



Part 2

LAWS AND REGULATIONS

26 June 2024 / Volume 156

Summary

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

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

Part 2 shall contain:

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

1ST SESSION

43RD LEGISLATURE

QUÉBEC, 9 MAY 2024

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 9 May 2024*

This day, at half past eleven o'clock in the morning, Her Excellency the Lieutenant-Governor was pleased to assent to the following bill:

30 An Act to amend various provisions mainly with respect to the financial sector

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

PROVINCE OF QUÉBEC

1ST SESSION

43RD LEGISLATURE

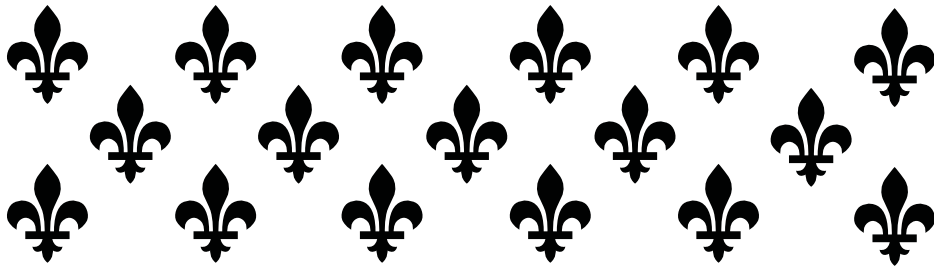
QUÉBEC, 9 MAY 2024

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 9 May 2024*

This day, at half past three o'clock in the afternoon, Her Excellency the Lieutenant-Governor was pleased to assent to the following bill:

- 44 An Act to amend mainly the Act respecting the Ministère de l'Économie et de l'Innovation with respect to research

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



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 30
(2024, chapter 15)

**An Act to amend various provisions
mainly with respect to the financial
sector**

**Introduced 7 June 2023
Passed in principle 12 September 2023
Passed 8 May 2024
Assented to 9 May 2024**

**Québec Official Publisher
2024**

EXPLANATORY NOTES

This Act contains various provisions mainly with respect to the financial sector.

The Act amends the Insurers Act, including to allow certain associations to apply to be regulated by the provisions of Title III of that Act with a view to carrying on insurer activities as a reciprocal union. It provides for the terms and conditions applicable in that respect, including in regard to the organization of such an association and to when it ceases to be regulated by that title.

The Act introduces into the Real Estate Brokerage Act a regime of monetary administrative penalties similar to that applicable in the insurance sector. It also regulates the recovery of amounts owing following the imposition of monetary administrative penalties by the Autorité des marchés financiers in the distribution of financial products and services, derivatives and securities sectors.

The Act requires insurers to take the means necessary to obtain the information making it possible to determine whether an amount they have committed to pay under a life insurance contract is payable and empowers the Government to determine, by regulation, the means they must take for that purpose. The Act subjects the operation whereby an authorized financial institution becomes the holder of control of a group, if that operation does not have a significant impact on the institution, to the requirement that a notice be sent to the Autorité des marchés financiers, instead of to the requirement that the authorization granted by the Autorité be reviewed.

The Act amends the Act respecting the distribution of financial products and services to allow a person employed by a firm, an independent partnership or an independent representative to carry out activities under the supervision of a claims adjuster in certain situations. It withdraws from distributors the possibility of offering replacement insurance for a vehicle they sell. Furthermore, it requires that the premium payable under a life, health or employment insurance contract underwritten through a distributor must be paid at least once a year.

The Act specifies that the information contained in the register of holders of licences issued under the Real Estate Brokerage Act is public. It also amends that Act so that the provisions that pertain to contracts concerning certain residential immovables apply to land intended for residential construction.

The Act removes the requirement concerning the frequency of inspection of certain deposit institutions by the Autorité des marchés financiers. The Act allows the Autorité to determine, by regulation, the cases in which the Autorité's receipt is deemed issued for the purposes of the Securities Act. It provides that the Autorité must calculate a deposit in foreign currency in Canadian dollars before making payments in execution of its obligation under a guarantee.

The Act gives the Financial Markets Administrative Tribunal the power to impose on any person an administrative penalty for having aided in the contravention of the Act respecting the distribution of financial products and services. It also gives the Tribunal the power to order anyone not to dispose of funds, securities or other property acquired for unreasonable consideration. It postpones to 30 September the date on which the Tribunal must file its financial statements and annual report of activities with the Minister of Finance.

The Act specifies the process to be followed so that a legal person may be continued under Part III of the Companies Act. It provides that the sums required for the Government's commitment to indemnify the Bank of Canada for the losses that could result from the emergency assistance the Bank granted to the Fédération des caisses Desjardins are to be taken out of the Consolidated Revenue Fund. It gives the Autorité des marchés financiers the power to require from a contributor to the benchmark establishing the rate of interest in Canadian dollars currently used to determine certain payments to continue to contribute to the benchmark until the date determined by the Autorité, which may not be later than 28 June 2024.

Lastly, the Act contains transitional provisions.

LEGISLATION AMENDED BY THIS ACT:

- Insurers Act (chapter A-32.1);
- Companies Act (chapter C-38);
- Act respecting financial services cooperatives (chapter C-67.3);

- Real Estate Brokerage Act (chapter C-73.2);
- Act respecting the distribution of financial products and services (chapter D-9.2);
- Act respecting the regulation of the financial sector (chapter E-6.1);
- Deposit Institutions and Deposit Protection Act (chapter I-13.2.2);
- Derivatives Act (chapter I-14.01);
- Act respecting administrative justice (chapter J-3);
- Trust Companies and Savings Companies Act (chapter S-29.02);
- Securities Act (chapter V-1.1).

REGULATION AMENDED BY THIS ACT:

- Regulation respecting the pursuit of activities as a representative (chapter D-9.2, r. 10).

Bill 30

AN ACT TO AMEND VARIOUS PROVISIONS MAINLY WITH RESPECT TO THE FINANCIAL SECTOR

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PROVISIONS RELATING TO RECIPROCAL UNIONS AND INSURANCE ASSOCIATIONS

INSURERS ACT

1. Section 6 of the Insurers Act (chapter A-32.1) is amended

- (1) by inserting “and associations” after “companies” in paragraph 1;
- (2) by striking out paragraph 4.

2. Section 7 of the Act is amended

- (1) by inserting “that join together, under the contract by which the reciprocal union is constituted, in order to pool sums enabling them to be” after “parties”;
- (2) by inserting “damage” after “bound by”.

3. Section 8 of the Act is amended by inserting “or a reciprocal union” after “legal person” in the first paragraph.

4. Section 21 of the Act is amended by striking out the second paragraph.

5. Section 23 of the Act is amended

- (1) by inserting “or reciprocal unions” after “legal persons” in the first paragraph;
- (2) by replacing the second paragraph by the following paragraph:

“Despite the first paragraph, a self-regulatory organization or a reciprocal union need not have such capital.”

6. Section 26 of the Act is repealed.

7. Section 27 of the Act is amended by striking out subparagraph 5 of the first paragraph.

8. Section 30 of the Act is amended

(1) by replacing “reciprocal union” in the first paragraph by “association”;

(2) by replacing “a reciprocal union” in the introductory clause of subparagraph 4 of the third paragraph by “an association”.

9. Section 31 of the Act is amended by replacing “, the union’s home regulator is the Authority, unless the contract binding each of the parties in the union” in the second paragraph by “constituted under the laws of a jurisdiction other than Québec, the union’s home regulator is the Authority, unless the contract by which the union is constituted”.

10. Section 32 of the Act is amended by replacing “mandatary” and “applicant’s head office is the mandatary’s address” by “representative” and “reciprocal union’s principal establishment may be the representative’s address”, respectively.

11. Section 33 of the Act is amended by striking out “or an authorized reciprocal union” in the introductory clause.

12. Section 36 of the Act is amended

(1) by replacing “the constituting act referred to in paragraph 3 of section 34 is the contract described in section 188. A list of the parties in the reciprocal union” in the first paragraph by “a list of its members”;

(2) by striking out the second paragraph.

13. Section 37 of the Act is amended by striking out “or an authorized reciprocal union”.

14. Section 42 of the Act is amended

(1) by replacing “allows the parties in the union to carry on insurer activities among themselves only” in the first paragraph by “allows it only to insure its members”;

(2) by striking out the second paragraph.

15. Section 43 of the Act is amended by striking out “or authorized reciprocal union”.

16. Section 122 of the Act is amended by replacing “mandatary” in the second paragraph by “representative”.

17. Section 123 of the Act is amended by replacing all occurrences of “mandatory” by “representative”.

18. Section 137 of the Act is amended by replacing “of the parties in the union” in the second paragraph by “of its members”.

19. Section 138 of the Act is amended by replacing “the attorney, the mandatory and each party in the union” in the first paragraph by “the union’s attorney, its representative or each of its members”.

20. Section 176 of the Act is amended by replacing “mandatory” in subparagraph 1 of the first paragraph by “representative”.

21. Section 188 of the Act is amended

(1) in the first paragraph,

(a) by replacing the introductory clause by the following introductory clause:

“**188.** The contract by which a reciprocal union is constituted must, in particular, contain provisions for”;

(b) by replacing “of parties reciprocally bound by insurance contracts” in subparagraph 2 by “of its members”;

(c) by replacing subparagraph 3 by the following subparagraph:

“(3) establishing the procedure for designating a person for the purpose of representing the union;”;

(d) in subparagraph 4,

i. by replacing “parties” in subparagraph *a* by “members”;

ii. by replacing “of the union and the liquidation of the assets held by the mandatory” in subparagraph *b* by “and liquidation of the union”;

(e) by replacing subparagraphs 6 and 7 by the following subparagraph:

“(6) providing for the pooling by its members of the sums necessary to carry out its insurer activities and establishing a procedure for determining and collecting the contribution, the assessments and the additional assessments payable by those members”;

(2) by striking out the second paragraph.

22. Section 189 of the Act is replaced by the following section:

“189. The sums pooled by the authorized reciprocal union’s members must enable it to meet its liabilities, as and when they become due.”

23. Section 190 of the Act is amended

(1) by replacing “The mandatary of the union” in the second paragraph by “The union”;

(2) by replacing “Sections 146 to 158 apply, with the necessary modifications, to the review of the authorization; the contract sent to the Authority is substituted for the notice of intention required under those sections” in the third paragraph by “The contract sent to the Authority is substituted for the notice of intention required under sections 146 to 158”.

24. Section 191 of the Act is amended

(1) by replacing “mandatary or the attorney the mandatary designates” and “of the parties in” by “representative or the attorney designated” and “of”, respectively;

(2) by replacing “mandatary’s” by “representative’s”.

25. Section 192 of the Act is replaced by the following section:

“192. If the Authority anticipates that the sums that must be pooled by the members of the authorized reciprocal union will not be sufficient to enable the union to meet its liabilities, as and when they become due, the Authority may order the union, after giving the latter at least 10 days to submit observations, to increase, by the amount and for the period the Authority determines, the sums collected from its members.”

26. Section 193 of the Act is amended

(1) by replacing “the mandatary, the union’s organs or the parties in the union. The order has effect only in relation to the insurer activities they carry on” in the first paragraph by “that union, its directors, its representative, its organs and its members. The order has effect only in relation to the union’s insurer activities”;

(2) by replacing “property held for the union by the mandatary and to liquidate the assets held by the mandatary” in the second paragraph by “union’s property and to liquidate it”.

27. Section 194 of the Act is amended by replacing “Chapter” by “Chapters I to”.

28. Section 195 of the Act is amended by replacing “by the mandatary of adequate assets to meet the liabilities contracted by those parties in their insurer activities, as and when they become due” by “, by the unions, of sufficient sums to enable them to meet their liabilities, as and when they become due”.

29. The heading of Title III of the Act is amended by inserting “AND ASSOCIATIONS” after “COMPANIES”.

30. Section 196 of the Act is amended by inserting the following paragraph after the first paragraph:

“Insurance associations are associations whose contracts binding each of their members are established in writing under the provisions of the Civil Code concerning contracts of association.”

31. The heading of Chapter III of Title III of the Act is amended by inserting “ET DES ASSOCIATIONS” after “ACTIONS” in the French text.

32. Section 201 of the Act is amended

(1) by inserting “and associations constituted by written contract under the provisions of the Civil Code concerning contracts of association” after “(chapter S-31.1)”;

(2) by inserting “ou de l’association” at the end in the French text.

33. The Act is amended by adding the following subdivision after section 208:

“§3.—*Provisions applicable to insurance associations*

“**208.1.** An insurance association may apply to become regulated by this Title only if the contract by which it is constituted was entered into by at least five parties for the sole purpose of carrying on insurer activities and if the contract contains the measures provided for in section 188.

The five parties must be qualified to serve as directors of the association, unless the directors have already been designated.”

34. Section 209 of the Act is amended, in the first paragraph,

(1) by inserting “ou d’une association” after “société” in the introductory clause in the French text;

(2) by inserting “or association” after “the insurance company” in subparagraph 1;

(3) by replacing “the juridical form of the insurance company” in subparagraph 2 by “in the case of a corporation or company, its juridical form”;

(4) by replacing “corporation or company” in subparagraph 4 by “corporation, company or association”;

(5) by inserting “or of the insurance association’s principal establishment” after “proposed head office” in subparagraph 5.

35. Section 210 of the Act is amended by inserting “ou d’une association” after “société” in the first paragraph in the French text.

36. The Act is amended by inserting the following section after section 212:

“**212.1.** An application to become regulated by this Title filed by an association must, in addition, include

(1) the name and address of the director or member of the association charged with seeing to the preparation and signing of the documents necessary for it to become regulated by this Title;

(2) the list of the association’s members and the sums that each intends to pay into the pool; and

(3) any other information prescribed by regulation of the Minister.”

37. Section 213 of the Act is amended

(1) by inserting “, the contract by which the association is constituted” after “business corporation” in paragraph 1;

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

“(2) in the case of an insurance company, a description of the projected capital structure and, for a three-year period, a business plan and financial forecasts;

“(2.1) in the case of an insurance association, business planning and financial forecasts for a three-year period;”.

38. Section 216 of the Act is amended

(1) by inserting “In the case of a business corporation or a mutual company,” at the beginning of the introductory clause of the second paragraph;

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

“In the case of an association, the report must cover such matters as:

(1) if applicable, the grounds for disqualification of its directors;

(2) the compliance of the insurance association’s proposed name with this Act;

(3) the sufficiency of the sums pooled by its members; and

(4) the quality and feasibility of the planning and the financial forecasts for the carrying on and development of the insurance association's activities."

39. Section 217 of the Act is amended by replacing "company's" by "insurance company's or insurance association's".

40. Section 218 of the Act is amended by replacing "business corporation or mutual company" by "business corporation, mutual company or association".

41. Section 219 of the Act is amended, in the first paragraph,

(1) by replacing "business corporation or mutual company" by "business corporation, mutual company or association";

(2) by replacing "corporation or company" by "corporation, company or association".

42. The heading of Chapter IV of Title III of the Act is amended by inserting "OR ASSOCIATION" after "COMPANY".

43. Section 222 of the Act is amended

(1) by inserting "or association" after both occurrences of "company" in the first paragraph;

(2) by inserting "or association" after "company" in the second paragraph.

44. The heading of Division II of Chapter IV of Title III of the Act is amended by adding "OR TO ASSOCIATIONS" at the end.

45. Section 223 of the Act is amended by replacing "during its organization must be deposited" by "or the sums pooled by the members of a regulated association during the organization of that corporation or association must be deposited".

46. The heading of Division IV of Chapter IV of Title III of the Act is amended by inserting "OR ASSOCIATION" after "COMPANY".

47. Section 229 of the Act is amended

(1) in the first paragraph,

(a) by inserting "or association" after "company";

(b) by replacing "the corporation" by "the company or association";

(2) by inserting "or association's" after "company's" in the second paragraph.

48. The Act is amended by inserting the following section after section 230:

“230.1. An association whose contract ends without its having obtained the Authority’s authorization must subtract from its property its debts and, in accordance with article 2279 of the Civil Code, share among its members the sums pooled that were not committed for the association to become regulated by this Title and for the association’s organization.”

49. Section 231 of the Act is amended by adding the following paragraph at the end:

“An association ceases to be regulated by this Title once it has remitted to each of its members the sums they had pooled.”

50. Section 234 of the Act is replaced by the following section:

“234. The expressions “mutual company” and “reciprocal union” are reserved for mutual companies and reciprocal unions, respectively.”

51. Section 266 of the Act is amended by inserting “or association’s” after “company’s”.

52. Section 267 of the Act is amended by replacing “of a Québec insurer constituted under a private Act” in the first paragraph by “of an insurance company constituted under a private Act of Québec”.

53. Section 269 of the Act is amended by inserting “or association” after “company”.

54. Section 270 of the Act is amended by inserting “or association” after “company”.

55. Section 271 of the Act is amended by replacing “, the Authority notifies the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the director and the company in writing” by “or association, the Authority notifies the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the director and the company or association, as the case may be, in writing”.

56. Section 277 of the Act is amended by adding the following sentence at the end: “Similarly, the quorum at a meeting of the board of directors of an insurance association may not be less than that majority.”

57. Section 278 of the Act is amended by adding the following sentence at the end: “Similarly, the board of directors of an insurance association may not delegate the power to appoint, the power to dismiss or the power to determine the remuneration of the actuary referred to in that chapter.”

58. Section 283 of the Act is amended, in the first paragraph,

- (1) by inserting “or association” after “company” in the introductory clause;
- (2) by adding the following subparagraph at the end:

“(3) in the case of an association, the parties to the contract that constitutes the association.”

59. Section 284 of the Act is amended by adding the following paragraph at the end:

“An insurance association must keep in its books a register of its members containing their names and addresses.”

60. The Act is amended by inserting the following division after section 288:

“DIVISION IV

“MEETINGS OF THE PARTIES IN AN INSURANCE ASSOCIATION

“288.1. Unless otherwise prescribed by the contract by which the insurance association is constituted, each member of the insurance association is entitled to one vote at a meeting.

“288.2. Unless otherwise prescribed by the contract by which the insurance association is constituted, the members present at a meeting constitute a quorum.

If the quorum prescribed by the contract is not reached, the meeting may be called a second time. If the quorum is still not reached, the meeting may be validly held and must deal with the same matters as those stated in the first notice of meeting.

“288.3. Members of the insurance association may be represented at a meeting by mandataries to the extent that the contract by which the insurance association is constituted allows it.

A mandatory may not represent more than one member.”

61. Section 289 of the Act is amended by inserting “In the case of an insurance company,” at the beginning of the second paragraph.

62. Section 340 of the Act is amended by inserting “or association” after “company”.

63. The Act is amended by inserting the following division after section 353:

“DIVISION IV

“PROVISIONS SPECIFIC TO INSURANCE ASSOCIATIONS

“353.1. An insurance association may apply for a full revocation of the authorization granted to it by the Authority only if its members have consented to its liquidation and a liquidator is appointed by its directors or, failing that, by the court.

In addition to the cases provided for in article 2277 of the Civil Code, the contract of association is terminated at the closure of the liquidation ordered within the scope of a receivership ordered under Chapter III.1 of Title I of the Act respecting the regulation of the financial sector (chapter E-6.1).

“353.2. An insurance association may begin its liquidation only once the full revocation of the authorization granted to it by the Authority becomes final. It may continue to carry on its activities only in order to liquidate. The closure of its liquidation terminates its being regulated by this Title.

“353.3. All proceedings against the property of an insurance association, in particular by seizure in the hands of a third person, seizure before judgment or seizure in execution, are to be suspended as soon as notice of the insurance association’s intention to apply for the full revocation of the authorization is published in accordance with section 173.

The costs incurred by a creditor after being informed of the liquidation must not be collocated out of the proceeds of the property of the insurance association that are distributed as a result of the liquidation.

A judge of the Superior Court of the district in which the association’s principal establishment is located may, however, on the conditions the judge considers appropriate, authorize the institution of, or put an end to the stay of, a proceeding.

“353.4. The liquidation of an insurance association is carried out under the Authority’s supervision and control.

“353.5. The liquidator must send the final account to the Authority at the time that account is sent to the parties in the insurance association.”

64. Chapter I of Title V of the Act, comprising section 461, is repealed.

65. Section 489 of the Act is amended by inserting “, “reciprocal union”” after ““corporation”” in subparagraph 2 of the first paragraph.

66. Section 491 of the Act is amended, in subparagraph 1 of the first paragraph

(1) by replacing subparagraph *c* by the following subparagraph:

“(c) that, in contravention of the first paragraph of section 71, uses an insurance policy or a rider referred to in that paragraph whose form and terms have not been determined by the Authority or, in contravention of the second paragraph of that section, uses a rider that does not meet the conditions set out in that paragraph;”;

(2) by inserting “or, being a reciprocal union, the list of its members,” after “Québec” in subparagraph *h*.

67. Section 493 of the Act is amended by replacing “the authorized mandatary of a reciprocal union” in paragraph 2 by “an authorized reciprocal union”.

68. Section 513 of the Act is amended by replacing “mandatary” in the second paragraph by “representative”.

ACT RESPECTING THE DISTRIBUTION OF FINANCIAL PRODUCTS AND SERVICES

69. Section 8 of the Act respecting the distribution of financial products and services (chapter D-9.2) is amended by inserting “or an authorized reciprocal union” at the end.

