firefighter has not been the subject, in the 2 years preceding the application” in subparagraph 3 by “the firefighter holds a valid driver’s licence and the firefighter’s driving record, included with the application, shows that the firefighter has not been the subject, in the 2 years preceding the application”;

(d) by replacing subparagraph 4 by the following:

“(4) the firefighter’s employment record shows that the firefighter complies with the protocols and guidelines of the fire safety service of which the firefighter is a member”;

(e) by striking out subparagraph 5;

(2) by striking out the second paragraph.

2. Section 2 is amended by replacing “until the end of the firefighter’s birthday following the one-year period from which the date on which the authorization has been granted” by “until 15 September of the year following the second year from the date on which it has been granted”.

3. Section 3 is amended

(1) by replacing “the Société” and “an authorization certificate to the firefighter” respectively by “the municipal authority” and “to the firefighter the authorization certificate provided for in Schedule 1”;

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

“For the purposes of the first paragraph, the authorization certificate must include at least one means of communication to contact the municipal authority in order to validate the firefighter’s authorization.”.

4. Section 4 is amended

(1) by replacing “3, 4 and 5 of the first paragraph” in the first paragraph by “3 and 4”;

(2) by replacing “an authorization certificate to the firefighter” in the second paragraph by “the authorization certificate provided for in Schedule 1”;

(3) by replacing the words “the Société” wherever they appear by “the municipal authority”.

5. Section 5 is replaced by the following:

“5. The authorization to use a flashing green light may be revoked by the municipal authority in the following cases:

(1) the municipal authority has passed a resolution that no longer provides for the use of a flashing green light by the firefighters of the fire safety service established by the municipal authority;

(2) the firefighter’s employment record shows that the firefighter does not comply with the protocols and guidelines of the fire safety service;

(3) the firefighter is no longer a member of the fire safety service; or

(4) the firefighter’s driver’s licence is no longer valid.”

6. The heading of Division II is amended by adding “AND CONDITIONS OF USE OF MORE THAN ONE FLASHING GREEN LIGHT” at the end.

7. Section 6 is replaced by the following:

“6. All flashing green lights must meet one of the following criteria:

(1) be composed of one or more light emitting diode (LED) modules with a flash rate between 1 Hz and 4 Hz; or

(2) comply with SAE Standard J845 dated February 2019 or SAE Standard J595 dated August 2021, or subsequent versions published by SAE International.”

8. Section 7 is replaced by the following:

“7. The flashing green light used by a firefighter must be installed on the inside of the windshield, in the area covered by the motion of the windshield wipers and outside the tinted area letting in less than 70% of light. Its maximum size, excluding the attachment system, must be 260 mm wide, 76 mm high and 185 mm deep.

The light must be equipped with a light-shield that reduces the glare affecting the driver due to the reflection of the light. It must be placed so as not to obstruct the driver’s view, interfere with driving manoeuvres, prevent the operation of vehicle equipment or reduce its efficiency and in a manner that does not present a risk of injury in case of an accident.”

9. Section 8 is replaced by the following:

“8. The driver of a tow truck equipped with flashing or rotating amber lights in accordance with section 227 of the Highway Safety Code (chapter C-24.2) may, when the lights are activated and the tow truck is required by an emergency service, use one or more flashing green lights, which may be installed inside or outside the tow truck. A maximum of 8 flashing green lights may be installed on the tow truck. In addition, the number of flashing green lights installed so as to be visible from the front, the rear or one of the 2 sides of the tow truck cannot be more than 3.

For the purposes of the first paragraph, the technical standards and the method for the installation of a flashing green light are as follows:

(1) the light may not be a rotating light or emulate the appearance of a rotating light;

(2) if only one light is visible from the front, the rear or one of the 2 sides of the tow truck, its maximum size, excluding the attachment system, must be 260 mm wide, 76 mm high and 185 mm deep;

(3) if 2 or 3 lights are visible from the front, the rear or one of the 2 sides of the tow truck, the maximum size of each light, excluding the attachment system, must be 158 mm wide, 61 mm high and 185 mm deep;

(4) the total luminous area of the lenses of any flashing green light installed so as to be visible from the front, the rear or one of the 2 sides of the tow truck must, in each case, be less than that of the flashing or rotating amber lights installed on the tow truck and that are visible, as applicable, from the front, the rear or one of the 2 sides of the tow truck.

If a flashing green light is installed inside the tow truck, it must comply with the technical standards and method for installation prescribed by the second paragraph of section 7.”

10. Section 9 is amended by striking out “, except subparagraph 5 of the first paragraph of section 1, which comes into force on the date of coming into force of the first regulation made by Société under subparagraph 8.2 of the first paragraph of section 624 of the Highway Safety Code (chapter C-24.2)”.

11. The following Schedule is added at the end:

“SCHEDULE 1

(ss. 3 and 4)

CERTIFICATE OF AUTHORIZATION TO USE A FLASHING GREEN LIGHT

Certificat d'autorisation pour l'utilisation d'un feu vert clignotant		Date de délivrance (Année-Mois-Jour)	Date d'expiration (Année-Mois-Jour)
Nom et prénom du pompier ou de la pompière		Numéro de certificat	
Numéro de permis de conduire		Pour valider l'autorisation prévue par ce certificat, veuillez contacter l'autorité municipale :	
Service de sécurité incendie		Téléphone	poste
		Adresse du site Web où l'information est disponible	

Recto

Renseignements généraux

1. Le ou la titulaire doit toujours avoir en sa possession ce certificat d'autorisation.
2. Un certificat d'autorisation pour l'utilisation d'un feu vert clignotant n'est pas transférable.
3. Consultez l'article 226.2 du *Code de la sécurité routière* pour plus de détails.