CHAPTER II

PROVISIONS RELATING TO MONETARY ADMINISTRATIVE PENALTIES IN THE REAL ESTATE BROKERAGE SECTOR

DIVISION I

PROVISIONS RELATING TO MONETARY ADMINISTRATIVE PENALTIES

REAL ESTATE BROKERAGE ACT

70. The Real Estate Brokerage Act (chapter C-73.2) is amended by inserting the following chapter after section 123:

“CHAPTER VI.1

“MONETARY ADMINISTRATIVE PENALTIES

“DIVISION I**“FAILURES TO COMPLY**

“123.1. A monetary administrative penalty of \$250 in the case of a natural person and \$1,000 in any other case may be imposed on a licence holder who fails

(1) to send anyone, within the time required by the Organization, the information prescribed by this Act or the regulations;

(2) in contravention of section 24, to evidence in writing the contract concerning an immovable described in section 23; or

(3) in contravention of section 25, to give his or her client the duplicate of the contract concerning an immovable described in section 23.

“123.2. If a failure to comply for which a monetary administrative penalty may be imposed continues for more than one day, it constitutes a new failure for each day it continues.

“123.3. The Organization may, in a regulation made under this Act, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty.

The regulation may define the conditions for applying the penalty and set forth the amounts or the methods for determining them. The amounts may vary according to the seriousness of the failure to comply, without exceeding the maximum amounts provided for in section 123.1.

“DIVISION II**“NOTICE OF NON-COMPLIANCE AND IMPOSITION**

“123.4. In the event of a failure to comply referred to in Division I, a notice of non-compliance may be notified to the licence holder urging that the necessary measures be taken immediately to remedy it.

Such a notice must mention that the failure may give rise to a monetary administrative penalty.

“123.5. The imposition of a monetary administrative penalty is prescribed by two years from the date of the failure to comply.

“123.6. The monetary administrative penalty for a failure to comply with a provision of this Act may not be imposed on the licence holder if a statement of offence based on the same facts has already been served for a failure, on the same day, to comply with the same provision.

“123.7. A monetary administrative penalty is imposed on the licence holder by the notification of a notice of claim.

The notice must state:

- (1) the amount of the claim;
- (2) the reasons for it;
- (3) the time from which it bears interest, if applicable;
- (4) the right, under section 123.8, to obtain a review of the decision to impose the penalty and the time limit for exercising that right; and
- (5) the right to contest the review decision before the Administrative Tribunal of Québec and the time limit for bringing such a proceeding.

The notice must also include information on the procedure for recovery of the amount claimed. The licence holder must also be informed that failure to pay the amount owing may give rise to the amendment, suspension or revocation of his or her licence and, if applicable, that the facts on which the claim is founded may result in penal proceedings.

Unless otherwise provided, the amount owing bears interest at the rate determined under the first paragraph of section 28 of the Tax Administration Act (chapter A-6.002), from the 31st day after notification of the notice.

“DIVISION III

“REVIEW

“123.8. The holder of a licence may apply in writing to the Organization for a review of the decision to impose a monetary administrative penalty within 30 days after notification of the notice of claim.

The persons responsible for the review are designated by the Organization; they must not come under the same administrative authority as the persons responsible for imposing such penalties.

“123.9. The application for review must be dealt with promptly. After giving the applicant an opportunity to submit observations and produce any documents to complete the record, the person responsible for the review renders a decision on the basis of the record, unless the person deems it necessary to proceed in some other manner.

“123.10. The review decision must be written in clear and concise terms, with reasons given, must be notified to the applicant and must state the applicant’s right to contest the decision before the Administrative Tribunal of Québec and the time limit for bringing such a proceeding.

If the review decision is not rendered within 30 days after receipt of the application or, if applicable, within the time granted to the applicant to submit observations or documents, the interest provided for in the fourth paragraph of section 123.7 on the amount owing ceases to accrue until the decision is rendered.

“123.11. A review decision that confirms the imposition of a monetary administrative penalty may be contested before the Administrative Tribunal of Québec by the licence holder to which the decision pertains within 60 days after notification of the review decision.

The Tribunal may only confirm or quash a contested decision.

When rendering its decision, the Tribunal may make a ruling with respect to interest accrued on the penalty while the matter was pending before it.

“DIVISION IV

“RECOVERY

“123.12. If the agency licence holder has defaulted on payment of a monetary administrative penalty, its directors and officers are solidarily liable with that licence holder for the payment of the penalty, unless they establish that they exercised due care and diligence to prevent the failure.

“123.13. The payment of a monetary administrative penalty is secured by a legal hypothec on the debtor’s movable and immovable property.

For the purposes of this division, “debtor” means the licence holder that is required to pay a monetary administrative penalty and, if applicable, each of its directors and officers who are solidarily liable with that licence holder for the payment of the penalty.

“123.14. The debtor and the Organization may enter into a payment agreement with regard to a monetary administrative penalty owing. Such an agreement, or the payment of the amount owing, does not constitute, for the purposes of any other administrative penalty under this Act, an acknowledgement of the facts giving rise to it.

“123.15. If the monetary administrative penalty owing is not paid in its entirety or the payment agreement is not adhered to, the Organization may issue a recovery certificate on the expiry of the time for applying for a review of the decision to impose the penalty, on the expiry of the time for contesting the review decision before the Administrative Tribunal of Québec or on the expiry of 30 days after the final decision of the Tribunal confirming all or part of the decision to impose the penalty or the review decision, as applicable.

However, a recovery certificate may be issued before the expiry of the time referred to in the first paragraph if the Organization is of the opinion that the debtor is attempting to evade payment.

A recovery certificate must state the debtor's name and address and the amount of the debt.

“123.16. On the filing of the recovery certificate at the office of the competent court, together with a copy of the final decision stating the amount of the debt, the decision becomes enforceable as if it were a final judgment of that court not subject to appeal, and has all the effects of such a judgment.

“123.17. The debtor is required to pay a recovery charge in the cases, under the conditions and in the amount determined by regulation of the Minister.

“DIVISION V

“REGISTER

“123.18. The Organization keeps a register relating to monetary administrative penalties.

The register must contain at least the following information:

- (1) the date the penalty was imposed;
- (2) the date and nature of the failure, and the legislative provisions under which the penalty was imposed;
- (3) if the penalty was imposed on an agency, its name and the address of its head office or that of one of its establishments;
- (4) if the penalty was imposed on a natural person, the person's name, the name of the municipality in whose territory the person resides and, if the failure occurred during the ordinary course of business of the person's enterprise, the enterprise's name and address;
- (5) the amount of the penalty imposed;
- (6) the date of receipt of an application for review and the date and conclusions of the decision;
- (7) the date a proceeding is brought before the Administrative Tribunal of Québec and the date and conclusions of the decision rendered by the Tribunal, as soon as the Organization is made aware of the information;
- (8) the date a proceeding is brought against the decision rendered by the Administrative Tribunal of Québec, the nature of the proceeding and the date and conclusions of the decision rendered by the court concerned, as soon as the Organization is made aware of the information; and
- (9) any other information the Organization considers of public interest.

The information contained in the register is public information as of the time the decision imposing the penalty becomes final.”

DIVISION II

SPECIAL AMENDING PROVISION

ACT RESPECTING ADMINISTRATIVE JUSTICE

71. Schedule IV to the Act respecting administrative justice (chapter J-3) is amended by inserting the following paragraph after paragraph 7.1:

“(7.2) section 123.11 of the Real Estate Brokerage Act (chapter C-73.2);”.

CHAPTER III

PROVISIONS RELATING TO THE RECOVERY OF AMOUNTS FOLLOWING THE IMPOSITION OF MONETARY ADMINISTRATIVE PENALTIES IN THE DISTRIBUTION OF FINANCIAL PRODUCTS AND SERVICES, DERIVATIVES AND SECURITIES SECTORS

ACT RESPECTING THE DISTRIBUTION OF FINANCIAL PRODUCTS AND SERVICES

72. The Act respecting the distribution of financial products and services (chapter D-9.2) is amended by inserting the following sections after section 115.2:

“**115.2.1.** If the party responsible for a failure to comply has defaulted on payment of a monetary administrative penalty, its directors and officers are solidarily liable with that party for the payment of the penalty, unless they establish that they exercised due care and diligence to prevent the failure.

“**115.2.2.** The payment of a monetary administrative penalty is secured by a legal hypothec on the debtor’s movable and immovable property.

For the purposes of the first paragraph and sections 115.2.3 to 115.2.7, “debtor” means the party responsible for a failure to comply that is required to pay a monetary administrative penalty and, if applicable, each of its directors and officers, who are solidarily liable with that party for the payment of the penalty.

“**115.2.3.** The debtor and the Authority may enter into a payment agreement with regard to a monetary administrative penalty owing. Such an agreement, or the payment of the amount owing, does not constitute, for the purposes of any other administrative penalty under this Act, an acknowledgement of the facts giving rise to it.

“115.2.4. If the monetary administrative penalty owing is not paid in its entirety or the payment agreement is not adhered to, the Authority may issue a recovery certificate on the expiry of the time for applying for a review of the decision to impose the penalty, on the expiry of the time for contesting the review decision before the Financial Markets Administrative Tribunal or on the expiry of 30 days after the final decision of the Tribunal confirming all or part of the decision to impose the penalty or the review decision, as the case may be.

However, a recovery certificate may be issued before the expiry of the time referred to in the first paragraph if the Authority is of the opinion that the debtor is attempting to evade payment.

A recovery certificate must state the debtor’s name and address and the amount of the debt.

“115.2.5. Once a recovery certificate has been issued, any refund owed to a debtor by the Minister of Revenue may, in accordance with section 31 of the Tax Administration Act (chapter A-6.002), be withheld for payment of the amount due referred to in the certificate.

Such withholding interrupts the prescription provided for in the Civil Code with regard to the recovery of an amount owing.

“115.2.6. On the filing of the recovery certificate at the office of the competent court, together with a copy of the final decision stating the amount of the debt, the decision becomes enforceable as if it were a final judgment of that court not subject to appeal, and has all the effects of such a judgment.

“115.2.7. The debtor is required to pay a recovery charge in the cases, under the conditions and in the amount determined by regulation of the Minister.”

DERIVATIVES ACT

73. The Derivatives Act (chapter I-14.01) is amended by inserting the following sections after section 101:

“102. If the party responsible for a failure to comply has defaulted on payment of a monetary administrative penalty, its directors and officers are solidarily liable with that party for the payment of the penalty, unless they establish that they exercised due care and diligence to prevent the failure.

“102.1. The payment of a monetary administrative penalty is secured by a legal hypothec on the debtor’s movable and immovable property.

For the purposes of this division, “debtor” means the party responsible for a failure to comply that is required to pay a monetary administrative penalty and, if applicable, each of its directors and officers, who are solidarily liable with that party for the payment of the penalty.

“102.2. The debtor and the Authority may enter into a payment agreement with regard to a monetary administrative penalty owing. Such an agreement, or the payment of the amount owing, does not constitute, for the purposes of any other administrative penalty under this Act, an acknowledgement of the facts giving rise to it.

“102.3. If the monetary administrative penalty owing is not paid in its entirety or the payment agreement is not adhered to, the Authority may issue a recovery certificate on the expiry of the time for applying for a review of the decision to impose the penalty, on the expiry of the time for contesting the review decision before the Financial Markets Administrative Tribunal or on the expiry of 30 days after the final decision of the Tribunal confirming all or part of the decision to impose the penalty or the review decision, as the case may be.

However, a recovery certificate may be issued before the expiry of the time referred to in the first paragraph if the Authority is of the opinion that the debtor is attempting to evade payment.

A recovery certificate must state the debtor’s name and address and the amount of the debt.

“102.4. Once a recovery certificate has been issued, any refund owed to a debtor by the Minister of Revenue may, in accordance with section 31 of the Tax Administration Act (chapter A-6.002), be withheld for payment of the amount due referred to in the certificate.

Such withholding interrupts the prescription provided for in the Civil Code with regard to the recovery of an amount owing.

“102.5. On the filing of the recovery certificate at the office of the competent court, together with a copy of the final decision stating the amount of the debt, the decision becomes enforceable as if it were a final judgment of that court not subject to appeal, and has all the effects of such a judgment.

“102.6. The debtor is required to pay a recovery charge in the cases, under the conditions and in the amount determined by regulation of the Minister.”

SECURITIES ACT

74. The Securities Act (chapter V-1.1) is amended by inserting the following sections after section 274.1:

“275. If the party responsible for a failure to comply has defaulted on payment of a monetary administrative penalty, its directors and officers are solidarily liable with that party for the payment of the penalty, unless they establish that they exercised due care and diligence to prevent the failure.

“275.1. The payment of a monetary administrative penalty is secured by a legal hypothec on the debtor’s movable and immovable property.

For the purposes of this chapter, “debtor” means the party responsible for a failure to comply that is required to pay a monetary administrative penalty and, if applicable, each of its directors and officers, who are solidarily liable with that party for the payment of the penalty.

“275.2. The debtor and the Authority may enter into a payment agreement with regard to a monetary administrative penalty owing. Such an agreement, or the payment of the amount owing, does not constitute, for the purposes of any other administrative penalty under this Act, an acknowledgement of the facts giving rise to it.

“275.3. If the monetary administrative penalty owing is not paid in its entirety or the payment agreement is not adhered to, the Authority may issue a recovery certificate on the expiry of the time for applying for a review of the decision to impose the penalty, on the expiry of the time for contesting the review decision before the Financial Markets Administrative Tribunal or on the expiry of 30 days after the final decision of the Tribunal confirming all or part of the decision to impose the penalty or the review decision, as the case may be.

However, a recovery certificate may be issued before the expiry of the time referred to in the first paragraph if the Authority is of the opinion that the debtor is attempting to evade payment.

A recovery certificate must state the debtor’s name and address and the amount of the debt.

“275.4. Once a recovery certificate has been issued, any refund owed to a debtor by the Minister of Revenue may, in accordance with section 31 of the Tax Administration Act (chapter A-6.002), be withheld for payment of the amount due referred to in the certificate.

Such withholding interrupts the prescription provided for in the Civil Code with regard to the recovery of an amount owing.

“275.5. On the filing of the recovery certificate at the office of the competent court, together with a copy of the final decision stating the amount of the debt, the decision becomes enforceable as if it were a final judgment of that court not subject to appeal, and has all the effects of such a judgment.

“275.6. The debtor is required to pay a recovery charge in the cases, under the conditions and in the amount determined by regulation of the Minister.”

CHAPTER IV

MISCELLANEOUS AMENDMENTS CONCERNING FINANCIAL INSTITUTIONS

DIVISION I

OBLIGATIONS OF INSURERS IN INSURANCE OF PERSONS REGARDING LIFE INSURANCE CONTRACTS

INSURERS ACT

75. The Insurers Act (chapter A-32.1) is amended by inserting the following section after section 72:

“72.1. An insurer that binds itself to pay a sum under an individual life insurance contract must take the means necessary to obtain the information enabling it to know whether the sum is payable because of the insured’s death or, where the contract provides that this payment is due during the lifetime of the insured, because of the insured’s surviving a specific period or because of the occurrence of an event related to the insured’s existence.

An insurer that knows that the sum is payable must, for a period of three years from the date the sum is payable, take the necessary means so that the beneficiaries who have not claimed the sum may be informed that the sum is payable. The insurer must also provide them with support in justifying their claim.

The Government may, by regulation, determine the means to be taken by insurers for the purposes of this section, the intervals at which they are to be taken or the situations in which they need not be taken. Such a regulation may provide for rules that differ according to the insurance contract concerned.”

DIVISION II

RE-EXAMINATION OF AN AUTHORIZATION

INSURERS ACT

76. The Insurers Act (chapter A-32.1) is amended by inserting the following section after section 136:

“136.1. An authorized insurer must, on the date prescribed in the second paragraph of section 132 for sending the statement of the position of its affairs and on the date that is six months after that date, notify the Authority of the names and addresses of the groups of which it has become the holder of control in accordance with subparagraph 1, if the operation does not have a significant effect on the authorized insurer, and subparagraphs 2 to 6 of the first paragraph of section 9 during the last six months of the period covered by that statement or, as the case may be, during the six months following the period covered by that statement.”

77. Section 146 of the Act is amended, in subparagraph 5 of the first paragraph,

(1) by replacing “its becoming the holder of control of a group or either of the following events having” in the introductory clause by “where the following operations have”;

(2) by inserting the following subparagraph after subparagraph *b*:

“(c) its becoming the holder of control of a group in accordance with subparagraph 1 of the first paragraph of section 9;”.

78. Section 147 of the Act is amended

(1) by replacing “of subparagraph 5 of the first paragraph of section 146, an acquisition or transfer is deemed to not have a significant effect on an insurer if the resulting variation” in the first paragraph by “of section 136.1 and subparagraph 5 of the first paragraph of section 146, an insurer’s becoming the holder of control of a group or an acquisition or transfer of assets is deemed to not have a significant effect on the insurer if the variation that the operation entails”;

(2) by replacing “the acquisition or transfer” in the second paragraph by “any of the operations referred to in the first paragraph”.

79. Section 153 of the Act is amended by replacing “an acquisition or transfer of assets having a significant effect on an authorized Québec insurer” in the introductory clause by “an operation referred to in subparagraph 5 of the first paragraph of section 146”.

80. Section 155 of the Act is amended by replacing “an acquisition or transfer of assets having a significant effect on an authorized Québec insurer” in the third paragraph by “an operation referred to in subparagraph 5 of the first paragraph of section 146”.

DEPOSIT INSTITUTIONS AND DEPOSIT PROTECTION ACT

81. Section 29 of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) is amended, in subparagraph 5 of the first paragraph,

(1) by replacing “its becoming the holder of control of a group or either of the following events having” in the part preceding subparagraph *a* by “where the following operations have”;

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

“(c) its becoming the holder of control of a group in accordance with subparagraph 1 of the first paragraph of section 1.5.”

82. Section 30 of the Act is amended

(1) by replacing “, an acquisition or transfer is deemed not to have a significant effect on a deposit institution if the resulting variation” in the first paragraph by “and section 41.2.1, a deposit institution’s becoming the holder of control of a group or an acquisition or transfer of assets is deemed to not have a significant effect on the deposit institution if the variation that the operation entails”;

(2) by replacing “the acquisition or transfer” in the second paragraph by “any of the operations referred to in the first paragraph”.

83. Section 30.6 of the Act is amended by replacing “acquisition or transfer of assets having a significant effect on an authorized Québec deposit institution” in the introductory clause by “operation referred to in subparagraph 5 of the first paragraph of section 29”.

84. Section 30.7 of the Act is amended by replacing “acquisition or transfer of assets having a significant effect on an authorized Québec deposit institution” in the third paragraph by “operation referred to in subparagraph 5 of the first paragraph of section 29”.

85. The Act is amended by inserting the following section after section 41.2:

“**41.2.1.** Every authorized deposit institution must, on the date prescribed in section 41 for sending the detailed return of its operations or, in the case of a financial services cooperative, on the date prescribed in section 166 of the Act respecting financial services cooperatives (chapter C-67.3) for transmitting its annual report and on the date that is six months after the date that is applicable to it, notify the Authority of the names and addresses of the groups of which it has become the holder of control in accordance with subparagraph 1, if the operation does not have a significant effect on the institution, and subparagraphs 2 to 5 of the first paragraph of section 1.5 during the last six months of the period covered by that report or, as the case may be, during the six months following the period covered by that report.”

TRUST COMPANIES AND SAVINGS COMPANIES ACT

86. The Trust Companies and Savings Companies Act (chapter S-29.02) is amended by inserting the following section after section 115:

“**115.1.** An authorized trust company must, on the date prescribed in the second paragraph of section 111 for sending the statement of the position of its affairs and on the date that is six months after that date, notify the Authority of the names and addresses of the groups of which it has become the holder of control in accordance with subparagraph 1, if the operation does not have a significant effect on the company, and subparagraphs 2 to 5 of the first paragraph

of section 6 during the last six months of the period covered by that statement or, as applicable, during the six months following the period covered by that statement.”

87. Section 126 of the Act is amended, in subparagraph 5 of the first paragraph,

(1) by replacing “its becoming the holder of control of a group or either of the following events having” in the introductory clause by “where the following operations have”;

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

“(c) its becoming the holder of control of a group in accordance with subparagraph 1 of the first paragraph of section 6.”

88. Section 127 of the Act is amended

(1) by replacing “of subparagraph 5 of the first paragraph of section 126, an acquisition or transfer is deemed to not have a significant effect on a trust company if the resulting variation” in the first paragraph by “of section 115.1 and of subparagraph 5 of the first paragraph of section 126, a trust company’s becoming the holder of control of a group or an acquisition or transfer of assets is deemed not to have a significant effect on the trust company if the variation that the operation entails”;

(2) by replacing “the acquisition or transfer” in the second paragraph by “any of the operations referred to in the first paragraph”.

89. Section 133 of the Act is amended by replacing “acquisition or transfer of assets having a significant effect on an authorized Québec trust company” in the introductory clause by “operation referred to in subparagraph 5 of the first paragraph of section 126”.