Important

Le ou la titulaire de cette autorisation ne peut s'en prévaloir que si son permis de conduire est valide. Elle permet d'utiliser un feu vert clignotant uniquement sur un véhicule routier, autre qu'un véhicule d'urgence, conduit par un pompier ou une pompière répondant à un appel d'urgence provenant d'un service de sécurité incendie. Le feu vert permet à la personne qui l'active, lorsque les circonstances l'exigent et qu'elle agit de façon sécuritaire, de circuler sur l'accotement et d'immobiliser son véhicule à tout endroit. Toute autre dérogation aux règles de circulation constitue une infraction au *Code de la sécurité routière*.

Verso

12. If the period of validity of the firefighter's certificate of authorization issued by the Société de l'assurance automobile du Québec under section 226.2 of the Highway Safety Code (chapter C-24.2), as it reads before 21 December 2023, ends on a date other than 15 September of the year of its expiry, the new certificate issued as a renewal by the municipal authority is valid until 15 September of the year following the second year from the date on which it was issued.

If the municipal authority issues a new certificate of authorization while the certificate of authorization issued by the Société is still valid, the new certificate is valid until 15 September of the year following the second year from the date on which it was issued.

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

106573

Gouvernement du Québec

O.C. 1704-2023, 22 November 2023

Act respecting collective agreement decrees (chapter D-2)

Automotive services industry in the Montréal region — Amendment

Decree to amend the Decree respecting the automotive services industry in the Montréal region

WHEREAS, under the first paragraph of section 6.1 of the Act respecting collective agreement decrees (chapter D-2), sections 4 to 6 of the Act apply to an application for amendment;

WHEREAS, in accordance with the first paragraph of section 4 the Act, the contracting parties addressed to the Minister of Labour, Employment and Social Solidarity an application for amendment to the Decree;

WHEREAS, under the first paragraph of section 6 of the Act, at the expiry of the time specified in the notice provided for in the first paragraph of section 5 of the Act, the Minister of Labour may recommend that the Government issue a decree ordering the extension of the agreement, with such changes as are deemed expedient;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and the first paragraph of section 5 of the Act respecting collective agreement decrees, a draft Decree to amend the Decree respecting the automotive services industry in the Montréal region was published in Part 2 of the *Gazette officielle du Québec* of 19 July 2023 and in a French language newspaper and in an English language newspaper, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 7 of the Act respecting collective agreement decrees, notwithstanding section 17 of the Regulations Act, a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS it is expedient to make the Decree with amendments;

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

THAT the Decree to amend the Decree respecting the automotive services industry in the Montréal region, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the automotive services industry in the Montréal region

Act respecting collective agreement decrees (chapter D-2, ss. 4, 1st par., s. 6, 1st par. and s. 6.1, 1st par.)

1. The Decree respecting the automotive services industry in the Montréal region (chapter D-2, r. 10) is amended in section 1.01

(1) in paragraph 5

(a) by replacing “to maintenance, tests, inspections, repairs, alterations or” by “to one or another of the following tasks: maintenance, tests, inspections, repairs, alterations or”;

(b) by striking out “tune-up specialist,” and by replacing “gas welder, arc welding” by “welder”;

(2) by adding the following sentence at the end of paragraph 8:

“The same applies for the hours performed during training deemed equivalent by the parity committee;”.

(3) by striking out “heavy” in paragraph 9;

(4) by striking out paragraph 11;

(5) in paragraph 13

(a) by replacing “, hubcaps, windshield or windows” in subparagraph *b* by “or hubcaps”;

(b) by adding the following at the end:

“(c) installing windshields or windows, without performing the calibration;”;

(6) by replacing “all-terrain vehicle as defined in section 1 of the Regulation respecting all-terrain vehicles (chapter V-1.2, r. 6), a snowmobile as defined in section 1 of the Regulation respecting snowmobiles (chapter V-1.2, r. 1)” in paragraph 19 by “off-highway vehicle as defined in paragraph 7 of section 2 of the Act respecting all-terrain vehicles (chapter V-1.3)”.

2. Section 3.01 is amended by replacing “the apprentice, journeyman, brake mechanic, automatic transmission mechanic, trim man and the alignment and suspension specialist” in paragraph 1 by “the apprentice and the journeyman”.

3. Section 4.03 is amended

(1) by striking out “, except for employees specified in subsection 4 of section 3.01”;

(2) by replacing “ \$0.65” by “ \$0.75”.

4. Section 7.09 is amended by adding “or according to the terms and conditions that apply for the regular payment of the employee’s wages” at the end of the first paragraph.