90. Section 134 of the Act is amended by replacing “acquisition or a transfer of assets having a significant effect on an authorized Québec trust company” in the third paragraph by “operation referred to in subparagraph 5 of the first paragraph of section 126”.

CHAPTER V

MISCELLANEOUS AMENDMENTS CONCERNING THE PROTECTION OF INVESTORS AND THE GENERAL PUBLIC

DIVISION I

PERSON ACTING UNDER THE SUPERVISION OF A CLAIMS ADJUSTER

ACT RESPECTING THE DISTRIBUTION OF FINANCIAL PRODUCTS AND SERVICES

91. Section 10 of the Act respecting the distribution of financial products and services (chapter D-9.2) is amended by adding the following subparagraph at the end of the second paragraph:

“(3) persons domiciled in Canada and employed by a firm, an independent partnership or a claims adjuster registered as an independent representative who, solely by means of information technologies, for an automobile claim arising either from a claim provided for by the direct compensation agreement referred to in section 173 of the Automobile Insurance Act (chapter A-25) or from a glass breakage, or for the settlement of a claim not exceeding \$5,000, carries out one of the functions of a claims adjuster under the supervision of that independent representative or of a claims adjuster who acts on behalf of that firm or independent partnership.”

92. The heading of Division II of Chapter II of Title I of the Act is amended by adding “AND PERSONS ACTING UNDER THEIR SUPERVISION” at the end.

93. Sections 45 and 46 of the Act are repealed.

94. The Act is amended by inserting the following section after section 50:

“50.1. Persons referred to in subparagraph 3 of the second paragraph of section 10 must inform the claimant of the fact that they are acting under the supervision of a claims adjuster and of the identity of that claims adjuster and, at the claimant’s request, refer the claimant’s record to that claims adjuster.

The first paragraph of section 16 applies to persons referred to in subparagraph 3 of the second paragraph of section 10 in their relations with a claimant.”

95. Section 80 of the Act is amended

(1) by replacing “in the performance of the representative’s functions” in the first paragraph by “or a person referred to in subparagraph 3 of the second paragraph of section 10 in the performance of their functions”;

(2) by replacing “the representative concerned” in the second paragraph by “them”.

96. The Act is amended by inserting the following section after section 85:

“85.1. A firm that employs a person referred to in subparagraph 3 of the second paragraph of section 10 must ensure, before the date the person begins to exercise their functions in that respect and thereafter every three years, that the person:

(1) has not made an assignment of property nor been placed under a receiving order pursuant to the Bankruptcy and Insolvency Act (Revised Statutes of Canada, 1985, chapter B-3);

(2) has not been convicted by a court inside Canada of an act or offence which is linked to the pursuit of the activity of representative;

(3) is not under tutorship or under a protection mandate; or

(4) does not hold a certificate that has been cancelled or suspended, or had restrictions or conditions imposed on it, by the discipline committee or by a body in Québec or another province or state that is responsible for supervising and monitoring persons acting as representatives.

Where a firm is aware that a person referred to in the first paragraph no longer meets the conditions required under that paragraph, the firm must cease to employ that person in that capacity. In addition, a firm must cease to employ such a person in that capacity if it is aware that the person has been convicted by a foreign court of an act or offence that is linked to the pursuit of the activity of representative.”

97. Section 91 of the Act is amended by inserting “and employees” after “representatives”.

98. Section 92 of the Act is amended by inserting “or employees” after all occurrences of “representatives”.

99. Section 137 of the Act is amended

(1) by replacing “its representatives” by “the representatives it employs”;

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

“Independent representatives must ensure that their employees comply with this Act and the regulations.”

100. The Act is amended by inserting the following sections after section 137:

“137.1. An independent representative or an independent partnership is responsible for any injury caused to a client by the fault of a person referred to in subparagraph 3 of the second paragraph of section 10 who acts on the independent representative’s or independent partnership’s behalf in the performance the person’s functions.

However, the independent representative and the independent partnership retain the remedies available to them against that person.

“137.2. An independent representative or an independent partnership must ensure that their employees have access only to the information necessary for the pursuit of their activities.”

101. Section 200 of the Act is amended

(1) by inserting “the qualifications and” after “and the rules relating to” in paragraph 3;

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

“(10) in the claims adjustment sector, the rules relating to the qualifications and obligations of representatives who supervise a person referred to in subparagraph 3 of the second paragraph of section 10.”

102. Section 213 of the Act is repealed.

103. Section 258 of the Act is amended

(1) by adding the following sentence at the end of the second paragraph: “The fund shall also be assigned to the payment of such indemnities in relation to the financial products and services provided or offered by one of their trainees holding a certificate or by a person referred to in subparagraph 3 of the second paragraph of section 10 who is their employee, regardless of the acts they are authorized to perform under this Act.”;

(2) in the third paragraph,

(a) by replacing “of a representative responsible for fraud, fraudulent tactics or embezzlement or of such a representative’s right to transact business” in the introductory clause by “or of the registration of a person or partnership referred to in the second paragraph or the termination of the functions in that respect of a person referred to in subparagraph 3 of the second paragraph of section 10, where such a person or partnership is responsible for fraud, fraudulent tactics or embezzlement,”;

(b) by replacing “the representative before the suspension or revocation” in subparagraph 1 by “the person or partnership before the suspension or cancellation of their certificate or registration or before the termination of their functions”;

(c) by inserting “or the termination of their functions” after “revocation” in subparagraph 2;

(3) by striking out the fourth paragraph.

REGULATION RESPECTING THE PURSUIT OF ACTIVITIES AS A REPRESENTATIVE

104. Division VIII of the Regulation respecting the pursuit of activities as a representative (chapter D-9.2, r. 10), comprising section 28, is repealed.

DIVISION II

CONDITIONS FOR THE ISSUE OF A CERTIFICATE AND FOR REGISTRATION TO PURSUE ACTIVITIES AS A REPRESENTATIVE

ACT RESPECTING THE DISTRIBUTION OF FINANCIAL PRODUCTS AND SERVICES

105. Section 218 of the Act respecting the distribution of financial products and services (chapter D-9.2) is amended by striking out “, or has pleaded guilty to such an act or offence” in subparagraph 2 of the first paragraph.

106. Section 219 of the Act is amended by striking out “, or has pleaded guilty to such an offence or act” in paragraph 2.

107. Section 220 of the Act is amended by inserting “is insolvent” after “pursue activities in that sector,”.

DERIVATIVES ACT

108. Section 80.1 of the Derivatives Act (chapter I-14.01) is amended

(1) by striking out “, or has pleaded guilty to such an act or offence” in paragraph 2;

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

“(5) the representative, chief compliance officer or ultimate designated person no longer complies with a condition for registration provided for in this Act.”

SECURITIES ACT

109. Section 151.0.1 of the Securities Act (chapter V-1.1) is amended in the first paragraph

(1) by striking out “, or has pleaded guilty to such an act or offence” in subparagraph 2;

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

“(5) the representative, chief compliance officer or ultimate designated person no longer complies with a condition for registration provided for in this Act or a regulation made under this Act.”

DIVISION III

DISTRIBUTION WITHOUT A REPRESENTATIVE

ACT RESPECTING THE DISTRIBUTION OF FINANCIAL PRODUCTS AND SERVICES

110. Section 424 of the Act respecting the distribution of financial products and services (chapter D-9.2) is amended by striking out paragraph 5.

111. The Act is amended by inserting the following section after section 442:

“**442.1.** An insurance contract referred to in section 426 with a term exceeding one year must provide that the premium is payable at least once a year for each year of the contract.”

DIVISION IV

RECEIPT DEEMED ISSUED

SECURITIES ACT

112. The Securities Act (chapter V-1.1) is amended by inserting the following section after section 12:

“**12.1.** The Authority may, by by-law, determine the cases in and conditions on which a receipt is deemed issued by the Authority for the purposes of this chapter.”

113. Section 331.1 of the Act is amended by inserting the following paragraph after paragraph 6:

“(6.0.1) determine the cases in and conditions on which a receipt is deemed issued by the Authority for the purposes of Chapter I of Title II;”.

DIVISION V**LAND INTENDED FOR RESIDENTIAL CONSTRUCTION AND
REAL ESTATE BROKERAGE FORMS APPROVED BY THE
MINISTER****REAL ESTATE BROKERAGE ACT**

114. Section 23 of the Real Estate Brokerage Act (chapter C-73.2) is amended by inserting “or of land intended for residential construction” at the end of paragraph 1.

115. Section 63 of the Act is amended by adding the following paragraph at the end:

“The information contained in the register of licence holders is public information. It may be set up against third parties as of the date it is entered and is proof of its contents for the benefit of third parties in good faith.”

116. Section 129.1 of the Act is amended

(1) by adding the following sentence at the end of the second paragraph: “They come into force on the date of their publication in the *Gazette officielle du Québec* or on any later date determined by the Minister.”;

(2) by replacing “being approved by the Minister” in the third paragraph by “date of coming into force”.

CHAPTER VI**FUNCTIONS AND POWERS OF THE AUTORITÉ DES MARCHÉS
FINANCIERS AND OF THE FINANCIAL MARKETS
ADMINISTRATIVE TRIBUNAL****DIVISION I****CALCULATION OF A DEPOSIT IN CANADIAN DOLLARS AND
FREQUENCY OF INSPECTION OF AN AUTHORIZED DEPOSIT
INSTITUTION****DEPOSIT INSTITUTIONS AND DEPOSIT PROTECTION ACT**

117. Section 34.3 of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) is amended by adding the following paragraph at the end:

“In the case of a deposit of money in foreign currency, the Authority must calculate the deposit in Canadian dollars in accordance with the exchange rate published by the Bank of Canada on the date on which one of the cases referred

to in the first paragraph of section 34.1 occurs or, if not published on that date, immediately before that date or, if the Bank does not publish an exchange rate, by the authorized deposit institution.”

118. Section 42 of the Act is repealed.

DIVISION II

ADMINISTRATIVE PENALTY IMPOSED BY THE FINANCIAL MARKETS ADMINISTRATIVE TRIBUNAL AND PENALTY IMPOSED BY THE AUTORITÉ DES MARCHÉS FINANCIERS

ACT RESPECTING THE DISTRIBUTION OF FINANCIAL PRODUCTS AND SERVICES

119. Section 115 of the Act respecting the distribution of financial products and services (chapter D-9.2) is amended

(1) by striking out the last sentence of the first paragraph;

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

“Likewise, if it is brought to the knowledge of the Tribunal that a person has, by an act or omission, contravened or aided in the contravention of a provision of this Act or the regulations, the Tribunal may impose an administrative penalty not exceeding \$2,000,000 for each contravention or, in the case of a contravention of the rules of ethics applicable to mortgage brokers determined by regulation under section 202.1, an administrative penalty of not less than \$2,000 and not more than \$50,000 for each contravention.”;

(3) by replacing “first paragraph” in the second paragraph by “first and second paragraphs”.

120. Section 115.2 of the Act is amended, in the first paragraph,

(1) by replacing “81, 82, 83, 103.1 or 103.7 or to file documents as required under this Act or the regulations, the Authority may suspend the firm’s registration or subject it to restrictions or conditions or impose a monetary administrative penalty not exceeding \$5,000 for each contravention” by “74, 81, 82, 83, 103.1 or 103.7 or to file documents as required under this Act or the regulations, the Authority may suspend the firm’s registration or subject it to restrictions or conditions”;

(2) by inserting the following sentence after the first sentence: “The Authority may, instead or in addition to those penalties, impose on the firm a monetary administrative penalty not exceeding \$5,000 for each contravention.”;

(3) by replacing “section 82” by “section 74 or 82”.

121. The Act is amended by inserting the following section after section 142:

“142.1. Independent representatives or independent partnerships that fail to comply with section 74, 131 or 133 may not claim or receive remuneration for the products sold or services rendered. In addition, an independent partnership that fails to comply with section 71.1 may not claim or receive such remuneration.”

122. Section 146 of the Act is amended

(1) in the first paragraph,

(a) by striking out “75,”;

(b) by inserting “85.1, 90,” after “83.1,”;

(c) by striking out “, 103”;

(d) by replacing “106 to 113, 114.1” by “105 to 114.1, 115.2.1 to 115.2.7”;

(2) in the second paragraph,

(a) by striking out “75,”;

(b) by striking out “82,”;

(c) by inserting “85.1,” after “84,”;

(d) by striking out “91,”;

(e) by striking out “, 103”;

(f) by replacing “106 to 113, 114.1” by “105 to 114.1, 115.2.1 to 115.2.7”.

123. Section 146.1 of the Act is amended

(1) by inserting “74,” after “comply with section”;

(2) by replacing “or 136” by “, 136 or 142.1”.

DIVISION III**ORDER OF THE FINANCIAL MARKETS ADMINISTRATIVE
TRIBUNAL****ACT RESPECTING THE DISTRIBUTION OF FINANCIAL
PRODUCTS AND SERVICES**

124. Section 115.3 of the Act respecting the distribution of financial products and services (chapter D-9.2) is amended by inserting “or of funds, securities or other property acquired for unreasonable consideration from the representative, firm or any other person or entity actually or potentially under investigation” at the end of subparagraph 3 of the first paragraph.

DERIVATIVES ACT

125. Section 119 of the Derivatives Act (chapter I-14.01) is amended by inserting “or funds, securities or other property acquired for unreasonable consideration from the person actually or potentially under investigation” at the end of paragraph 3.

SECURITIES ACT

126. Section 249 of the Securities Act (chapter V-1.1) is amended by inserting “or of funds, securities or other property acquired for unreasonable consideration from the person who is or is about to be under investigation” at the end of paragraph 3.

DIVISION IV**DATE OF FILING OF DOCUMENTS BY THE FINANCIAL
MARKETS ADMINISTRATIVE TRIBUNAL****ACT RESPECTING THE REGULATION OF THE FINANCIAL
SECTOR**

127. Section 115.15.56 of the Act respecting the regulation of the financial sector (chapter E-6.1) is amended by replacing “31 July” in the first paragraph by “30 September”.

CHAPTER VII

CONTINUANCE OF A LEGAL PERSON UNDER PART III OF THE COMPANIES ACT

COMPANIES ACT

128. Section 221 of the Companies Act (chapter C-38) is amended

(1) by replacing “constituting the members of” in the first paragraph by “to continue”;

(2) by replacing the second and third paragraphs by the following paragraphs:

“The enterprise register shall deposit the letters patent in the register and, subject to such deposit, but from the date of the letters patent, the legal person is continued under this Act.

The continuance does not affect the rights, obligations and deeds of the legal person that is continued as a legal person governed by this Part or those of its members. The legal person remains a party to any judicial or administrative proceedings to which the legal person thus continued was a party.”

CHAPTER VIII

TRANSITIONAL, MISCELLANEOUS AND FINAL PROVISIONS

129. The sums required by the Government for its commitment to indemnify the Bank of Canada for losses that could result from the Bank’s granting of emergency assistance to the Fédération des caisses Desjardins under paragraph *h* of section 18 of the Bank of Canada Act (Revised Statutes of Canada, 1985, chapter B-2) are taken out of the Consolidated Revenue Fund.

130. The Autorité des marchés financiers may require from any person who provides no later than on 7 June 2023 information or data used to establish the Canadian Dollar Offered Rate administered by Refinitiv Benchmark Services (UK) Limited, benchmark and benchmark administrator designated in accordance with the first paragraph of section 186.2.0.1 of the Securities Act (chapter V-1.1), that the person provide the information and data to that administrator until the date it determines, which may not be later than 28 June 2024.

131. As of 9 May 2024, the Union réciproque d'assurance scolaire du Québec is deemed to be regulated by Title III of the Insurers Act (chapter A-32.1).

132. Between 9 May 2024 and 9 May 2025, section 258 of the Act respecting the distribution of financial products and services (chapter D-9.2), amended by section 103 of this Act, is to be read as if the third and fourth paragraphs were replaced by the following paragraph:

“The suspension or cancellation of the certificate or registration of a person or partnership referred to in the second paragraph who is responsible for fraud, fraudulent tactics or embezzlement does not deprive the victim of the right to the indemnity provided for in the second paragraph if

(1) the victim was doing business with the person or partnership before the suspension or cancellation of their certificate or registration; and

(2) the fraud, fraudulent tactics or embezzlement occurred within two years after the cancellation or after the beginning of the suspension.”

133. The Autorité des marchés financiers, on an application addressed to it before 1 December 2025 by a damage insurance agent or broker qualified pursuant to section 46 of the Act respecting the distribution of financial products and services on 8 May 2025, issues a certificate, without further formality, to the agent or broker to act in the claims adjustment sector or the class of that sector in which the agent or broker is authorized to act on that date.

Likewise, the Autorité, on an application addressed to it before 1 December 2025 by the firm or independent partnership on whose behalf such an agent or broker acts or by an independent representative, registers the firm, without further formality, in the claims adjustment sector.

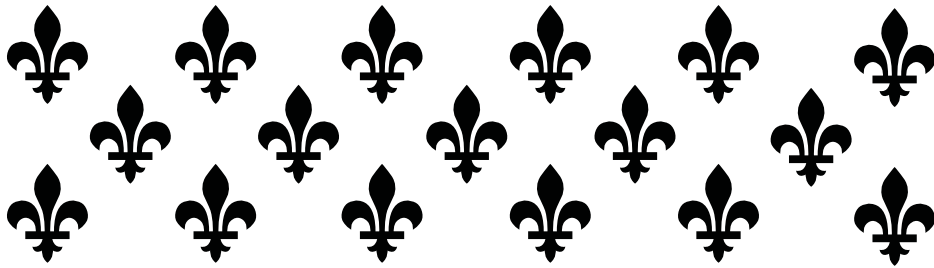
134. The Financial Markets Administrative Tribunal may exercise the powers provided for in sections 124 to 126 of this Act with respect to a contravention or failure to comply observed after 9 May 2024 regardless of the date on which the facts giving rise to that contravention or failure to comply occurred.

135. The provisions of this Act come into force on 9 May 2024, except

(1) the provisions of sections 110 and 111, which come into force on 1 July 2026;

(2) the provisions of sections 91 and 92, paragraph 1 of section 95, sections 96 and 100, insofar as the latter enacts section 137.1 of the Act respecting the distribution of financial products and services, paragraph 2 of section 101 and section 103, which come into force on 9 May 2025;

(3) the provisions of section 75, which come into force on the date to be determined by the Government.



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 44
(2024, chapter 16)

**An Act to amend mainly the Act
respecting the Ministère de
l'Économie et de l'Innovation
with respect to research**

**Introduced 7 February 2024
Passed in principle 20 February 2024
Passed 9 May 2024
Assented to 9 May 2024**

**Québec Official Publisher
2024**

EXPLANATORY NOTES

This Act updates the Act respecting the Ministère de l'Économie et de l'Innovation as regards research and innovation. To that end, it integrates into that Act various provisions of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie and makes certain amendments to those provisions.

The Act confers on the Minister of Economy, Innovation and Energy the duty to develop and implement a research and innovation strategy and updates the provisions relating to the appointment and functions of the chief scientist.

The Act establishes the Fonds de recherche du Québec and provides for the amalgamation, within that fund, of Québec's three research funds established by the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie. It states that the Fund's main mission is to financially support the development of scientific research and to promote the training of the next generation in research. It specifies the functions of and confers various powers on the Fund.

The Act establishes the Fund's organizational and operational rules, including those relating to the composition of its board of directors and to the development and implementation of financial support programs. It provides for the appointment of three scientific directors whose function is to see to the proper operation of the Fund with regard to the research sector to which each of them is attached. It also sets out rules relating to the Fund's financing, accounts and reports.

The Act transfers, to the Act respecting the Ministère de l'Économie et de l'Innovation, the provisions of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie that relate to the Commission de l'éthique en science et en technologie.

Lastly, the Act contains consequential amendments and transitional measures.

LEGISLATION AMENDED BY THIS ACT:

- Financial Administration Act (chapter A-6.001);
- Health Insurance Act (chapter A-29);
- Act respecting the governance of state-owned enterprises (chapter G-1.02);
- Act respecting the Ministère de l'Économie et de l'Innovation (chapter M-14.1);
- Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1);
- Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2);
- Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001);
- Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2);
- Act respecting the Government and Public Employees Retirement Plan (chapter R-10);
- Act respecting the Civil Service Superannuation Plan (chapter R-12);
- Act respecting the Pension Plan of Management Personnel (chapter R-12.1);
- Act respecting health services and social services (chapter S-4.2);
- Act to make the health and social services system more effective (2023, chapter 34).

REGULATIONS AMENDED BY THIS ACT:

- Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5);
- Regulation respecting the Taxation Act (chapter I-3, r. 1).

Bill 44

AN ACT TO AMEND MAINLY THE ACT RESPECTING THE MINISTÈRE DE L'ÉCONOMIE ET DE L'INNOVATION WITH RESPECT TO RESEARCH

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

ACT RESPECTING THE MINISTÈRE DE L'ÉCONOMIE ET
DE L'INNOVATION

1. Section 3 of the Act respecting the Ministère de l'Économie et de l'Innovation (chapter M-14.1) is amended by adding the following paragraph at the end:

“The Minister develops and proposes to the Government a research and innovation strategy. The Minister coordinates and follows up on the implementation of the strategy.”