5. Section 8.15 is amended by striking out paragraph 5.

6. Section 9.01 is replaced by the following:

“**9.01.** The minimum hourly wage rates are as follows:

Trades	As of 6 December 2023	As of 17 April 2024	As of 17 April 2025
Apprentice:			
1st year*	\$20.11	\$20.71	\$21.28
2nd year	\$21.03	\$21.66	\$22.26
3rd year	\$23.43	\$24.13	\$24.80
Journeyman:			
First class	\$30.01	\$30.91	\$31.76
Second class	\$27.63	\$28.46	\$29.24
Third class	\$26.15	\$26.93	\$27.68
Parts clerk:			
Level A	\$25.35	\$26.11	\$26.83
Level B	\$24.20	\$24.93	\$25.61
Level C	\$23.76	\$24.47	\$25.15
Level D	\$21.76	\$22.41	\$23.03
Messenger:			
Level A	\$17.81	\$18.34	\$18.85
Level B	\$16.37	\$16.86	\$17.32
Dismantler:			
1st grade	\$17.91	\$18.45	\$18.95
2nd grade	\$18.83	\$19.39	\$19.93
3rd grade	\$19.88	\$20.48	\$21.04
Washer:			
	\$17.81	\$18.34	\$18.85
Semiskilled worker:			
1st grade	\$18.43	\$18.98	\$19.50
2nd grade	\$20.96	\$21.59	\$22.18
3rd grade	\$22.17	\$22.84	\$23.46
Service attendant:			
1st grade	\$17.61	\$18.14	\$18.64
2nd grade	\$19.14	\$19.71	\$20.26
3rd grade	\$21.18	\$21.82	\$22.42

Trades	As of 6 December 2023	As of 17 April 2024	As of 17 April 2025
Alignment and suspension specialist, trim man and automatic transmission mechanic:			
First class	\$30.01	\$30.91	\$31.76
Second class	\$27.63	\$28.46	\$29.24
Third class	\$26.15	\$26.93	\$27.68

* The year is the period during which an apprentice acquires 2,000 hours of experience in one of the trades provided for in the Decree. Only the annual leave, the special leaves and the paid statutory general holidays are taken into account in the computation of hours of experience.”

7. The following is inserted after section 9.13:

“**9.14.** No personnel placement agency may remunerate an employee at a lower rate of wage than that granted to the employees of the client enterprise performing the same tasks in the same establishment solely because of the employee’s employment status, and in particular because the employee is remunerated by such an agency or usually works less hours each week.”

8. Section 13.01 is replaced by the following:

“**13.01.** Where an employee wears a uniform or special clothing identified or not with the employer’s establishment, the employer must supply it free of charge. The employer cannot deduct from the employee’s wage or require an amount of money from the employee for the purchase, rental, use or maintenance of that uniform or special clothing.

At the end of his employment, the employee must return the uniform or special clothing to the employer.”

9. Section 14.01 is amended by replacing “2023” by “2026”.

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

106575

Gouvernement du Québec

O.C. 1705-2023, 22 November 2023

Act to modernize the occupational health and safety regime
(2021, chapter 27)

Act respecting occupational health and safety
(chapter S-2.1)

Registration, travel and accommodation expenses of training programs on prevention mechanisms specific to construction sites

Regulation respecting registration, travel and accommodation expenses of training programs on prevention mechanisms specific to construction sites

WHEREAS, under the third paragraph of section 207.1 of the Act respecting occupational health and safety (chapter S-2.1), as made by section 224 of the Act to modernize the health and safety regime (2021, chapter 27), the Commission des normes, de l'équité, de la santé et de la sécurité du travail bears, in accordance with the regulations, the registration, travel and accommodation expenses of training programs in which the members of the job-site committee must participate;

WHEREAS, under the third paragraph of section 211 of the Act respecting occupational health and safety, as amended by section 233 of the Act to modernize the health and safety regime, the Commission des normes, de l'équité, de la santé et de la sécurité du travail bears, in accordance with the regulations, the registration, travel and accommodation expenses of training programs in which the health and safety representative must participate;

WHEREAS, under the third paragraph of section 215.3 of the Act respecting occupational health and safety, as made by section 230 of the Act to modernize the health and safety regime, the Commission des normes, de l'équité, de la santé et de la sécurité du travail bears, in accordance with the regulations, the registration, travel and accommodation expenses of training programs in which the health and safety coordinator must participate;

WHEREAS, under subparagraph 24 of the first paragraph of section 223 of the Act respecting occupational health and safety, as it should read under section 308 of the Act to modernize the health and safety regime as of 1 January 2024 and until the coming into force of paragraph 10 of section 232 of that Act, the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations in particular to determine the registration, travel and accommodation expenses borne by it under sections 207.1, 211 and 215.3 of the Act respecting occupational health and safety;

WHEREAS, under subparagraph 42 of the first paragraph of section 223 of the Act respecting occupational health and safety, the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations generally prescribing any other measure to facilitate the application of that Act;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting registration, travel and accommodation expenses of training programs on prevention mechanisms specific to construction sites was published in Part 2 of the *Gazette officielle du Québec* of 8 March 2023 with a notice that it could be adopted by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission made the Regulation with amendments at its sitting of 21 September 2023;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of that Act is to be submitted to the Government for approval;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation respecting registration, travel and accommodation expenses of training programs on prevention mechanisms specific to construction sites, attached to this Order in Council, be approved.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation respecting registration, travel and accommodation expenses of training programs on prevention mechanisms specific to construction sites

Act to modernize the occupational health and safety regime
(2021, chapter 27, ss. 224, 230, 232, 233 and 308)

Act respecting occupational health and safety
(chapter S-2.1, s. 207.1, 3rd par., s. 211, 3rd par., s. 215.3, 3rd par., and s. 223, 1st par., subpars. 24 and 42)

DIVISION I **SCOPE**

1. The standards set out in this Regulation apply to a person who must participate in a training program to obtain a certificate referred to in the Regulation respecting prevention mechanisms specific to construction sites

(chapter S-2.1, r. 8.2) by reason of that person's designation as a job-site committee member, a health and safety representative or a health and safety coordinator on a construction site.

DIVISION II REGISTRATION EXPENSES

2. The registration expenses for a training program are borne by the Commission des normes, de l'équité, de la santé et de la sécurité du travail where a person provides to the instructor a document from a principal contractor or a representative association, as the case may be, showing that the person has been designated as a job-site committee member, a health and safety representative or a health and safety coordinator on a construction site, and provided that the person obtains the training certificate.

The Commission pays the registration expenses directly to the instructors according to the terms and conditions that the Commission and the instructors have agreed on.

3. Despite section 2, a person who is admitted to a training program but, at the time of registration, was not designated as a job-site committee member, a health and safety representative or a health and safety coordinator on a construction site may obtain reimbursement by the Commission of the registration expenses the person paid if the person is designated as such within 12 months of the issue of their training certificate.

A person who attended that training program as part of a more general program leading to a secondary school, college or university diploma may obtain reimbursement only of the registration expenses relating to the component of the training that led to the certificate.

In order to obtain the reimbursement of registration expenses, the person must file an application in the manner prescribed by section 7 and provide the registration fee receipt issued by the instructor.

DIVISION III TRAVEL AND ACCOMODATION EXPENSES

4. The indemnities granted to a person when the training program or a part of that program is not offered remotely and requires the person's presence at a place of training located outside the usual work place are the following:

(1) \$0.600 per km for transportation expenses according to the shortest road distance between the person's domicile and the place of training for each day that travel is required between the two places to participate in the training;

(2) \$61.15 per day of training for meal expenses;

(3) \$15 per day of training for parking expenses.

5. In addition to the indemnities provided for in section 4, when the place of training is situated more than 120 km from the person's domicile, the person is entitled to the following indemnities:

(1) \$151 for each day requiring lodging to participate in the training where the lodging is required between 1 November and 31 May or \$166 where the lodging is required between 1 June and 31 October;

(2) \$7.75 for each day with an overnight stay;

(3) an indemnity corresponding to 10 km for each day of training, according to the rates set out in paragraph 1 of section 4, for travel between the place of lodging and the place of training.

However, if the place of training is more than 320 km from the person's domicile, the person is entitled to the indemnities in paragraphs 1 and 2 for an additional day.

6. A person who attends the training program as part of a more general program leading to a secondary school, college or university diploma is not entitled to the indemnities provided for in this Division.

DIVISION IV PAYMENT OF INDEMNITIES

7. To be entitled to the payment of the indemnities provided for in Division III, a person who has attended a training program must, within 12 months of the issue of their training certificate, file an application with the Commission by completing the form made available on the Commission's website, and provide a document from a principal contractor or a representative association, as the case may be, showing that the person has been designated as a job-site committee member, a health and safety representative or a health and safety coordinator on a construction site.

A person who was not designated as a job-site committee member, a health and safety representative or a health and safety coordinator on a construction site at the time of registration, may obtain the payment of indemnities by the Commission if the person was designated as such within 12 months of the issue of their training certificate.

The person must keep the supporting documents for the expenses incurred for a period of 12 months from the time the application is filed in order to allow the Commission to verify that the person meets the requirements of this Regulation.

8. Within the scope of the application provided for in section 7, the Commission may, on presentation of the reasons in writing along with supporting documents, grant a supplementary amount, in addition to the indemnities provided for in Division III, because of exceptional circumstances, in particular where the length of the journey or poor road conditions make travel on the day of training difficult or dangerous.

9. The indemnities provided for in paragraphs 1 and 2 of section 4 and section 5 are revalorized according to the amendments that the Conseil du trésor may make to the Directive sur les frais remboursables lors d'un déplacement et autres frais inhérents (C.T. 194603, 2000-03-30) concerning indemnities for kilometrage up to 8,000 km, meal expenses for each full day away and hotel lodging expenses for Ville de Montréal. However, for the application of this Regulation, such amendments will have effect only from the 1 January that follows their adoption by the Conseil du trésor and be applicable only with respect to the expenses incurred as of that date.

The indemnity provided for in paragraph 3 of section 4 is revalorized on 1 January of every year according to the method provided for sections 119 to 123 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001).

The Commission publishes the revalorized amounts in Part 1 of the *Gazette officielle du Québec*.