2. The Act is amended by inserting the following chapters after section 22:

“CHAPTER II.1

“CHIEF SCIENTIST

“**22.1.** The Government appoints, for a term not exceeding five years, a person as chief scientist; the chief scientist exercises the functions conferred by section 22.2 with the independence they require.

The chief scientist is chosen from among at least three persons approved by a committee following a selection process established by the Government. The committee is to be composed of at least three members appointed by the Government, the majority of whom are from a public research institution or a higher education institution.

The selection process does not apply to a chief scientist whose term is renewed. However, within six months prior to the expiry of the chief scientist's term, the board of directors of the Fonds de recherche du Québec established under section 22.5 carries out an evaluation of the chief scientist with regard to the exercise of the latter's functions as president and chief executive officer

of the Fonds de recherche du Québec, conferred by section 22.3, and sends it to the Minister, along with the recommendations the board considers relevant as concerns the renewal of the chief scientist's term.

The Government determines the chief scientist's remuneration, employee benefits and other conditions of employment.

“22.2. The chief scientist advises the Minister on the development of research and science and on scientific diplomacy on the local, regional, national and international levels. The chief scientist also advises the other members of the Conseil exécutif on any scientific matter that could inform public policies, and gives scientific opinions. The chief scientist exercises those functions in accordance with the mandate given to him or her by the Minister.

The chief scientist promotes bringing science and society closer together as well as maintaining ethics and responsible conduct in research. The chief scientist works to ensure Québec's position and influence elsewhere in Canada and abroad.

“22.3. The chief scientist is, by virtue of office, the president and chief executive officer of the Fonds de recherche du Québec.

The office of chief scientist is a full-time position.

“22.4. If the chief scientist is absent or unable to act, the board of directors of the Fonds de recherche du Québec may designate one of the scientific directors appointed under section 22.26 or another officer of that fund to temporarily exercise the functions of the fund's president and chief executive officer.

“CHAPTER II.2

“FONDS DE RECHERCHE DU QUÉBEC

“DIVISION I

“ESTABLISHMENT AND MISSION

“22.5. The Fonds de recherche du Québec (the Fund) is established.

“22.6. The Fund is a legal person and a mandatary of the State.

The Fund's property forms part of the domain of the State, but the performance of its obligations may be levied against its property.

The Fund binds none but itself when it acts in its own name.

“22.7. The Fund's head office is at the place determined by the Government.

The Fund may establish offices at the places it determines.

“22.8. The mission of the Fund is to support the strategic and coherent development of scientific research in Québec in the following research sectors:

(1) “nature and technologies”, including, in particular, natural sciences, mathematical sciences, technologies, engineering and environmental sciences;

(2) “health”, including, in particular, medical and clinical sciences, epidemiology, public health, health services and, more generally, sustainable health; and

(3) “society and culture”, including, in particular, social and human sciences, education sciences, management sciences as well as arts and letters.

The mission of the Fund is also to promote the training of the next generation in research and excellence in research in order to contribute to the advancement of knowledge and to the development of solutions to the societal challenges that Québec faces. It contributes to society’s sustainable development and builds on the principles of social innovation. It helps increase, with regard to each of the sectors, the influence of science and its results in Québec, elsewhere in Canada and abroad.

“DIVISION II

“FUNCTIONS AND POWERS

“22.9. The functions of the Fund are

(1) to promote and provide financial support for

(a) investigator-initiated, basic or applied research in the research sectors referred to in section 22.8 within public research institutions and higher education institutions;

(b) the dissemination of knowledge in all fields; and

(c) the training of researchers through the granting of achievement bursaries to college and university students and to persons who engage in postdoctoral research, and through the granting of professional development bursaries to persons who wish to re-enter the research community;

(d) intersectoral research activities;

(2) to support the coordination of research initiatives conducted within government departments and bodies and the management of calls for projects resulting from those initiatives; and

(3) to create any necessary partnership, in particular with the universities, colleges, industry, government departments and public and private bodies concerned, both nationally and internationally.

“22.10. In exercising its functions, the Fund must contribute to supporting and enhancing research and science in French.

“22.11. At the beginning of each fiscal year and not later than the date fixed by the Minister, the Fund must send a plan setting out the actions planned for that year to the Minister for approval.

The plan must indicate separately the amounts determined for administration expenses and the amounts determined for each of the financial support programs.

The plan must also indicate separately, for the part of the budget envelope that comes from the appropriations granted to the Minister by Parliament for the Fund, the sums to be allocated to each of the research sectors referred to in section 22.8, determined based on a distribution that takes into account the specific characteristics of each of the sectors while seeking to maintain stable proportionality for each sector’s financing.

The plan must provide that preponderance is to be given to financial assistance programs in support of investigator-initiated research.

“22.12. The Fund may, within the scope of its strategic plan and on the conditions the Government determines, grant financial support by way of grants and bursaries.

“22.13. Every financial support program must determine

(1) the form and content of financial support applications, the information they must contain and the documents that must accompany them;

(2) the terms and conditions for granting financial support and the criteria for assessing financial support applications; and

(3) the scales and limits of the financial support.

The elements referred to in subparagraphs 2 and 3 of the first paragraph are subject to approval by the Minister.

“22.14. The Fund may form committees responsible for assessing financial support applications addressed to it.

The members of the committees are entitled, to the extent and on the conditions determined by the Government, to remuneration in the form of an allowance for attendance at meetings of the committees and to the reimbursement of reasonable expenses incurred by them in the exercise of their functions.

However, the committee members who are from the public bodies referred to in section 3 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) are not entitled to an attendance allowance.

“22.15. The Fund may, in accordance with the law, enter into an agreement with a government other than the Gouvernement du Québec, a department of such a government, an international organization, or a body of such a government or organization, for the purpose of carrying out its functions.

The Fund may, for the same purpose, enter into an agreement with a department or a body of the Gouvernement du Québec, as well as with any person, partnership or body, and participate in joint projects with them.

“22.16. The Fund must establish a policy for examining and dealing with complaints addressed to it about operations related to its activities.

“22.17. In addition to exercising the functions provided for in this division, the Fund implements the financial support programs entrusted to it by another Act or, with the authorization of the Government and on the conditions the Government determines, the financial support programs entrusted to it by a government department or a public body. The Fund then exercises its functions in accordance with this division, with the necessary modifications.

“22.18. The Fund gives its opinion on any matter in its area of competence that is submitted to it by the Minister, and attaches to it, if applicable, any recommendations it considers appropriate.

“22.19. Unless authorized by the Government, the Fund is prohibited

(1) from contracting a loan that increases its total outstanding borrowings to more than the amount determined by the Government; and

(2) from entering into a contract for a term or an amount exceeding that determined by the Government.

The Fund is also prohibited from acquiring an immovable.

“22.20. The Fund may receive gifts, legacies, subsidies or other contributions, provided that any conditions attached are compatible with the fulfilment of its mission.

“DIVISION III

“ORGANIZATION AND OPERATION

“§1. — *Board of directors*

“22.21. The Fund is administered by a board of directors composed of 15 to 19 members appointed by the Government, including the chair of the board and the president and chief executive officer. The members of the board, other than the chair and the president and chief executive officer, include

(1) at least three persons from each of the research sectors referred to in section 22.8; and

(2) at least one student enrolled in a higher education program of studies in an educational institution in Québec from each of the research sectors referred to in section 22.8.

A member of the personnel of the Ministère de l'Économie et de l'Innovation designated by the Minister and a member of the personnel of the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie designated by the minister responsible for that government department take part in the meetings of the board as observers but are not entitled to vote.

“22.22. Any vacancy on the board of directors is filled in accordance with the rules of appointment to the board.

Absence from a number of board meetings determined by the Fund's by-laws constitutes a vacancy, in the cases and circumstances specified in the by-laws.

“22.23. The board of directors may hold its meetings anywhere in Québec.

A quorum at meetings of the board is the majority of its members, including the chair of the board or the president and chief executive officer.

“22.24. The minutes of the meetings of the board of directors, approved by the board and certified true by the chair of the board, the president and chief executive officer or any other person authorized for that purpose by the by-laws, are authentic. The same applies to documents and copies of documents emanating from the Fund or forming part of its records, if they are so signed or certified.

“22.25. No deed, document or writing binds the Fund unless it is signed by the chair of the board of directors, the president and chief executive officer, a scientific director or a member of the Fund's personnel and, in the latter two cases, only to the extent determined by the Fund's by-laws.

The by-laws may provide for subdelegation of the power to sign documents, and determine particulars as to how it is to be exercised.

Unless otherwise provided in the by-laws, a signature may be affixed on a document by any means, including any information technology-based process.

A by-law made under this section is published in the *Gazette officielle du Québec*.

“§2. — Scientific directors and personnel members

“22.26. The Government appoints, on the recommendation of the board of directors, three scientific directors from a public research institution or a higher education institution, one for each of the research sectors referred to in section 22.8, to assist the president and chief executive officer.

Each scientific director sees to the proper operation of the Fund with regard to the research sector for which he or she has been appointed.

If the board of directors refuses or neglects to make the recommendations provided for in the first paragraph, the Government may appoint the scientific directors after the Minister has notified the members of the board.

The scientific directors are appointed for a renewable term of up to five years. At the expiry of their terms of office, they remain in office until they are replaced or reappointed.

Within six months prior to the expiry of a scientific director's term, the board of directors includes with the recommendation provided for in the first paragraph an evaluation of the scientific director.

The Government determines the scientific directors' remuneration, employee benefits and other conditions of employment. The office of scientific director is a full-time position.

“22.27. The members of the Fund's personnel are appointed according to the staffing plan established by the board of directors.

Subject to the provisions of a collective agreement, the Fund determines the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.

“§3. — *Advisory scientific committees*

“22.28. The Fund establishes an advisory scientific committee for each of the research sectors referred to in section 22.8.

Each committee is composed of 10 to 15 members appointed by the Fund for a non-renewable term of up to three years.

A majority of the members must be from a public research institution or a higher education institution and have experience relevant to the sector to which the committee is attached. At least one of the members must be from a college-level educational institution.

The Fund must see to it that each committee is composed of a professionally, institutionally and regionally diverse membership.

Each committee is chaired by the scientific director of the sector to which it is attached.

“22.29. The advisory scientific committees give opinions and make recommendations to the Fund on active or emerging areas of research, on financial assistance programs and on the development of its strategic planning.

The scientific committees also give opinions and make recommendations to the Fund on any specific matter related to its mission that it submits to them.

“DIVISION IV

“FINANCIAL PROVISIONS, ACCOUNTS AND REPORTS

“**22.30.** The Government may, on the conditions it determines,

(1) guarantee any loan contracted by the Fund as well as the performance of any of the Fund’s obligations; and

(2) authorize the Minister of Finance to advance to the Fund any amount considered necessary for the exercise of its functions.

The sums required for the purposes of this section are taken out of the Consolidated Revenue Fund.

“**22.31.** The Fund’s fiscal year ends on 31 March.

“**22.32.** Not later than 31 July each year, the Fund must transmit to the Minister an annual management report for the preceding fiscal year.

The report must, in particular and in addition to the information the Minister may prescribe, contain a progress report on the strategic plan. It must give an account of the sectoral budgets and be made public annually on the Fund’s website.

“**22.33.** The Minister tables the Fund’s annual report in the National Assembly within 30 days after receiving it or, if it is not sitting, within 30 days after resumption.

“**22.34.** The Fund’s books and accounts are audited every year by the Auditor General and whenever so ordered by the Government.

The auditor’s report must accompany the Fund’s annual management report.

“DIVISION V

“PENAL PROVISIONS

“**22.35.** Anyone who gives false or misleading information to obtain, or to procure for another, financial support provided for in Division II of this chapter is liable to a fine of not more than \$5,000.

Where a legal person commits an offence referred to in the first paragraph, every director or representative of the legal person who was aware of the offence is deemed to be a party to the offence and is liable to a fine of not more than \$5,000, unless the director or representative proves to the satisfaction of the court that he or she did not acquiesce to the commission of the offence.

“**22.36.** No one who is found guilty of an offence under section 22.35 or an offence under section 380 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) in connection with financial support referred to in Division II of this chapter may obtain such financial support during the two-year period after the finding of guilt.

“CHAPTER II.3

“COMMISSION DE L'ÉTHIQUE EN SCIENCE ET EN TECHNOLOGIE

“DIVISION I

“ESTABLISHMENT AND ORGANIZATION

“**22.37.** The Commission de l'éthique en science et en technologie is established.

“**22.38.** The secretariat of the Commission is located at the place determined by the Government. Notice of the location or any change of location of the secretariat is published in the *Gazette officielle du Québec*.

“**22.39.** The Commission is composed of 13 members, including a president, appointed by the Government. The members must possess expertise in ethics and be from the university and industrial research communities in the fields of social and human sciences, natural sciences, engineering and biomedical sciences and from the ethics community, the practice communities and civil society.

The Government may appoint an observer at the Commission; the observer participates in meetings of the Commission but is not entitled to vote.

“**22.40.** The members of the Commission, including the president, are appointed for not more than three years.

The term of office of the members may be renewed consecutively only once. At the expiry of their terms of office, the members remain in office until they are replaced or reappointed.

“**22.41.** Any vacancy occurring during the term of office of the members of the Commission is filled in accordance with the mode of appointment prescribed in section 22.39.

Absence from a number of meetings determined by the by-laws of the Commission constitutes a vacancy in the cases and circumstances specified in the by-laws.

“**22.42.** The president manages the Commission and supervises its personnel.

The Government determines the remuneration, employee benefits and other conditions of employment of the president.

“22.43. Members of the Commission other than the president are not remunerated, except in the cases, on the conditions and to the extent determined by the Government. They are, however, entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

“22.44. The meetings of the Commission and any committee of the Commission are held in camera. The Commission may invite other persons to take part in one of its meetings, or a meeting of any of its committees.

The Commission may hold its meetings anywhere in Québec.

Six members are a quorum at meetings of the Commission.

In the case of a tie vote, the president has a casting vote.

“22.45. The personnel members of the Commission are appointed in accordance with the Public Service Act (chapter F-3.1.1).

“DIVISION II

“FUNCTIONS AND POWERS

“22.46. The function of the Commission is to advise the Minister on any matter relating to ethical issues in the areas of science and technology. A further function of the Commission is to promote reflection on those issues.

“22.47. In performing its functions, the Commission gives the Minister its opinion on any matter the Minister submits to it relating to ethical issues in the areas of science and technology. The Commission may also take the initiative of submitting advisory opinions to the Minister or making recommendations on any matter within its purview.

Moreover, it must communicate its findings and conclusions to the Minister.

After giving the Minister reasonable notice, the Commission may make public its advisory opinions, recommendations, findings and conclusions.

“22.48. The Commission may establish committees for the proper conduct of its work. At the request of the Minister, it must form working groups to examine particular matters.

The members of committees and working groups are not remunerated, except in the cases, on the conditions and to the extent determined by the Government. They are, however, entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

“22.49. The Commission must adopt by-laws in accordance with the principles set out in the Act respecting the governance of state-owned enterprises (chapter G-1.02).

“22.50. Not later than 31 July each year, the Commission submits to the Minister an activity report for the preceding fiscal year.

The Minister tables the report in the National Assembly within 30 days of receiving it or, if the Assembly is not sitting, within 30 days of resumption.”

CHAPTER II

OTHER AMENDING PROVISIONS

FINANCIAL ADMINISTRATION ACT

3. Schedule 2 to the Financial Administration Act (chapter A-6.001) is amended

(1) by striking out “Québec Research Fund–Health”, “Québec Research Fund–Nature and Technology” and “Québec Research Fund–Society and Culture”;

(2) by inserting “Fonds de recherche du Québec” in alphabetical order.

HEALTH INSURANCE ACT

4. Section 96 of the Health Insurance Act (chapter A-29) is amended by replacing “Québec Research Fund–Health” in the introductory clause by “Fonds de recherche du Québec”.

ACT RESPECTING THE GOVERNANCE OF STATE-OWNED ENTERPRISES

5. Schedule I to the Act respecting the governance of state-owned enterprises (chapter G-1.02) is amended

(1) by striking out “Fonds de recherche du Québec — Nature et technologies”, “Fonds de recherche du Québec — Santé” and “Fonds de recherche du Québec — Société et culture”;

(2) by inserting “Fonds de recherche du Québec” in alphabetical order.

ACT RESPECTING THE MINISTÈRE DE L'ENSEIGNEMENT
SUPÉRIEUR, DE LA RECHERCHE, DE LA SCIENCE ET DE
LA TECHNOLOGIE

6. Section 3 of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1) is amended by striking out the second sentence of the first paragraph.

7. Division II of Chapter III of the Act, comprising sections 21 to 63, is repealed.

8. Chapter IV of the Act, comprising sections 64 to 77, becomes Chapter II.3 of the Act respecting the Ministère de l'Économie et de l'Innovation (chapter M-14.1), comprising sections 22.37 to 22.50, subject to the necessary changes in numbering.

ACT RESPECTING THE MINISTÈRE DU DÉVELOPPEMENT
DURABLE, DE L'ENVIRONNEMENT ET DES PARCS

9. Section 15.0.2 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001) is amended by replacing “section 26 of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1)” in the first paragraph by “section 22.1 of the Act respecting the Ministère de l'Économie et de l'Innovation (chapter M-14.1)”.

ACT RESPECTING THE MINISTÈRE DE LA SANTÉ ET DES
SERVICES SOCIAUX

10. Section 11.1 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2) is amended by replacing “Québec Research Fund–Health” by “Fonds de recherche du Québec”.

ACT RESPECTING THE PROCESS OF NEGOTIATION OF
THE COLLECTIVE AGREEMENTS IN THE PUBLIC AND
PARAPUBLIC SECTORS

11. Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) is amended

(1) by striking out “Québec Research Fund–Health”, “Québec Research Fund–Nature and Technology” and “Québec Research Fund–Society and Culture”;

(2) by inserting “The Fonds de recherche du Québec” in alphabetical order.

ACT RESPECTING THE GOVERNMENT AND PUBLIC
EMPLOYEES RETIREMENT PLAN

12. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended, in paragraph 1,

(1) by striking out “Québec Research Fund–Health”, “Québec Research Fund–Nature and Technology” and “Québec Research Fund–Society and Culture”;

(2) by inserting “Fonds de recherche du Québec” in alphabetical order.

ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION
PLAN

13. Schedule II to the Act respecting the Civil Service Superannuation Plan (chapter R-12) is amended by replacing “the Québec Research Fund–Health” in paragraphs 1 and 4 by “the Fonds de recherche du Québec”, inserted in alphabetical order.

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT
PERSONNEL

14. Schedule II to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended, in paragraph 1,

(1) by striking out “Québec Research Fund–Health”, “Québec Research Fund–Nature and Technology” and “Québec Research Fund–Society and Culture”;

(2) by inserting “Fonds de recherche du Québec” in alphabetical order.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

15. Section 88 of the Act respecting health services and social services (chapter S-4.2) is amended by replacing “Québec Research Fund–Health established by the Act respecting the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1)” by “Fonds de recherche du Québec established by the Act respecting the Ministère de l’Économie et de l’Innovation (chapter M-14.1)”.

16. Sections 89, 90, 117, 436.6 and 436.8 of the Act are amended by replacing all occurrences of “Québec Research Fund–Health” by “Fonds de recherche du Québec”.

ACT TO MAKE THE HEALTH AND SOCIAL SERVICES SYSTEM MORE EFFECTIVE

17. Section 426 of the Act to make the health and social services system more effective (2023, chapter 34) is amended by replacing “Québec Research Fund–Health established by the Act respecting the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1)” in subparagraph 5 of the first paragraph by “Fonds de recherche du Québec established by the Act respecting the Ministère de l’Économie et de l’Innovation (chapter M-14.1)”.

18. Section 427 of the Act is amended by replacing subparagraph 3 of the first paragraph by the following subparagraph:

“(3) it manages a research centre or structure recognized by the Fonds de recherche du Québec;”.

19. Section 429 of the Act is amended by replacing “Québec Research Fund–Health” by “Fonds de recherche du Québec”.

REGULATION RESPECTING THE APPLICATION OF THE HEALTH INSURANCE ACT

20. Sections 50 and 53 to 55 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) are amended by replacing all occurrences of “Québec Research Fund–Health” by “Fonds de recherche du Québec”.

REGULATION RESPECTING THE TAXATION ACT

21. Section 1029.8.1R4 of the Regulation respecting the Taxation Act (chapter I-3, r. 1) is amended by replacing paragraph *e* by the following paragraph:

“(e) the Fonds de recherche du Québec;”.

CHAPTER III

TRANSITIONAL AND FINAL PROVISIONS

22. The Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé and the Fonds de recherche du Québec–Société et culture are amalgamated on the date of coming into force of section 22.5 of the Act respecting the Ministère de l’Économie et de l’Innovation (chapter M-14.1), enacted by section 2.

As of that date, those legal persons are continued within the Fonds de recherche du Québec established by section 22.5 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2, and their patrimonies are joined to form that of the Fund.

23. The rights and obligations of the Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé and the Fonds de recherche du Québec–Société et culture become rights and obligations of the Fonds de recherche du Québec and the latter becomes, without continuance of suit, a party to any proceedings to which any of those legal persons was a party.

24. The chief scientist in office on the date preceding the date of coming into force of section 22.5 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2, continues in office on the same conditions, for the unexpired portion of the term of office, until replaced or reappointed in accordance with section 22.1 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2.

25. The decisions relating to the chief scientist made by the Minister of Economy and Innovation or by the Government under the powers and prerogatives devolved to them continue to have effect until their object is attained or until they are amended by the competent authority.

26. The terms of office of the members of the boards of directors of the Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé and the Fonds de recherche du Québec–Société et culture, including those of the observers, end on the date preceding the date of coming into force of section 22.5 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2, without compensation.

27. The scientific director of the Fonds de recherche du Québec–Nature et technologies, the scientific director of the Fonds de recherche du Québec–Santé and the scientific director of the Fonds de recherche du Québec–Société et culture who are in office on the date preceding the date of coming into force of section 22.5 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2, continue in office on the same conditions, for the unexpired portion of their term of office, as scientific directors of the Fonds de recherche du Québec for the research sector corresponding to the sector to which they were attached, until they are replaced or reappointed in accordance with section 22.26 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2.

28. The members of the personnel of the Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé and the Fonds de recherche du Québec–Société et culture who are in office on the date preceding the date of coming into force of section 22.5 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2, become, without further formality, members of the personnel of the Fonds de recherche du Québec.

Their conditions of employment continue to apply until they are modified by the Fund.

29. The provisions of section 3.1 of the Act respecting the governance of state-owned enterprises (chapter G-1.02) regarding the expertise and experience profiles of the members of the board of directors of the Fonds de recherche du Québec other than the board's chair and the president and chief executive officer do not apply to the appointment of the first members of the Fund's board of directors.

However, when appointing those members, the Government must make sure that, collectively, the board members have the expertise and experience specified in the expertise and experience profiles determined by the board of directors of each of the research funds amalgamated under section 22, and that at least one of the board members is a member of the *Ordre des comptables professionnels agréés du Québec*.

30. The president and chief executive officer of the Fonds de recherche du Québec exercises the powers of the Fund's board of directors until the first board of directors is established.

31. The records, archives and other documents of the Fonds de recherche du Québec – Nature et technologies, the Fonds de recherche du Québec – Santé and the Fonds de recherche du Québec – Société et culture become records, archives and other documents of the Fonds de recherche du Québec.

32. The strategic plans of the Fonds de recherche du Québec – Nature et technologies, the Fonds de recherche du Québec – Santé and the Fonds de recherche du Québec – Société et culture are, with the necessary modifications, applicable to the Fonds de recherche du Québec until they are replaced by the first strategic plan of the Fonds de recherche du Québec.

33. The directives, policies or other decisions made regarding the Fonds de recherche du Québec – Nature et technologies, the Fonds de recherche du Québec – Santé and the Fonds de recherche du Québec – Société et culture by the Government or the Conseil du trésor under the powers or prerogatives devolved to them continue to have effect with regard to the Fonds de recherche du Québec until their object is attained or until they are repealed or amended by the competent authority.

34. The 2022-2027 Québec Research and Innovation Investment Strategy is deemed to be a strategy drawn up under the fourth paragraph of section 3 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 1.

35. The policy for examining and dealing with complaints established under section 48 of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1) continues to apply until it is amended or replaced by a policy established under section 22.16 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2.

36. The Règlement sur la délégation de signature de certains actes, documents et écrits du Fonds de recherche du Québec–Nature et technologies (chapter M-15.1.0.1, r. 1, French only), the Règlement numéro 5 sur la délégation de signature de certains actes, documents et écrits du Fonds de recherche du Québec–Santé (chapter M-15.1.0.1, r. 2, French only) and the Règlement sur la délégation de signature de certains actes, documents et écrits du Fonds de recherche du Québec–Société et culture (chapter M-15.1.0.1, r. 3, French only) continue to apply, with the necessary modifications, until they are replaced by a regulation made under section 22.25 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2.

37. Unless the context indicates otherwise, in any document other than an Act or a regulation, a reference to any of sections 21 to 77 of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie is a reference to the corresponding provision of the Act respecting the Ministère de l'Économie et de l'Innovation, as amended by this Act, and a reference to the Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé or the Fonds de recherche du Québec–Société et culture is a reference to the Fonds de recherche du Québec.

38. The fiscal year of the Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé and the Fonds de recherche du Québec–Société et culture begun on 1 April 2023 ends on the date preceding the date of coming into force of section 22.5 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2.

The last audit of the books and accounts of the Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé and the Fonds de recherche du Québec–Société et culture by the Auditor General covers the period determined in the first paragraph.

The Fonds de recherche du Québec produces and submits to the Minister of Economy and Innovation, not later than six months after the date of coming into force of section 22.5 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2, the last annual management report and the last financial statements of the Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé and the Fonds de recherche du Québec–Société et culture provided for in sections 58 and 60, respectively, of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie.

The Minister tables the annual report of each fund in the National Assembly within 30 days after receiving it or, if the Assembly is not sitting, within 30 days of resumption.

This section has effect since 31 March 2024. It applies despite any incompatible provision.

39. This Act comes into force on 1 June 2024.

Regulations and other Acts

Gouvernement du Québec

O.C. 952-2024, 12 June 2024

Professional Code
(chapter C-26)

Code of ethics of chartered administrators —Amendment

Regulation to amend the Code of ethics of chartered administrators

WHEREAS, under paragraph 1.1 of section 87 of the Professional Code (chapter C-26), the board of directors of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, clients and the profession, particularly the duty to discharge professional obligations with integrity, and the code must contain provisions expressly stating that any act involving collusion, corruption, malfeasance, breach of trust or influence peddling is forbidden;

WHEREAS, under paragraph 1.2 of section 87 of the Professional Code, the board of directors of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, clients and the profession, particularly the duty to discharge professional obligations with integrity, and the code must contain provisions requiring a member of an order to inform the syndic if the member has reason to believe that a situation likely to affect the competence or integrity of another member of the order has arisen;

WHEREAS, under paragraph 3 of section 87 of the Professional Code, the board of directors of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, clients and the profession, particularly the duty to discharge professional obligations with integrity, and the code must contain provisions to preserve the secrecy of confidential information that becomes known to the members of the order in the practice of their profession, and provisions setting out the conditions on which a professional may, in accordance with the third paragraph of section 60.4 of the Code, communicate the information described in that paragraph and the procedure applicable;

WHEREAS, in accordance with section 95.3 of the Professional Code, a draft Regulation to amend the Code of ethics of chartered administrators was sent to every member of the Ordre des administrateurs agréés du Québec at least 30 days before its adoption by the board of directors of the Order on 15 November 2023;

WHEREAS, pursuant to section 95 of the Professional Code, subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Code of ethics of chartered administrators was published in Part 2 of the *Gazette officielle du Québec* of 3 January 2024 with a notice that it could be examined by the Office then submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office examined the Regulation on 19 April 2024 then submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Code of ethics of chartered administrators, attached to this Order in Council, be approved.

JOSÉE DE BELLEFEUILLE
*Associate Secretary General and Assistant Clerk
of the Secrétariat du Conseil exécutif*

Regulation to amend the Code of ethics of chartered administrators

Professional Code

(chapter C-26, s. 87, pars. 1.1, 1.2 and 3)

1. The Code of ethics of chartered administrators (chapter C-26, r. 14.1) is amended in section 12 by adding the following paragraph at the end:

“They must, in particular, refrain from committing any act involving fraud, collusion, corruption, malfeasance, breach of trust or influence peddling.”

2. Section 13 is amended by inserting “, their professional qualifications” after “competence”.

3. Section 20 is replaced by the following:

“**20.** Chartered administrators must take reasonable care of the sums and property entrusted to them by clients, including by their employer.

Except when specifically authorized by a client, chartered administrators must not, in any manner whatsoever, use, lend, transfer, withdraw or employ the entrusted sums or property as payment for their fees or for purposes other than those for which the sums or property were entrusted to them as part of their mandate or contract of employment.

The sums or property entrusted to chartered administrators must be computed and secured in accordance with the Règlement sur la comptabilité en fidéicommiss des administrateurs agréés (chapter C-26, r. 16).”

4. Section 27 is replaced by the following:

“**27.** Chartered administrators may not elude or attempt to elude professional liability. To that end, chartered administrators are prohibited in particular from

(1) accepting a waiver fully or partly releasing them from professional liability for a fault committed in the practice of their profession;

(2) accepting a waiver fully or partly releasing the partnership or joint-stock company within which the chartered administrator carries on professional activities from liability for a fault committed by them; and

(3) invoking against their client the responsibility of the partnership or joint-stock company within which the chartered administrator carries on professional activities.”

5. Section 39 is amended by striking out “in order to prevent an act of violence” in the portion before paragraph 1.

6. Section 56 is replaced by the following:

“**56.** Chartered administrators must, in a timely manner,

(1) inform the secretary of the Order if they have reason to believe

(a) that an applicant seeking admission to the profession does not meet the permit issue requirements or those for entry on the roll; or

(b) that a person who is not a member of the Order is using the title “Chartered Administrator” or “Certified Management Advisor” or any other title or abbreviation which may lead to the belief that the person is a member; and

(2) inform the syndic of the Order if they have reason to believe

(a) that another chartered administrator is not complying with permit-related conditions or restrictions placed on the member’s right to practise;

(b) in the existence of a situation likely to affect the competence or the integrity of another chartered administrator; or

(c) that an offence against the Professional Code (chapter C-26) or any of its regulations has been committed by another chartered administrator.”

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

106914

Gouvernement du Québec

O.C. 965-2024, 12 June 2024

Taxation Act
(chapter I-3)

Taxation Act — Amendment

Regulation to amend the Regulation respecting the Taxation Act

WHEREAS, under subparagraph *f* of the first paragraph of section 1086 of the Taxation Act (chapter I-3), the Government may make regulations to generally prescribe the measures required for the application of the Act;

WHEREAS it is expedient to amend the Regulation respecting the Taxation Act (chapter I-3, r. 1) to give effect to the measure announced in the Budget Speech delivered on 12 March 2024 concerning the refundable tax credit granting an allowance to families and that, for the purposes of the supplement for handicapped children paid under the tax credit, aims to update various parameters for assessing an impairment and the cases in which a child is presumed to have a serious impairment-related handicap;

WHEREAS, under paragraph 2 of section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be made without having been published, if the authority making it is of the opinion that the proposed regulation is designed to establish, amend or repeal norms of a fiscal nature;

WHEREAS, under section 13 of the Act, the reason justifying the absence of such publication must be published with the regulation;

WHEREAS the Government is of the opinion that the Regulation attached to this Order in Council is designed to establish, amend or repeal norms of a fiscal nature;

WHEREAS, under the second paragraph of section 1086 of the Taxation Act, the regulations made under that particular section come into force on the date of their publication in the *Gazette officielle du Québec* or on any later date fixed therein;

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

THAT the Regulation to amend the Regulation respecting the Taxation Act, attached to this Order in Council, be made.

JOSÉE DE BELLEFEUILLE
*Associate Secretary General and Assistant Clerk
of the Secrétariat du Conseil exécutif*

Regulation to amend the Regulation respecting the Taxation Act

Taxation Act
(chapter I-3, s. 1086, 1st par., subpar. *f*)

1. Section 1029.8.61.19R1 of the Regulation respecting the Taxation Act (chapter I-3, r. 1) is amended by replacing the first paragraph by the following:

“The rules to which section 1029.8.61.19 of the Act refers for the purpose of determining if a child has an impairment or a mental function disability that substantially limits the child in performing the life habits of a child of his or her age during a foreseeable period of at least one year, that is, if the child is handicapped within the meaning of this section, are those set out in sections 1029.8.61.19R2 to 1029.8.61.19R6.”

2. (1) Section 1029.8.61.19R4 of the Regulation is amended

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

“The alteration must be confirmed by an assessment report that must contain the following elements:

(a) the diagnosis(es) made;

(b) a description of the extent and severity of the impairments based on measurements recognized in the field, or on a qualitative analysis if no recognized measurements are available;

(c) a description of the child’s abilities and disabilities, as well as their impact on the child’s functioning in his or her various living environments;

(d) a precise description of therapeutic care received over the past 12 months and those planned for the coming year.”;

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

“The diagnosis(es) to which subparagraph *a* of the second paragraph refers must have been made by a member of a professional order in accordance with

applicable standards of practice and be confirmed by significant observations in the anamnesis and physical examination, by biological tests, by medical imaging or by any other investigation performed and, as the case may be, by analysis of the results of criterion-referenced or normalized tests.

Likewise, the extent and severity of the impairments to which subparagraph *b* of the second paragraph refers must have been assessed by a member of a professional order in accordance with applicable standards of practice and be confirmed by the same means as those referred to in the third paragraph for a diagnosis.

The assessment report referred to in the second paragraph must have been prepared in its entirety by one or more members of professional orders.”.

(2) Subsection 1 applies, for a particular month that is later than the month of June 2024, in respect of an application filed with Retraite Québec after 30 June 2024 to obtain the supplement for handicapped children, and in respect of a decision rendered after 30 June 2024 following a reassessment of the child by Retraite Québec.

3. (1) Schedule A to the Regulation is amended by replacing Part 1 by the following:

“(1) IMPAIRMENTS

1.1 Sight

Presumed cases of serious handicap

A child is presumed to be handicapped within the meaning of section 1029.8.61.19R1 in the following cases:

(a) the child is aged 1 or over, has an ocular disease and has a visual acuity of 6/21 or less in binocular vision after appropriate optical correction;

(b) the child has a field of vision for both eyes of less than 60 degrees at the widest diameter, measured by focusing on a central point, in binocular vision after appropriate optical correction.

Assessment parameters

Visual acuity must be measured in both eyes simultaneously, after correction with appropriate refractive lenses.

The method used to measure visual acuity must be specified in the expert’s report.

The validity and reliability of the assessment, for both visual acuity and the fields of vision, must be specified in the expert’s report. The assessment must reflect the child’s visual abilities and the results must not be influenced by behavioural or cognitive difficulties.

1.2 Hearing

Presumed cases of serious handicap

A child is presumed to be handicapped within the meaning of section 1029.8.61.19R1 in the following cases:

(a) the child has an average air conduction threshold (500, 1,000, 2,000 and 4,000 Hz) greater than 70 dB in his or her better ear without a hearing aid or a cochlear implant;

(b) the child is less than 6 years of age and has an average air conduction threshold (500, 1,000, 2,000 and 4,000 Hz) greater than 40 dB in his or her better ear without a hearing aid.

Assessment parameters

The hearing assessment must be carried out by an audiologist and comply with the applicable standards of practice. The audiogram indicates the hearing threshold of pure sounds at 500, 1,000, 2,000 and 4,000 Hz for both ears and the results are indicated in dB_{eHL}. The validity of the assessment must be specified in the audiologist’s report.

The assessment must reflect the child’s usual abilities. In the case of conductive hearing loss, the hearing loss resulting from it must not be temporary, as it is the case for otitis. In the case of progressive hearing loss, more than one audiogram may be required.

Exclusion

A child with an auditory processing disorder is not presumed to be handicapped due to hearing.

1.3 Musculoskeletal system

Presumed cases of serious handicap

A child is presumed to be handicapped within the meaning of section 1029.8.61.19R1 in the following cases:

(a) the child is less than 5 years of age, has significant motor disabilities secondary to an impairment and his or her gross or fine motor skills are less than those of the average healthy child half his or her age;

(b) the child has had complete brachial plexus palsy persisting for at least 3 months;

(c) the child is at least 2 years of age, has paresis or plegia of one or both upper limbs and, despite the application of the recommended treatments, he or she has either

—an absence of a functional grasp regarding the affected upper limb; or

—the inability to carry out bimanual activities;

(d) the child is at least 3 years of age, has significant motor disabilities secondary to an impairment and, as medically required for his or her condition, uses chronically and daily, for the majority of indoor and outdoor mobility, either

—fixed or articulated bilateral high ankle foot orthoses; or

—a wheelchair, a walker, bilateral quad canes or bilateral crutches;

(e) the child has an agensis or amputation of a limb which, despite the application of the recommended treatments, is associated chronically and persistently to one of the following characteristics:

—an absence of possible weight-bearing on the ground on the distal end of the affected lower limb when standing;

—an absence of a functional grasp regarding the affected upper limb;

—the inability to carry out bimanual activities;

(f) the child has acondroplasia.

Assessment parameters

Abnormalities in muscle tone, motor control, range of motion, coordination and balance, muscular strength and endurance must be described and commented on according to the limitations they entail when maintaining positions and carrying out locomotor, exploratory and manipulative activities.

Special rules

To assess the condition of a child born prematurely in relation to his or her growth and development, the child's age is adjusted by subtracting the number of weeks of prematurity, until the age of 36 months.

For the purposes of the analysis of a case prescribed in paragraph *d*, the expected duration of the treatments specified must be at least one year at the frequency indicated.

1.4 Respiratory function

Presumed cases of serious handicap

A child is presumed to be handicapped within the meaning of section 1029.8.61.19R1 in the following cases:

(a) the child has a chronic respiratory disease and, despite optimal treatment in accordance with the applicable standards of practice, he or she has complications related to his or her disease that required treatment within the last 12 months, either

—at least 3 episodes of oral or intravenous glucocorticoid administration; or

—at least 3 hospitalizations of 48 hours or more each;

(b) the child was diagnosed with cystic fibrosis or ciliary dyskinesia and either

—has a FEV1 at 60% or less of the predicted value; or

—due to chronic respiratory symptoms, he or she receives nebulizer treatments chronically and daily and requires respiratory physiotherapy treatments chronically and daily;

(c) the child has a restrictive syndrome that reduces his or her vital capacity to 50% or less of the predicted value;

(d) the child is less than 12 years of age and uses a CPAP machine daily at home;

(e) the child undergoes oxygen therapy daily at home;

(f) the child uses a BPAP machine or a high-flow nasal cannula therapy daily at home;

(g) the child has a tracheotomy or a tracheostomy;

(h) the child is on the waiting list for a lung transplant or has received one.

Assessment parameters

In the case of an asthmatic child, the fact that asthma is inadequately controlled must be demonstrated in the medical report, using measures appropriate for the child's age, including information on the frequency of daytime and nighttime symptoms, tolerance to physical activity, frequency of rescue bronchodilator needs, peak expiratory flow variability, and results of bronchial provocation tests and respiratory function tests.

When respiratory physiotherapy is prescribed, the type and frequency must be specified in the medical report.

For the purposes of the analysis of a case prescribed in paragraphs *b* and *c*, FEV1 and vital capacity measurements should be carried out when the condition is stable, without any infection or acute decompensation.

For the purposes of the analysis of a case prescribed in paragraph *h* for a child placed on the transplant waiting list, he or she must have been placed on the list after being assessed by a transplant team.

Special rules

The expected duration of the treatments specified must be at least one year at the frequency indicated.

Hospitalizations during the child's first 6 months of life are not taken into account when calculating the number of hospitalizations in the presumption that refers to symptomatic chronic respiratory diseases despite optimal treatment in accordance with the applicable standards of practice.

Daily chronic nebulizer treatments refer to daily treatment throughout the year, not only during periods of respiratory exacerbations.

1.5 Cardiovascular function

Presumed cases of serious handicap

A child is presumed to be handicapped within the meaning of section 1029.8.61.19R1 in the following cases:

(a) the child chronically takes antivitamin K anti-coagulants following a valve replacement surgery with mechanical prosthesis;

(b) the child is less than 3 years of age and he or she has a congenital heart disease that requires palliation by the creation of univentricular physiology;

(c) the child has either a post-correction or post-palliation status congenital heart defect, or a chronic non-congenital heart disease and, despite the application of the recommended treatment, he or she is in one of the following situations:

—he or she has a resting baseline saturation in room air below 92% chronically and persistently;

—he or she has a left ventricular ejection fraction that remains chronically and persistently below 30%;

(d) the child has symptomatic chronic pulmonary hypertension for which he or she undergoes a long-term vasodilator treatment daily;

(e) the child receives intravenous inotropes at home;

(f) the child uses a ventricular assist device at home;

(g) the child is on the waiting list for a heart transplant or has received one.

Assessment parameters

The medical report must include the level of activity that triggers cyanosis, dyspnea or tachycardia and the medically prescribed activity restrictions.

For the purposes of the analysis of a case prescribed in paragraph *c*, it must be repeatedly shown by recognized assessment measures that the ejection fraction remains below 30%.

For the purposes of the analysis of a case prescribed in paragraph *g* for a child placed on the transplant waiting list, he or she must have been placed on the list after being assessed by a transplant team.

Special rule

The expected duration of the treatments specified must be at least one year at the frequency indicated.

Exclusion

The child who has a heart defect or a heart disease without receiving active treatments, involving only medically prescribed restrictions or limitations in playing sports, is not presumed to be handicapped due to the cardiovascular function.

1.6 Nervous system abnormalities

Presumed case of serious handicap

A child is presumed to be handicapped within the meaning of section 1029.8.61.19R1 if the child has drug-resistant epilepsy and, despite the application of optimal treatment, he or she is in one of the following situations:

(a) he or she required, in the last 12 months, at least 3 hospitalizations of 48 hours or more, each related to his or her epilepsy;

(b) he or she has generalized tonic-clonic seizures or seizures with loss of postural tone resulting in a fall, at a frequency equivalent to or greater than at least once a month for 3 consecutive months;

(c) he or she has epileptic seizures at a frequency equal to or greater than at least once a week for 3 consecutive months;

(d) classic ketogenic diet, managed by a multidisciplinary team specializing in neurology, is medically required to treat his or her epilepsy.