DIVISION V FINAL

10. This Regulation comes into force on 1 January 2024.

106574

M.O., 2023-20

Order P-30.1.1-2023-20 of the Minister of Finance dated 27 November 2023

Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund (chapter P-30.1.1)

Amendments to the conditions, terms and characteristics of the Financial Assistance for Investment Program applicable to enterprises billed at Rate L and enterprises that are large power consumers served by off-grid systems

THE MINISTER OF FINANCE,

CONSIDERING the second paragraph of section 1 of the Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund (chapter P-30.1.1), which provides that the classes of eligible enterprises and the eligibility requirements of a project are determined by ministerial order, and that a ministerial order may pertain to one or more components of the Program according to the class of enterprises to which it applies;

CONSIDERING the second paragraph of section 3 of the Act, which provides in particular that the amount of financial assistance may not exceed 20% of the electricity costs for each billing period during the maximum period of application of the financial assistance, determined by ministerial order;

CONSIDERING the third paragraph of section 3 of the Act, which provides that the manner in which the financial assistance is applied is to be determined by ministerial order;

CONSIDERING the first paragraph of section 7 of the Act, which provides that the financial assistance is subject to a verification conducted in the manner determined by ministerial order;

CONSIDERING the second paragraph of section 7 of the Act, which provides in particular that where the financial assistance is revised or revoked following a verification, it may be recovered in the manner determined by ministerial order;

CONSIDERING the conditions, terms and characteristics of the Financial Assistance for Investment Program established by Order P-30.1.1-2021-01 dated 16 March 2021 (2021, G.O. 2, 1184);

CONSIDERING section 12 of the Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund, which provides that the ministerial orders provided for by the Act are not subject to the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) or to the date of coming into force set out in section 17 of that Act;

CONSIDERING that it is expedient to amend certain conditions, terms and characteristics of the Financial Assistance for Investment Program established by ministerial order and to introduce a procedure for the recovery of financial assistance;

ORDERS AS FOLLOWS:

1. The conditions, terms and characteristics of the Financial Assistance for Investment Program established by Ministerial Order P-30.1.1-2021-01 dated 16 March 2021 (2021, G.O. 2, 1184) are amended in section 1 by inserting “, before 1 January 2024,” after “having entered” wherever it appears.

2. Section 3 is amended by striking out subparagraph 3 in the second paragraph.

3. Section 4 is amended by inserting “and are capitalized before 1 January 2026” after “tax depreciation” in the first paragraph and by replacing “application giving entitlement to tax depreciation is received” in the second paragraph by “application is received, give entitlement to tax depreciation, and are capitalized before 1 January 2026”.

4. Section 7 is amended by replacing the second sentence by the following:

“It is payable from the date prescribed by section 11 until the expiry of a period of 48 consecutive months. In the case of a project with eligible costs of \$250 million or more, the financial assistance is payable until the expiry of a period of 96 consecutive months provided that an audited report on capitalized eligible costs of at least \$250 million is submitted under this Program before the expiry of the initial 48-month period. Failing that and despite any inconsistent provision, payment of financial assistance is suspended as of the 49th month until capitalized eligible costs of at least \$250 million have been the subject of such a report. The suspension does not interrupt the payment period for the financial assistance.”.

5. Section 10 is amended by inserting the following after the second paragraph:

“(3) the enterprise must, before 31 December 2032, send to the Minister audited reports on capitalized costs for projects that are covered by the same attestation of eligibility and meet the investment threshold established under subparagraph 2 of the second paragraph of section 3.”.

6. Section 12 is amended by inserting “, subject to section 7,” after “is granted” in the first paragraph.

7. Section 15 is amended by replacing the first paragraph by the following:

“The Minister may use any document or piece of information pertaining to an investment project for which an attestation of eligibility has been obtained to verify the financial assistance granted and determine whether it should be revised, suspended or revoked.”.

8. The following is inserted after section 15:

“15.1. Where the financial assistance revised or revoked is to be recovered in whole or in part, the Minister must send a collection notice to the enterprise concerned requiring payment of the amount by cheque or bank transfer within 60 days or providing for the amount to be applied against any amount owed by the Minister to the enterprise.

The notice must state

- (1) the amount of financial assistance to be recovered;
- (2) the grounds for the recovery;
- (3) the time from which it bears interest;
- (4) the right to apply for a review of the decision, provided for in the first paragraph of section 9 of the Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund, and the time limit for exercising that right;
- (5) the right to contest the review decision before the Administrative Tribunal of Québec provided for in the second paragraph of section 9 of the Act and the time limit for bringing such a proceeding.

Despite the first paragraph, the Minister may enter into a repayment agreement applicable over a period not exceeding the period for which the financial assistance was granted. The agreement must set the amount of the monthly payments toward the principal and interest of the financial assistance to recover.

The financial assistance to be recovered bears interest at the rate determined under the first paragraph of section 28 of the Tax Administration Act (chapter A-6.002) as of the 61st day after the collection notice is sent. The interest is capitalized monthly.”

9. Section 17 is amended by replacing “provided” in the portion before paragraph 1 by “only after”.

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

Québec, 27 November 2023

ERIC GIRARD
Minister of Finance

106579

M.O., 2023

Order 5123 of the Minister of Justice dated 23 November 2023

Code of Civil Procedure
(chapter C-25.01)

Regulation to amend the Regulation respecting the
Basic Parental Contribution Determination Table

MINISTER OF JUSTICE,

CONSIDERING the second paragraph of article 443 of the Code of Civil Procedure (chapter C-25.01), which provides that the Minister of Justice prescribes and publishes a table determining the combined basic child support contribution payable by the parents on the basis of their disposable income and the number of children they have;

CONSIDERING the publication of a draft Regulation to amend the Regulation respecting the Basic Parental Contribution Determination Table in Part 2 of the *Gazette officielle du Québec* of 27 September 2023, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) with a notice that it could be made by the Minister on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Regulation;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting the Basic Parental Contribution Determination Table, attached to this Order, is made.

Québec, 23 November 2023

SIMON JOLIN-BARRETTE
Minister of Justice

Regulation to amend the Regulation respecting the Basic Parental Contribution Determination Table

Code of Civil procedure
(chapter C-25.01, a. 443, 2nd par.)

1. The Regulation respecting the Basic Parental Contribution Determination Table (chapter C-25.01, r. 12) is amended by replacing Schedule I by Schedule I attached to this Regulation.

2. This Regulation comes into force on 1 January 2024.

ANNEXE

(s. 1)

BASIC PARENTAL CONTRIBUTION DETERMINATION TABLE
(EFFECTIVE AS OF 1 JANUARY 2024)

Disposable Income of Parents (\$)	Basic Annual Contribution (\$)					
	Number of Children					
	1 child	2 children	3 children	4 children	5 children	6 children ⁽¹⁾
1 - 1 000	500	500	500	500	500	500
1 001 - 2 000	1 000	1 000	1 000	1 000	1 000	1 000
2 001 - 3 000	1 500	1 500	1 500	1 500	1 500	1 500
3 001 - 4 000	2 000	2 000	2 000	2 000	2 000	2 000
4 001 - 5 000	2 500	2 500	2 500	2 500	2 500	2 500
5 001 - 6 000	3 000	3 000	3 000	3 000	3 000	3 000
6 001 - 7 000	3 500	3 500	3 500	3 500	3 500	3 500
7 001 - 8 000	3 890	4 000	4 000	4 000	4 000	4 000
8 001 - 9 000	3 910	4 500	4 500	4 500	4 500	4 500
9 001 - 10 000	3 920	5 000	5 000	5 000	5 000	5 000
10 001 - 12 000	4 050	6 000	6 000	6 000	6 000	6 000
12 001 - 14 000	4 090	6 370	7 000	7 000	7 000	7 000
14 001 - 16 000	4 190	6 460	7 730	8 000	8 000	8 000
16 001 - 18 000	4 300	6 630	7 970	9 000	9 000	9 000
18 001 - 20 000	4 480	6 880	8 320	9 780	10 000	10 000
20 001 - 22 000	4 770	7 320	8 890	10 450	11 000	11 000
22 001 - 24 000	5 040	7 740	9 420	11 080	12 000	12 000
24 001 - 26 000	5 320	8 180	9 980	11 780	13 000	13 000
26 001 - 28 000	5 600	8 560	10 550	12 500	14 000	14 000
28 001 - 30 000	5 850	8 900	10 970	13 090	15 000	15 000
30 001 - 32 000	6 040	9 150	11 380	13 620	15 820	16 000
32 001 - 34 000	6 210	9 390	11 760	14 070	16 410	17 000
34 001 - 36 000	6 410	9 610	12 070	14 520	16 970	18 000
36 001 - 38 000	6 540	9 870	12 330	14 810	17 300	19 000
38 001 - 40 000	6 730	10 060	12 580	15 110	17 640	20 000
40 001 - 42 000	6 890	10 250	12 850	15 410	17 980	20 560
42 001 - 44 000	7 060	10 480	13 090	15 680	18 280	20 870
44 001 - 46 000	7 220	10 670	13 330	15 980	18 630	21 300
46 001 - 48 000	7 370	10 920	13 620	16 350	19 060	21 780
48 001 - 50 000	7 560	11 120	13 930	16 730	19 530	22 320
50 001 - 52 000	7 750	11 370	14 260	17 160	20 030	22 930
52 001 - 54 000	7 940	11 640	14 590	17 530	20 500	23 460
54 001 - 56 000	8 120	11 890	14 940	18 020	21 070	24 110
56 001 - 58 000	8 330	12 170	15 300	18 410	21 560	24 690
58 001 - 60 000	8 530	12 410	15 640	18 860	22 090	25 300
60 001 - 62 000	8 720	12 680	15 980	19 280	22 580	25 860
62 001 - 64 000	8 900	12 930	16 340	19 720	23 120	26 520
64 001 - 66 000	9 090	13 200	16 690	20 160	23 620	27 090
66 001 - 68 000	9 300	13 420	16 980	20 560	24 120	27 690
68 001 - 70 000	9 440	13 660	17 310	20 990	24 650	28 320
70 001 - 72 000	9 600	13 890	17 640	21 360	25 120	28 860
72 001 - 74 000	9 770	14 120	17 960	21 790	25 640	29 470
74 001 - 76 000	9 970	14 340	18 270	22 220	26 160	30 100
76 001 - 78 000	10 100	14 520	18 520	22 540	26 530	30 530
78 001 - 80 000	10 240	14 730	18 800	22 870	26 940	31 020
80 001 - 82 000	10 380	14 910	19 040	23 190	27 320	31 470
82 001 - 84 000	10 510	15 100	19 310	23 520	27 740	31 940
84 001 - 86 000	10 710	15 290	19 580	23 830	28 120	32 380
86 001 - 88 000	10 820	15 440	19 780	24 120	28 460	32 790
88 001 - 90 000	10 900	15 580	19 950	24 320	28 690	33 080
90 001 - 92 000	11 000	15 700	20 160	24 570	29 030	33 460
92 001 - 94 000	11 100	15 840	20 320	24 790	29 250	33 720
94 001 - 96 000	11 210	15 960	20 500	25 020	29 550	34 060
96 001 - 98 000	11 270	16 060	20 610	25 190	29 760	34 340
98 001 - 100 000	11 360	16 150	20 750	25 330	29 940	34 540