Assessment parameter

The assessment report must include the type, duration and frequency of the epileptic seizures, as well as the various past treatment attempts and the results obtained.

1.7 Nutrition and digestion

Presumed cases of serious handicap

A child is presumed to be handicapped within the meaning of section 1029.8.61.19R1 in the following cases:

(a) the child receives daily enteral nutrition at home, either gastric or jejunal;

(b) the child receives a parenteral nutrition at home;

(c) the child is less than 3 years of age and underwent surgery for a high-type anorectal congenital malformation or for Hirschsprung disease;

(d) the child has neurogenic bowel secondary to a spinal cord injury, and chronically receives medically prescribed retrograde intestinal irrigations, at least every 2 days;

(e) the child chronically receives medically prescribed antegrade intestinal irrigations through a stoma, at least every 2 days, related to fecal continence problems;

(f) the child has a colostomy or ileostomy;

(g) the child is on the waiting list for a liver or intestinal transplant or has received one;

(h) the child follows a prescribed gluten-free diet related to diagnosed celiac disease.

Assessment parameters

In the case of an anorectal malformation, the specific type of malformation must be indicated in the assessment report.

For the purposes of the analysis of a case prescribed in paragraph *g* for a child placed on the transplant waiting list, he or she must have been placed on the list after being assessed by a transplant team.

Special rule

The expected duration of the treatments specified must be at least one year at the frequency indicated.

1.8 Renal and urinary functions

Presumed cases of serious handicap

A child is presumed to be handicapped within the meaning of section 1029.8.61.19R1 in the following cases:

(a) the child is aged 5 or over and, despite the application of the recommended treatments, his or her daytime urinary incontinence occurs daily, requiring care and the use of incontinence products;

(b) the child uses a urinary catheter daily;

(c) the child has a vesicostomy or ureterostomy;

(d) the child has a chronic kidney disease and, despite the application of the recommended treatment, he or she has chronic kidney disease (stage 4 or over), with a glomerular filtration rate less than 30 ml/min/1.73 m²;

(e) the child undergoes dialysis on a regular basis;

(f) the child is on the waiting list for a kidney transplant or has received one.

Assessment parameters

In the case of a child diagnosed with chronic kidney disease, the glomerular filtration rate and the stage of the chronic kidney disease must be specified in the assessment report.

For the purposes of the analysis of a case prescribed in paragraph *f* for a child placed on the transplant waiting list, he or she must have been placed on the list after being assessed by a transplant team.

Special rule

The expected duration of the treatments specified must be at least one year at the frequency indicated.

1.9 Metabolic, hematological or hereditary abnormalities

Presumed cases of serious handicap

A child is presumed to be handicapped within the meaning of section 1029.8.61.19R1 in the following cases:

(a) the child has been diagnosed with cystic fibrosis and, in the last 12 months, he or she required a daily pancreatic enzyme supplements treatment and therapeutic interventions related to documented pulmonary complications;

(b) the child has been diagnosed with inborn errors of metabolism resulting in a deficit of an essential metabolite, an accumulation of toxic metabolites, insufficient energy production or a deficiency in the synthesis or catabolism of complex molecules, and

—despite the application of the recommended treatment, the child is at a high risk of developing, in connection with that diagnosis, severe metabolic decompensation, within the next year as a result of physical or metabolic stress, requiring emergency medical intervention, and the risk will persist over the next few years;

—the diagnosis requires a diet of proteins, lipids or carbohydrates of a particular type or in closely monitored proportions, which prevents him or her from eating like those around him or her, and failure to adhere to the diet could have serious consequences for his or her health or development; or

—the diagnosis is associated with severe multisystem involvement that will persist despite the application of the recommended treatment, and that has been present from the first year of the child's life or before the diagnosis was made;

(c) the child is less than 7 years of age and has sickle cell disease related to HbSS, HbSC or HbSβ-thalassemia hemoglobinopathies;

(d) the child has hemophilia with Factor VIII or IX activity of less than 1% and requires an intravenous administration of clotting factors chronically at least once a week;

(e) the child requires daily continuous insulin therapy or multiple daily insulin injections, as well as necessary diabetes-related care.

Assessment parameters

In the case of a child presenting an hemoglobinopathy, the abnormal hemoglobin forms must be specified in the medical report.

In the case of a child presenting a coagulation factor deficiency, the level of the deficient factor must be specified in the medical report.

Special rules

The expected duration of the treatments specified must be at least one year at the frequency indicated.

For the purposes of the analysis of a case prescribed in paragraph *a*, an uncomplicated upper respiratory tract infection does not represent a pulmonary complication, and preventive respiratory physiotherapy following a diagnosis of cystic fibrosis is not considered a therapeutic intervention related to documented pulmonary complications.

For the purposes of the analysis of a case prescribed in paragraph *e*, a once-daily injection of long-acting or ultra-long-acting insulin is not considered to be continuous insulin therapy.

Exclusion

A child with a metabolic abnormality that is corrected by medication, a vitamin, a dietary supplement or the simple exclusion of a food is not presumed to be handicapped due to the metabolic abnormality.

1.10 Immune system abnormalities and neoplasia

Presumed cases of serious handicap

A child is presumed to be handicapped within the meaning of section 1029.8.61.19R1 in the following cases:

(a) the child has food allergies and

—follows a strict avoidance diet for at least 3 of the following allergen groups and one of which is cow's milk:

–cow's milk;

–eggs;

–peanuts and nuts;

–wheat, barley, oats and rye;

–other selected cereals: corn, rice and buckwheat;

–soya;

–other selected legumes: green peas, yellow peas, lentils and chickpeas,

–mustard;

–sesame;

–beef;

–chicken;

—follows a strict avoidance diet for at least 3 of the allergen groups listed above and the risk of systemic reaction at a very low dose requiring the administration of epinephrine is present and demonstrated for a least 1 of the allergens; or

—follows a strict avoidance diet for at least 4 of the allergen groups listed above;

(b) the child has significant prolonged immunosuppression related to a condition or treatment and, despite the application of the recommended treatment, has required at least 3 hospitalizations of 48 hours or more each in the last 12 months related to his or her immunosuppression or his or her underlying disease;

(c) the child has solid or hematological cancer requiring radiotherapy or oral or parenteral chemotherapy treatments;

(d) the child is on the waiting list for a stem cell transplant or has received one in the last 12 months.

Assessment parameters

In the case of a child presenting neoplasia, the assessment report must specify the type of neoplasia, the stage of the disease, the treatment plan and the response to treatment.

For the purposes of the analysis of a case prescribed in paragraph *a*, the medical report must include the clinical history with a detailed description of the signs and symptoms of previous allergic reactions, the interpretation of allergy test results for the allergens that are still causing problems, the progress of desensitization when such treatment is underway, and the level of avoidance required in the diet for the allergens that are still causing problems.

For the purposes of the analysis of a case prescribed in paragraph *d* for a child placed on the transplant waiting list, he or she must have been placed on the list after being assessed by a transplant team.

Special rules

The expected duration of the treatments specified, including avoidance diets, must be at least one year at the frequency indicated.

For the purposes of the analysis of a case prescribed in paragraph *a*, the following special rules apply:

—the strict avoidance diet must be prescribed by a physician following an assessment confirming a medical condition for which the severity of the reactions requires such a diet on a long-term basis;

—an avoidance diet is considered to be strict only when the child must avoid all traces of the allergen;

—a child is not considered to require a strict avoidance diet regarding eggs if he or she can tolerate cooked eggs as part of the ingredients in a mixture;

—food intolerance is not considered a condition requiring a strict avoidance diet for the food in question;

—a child undergoing desensitization who is under maintenance dose for an allergen is no longer considered to require a strict avoidance diet for that allergen;

—the very low dose mentioned refers to the lowest average trigger dose that causes a reaction in 5% of the population allergic to that allergen, or the ED05 value, as specified following a literature review by an international panel of experts.

For the purposes of the analysis of a case prescribed in paragraph *b*, hospitalizations during the child's first 6 months of life are not taken into account when calculating the number of hospitalizations.

1.11 Congenital malformations and chromosomal and genetic abnormalities

Presumed case of serious handicap

A child is presumed to be handicapped within the meaning of section 1029.8.61.19R1 if the child has a non-mosaic autosomal chromosome trisomy.

Assessment parameters

The result of the cytogenetic analysis, such as the karyotype, QF-PCR, FISH or microarray CGH, is required.

In the case of a child presenting a syndrome in which the types of malformations or the severity of impairments are not uniform in all affected children, it is essential to provide a detailed description of the manifest impairments, the child's abilities and disabilities, and their consequences on his or her functioning.

1.12 Other impairments or multiple impairments

Presumed cases of serious handicap

A child is presumed to be handicapped within the meaning of section 1029.8.61.19R1 in the following cases:

(a) the child is less than 2 years of corrected age and he or she was born prematurely at 25 weeks and 6 days of gestation or less;

(b) the child receives skin care at home for a severe and generalized condition at high risk of pressure wounds, webbing and contractures;

(c) the child is undergoing chronic corticosteroid therapy, administered at least every 2 days, either orally or intravenously, in doses equal to or higher than physiologic replacement therapy doses for adrenal insufficiency.

Assessment parameter

For the purposes of the analysis of a case prescribed in paragraph *a*, the specific gestational age at birth must be indicated in the assessment report.

Special rule

The expected duration of the treatments specified must be at least one year at the frequency indicated.”.

(2) Subsection 1 applies, for a particular month that is later than the month of June 2024, in respect of an application filed with Retraite Québec after 30 June 2024 to obtain the supplement for handicapped children, and in respect of a decision rendered after 30 June 2024 following a reassessment of the child by Retraite Québec.

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

106915

Gouvernement du Québec

O.C. 966-2024, 12 June 2024

Determination of the costs that must be incurred by the Autorité des marchés financiers for the administration of the Insurers Act and be borne by the authorized insurers, and the contribution for those costs that must be collected from each insurer for 2023-2024

WHEREAS, under the first paragraph of section 481 of the Insurers Act (chapter A-32.1), the costs that must be incurred by the Autorité des marchés financiers for the administration of the Act are to be borne by the authorized insurers, and they are determined annually by the Government based on the forecasts provided to it by the Authority;

WHEREAS, under the second paragraph of section 481 of the Act, such costs, for each insurer, correspond to the sum of the minimum contribution set by the Government and the proportion of those costs corresponding to the proportion that the insurer's total direct premium income for the preceding year in Québec is of the aggregate of the similar income of all the insurers for the same period;

WHEREAS, under the third paragraph of section 481 of the Act, the difference noted between the forecast of the costs that must be incurred for the administration of the Act for a year and those actually incurred for the same year must be carried over to similar costs determined by the Government for the year after the difference is noted;

WHEREAS the costs forecasted by the Autorité des marchés financiers for the administration of the Insurers Act for 2023-2024 are \$24,817,245;

WHEREAS the costs actually incurred by the Autorité des marchés financiers for the administration of the Insurers Act for 2022-2023 were \$1,396,037 lower than the forecasted costs;

WHEREAS it is expedient to determine the costs that must be incurred by the Autorité des marchés financiers for the administration of the Insurers Act for 2023-2024 at \$23,421,208 to be apportioned between the insurers authorized during 2022-2023;

WHEREAS it is expedient to set the minimum contribution for those costs that must be collected from each insurer authorized during 2022-2023 at \$575;

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

THAT the costs that must be incurred by the Autorité des marchés financiers for the administration of the Insurers Act (chapter A-32.1) for 2023-2024 be determined at \$23,421,208 to be apportioned between the insurers authorized during 2022-2023;

THAT the minimum contribution for those costs that must be collected from each insurer authorized during 2022-2023 be set at \$575.

JOSÉE DE BELLEFEUILLE
*Associate Secretary General and Assistant Clerk
of the Secrétariat du Conseil exécutif*

106916

Gouvernement du Québec

O.C. 967-2024, 12 June 2024

Determination of the costs that must be incurred by the Autorité des marchés financiers for the administration of the Act respecting financial services cooperatives and be borne by the federations and the credit unions that are not members of a federation, and the minimum amount for each member and non-member credit union exigible for 2023-2024

WHEREAS, under the first paragraph of section 591 of the Act respecting financial services cooperatives (chapter C-67.3), the costs that must be incurred by the Autorité des marchés financiers for the administration of the Act are to be borne by the federations and the credit unions that are not members of a federation and they are determined annually by the Government based on the forecasts provided to it by the Authority;

WHEREAS, under the second paragraph of section 591 of the Act, the difference noted between the forecast of the costs that must be incurred for the administration of the Act for a year and those actually incurred for the same year must be carried over to the similar costs determined by the Government for the year after the difference is noted;

WHEREAS, under section 592 of the Act, the amount exigible from each credit union that is not a member of a federation corresponds to the sum of a minimum amount fixed each year by the Government for each credit union and an amount corresponding to the product obtained by multiplying the sum of the average assets of all the credit unions at the end of the preceding year by the fraction corresponding to the average assets of the credit union at the end of the same year over the said sum;

WHEREAS, under section 593 of the Act, the amount exigible from a federation corresponds to the sum of a minimum amount fixed each year by the Government for each member credit union and an amount corresponding to the product obtained by multiplying the sum of the average assets of all the credit unions at the end of the preceding year by the fraction corresponding to the sum of the average assets of all the member credit unions at the end of the same year over the sum of the average assets of all the credit unions at the end of the same year;

WHEREAS the costs forecasted by the Autorité des marchés financiers for the administration of the Act respecting financial services cooperatives for 2023-2024 are \$11,625,379;

WHEREAS the costs actually incurred by the Autorité des marchés financiers for the administration of the Act respecting financial services cooperatives for 2022-2023 were \$596,083 higher than the forecasted amount;

WHEREAS it is expedient to determine the costs that must be incurred by the Autorité des marchés financiers for the administration of the Act respecting financial services cooperatives for 2023-2024 at \$12,221,462 to be apportioned between the federation and the credit unions that are not members of the federation during 2022-2023;

WHEREAS it is expedient to fix the minimum amount of those costs exigible from the federation for each member credit union and each credit union that is not a member of the federation during 2022-2023 at \$575;

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

THAT the costs that must be incurred by the Autorité des marchés financiers for the administration of the Act respecting financial services cooperatives (chapter C-67.3) for 2023-2024 be determined at \$12,221,462 to be apportioned between the federation and the credit unions that are not members of the federation during 2022-2023;

THAT the minimum amount of those costs exigible from the federation for each member credit union and each credit union that is not a member of the federation during 2022-2023 be fixed at \$575.

JOSÉE DE BELLEFEUILLE
*Associate Secretary General and Assistant Clerk
of the Secrétariat du Conseil exécutif*

106917

Gouvernement du Québec

O.C. 968-2024, 12 June 2024

Determination of the costs that must be incurred by the Autorité des marchés financiers for the administration of the Trust Companies and Savings Companies Act and be borne by authorized trust companies, and the contribution for those costs that must be collected from each company for 2023-2024

WHEREAS, under the first paragraph of section 274 of the Trust Companies and Savings Companies Act (chapter S-29.02), the costs that must be incurred by the Autorité des marchés financiers for the administration of the Act are to be borne by the authorized trust companies and they are determined annually by the Government based on the forecasts provided to it by the Authority;

WHEREAS, under the second paragraph of section 274 of the Act, such costs, for each company, correspond to the sum of the minimum contribution set by the Government and the proportion of those costs corresponding to the proportion that the company's gross income in Québec for the preceding year is of the aggregate of the similar income of all the companies for the same period;

WHEREAS, under the third paragraph of section 274 of the Act, the difference noted between the forecast of the costs that must be incurred for the administration of the Act for a year and those actually incurred for the same year must be carried over to the similar costs determined by the Government for the year after the difference is noted;

WHEREAS the costs forecasted by the Autorité des marchés financiers for the administration of the Trust Companies and Savings Companies Act for 2023-2024 are \$3,038,517;

WHEREAS the costs actually incurred by the Autorité des marchés financiers for the administration of the Trust Companies and Savings Companies Act for 2022-2023 were \$262,282 higher than the forecasted costs;

WHEREAS it is expedient to determine the costs that must be incurred by the Autorité des marchés financiers for the administration of the Trust Companies and Savings Companies Act for 2023-2024 at \$3,300,799 to be apportioned between the trust companies authorized during 2022-2023;

WHEREAS it is expedient to set the minimum contribution for those costs that must be collected from each company authorized during 2022-2023 at \$575;

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

THAT the costs that must be incurred by the Autorité des marchés financiers for the administration of the Trust Companies and Savings Companies Act (chapter S-29.02) for 2023-2024 be determined at \$3,300,799 to be apportioned between the trust companies authorized during 2022-2023;

THAT the minimum contribution for those costs that must be collected from each company authorized during 2022-2023 be set at \$575.

JOSÉE DE BELLEFEUILLE
*Associate Secretary General and Assistant Clerk
of the Secrétariat du Conseil exécutif*

106918

Gouvernement du Québec

O.C. 969-2024, 12 June 2024

Determination of the costs that must be incurred by the Autorité des marchés financiers for the administration of the Deposit Institutions and Deposit Protection Act and be borne by the authorized deposit institutions, and the contribution for those costs that must be collected from each deposit institution for 2023-2024

WHEREAS, under the first paragraph of section 56.1 of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2), the costs that must be incurred by the Autorité des marchés financiers for the administration of the provisions of the Act other than Titles III and VI and section 45.2 are to be borne by the authorized deposit institutions and they are determined annually by the Government based on the forecasts provided to it by the Authority;

WHEREAS, under the second paragraph of section 56.1 of the Act, such costs, for each deposit institution, correspond to the sum of the minimum contribution set by the Government and the proportion of those costs corresponding to the proportion that the deposit institution's gross income in Québec for the preceding year is of the aggregate of the similar income of all the authorized deposit institutions for the same period;

WHEREAS, under the third paragraph of section 56.1 of the Act, the difference noted between the forecast of the costs that must be incurred for the administration of this Act for a year and those actually incurred for the same year must be carried over to similar costs determined by the Government for the year after the difference is noted;

WHEREAS the costs forecasted by the Autorité des marchés financiers for the administration of the Deposit Institutions and Deposit Protection Act for 2023-2024 are \$546,875;

WHEREAS the costs actually incurred by the Autorité des marchés financiers for the administration of the Deposit Institutions and Deposit Protection Act for 2022-2023 were \$14,862 higher than the forecasted costs;

WHEREAS it is expedient to determine the costs that must be incurred by the Autorité des marchés financiers for the administration of the provisions of the Deposit Institutions and Deposit Protection Act other than Titles III and VI and section 45.2 for 2023-2024 at \$561,737 to be apportioned between the authorized deposit institutions during 2022-2023;

WHEREAS it is expedient to set the minimum contribution for those costs that must be collected from each deposit institution during 2022-2023 at \$575;

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

THAT the costs that must be incurred by the Autorité des marchés financiers for the administration of the provisions of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) other than Titles III and VI and section 45.2 for 2023-2024 be determined at \$561,737 to be apportioned between the authorized deposit institutions during 2022-2023;

THAT the minimum contribution for those costs that must be collected from each authorized deposit institution during 2022-2023 be set at \$575.