Disposable Income of Parents (\$)	Basic Annual Contribution (\$)					
	Number of Children					
	1 child	2 children	3 children	4 children	5 children	6 children ⁽¹⁾
100 001 - 102 000	11 430	16 250	20 900	25 530	30 180	34 820
102 001 - 104 000	11 500	16 330	21 030	25 680	30 390	35 050
104 001 - 106 000	11 580	16 430	21 150	25 870	30 590	35 300
106 001 - 108 000	11 640	16 540	21 310	26 050	30 830	35 550
108 001 - 110 000	11 710	16 620	21 450	26 220	31 030	35 790
110 001 - 112 000	11 790	16 710	21 580	26 360	31 240	36 040
112 001 - 114 000	11 860	16 780	21 710	26 530	31 460	36 270
114 001 - 116 000	11 950	16 880	21 840	26 700	31 650	36 510
116 001 - 118 000	12 020	16 970	21 980	26 850	31 870	36 760
118 001 - 120 000	12 090	17 060	22 120	27 050	32 070	36 980
120 001 - 122 000	12 160	17 150	22 230	27 190	32 280	37 220
122 001 - 124 000	12 220	17 250	22 370	27 370	32 490	37 450
124 001 - 126 000	12 290	17 340	22 500	27 510	32 710	37 710
126 001 - 128 000	12 380	17 420	22 650	27 690	32 910	37 960
128 001 - 130 000	12 440	17 520	22 780	27 850	33 110	38 200
130 001 - 132 000	12 510	17 620	22 930	28 010	33 320	38 430
132 001 - 134 000	12 580	17 700	23 050	28 210	33 540	38 680
134 001 - 136 000	12 650	17 790	23 180	28 360	33 740	38 920
136 001 - 138 000	12 740	17 870	23 330	28 510	33 970	39 160
138 001 - 140 000	12 800	17 980	23 460	28 700	34 170	39 410
140 001 - 142 000	12 880	18 060	23 590	28 860	34 380	39 650
142 001 - 144 000	12 950	18 170	23 730	29 030	34 600	39 900
144 001 - 146 000	13 030	18 250	23 860	29 180	34 820	40 140
146 001 - 148 000	13 100	18 340	24 020	29 390	35 020	40 390
148 001 - 150 000	13 180	18 450	24 150	29 540	35 250	40 640
150 001 - 152 000	13 260	18 540	24 280	29 700	35 450	40 880
152 001 - 154 000	13 320	18 620	24 410	29 880	35 670	41 110
154 001 - 156 000	13 400	18 720	24 570	30 040	35 890	41 360
156 001 - 158 000	13 460	18 810	24 680	30 180	36 060	41 590
158 001 - 160 000	13 530	18 890	24 790	30 340	36 270	41 820
160 001 - 162 000	13 590	18 960	24 930	30 510	36 470	42 040
162 001 - 164 000	13 670	19 050	25 060	30 670	36 650	42 250
164 001 - 166 000	13 730	19 150	25 190	30 820	36 860	42 500
166 001 - 168 000	13 790	19 240	25 320	30 980	37 070	42 720
168 001 - 170 000	13 860	19 320	25 430	31 130	37 260	42 940
170 001 - 172 000	13 940	19 400	25 570	31 290	37 470	43 190
172 001 - 174 000	14 010	19 500	25 700	31 450	37 650	43 400
174 001 - 176 000	14 080	19 570	25 830	31 610	37 870	43 650
176 001 - 178 000	14 150	19 670	25 940	31 770	38 070	43 880
178 001 - 180 000	14 220	19 770	26 110	31 940	38 260	44 110
180 001 - 182 000	14 300	19 850	26 220	32 090	38 470	44 350
182 001 - 184 000	14 360	19 940	26 350	32 250	38 670	44 560
184 001 - 186 000	14 420	20 020	26 480	32 410	38 860	44 810
186 001 - 188 000	14 500	20 100	26 620	32 580	39 080	45 040
188 001 - 190 000	14 560	20 190	26 740	32 720	39 280	45 280
190 001 - 192 000	14 640	20 280	26 870	32 900	39 470	45 500
192 001 - 194 000	14 710	20 380	26 990	33 070	39 680	45 750
194 001 - 196 000	14 780	20 460	27 150	33 220	39 890	45 980
196 001 - 198 000	14 840	20 560	27 270	33 380	40 070	46 210
198 001 - 200 000	14 910	20 650	27 400	33 540	40 310	46 440
Disposable income greater than \$200,000 ⁽²⁾	14 910 plus 3.5% of excess amount	20 650 plus 4.5% of excess amount	27 400 plus 6.5% of excess amount	33 540 plus 8.0% of excess amount	40 310 plus 10.0% of excess amount	46 440 plus 11.5% of excess amount

(1) If the number of children is greater than 6, the basic parental contribution is determined by multiplying the difference between the amounts prescribed in the Table for 5 and 6 children by the number of additional children and by adding the product thus obtained to the amount prescribed for 6 children (s. 1, 2nd par. of the Regulation respecting the Basic Parental Contribution Determination Table).

(2) For the part of income exceeding \$200,000, the percentage indicated is shown for information purposes only. The court may, if it deems it appropriate, fix for that part of the disposable income an amount different from the amount that would be obtained using that percentage (s. 10 of the Regulation respecting the determination of child support payments (chapter C-25.01, r. 0.4)).

Amount of the basic deduction for the purpose of calculating disposable income (line 301 on the Child Support Determination Form) effective as of 1 January 2024: \$13,085

M.O., 2023**Order number 2023-26 of the Minister of Transport and Sustainable Mobility dated 22 November 2023**Highway Safety Code
(chapter C-24.2)

Suspension of the requirement to hold a class 2 driver's licence for the drivers of certain buses used for the transportation of school children

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 and Sustainable Mobility 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 provides that the Minister may prescribe any rule, applicable when using the exemption, that, in the Minister's opinion, ensures an equivalent level of safety;

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 of the Code;

CONSIDERING that, under section 65 of the Highway Safety Code, no person may drive a road vehicle unless he or she holds a driver's licence of the class appropriate to the driving of that vehicle as determined by regulation, and containing the particulars prescribed by regulation, if any;

CONSIDERING that, in accordance with section 28.5 of the Regulation respecting licences (chapter C-24.2, r. 34), a class 4B licence authorizes the driving of a bus designed to transport 24 passengers or less at a time, and a minibus, that is, a motor vehicle having two axles with single wheels and equipped with not more than five rows of seats for the transportation of more than nine occupants at a time, or equipped with devices to secure wheelchairs against movement, as defined in section 4 of the Highway Safety Code;

CONSIDERING that, in accordance with the first paragraph of section 28.2 of the Regulation respecting licences, a class 2 licence authorizes the driving of a bus designed to transport more than 24 passengers at a time;

CONSIDERING that, in accordance with section 29 of the Regulation respecting licences, a class 1, 2, 3 or 4A licence also comprises one or more additional classes, including class 4B;

CONSIDERING that certain buses used for the transportation of school children bear a compliance label indicating a maximum capacity of 36 passengers and may be equipped with 6 rows of seats, even though their dimensions are similar to those of a minibus within the meaning of the Highway Safety Code or to those of a bus designed to transport 24 passengers or less;

CONSIDERING that such buses have a maximum length of 9 metres measured from bumper to bumper;

CONSIDERING that the formalities for obtaining a class 2 driver's licence are more restrictive than the formalities for obtaining a class 4B driver's licence, whereas the dimensions of such buses are similar to those of a minibus within the meaning of the Highway Safety Code or those of a bus designed to transport 24 passengers or less;

CONSIDERING that it is difficult to recruit holders of a class 2 driver's license to drive buses used for the transportation of school children, which increases the risk of a breach of service with regard to the transportation of school children as of the fall of 2023;

CONSIDERING that there is an increase in the number of such buses on Québec roads;

CONSIDERING that it is advisable to suspend the application of the first paragraph of section 28.2 of the Regulation respecting licences (chapter C-24.2, r. 34) with respect to the drivers of buses used for the transportation of school children designed to transport 36 passengers or less at a time, equipped with not more than 6 rows of seats and having a maximum length of 9 metres measured from bumper to bumper;

CONSIDERING that, to avail themselves of the suspension, drivers must hold a class 4B driver's licence authorizing them to drive the bus;

CONSIDERING that the Minister of Transport and Sustainable Mobility considers that the suspension of the application of the first paragraph of section 28.2 of the Regulation respecting licences, according to the terms stated above, 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 rules the Minister prescribes to use 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 paragraph of section 28.2 of the Regulation respecting licences (chapter C-24.2, r. 34) is suspended with respect to the drivers of buses used for the transportation of school children designed to transport 36 passengers or less at a time, equipped with not more than 6 rows of seats and having a maximum length of 9 metres measured from bumper to bumper.

To avail themselves of the suspension, drivers must hold a class 4B driver's licence authorizing them to drive the bus.

2. 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 30 June 2026.

Québec, 22 November 2023

GENEVIÈVE GUILBAULT
Minister of Transport and Sustainable Mobility

106567

Notices

Notice

Act respecting parental insurance
(chapter A-29.011)

Taxation Act
(chapter I-3)

Act respecting the Québec Pension Plan
(chapter R-9)

Source deductions tables

Notice is hereby given, in accordance with the fourth paragraph of section 60 of the Act respecting parental insurance (chapter A-29.011), the eleventh paragraph of section 1015 of the Taxation Act (chapter I-3) and the fourth paragraph of section 59 of the Act respecting the Québec Pension Plan (chapter R-9), that the tables determining the amount that an employer must deduct, under section 60 of the Act respecting parental insurance and section 59 of the Act respecting the Québec Pension Plan, from the remuneration it pays to its employee, and the amount that a person must deduct or withhold in accordance with section 1015 of the Taxation Act will come into force on 1 January 2024 and be published on the Revenu Québec website at the following address: revenuquebec.ca.

Québec, 23 November 2023

ERIC GIRARD
Minister of Finance

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