JOSÉE DE BELLEFEUILLE
*Associate Secretary General and Assistant Clerk
of the Secrétariat du Conseil exécutif*

106919

Gouvernement du Québec

O.C. 983-2024, 12 June 2024

Building Act
(chapter B-1.1)

Construction Code —Amendment

Regulation to amend the Construction Code

WHEREAS, under the first and second paragraphs of section 173 of the Building Act (chapter B-1.1), the Régie du bâtiment du Québec is to adopt by regulation a building code that contains building standards for buildings, facilities intended for use by the public, installations independent of a building and petroleum equipment installations or their vicinity;

WHEREAS, under subparagraph 1 of the third paragraph of section 173 of the Act, the code may contain, in particular, building standards regarding the design and procedures for the construction of buildings, facilities intended for use by the public, installations independent of a building or petroleum equipment installations;

WHEREAS, under subparagraph 2 of the third paragraph of section 173 of the Act, the code may contain, in particular, building standards regarding fire and accident prevention and protection;

WHEREAS, under subparagraph 3 of the third paragraph of section 173 of the Act, the code may contain, in particular, building standards regarding the safety and strength of buildings, facilities intended for use by the public, installations independent of a building or petroleum equipment installations;

WHEREAS, under subparagraph 4 of the third paragraph of section 173 of the Act, the code may contain, in particular, building standards regarding the hygiene of buildings;

WHEREAS, under subparagraph 7 of the third paragraph of section 173 of the Act, the code may contain, in particular, building standards regarding materials, appliances or equipment to be used or prohibited in buildings, facilities intended for use by the public, installations independent of a building or petroleum equipment installations;

WHEREAS, under subparagraph 8 of the third paragraph of section 173 of the Act, the code may contain, in particular, building standards regarding the quality, assembly, erection, inspection, certification, approval, quantity, site and tests of materials, facilities, apparatus and installations;

WHEREAS, under section 176 of the Act, the code may require manufacturers to provide instructions regarding the assembly, erection, maintenance and inspection of materials, facilities and installations;

WHEREAS, under section 176.1 of the Act, the code may, with respect to the matters to which it applies, contain provisions concerning the subjects listed in section 185 of the Act;

WHEREAS, under section 178 of the Act, the code may require observance of a technical standard drawn up by another government or by an agency empowered to draw up such standards and provide that any reference it makes to other standards include subsequent amendments;

WHEREAS, under paragraph 0.2 of section 185 of the Act, the Board may, by regulation, for the purposes of section 10, designate any facility as a facility intended for use by the public and establish criteria for determining whether or not a facility is intended for use by the public;

WHEREAS, under paragraph 3 of section 185 of the Act, the Board may, by regulation, determine the cases in which construction work must be reported to the Board, the time, form and manner according to which the report must be forwarded by the persons referred to in sections 22 and 37.2 and the conditions that they must fulfill;

WHEREAS, under paragraph 6.2 of section 185 of the Act, the Board may, by regulation, prohibit the sale, lease or exhibiting of materials or accessories which are not certified or approved for purposes of use in construction work on buildings, facilities intended for use by the public, installations independent of a building or petroleum equipment installations by a recognized person or body the Board designates;

WHEREAS, under paragraph 6.3 of section 185 of the Act, the Board may, by regulation, prohibit the sale, lease or exhibition of apparatus intended to be supplied from or to supply an electrical installation, used in a plumbing installation or petroleum equipment installation or intended to use gas, where the apparatus is not certified or approved by a recognized person or body the Board designates;

WHEREAS, under paragraph 7 of section 185 of the Act, the Board may, by regulation, determine the cases in which a contractor or owner-builder must obtain plans and specifications before construction work begins or final plans and specifications when the work is completed, in accordance with section 17.4, and the other obligations, terms and conditions relating to those plans and specifications, in particular to their form, content, conservation and delivery;

WHEREAS, under paragraph 20 of section 185 of the Act, the Board may, by regulation, determine the cases in which it collects fees for approval, authorization, revision, inspection, training, consultation, issuance of certificates of conformity, accreditation of recognized persons or bodies, and verifications, and fix such fees;

WHEREAS, under paragraph 21 of section 185 of the Act, the Board may, by regulation, determine in particular an indicator of the importance of the activities or performance of a contractor which may be used as a basis for a levy, establish a fixed amount or an amount based on that indicator or both or all three, and determine the minimum and maximum of that indicator for a contractor to be subject to the levy;

WHEREAS, under paragraph 24 of section 185 of the Act, the Board may, by regulation, prescribe, for the purposes of paragraphs 21 and 22, in particular the form and content of the report to be forwarded by a contractor as well as the time limit within which it must be forwarded;

WHEREAS, under paragraph 36 of section 185 of the Act, the Board may, by regulation, set in particular the time limit and the manner of payment of the levy payable by each contractor;

WHEREAS, under paragraph 38 of section 185 of the Act, the Board may, by regulation, adopt, generally, any other related or supplementary provision it considered necessary to give effect to the provisions of the section and of the Act;

WHEREAS, under the first paragraph of section 192 of the Act, the contents of the code may vary in particular according to the classes of buildings, facilities intended for use by the public and installations independent of a building;

WHEREAS the board of directors of the Board adopted the Regulation to amend the Construction Code by its resolution dated 22 November 2023;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Construction Code was published in Part 2 of the *Gazette officielle du Québec* of 27 December 2023 with a notice that it could be approved by the Government, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS, under section 189 of the Building Act, every code or regulation of the Board is subject to approval by the Government, which may approve it with or without amendment;

WHEREAS, by its resolution dated 17 April 2024, the board of directors of the Board recommended to the Minister of Labour to submit the Regulation to amend the Construction Code to the Government for approval and publication in the *Gazette officielle du Québec*;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Construction Code, attached to this Order in Council, be approved.

JOSÉE DE BELLEFEUILLE
*Associate Secretary General and Assistant Clerk
of the Secrétariat du Conseil exécutif*

Regulation to amend the Construction Code

Building Act

(chapter B-1.1, s. 173, 1st and 2nd pars., 3rd par., subpars 1, 2, 3, 4, 7 and 8, ss. 176, 176.1, 178, 185, pars. 0.2, 3, 6.2, 6.3, 7, 20, 21, 24, 36 and 38, and s. 192).

1. The Construction Code (chapter B-1.1, r. 2) is amended in section 3.01 by replacing

(1) ““National Plumbing Code of Canada 2015” (NRCC 56193)” in the first paragraph by ““National Plumbing Code of Canada 2020” (NRCC-CONST-56436E), First Printing”;

(2) “sections 3.04 to 3.06” in the second paragraph by “Division II”;

(3) “27 March 2021” in the third paragraph by “10 August 2024”.

2. Section 3.02 is replaced by the following:

3.02. Subject to the exceptions set out in section 3.02.01, the Code applies to all construction work on a plumbing system in

(1) a building to which the Building Act (chapter B-1.1) applies or outside such a building but within the limits of the property on which it is situated;

(2) a facility intended for use by the public that is a tent or an air-supported structure to which Chapter I of the Construction Code applies and which is used

(a) for residential, care, treatment or detention occupancy whose floor area is 100 m² or more, or

(b) for assembly or mercantile occupancy whose floor area is more than 150 m² or whose load capacity is more than 60 persons.

For the purposes of this section, the definitions of “plumbing system” and “building” are those provided in the Code, as adopted by this Chapter. In addition, the definitions of the following terms are those provided in the National Building Code, as adopted by Chapter I of the Construction Code: “tent”, “air-supported structure”, “residential occupancy”, “care occupancy”, “treatment occupancy”, “detention occupancy”, “floor area”, “assembly occupancy”, “mercantile occupancy”.

3.02.01. The following plumbing systems are exempt from the application of this Chapter:

(1) drainage piping or water distribution piping independent of a building;

(2) roof gutters;

(3) subsoil drainage pipes (French drain);

(4) downstream installation of an individual backflow preventer;

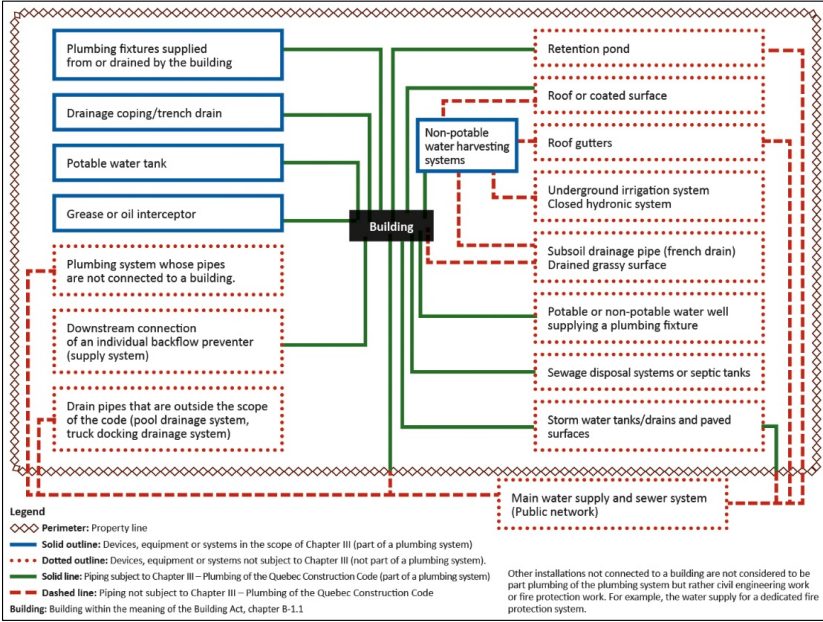
(5) municipal retention pond and its outlet pipe;

(6) private sewage disposal system.”.

3. Section 3.04. is replaced by the following:

“3.04. The amendments to the Code are as follows:

Provisions	Amendments
Division A	
Part 1	
1.1.1.1.	<p>Replace the Article by the following:</p> <p>“1.1.1.1. Application of this Code</p> <p>1) This Code applies to the construction work performed on a <i>plumbing system</i> as provided in section 3.02 of the Construction Code made pursuant to the Building Act (chapter B-1.1).</p> <p>2) In accordance with Part 7 of Division B of the National Building Code of Canada 2020 and except as provided in Sentence (3), every <i>building</i> shall have plumbing facilities.</p> <p>3) If a hot water system is required under the NBC, the facility shall provide an adequate hot water supply.”.</p>
1.2.1.1.	<p>Insert “approved by the Régie du bâtiment du Québec in accordance with section 127 of the Building Act” after “applicable acceptable solutions” in Clause (1)(b).</p>
1.4.1.2.	<p>Strike out the defined term “<i>Care or detention occupancy</i>” in Sentence (1);</p> <p>Insert “in inches” after “diameter” in the definition of “<i>Nominal pipe size (NPS)</i>” in Sentence (1);</p> <p>Replace “(See Figure A-1.4.1.2.(1)-L” in the definition of “<i>Plumbing system</i>” by “(See Figures A-1.4.1.2.(1)-L and A-1.4.1.2.(1)-M” in Sentence (1);</p> <p>Insert “, retention pit” after “sump” in the definition of “<i>Storm building drain</i>” in Sentence (1).</p>

Provisions	Amendments
Notes to Part 1	
<p>A-1.4.1.2.(1)</p>	<p>Insert the following Figure at the end of the note:</p> <p>“</p>  <p>Figure A-1.4.1.2.(1)-M Limit of plumbing system outside a building</p> <p>”</p>
Part 3	
<p>3.2.1.1.</p>	<p>Insert the functional statement</p> <p>“F23 To maintain equipment in place during structural movement.” after</p> <p>“F21 To limit or accommodate dimensional change.”;</p>

Provisions	Amendments																																							
	Insert the following functional statements after the statement “F46 To minimize the risk of contamination of <i>potable water</i> ”: “F60 To control the accumulation and pressure of surface water, groundwater and <i>sewage</i> . F61 To resist the ingress of water or moisture from the exterior or from the ground.”.																																							
Division B																																								
Part 1																																								
1.3.1.2.	Replace the documents concerned by the following in Table 1.3.1.2.: “ <table border="1" data-bbox="423 766 1243 1616"> <tbody> <tr> <td data-bbox="423 766 554 861">ASME/CSA</td> <td data-bbox="554 766 794 861">ASME A112.18.1-2018/ CSA B125.1-18</td> <td data-bbox="794 766 1100 861">Plumbing Supply Fittings</td> <td data-bbox="1100 766 1243 861">2.2.10.6.(1) 2.2.10.7.(1) 2.2.10.7.(4)</td> </tr> <tr> <td data-bbox="423 861 554 987">ASSE/ASME/ CSA</td> <td data-bbox="554 861 794 987">ASSE 1016-2017/ ASME A112.1016-2017/ CSA B125.16-17</td> <td data-bbox="794 861 1100 987">Performance Requirements for Automatic Compensating Valves for Individual Showers and Tub/Shower Combinations</td> <td data-bbox="1100 861 1243 987">A-2.2.10.6.(3)</td> </tr> <tr> <td data-bbox="423 987 554 1082">ASSE/ASME/ CSA</td> <td data-bbox="554 987 794 1082">ASSE 1070-2015/ ASME A112.1070-2015/ CSA B125.70-15</td> <td data-bbox="794 987 1100 1082">Performance requirements for water temperature limiting devices</td> <td data-bbox="1100 987 1243 1082">2.2.10.6.(1) 2.2.10.7.(2) 2.2.10.7.(5)</td> </tr> <tr> <td data-bbox="423 1082 554 1177">ASTM</td> <td data-bbox="554 1082 794 1177">B828-16</td> <td data-bbox="794 1082 1100 1177">Standard Practice for Making Capillary Joints by Soldering of Copper and Copper Alloy Tube and Fittings</td> <td data-bbox="1100 1082 1243 1177">2.3.2.4.(1)</td> </tr> <tr> <td data-bbox="423 1177 554 1254">AWWA</td> <td data-bbox="554 1177 794 1254">ANSI/AWWA C104/ A21.4-16</td> <td data-bbox="794 1177 1100 1254">Cement-Mortar Lining for Ductile-Iron Pipe and Fittings</td> <td data-bbox="1100 1177 1243 1254">2.2.6.4.(2)</td> </tr> <tr> <td data-bbox="423 1254 554 1331">AWWA</td> <td data-bbox="554 1254 794 1331">ANSI/AWWA C111/ A21.11-17</td> <td data-bbox="794 1254 1100 1331">Rubber-Gasket Joints for Ductile-Iron Pressure Pipe and Fittings</td> <td data-bbox="1100 1254 1243 1331">2.2.6.4.(4)</td> </tr> <tr> <td data-bbox="423 1331 554 1408">AWWA</td> <td data-bbox="554 1331 794 1408">ANSI/AWWA C151/ A21.51-17</td> <td data-bbox="794 1331 1100 1408">Ductile-Iron Pipe, Centrifugally Cast</td> <td data-bbox="1100 1331 1243 1408">2.2.6.4.(1) A-2.2.5. to 2.2.8.</td> </tr> <tr> <td data-bbox="423 1408 554 1503">AWWA</td> <td data-bbox="554 1408 794 1503">ANSI/AWWA C228-14</td> <td data-bbox="794 1408 1100 1503">Stainless-Steel Pipe Flange Joints for Water Service – Sizes 2 in. through 72 in. (50 mm through 1,800 mm)</td> <td data-bbox="1100 1408 1243 1503">2.2.6.12.(1)</td> </tr> <tr> <td data-bbox="423 1503 554 1616">CCBFC</td> <td data-bbox="554 1503 794 1616">NRCC-CONST-56435E</td> <td data-bbox="794 1503 1100 1616">National Building Code of Canada 2020</td> <td data-bbox="1100 1503 1243 1616">1.1.1.1.(2)⁽³⁾ 1.1.1.1.(3)⁽³⁾ 1.4.1.2.(1)⁽³⁾ A-2.2.1.1.(1)⁽³⁾</td> </tr> </tbody> </table>				ASME/CSA	ASME A112.18.1-2018/ CSA B125.1-18	Plumbing Supply Fittings	2.2.10.6.(1) 2.2.10.7.(1) 2.2.10.7.(4)	ASSE/ASME/ CSA	ASSE 1016-2017/ ASME A112.1016-2017/ CSA B125.16-17	Performance Requirements for Automatic Compensating Valves for Individual Showers and Tub/Shower Combinations	A-2.2.10.6.(3)	ASSE/ASME/ CSA	ASSE 1070-2015/ ASME A112.1070-2015/ CSA B125.70-15	Performance requirements for water temperature limiting devices	2.2.10.6.(1) 2.2.10.7.(2) 2.2.10.7.(5)	ASTM	B828-16	Standard Practice for Making Capillary Joints by Soldering of Copper and Copper Alloy Tube and Fittings	2.3.2.4.(1)	AWWA	ANSI/AWWA C104/ A21.4-16	Cement-Mortar Lining for Ductile-Iron Pipe and Fittings	2.2.6.4.(2)	AWWA	ANSI/AWWA C111/ A21.11-17	Rubber-Gasket Joints for Ductile-Iron Pressure Pipe and Fittings	2.2.6.4.(4)	AWWA	ANSI/AWWA C151/ A21.51-17	Ductile-Iron Pipe, Centrifugally Cast	2.2.6.4.(1) A-2.2.5. to 2.2.8.	AWWA	ANSI/AWWA C228-14	Stainless-Steel Pipe Flange Joints for Water Service – Sizes 2 in. through 72 in. (50 mm through 1,800 mm)	2.2.6.12.(1)	CCBFC	NRCC-CONST-56435E	National Building Code of Canada 2020	1.1.1.1.(2) ⁽³⁾ 1.1.1.1.(3) ⁽³⁾ 1.4.1.2.(1) ⁽³⁾ A-2.2.1.1.(1) ⁽³⁾
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Provisions	Amendments			
				A-3.2.1.1.(1) ⁽³⁾ 2.1.3.1.(1) 2.1.4.1.(1) 2.2.5.11.(2) 2.2.5.11.(3) 2.2.6.7.(3) 2.4.3.1.(1) 2.4.10.4.(1) 2.7.1.1.(3) A-2.2.5. to 2.2.8. A-2.4.10. A-2.4.10.4.(1) A-2.6.3.1.(2) 2.2.2.1.(2) ⁽⁴⁾
	CSA	B64.4-11	Reduced pressure principle (RP) backflow preventers	2.2.10.10.(1) 2.6.2.4.(2) 2.6.2.4.(4)
	CSA	B64.10-17	Selection and installation of backflow preventers	2.6.2.1.(3) 2.6.2.1.(4) 2.6.2.13.(1)
	CSA	B70-12	Cast iron soil pipe, fittings, and means of joining	2.2.6.1.(1) 2.2.10.19.(1) A-2.2.5. to 2.2.8.
	CSA	B125.3-18	Plumbing fittings	2.2.10.6.(1) 2.2.10.7.(2) 2.2.10.7.(3) 2.2.10.7.(5) 2.2.10.22.(1) A-2.6.1.11.(1)
	CSA	CAN/CSA-B128.1-06	Design and Installation of Non-Potable Water Systems	2.7.1.1.(1) 2.7.1.2.(1) A-2.7.1.1.(1)
	CSA	B181.1-18	Acrylonitrile-butadiene-styrene (ABS) drain, waste, and vent pipe and pipe fittings	2.2.5.9.(1) 2.2.5.10.(1) 2.2.5.11.(1) 2.2.10.19.(1) A-2.2.5. to 2.2.8. A-2.2.5.9. to 2.2.5.11.
	CSA	B181.2-18	Polyvinylchloride (PVC) and chlorinated polyvinylchloride (CPVC) drain, waste, and vent pipe and pipe fittings	2.2.5.9.(1) 2.2.5.10.(1) 2.2.5.11.(1) 2.2.5.16.(1) 2.2.5.16.(2) 2.2.10.19.(1) A-2.2.5. to 2.2.8. A-2.2.5.9. to 2.2.5.11.

Provisions	Amendments			
	CSA	B182.1-18	Plastic drain and sewer pipe and pipe fittings	2.2.5.9.(1) 2.2.10.19.(1) A-2.2.5. to 2.2.8.
	CSA	B481.3-12	Sizing, selection, location, and installation of grease interceptors	2.2.3.2.(4)
	CSA	CAN/CSA-B483.1-07	Drinking Water Treatment Systems	2.2.10.17.(1) 2.2.10.17.(2) 2.2.10.17.(3) 2.2.10.17.(4)
	CSA/ICC	CSA B805-18/ICC 805-2018	Rainwater harvesting systems	2.7.2.4.(1) 2.7.2.4.(4) A-2.7.2.4.(1)
	”.			
	Insert the following documents in Table 1.3.1.2., in order of the issuing agencies and document numbers:			
	“			
	ANSI/ASME	A112.6.2-2000	Framing-Affixed Supports for Off-the-Floor Water Closets with Concealed Tanks	2.2.6.1.(3)
	ANSI/CSA	ANSI Z21.10.1-2017/ CSA 4.1-2017	Gas water heaters, volume I, storage water heaters with input ratings of 75,000 Btu per hour or less	2.2.10.13.(1)
	ANSI/CSA	ANSI Z21.10.3-2017/ CSA 4.3-2017	Gas-fired water heaters, volume III, storage water heaters with input ratings above 75,000 Btu per hour, circulating and instantaneous	2.2.10.13.(1)
	ANSI/UL/ULC	ANSI/CAN/UL/ULC 1201:2016	Sensor Operated Backwater Prevention Systems	2.2.10.19.(1)
	ASME	A112.6.1M-1997	Floor-Affixed Supports for Off-the-Floor Plumbing Fixtures for Public Use	2.2.6.1.(3)
	ASME	A112.6.4-2003	Roof, Deck, And Balcony Drains	2.2.10.21.(1)
	ASME	B16.51-2021	Copper and Copper Alloy Press-Connect Pressure Fittings	2.2.7.10.(1)
	ASSE	1061-2015	Performance Requirements for Push-Fit Fittings	2.2.7.9.(1)

Provisions	Amendments			
	ASSE	1072-2007	Performance Requirements for Barrier Type Floor Drain Trap Seal Protection Devices	2.2.10.24.(1)
	BNQ	NQ 2622-126-2009	Reinforced Concrete and Unreinforced Concrete Pipe and Monolithic Lateral Connection for Evacuation of Domestic Wastewater and Storm Water	2.2.5.2.(1)
	BNQ	NQ 3623-085-2002	Ductile-Iron Pipe for Water Pressure Piping Systems — Characteristics and Test Methods	2.2.6.4.(1)
	BNQ	BNQ 3624-027-2016	Polyethylene (PE) Pipe for the Transport of Fluids Under Pressure	2.2.5.4.(1)
	BNQ	BNQ 3624-120-2016	Smooth Inside Wall Open-Profile Polyethylene (PE) Pipe and Polyethylene (PE) Fittings for Storm Sewers, Culverts and Soil Drainage	2.2.5.9.(1)
	BNQ	BNQ 3624-130-2015	Unplasticized Poly(Vinyl Chloride) [PVC-U] Pipe and Fittings – Pipes of 150 mm in Diameter or Smaller	2.2.5.9.(1)
	BNQ	BNQ 3624-135-2015	Unplasticized Poly(Vinyl Chloride) [PVC-U] Pipe and Fittings – Pipes of 200 mm in Diameter or Larger for Sewage and Soil Drainage	2.2.5.9.(1)
	BNQ	BNQ 3624-250-2015	Unplasticized Poly(Vinyl Chloride) [PVC-U] Pipe and Fittings – Rigid Pipe for Pressurized Water Supply and Distribution	2.2.5.7.(1)
	CSA/IAPMO	CSA B45.8-13/IAPMO Z403-2013	Terrazzo, concrete, and natural stone plumbing fixtures	2.2.2.2.(1)
	CSA/IAPMO	CSA B45.11-17/IAPMO Z401-2017	Glass plumbing fixtures	2.2.2.2.(1)
	CSA/IAPMO	CSA B45.12-13/IAPMO Z402-2013	Aluminum and copper plumbing fixtures	2.2.2.2.(1)
	CSA	B55.2-15	Drain water heat recovery units	2.2.10.26.(1)
	CSA	B64.1.4-11	Vacuum breaker, air space type (ASVB)	2.2.10.10.(1)
	CSA	B64.10.1-17	Maintenance and field testing of backflow preventors	2.6.2.1.(4) A-2.6.2.1.(3)
	CSA	B79-08	Commercial and residential drains and cleanouts	2.2.10.20.(1)

Provisions	Amendments			
	CSA/IAPMO	CSA B125.5-11/IAPMO Z600-11	Flexible water connectors with excess flow shut-off devices	2.2.10.6.(1)
	CSA	B140.12-03	Oil-Burning Equipment: Service Water Heaters for Domestic Hot Water, Space Heating, and Swimming Pools	2.2.10.13.(1)
	CSA	B481 SERIES-12	Grease interceptors	2.2.3.2.(3) A-2.4.4.3.(1)
	CSA	CAN/CSA-C22.2 N° 110-94	Construction and Test of Electric Storage-Tank Water Heaters	2.2.10.13.(1)
	CSA	C22.2 N° 64-10	Household cooking and liquid-heating appliances	2.2.10.13.(1)
	CSA	CAN/CSA-E60335-2-35-01	Safety of Household and Similar Electrical Appliances – Part 2-35: Particular Requirements for Instantaneous Water Heaters	2.2.10.13.(1)
	ISO	11143-2008	Dentistry — Amalgam separators	2.2.3.2.(5)
	MSS	SP-58-2009	Pipe Hangers and Supports – Materials, Design, Manufacture, Selection, Application, and Installation	2.2.10.23.(1)
	NSF	NSF/ANSI 53-2016	Drinking Water Treatment Units - Health Effects	2.2.10.17.(4)
	NSF	NSF/ANSI 55-2016	Ultraviolet Microbiological Water Treatment Systems	2.2.10.17.(1)
	NSF	NSF/ANSI 61-2016	Drinking Water System Components – Health Effects	2.2.10.25.(1)
	NSF	NSF/ANSI 62-2016	Drinking Water Distillation Systems	2.2.10.17.(3)
	ULC	CAN/ULC-S656-14	Standard for Oil-Water Separators	2.2.3.2.(6)
	”,			
	Strike out the following document in Table 1.3.1.2.:			
	“			
	CSA	B481.0-12	Material, design, and construction requirements for grease interceptors	2.2.3.2.(3)
	”,			

Provisions	Amendments
	<p>Add the following Note to Table 1.3.1.2: “(4) Code reference is in Division C.”.</p>
1.3.2.1.	<p>Insert the following in Sentence (1), in alphabetical order: “BNQ Bureau de normalisation du Québec (www.bnq.qc.ca)”; “CGSB Canadian General Standards Board (www.tpsgc-pwgsc.gc.ca/ongc-cgsb/index-eng.html)”; “ISO International Organization for Standardization (www.iso.org)”; “MSS Manufacturers Standardization Society of the Valve and Fittings Industry (www.mss-hq.com)”.</p>
Part 2	
2.1.4.	<p>Replace the Subsection by the following: “2.1.4. Structural Movement</p> <p>2.1.4.1. Structural Movement</p> <p>1) Plumbing systems of buildings subject to Chapter I of the Construction Code and to which Part 4 of Division B of the NBC applies shall be designed and installed to accommodate the maximum relative structural movement provided for in the construction of the <i>building</i>. (See Article 4.1.3.5., Subsection 4.1.8., Sentence 4.1.3.3.(2) and Note A-6.2.1.4. of Division B of the NBC for information on the types of structural movements that may be encountered.)”.</p>
2.2.2.2.	<p>Replace Clauses (1)(h) and (1)(i) by the following:</p> <p>“h) macerating toilet systems shall conform to ASME A112.3.4/CSA B45.9, “Macerating Toilet Systems and Waste-Pumping Systems for Plumbing Fixtures,”</p> <p>i) toilet seats with bidet functionality shall conform to ASME A112.4.2/CSA B45.16, “Personal hygiene devices for water closets,”</p> <p>j) glass lavatories shall conform to CSA B45.11/IAPMO Z401, “Glass plumbing fixtures,”</p> <p>k) terrazzo, concrete or natural stone plumbing <i>fixtures</i> shall conform to CSA B45.8/IAPMO Z403, “Terrazzo, concrete and natural stone plumbing fixtures,” and</p>

Provisions	Amendments
	l) aluminum or copper plumbing <i>fixtures</i> shall conform to CSA B45.12/IAPMO Z402, “Aluminum and copper plumbing fixtures.”.
2.2.3.2.	<p>Replace Sentence (3) by the following:</p> <p>3) Grease <i>interceptors</i> shall conform to CSA B481 Series, “Grease Interceptors.” (See Note A-2.2.3.2.(3).</p> <p>4) Grease <i>interceptors</i> shall be selected and installed in conformance with CSA B481.3, “Sizing, Selection, Location, and Installation of Grease Interceptors.”</p> <p>5) Amalgam separators shall conform to ISO 11143, “Dentistry — Amalgam separators.”</p> <p>6) Oil <i>interceptors</i> shall conform to CAN/ULC-S656, “Standard for Oil-Water Separators.”.</p>
2.2.4.2.	Replace “A single” by “Except as provided in Article 2.4.3.7., a single” in Sentence (1).
2.2.4.3.	Add the following at the end of Sentence (1): “The prohibition also applies to any combination of 45° elbows displaying the same characteristics.”.
2.2.5.2.	<p>Strike out “or” in Clause (1)(a);</p> <hr/> <p>Replace Clause (1)(b) by the following:</p> <p>b) CSA A257.2, “Reinforced circular concrete culvert, storm drain, sewer pipe, and fittings,” or</p> <p>c) NQ 2622-126, “Reinforced Concrete and Unreinforced Concrete Pipes and Monolithic Lateral Connections for Evacuation of Domestic Wastewater and Storm Water.”.</p>
2.2.5.4.	<p>Replace Sentence (1) by the following:</p> <p>1) Polyethylene water pipe, tubing and fittings shall conform to Series 160 of</p> <p>a) CSA B137.1, “Polyethylene (PE) pipe, tubing, and fittings for cold-water pressure services,” or</p> <p>b) BNQ 3624-027, “Polyethylene (PE) Pipe for the Transport of Fluids Under Pressure.”.</p>

Provisions	Amendments
2.2.5.7.	<p>Replace Clause (1)(a) by the following:</p> <p>“a) conform to</p> <ul style="list-style-type: none"> i) CSA B137.3, “Rigid polyvinylchloride (PVC) pipe and fittings for pressure applications,” or ii) BNQ 3624-250, “Unplasticized Poly(Vinyl Chloride) [PVC-U] Pipe and Fittings – Rigid Pipe for Pressurized Water Supply and Distribution,” and”.
2.2.5.9.	<p>Replace Clauses (1)(g) and (1)(h) by the following:</p> <p>“g) CSA B182.6, “Profile polyethylene (PE) sewer pipe and fittings for leak-proof sewer applications,” with a pipe stiffness not less than 320 kPa,</p> <p>h) CSA B182.8, “Profile polyethylene (PE) storm sewer and drainage pipe and fittings,” for Type 1 joints and non-perforated pipes,</p> <p>i) BNQ 3624-120, “Smooth Inside Wall Open-Profile Polyethylene (PE) Pipe and Polyethylene (PE) Fittings for Storm Sewers, Culverts and Soil Drainage,”</p> <p>j) BNQ 3624-130, “Unplasticized Poly(Vinyl Chloride) [PVC-U] Pipe and Fittings – Pipes of 150 mm in Diameter or Smaller,” or</p> <p>k) BNQ 3624-135, “Unplasticized Poly(Vinyl Chloride) [PVC-U] Pipe and Fittings – Pipes of 200 mm in Diameter or Larger for Sewage and Soil Drainage.””.</p>
2.2.6.1.	<p>Add the following Sentence:</p> <p>“3) Wall supports for water closets shall conform to</p> <ul style="list-style-type: none"> a) ASME A112.6.1M, “Supports for Off-the-Floor Plumbing Fixtures for Public Use,” or b) ASME A112.6.2, “Framing-Affixed Supports for Off-the-Floor Water Closets with Concealed Tanks.””.
2.2.6.4.	<p>Replace Sentence (1) by the following:</p> <p>“1) Cast-iron water pipes shall conform to</p> <ul style="list-style-type: none"> a) ANSI/AWWA C151/A21.51, “Ductile-Iron Pipe, Centrifugally Cast,” or b) NQ 3623-085, “Ductile-Iron Pipe for Water Pressure Piping Systems – Characteristics and Test Methods.””.

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2.2.6.12.	Replace “Flanges” by “Flange Joints” in Clause (1)(b).
	<p>Add the following Articles:</p> <p>“2.2.7.9. Quick Connection Push-Fit Fittings</p> <p>1) Quick connection push-fit fittings shall conform to ASSE 1061, “Performance Requirements for Push-Fit Fittings.”</p> <p>2.2.7.10. Mechanical Press Fittings</p> <p>1) Mechanical press fittings shall conform to ASME B16.51, “Copper and Copper Alloy Press-Connect Pressure Fittings.””.</p>
2.2.10.5.	<p>Replace Sentence (1) by the following:</p> <p>“1) A saddle hub or fitting shall not be installed in <i>drainage, venting or water systems</i> except at the point of connection for standpipe systems. (See Note A-2.2.10.5.(1).)”.</p>
2.2.10.6.	<p>Replace Clauses (1)(a) and (1)(b) by the following:</p> <p>a) ASME A112.18.1/CSA B125.1, “Plumbing Supply Fittings,”</p> <p>b) CSA B125.3, “Plumbing fittings,”</p> <p>c) CSA B125.5/IAPMO Z600, “Flexible water connectors with excess flow shut-off devices,” or</p> <p>d) ASSE 1070/ASME 112.1070/CSA B125.70, “Performance requirements for water temperature limiting devices.””.</p>
2.2.10.7.	<p>Replace the Article by the following:</p> <p>“2.2.10.7. Water Temperature Control</p> <p>(See Note A-2.2.10.7.)</p> <p>1) Except as provided in Sentences (2) to (4), valves supplying shower heads or bathtubs shall</p> <p>a) be of the pressure-balanced, thermostatic, or combination pressure-balanced/thermostatic type, and</p> <p>b) conform to ASME A112.18.1/CAN/CSA B125.1, “Plumbing Supply Fittings.”</p>

Provisions	Amendments
	<p>2) Valves supplying only bathtubs need not be of one of the types referred to in Sentence (1) if the hot water supply is controlled by</p> <p>a) a thermostatic-mixing valve conforming to CSA B125.3, “Plumbing Fittings,” or</p> <p>b) an automatic temperature-limiting device conforming to ASSE 1070/ASME A112.1070/CSA B125.70, “Performance requirements for water temperature limiting devices.”</p> <p>3) Valves supplying only shower heads need not be of one of the types referred to in Sentence (1) if the water supply is controlled by an automatic compensating valve conforming to CSA B125.3, “Plumbing fittings.”</p> <p>4) Except as provided in Sentence (5), valves supplying shower heads or bathtubs of a care occupancy or private seniors’ residence within the meaning of the Act respecting health services and social services (chapter S-4.2) shall</p> <p>a) be of the thermostatic or combination pressure-balanced/thermostatic type, and</p> <p>b) conform to ASME A112.18.1/CAN/CSA B125.1, “Plumbing Supply Fittings.”</p> <p>5) Valves supplying only bathtubs of a care occupancy or private seniors’ residence and installed within the limits of a bathroom need not be of one of the types referred to in Sentence (4) if the hot water supply is controlled by</p> <p>a) a thermostatic-mixing valve conforming to CSA B125.3, “Plumbing Fittings,” or</p> <p>b) an automatic temperature-limiting device conforming to ASSE 1070/ASME A112.1070/CSA B125.70, “Performance requirements for water temperature limiting devices.”</p> <p>6) Valves, mixing valves and limiting devices shall be adjusted to provide a water outlet temperature that does not exceed</p> <p>a) 49°C when subject to Sentences (1) to (3), or</p> <p>b) 43°C when subject to Sentences (4) and (5).”</p>
2.2.10.10.	<p>Replace Sentence (1) by the following:</p> <p>“1) Except as provided in Sentence (2), <i>back-siphonage preventers</i> and <i>backflow preventers</i> shall conform to</p> <p>a) CSA B64.0, “Definitions, general requirements, and test methods for vacuum breakers and backflow preventers,”</p>

Provisions	Amendments
	<ul style="list-style-type: none"> b) CSA B64.1.1, “Atmospheric vacuum breakers (AVB),” c) CSA B64.1.2, “Pressure vacuum breakers (PVB),” d) CSA B64.1.3, “Spill-resistant pressure vacuum breakers (SRPVB),” e) CSA B64.1.4, “Vacuum breaker, air space type (ASVB),” f) CSA B64.2, “Hose connection vacuum breakers (HCVB),” g) CSA B64.2.1, “Hose connection vacuum breakers (HCVB) with manual draining feature,” h) CSA B64.2.2, “Hose connection vacuum breakers (HCVB) with automatic draining feature,” i) CSA B64.3, “Dual check valve backflow preventers with atmospheric port (DCAP),” j) CSA B64.4, “Reduced pressure principle (RP) backflow preventers,” k) CSA B64.4.1, “Reduced pressure principle backflow preventers for fire protection systems (RPF),” l) CSA B64.5, “Double check valve (DCVA) backflow preventers,” m) CSA B64.5.1, “Double check valve backflow preventers for fire protection systems (DCVAF),” n) CSA B64.6, “Dual check valve (DuC) backflow preventers,” o) CSA B64.6.1, “Dual check valve backflow preventers for fire protection systems (DuCF),” p) CSA B64.7, “Laboratory faucet vacuum breakers (LFVB),” q) CSA B64.8, “Dual check valve backflow preventers with intermediate vent (DuCV),” or r) CSA B64.9, “Single check valve backflow preventers for fire protection systems (SCVAF).”
2.2.10.13.	<p>Replace the Article by the following:</p> <p>“2.2.10.13. Service Water Heaters</p> <p>1) Service water heaters shall conform to</p> <ul style="list-style-type: none"> a) ANSI Z21.10.1/CSA 4.1, “Gas water heaters, volume I, storage water heaters with input ratings of 75,000 Btu per hour or less,” b) ANSI Z21.10.3/CSA 4.3, “Gas water heaters, volume III, storage water heaters with input ratings above 75,000 Btu per hour, circulating and instantaneous,”

Provisions	Amendments
	<ul style="list-style-type: none"> c) CAN/CSA-C22.2 No. 110, "Construction and Test of Electric Storage-Tank Water Heaters," d) CSA B140.12, "Oil-Burning Equipment: Service Water Heaters for Domestic Hot Water, Space Heating, and Swimming Pools," e) CAN/CSA-F379 SERIES, "Packaged solar domestic hot water systems (liquid-to-liquid heat transfer)," f) CSA C22.2 No. 64, "Household cooking and liquid-heating appliances," or g) CAN/CSA-E60335-2-35, "Safety of Household and Similar Electrical Appliances – Part 2-35: Particular Requirements for Instantaneous Water Heaters."".
2.2.10.17.	<p>Replace the Article by the following:</p> <p>"2.2.10.17. Drinking Water Treatment Systems</p> <p>1) <i>Potable</i> water disinfection units using ultraviolet designed to meet the requirements of the Regulation respecting the quality of drinking water (chapter Q-2, r. 40) shall conform to</p> <ul style="list-style-type: none"> a) NSF/ANSI 55, "Ultraviolet Microbiological Water Treatment Systems," or b) CAN/CSA-B483.1, "Drinking Water Treatment Systems," if they are designed to be installed at the point of use. <p>2) Reverse osmosis <i>potable</i> water treatment systems installed at the point of use and designed to meet the requirements of the Regulation respecting the quality of drinking water shall conform to CAN/CSA-B483.1, "Drinking Water Treatment Systems."</p> <p>3) <i>Potable</i> water distillation systems designed to meet the requirements of the Regulation respecting the quality of drinking water shall conform to</p> <ul style="list-style-type: none"> a) NSF/ANSI 62, "Drinking Water Distillation Systems," or b) CAN/CSA-B483.1, "Drinking Water Treatment Systems," if they are designed to be installed at the point of use. <p>4) <i>Potable</i> water treatment units not covered by Sentences (1) to (3) and designed to meet the requirements of the Regulation respecting the quality of drinking water shall conform to</p> <ul style="list-style-type: none"> a) NSF/ANSI 53, "Drinking Water Treatment Units - Health Effects," or b) CAN/CSA-B483.1, "Drinking Water Treatment Systems," if they are designed to be installed at the point of use."

Provisions	Amendments
	<p>Insert the following Articles:</p> <p>2.2.10.19. Backwater Valves</p> <p>1) <i>Backwater valves</i> shall conform to</p> <p>a) CSA B70, “Cast iron soil pipe, fittings, and means of joining,”</p> <p>b) CSA B181.1, “Acrylonitrile-butadiene-styrene (ABS) drain, waste, and vent pipe and pipe fittings,”</p> <p>c) CSA B181.2, “Polyvinylchloride (PVC) and chlorinated polyvinylchloride (CPVC) drain, waste, and vent pipe and pipe fittings,”</p> <p>d) CSA B182.1, “Plastic drain and sewer pipe and pipe fittings,” or</p> <p>e) ANSI/CAN/UL/ULC 1201, “Sensor Operated Backwater Prevention Systems.”</p> <p>2.2.10.20. Floor Drains and Shower Drains</p> <p>1) Floor drains, including <i>emergency floor drains</i>, and shower drains installed on the floor shall conform to CSA B79, “Commercial and residential drains and cleanouts.”</p> <p>2.2.10.21. Roof Drains</p> <p>1) <i>Roof drains</i> shall conform to ASME A112.6.4, “Roof, Deck, and Balcony Drains.”</p> <p>2.2.10.22. Trap Seal Primer Devices</p> <p>1) Trap seal primer devices shall conform to CSA B125.3, “Plumbing fittings.”</p> <p>2.2.10.23. Pipe Hangers and Supports</p> <p>1) Manufactured pipe hangers and supports shall conform to MSS SP-58, “Pipe Hangers and Supports – Materials, Design, Manufacture, Selection, Application, and Installation.”</p>

Provisions	Amendments
	<p>2.2.10.24. Floor Drain Trap Seals</p> <p>1) Floor drain <i>trap</i> seals used to maintain <i>trap seal depth</i> shall conform to ASSE 1072, “Performance Requirements for Barrier Type Floor Drain Trap Seal Protection Devices.”</p> <p>2.2.10.25. Expansion Tanks</p> <p>1) Expansion tanks for <i>potable water distribution systems</i> shall conform to NSF/ANSI 61, “Drinking Water System Components – Health Effects.”</p> <p>2.2.10.26. Heat Recovery Units</p> <p>1) Vertical drain water heat recovery units shall conform to CSA B55.2, “Drain water heat recovery units.”.</p>
2.3.2.4.	Replace “Specification” by “Practice” in Sentence (1).
2.3.4.5.	Replace “Les suspentes des tuyaux <i>d’allure horizontale</i> ” in Sentence (5) in the French text by “Lorsque des suspentes pour tuyaux <i>d’allure horizontale</i> sont utilisées, elles”
2.3.6.1.	Replace “a water pressure test or an air pressure test” in Sentence (1) by “a water pressure test, a smoke pressure test or an air pressure test”.
2.3.6.2.	Insert “, smoke test” after “air pressure test” in Sentence (1).
2.3.6.3.	Insert “, smoke test” after “air pressure test” in Sentence (1).
	<p>Add the following Article:</p> <p>“2.3.6.8. Smoke Tests</p> <p>1) Where a smoke test is made</p> <p>a) smoke from smoke-generating machines shall be forced into the system, and</p> <p>b) a pressure equivalent to a 25 mm water column shall be maintained.”.</p>

Provisions	Amendments
2.4.2.1.	Insert “(see Note A-2.4.2.1.(1)(a)(i) and (e))” in Subclause (1)(a)(i) after “ <i>system</i> ”;
	Strike out “(see Note A-2.4.2.1.(1)(a)(ii) and (e)(vi))” in Subclause (1)(a)(ii);
	<p>Replace Subclauses (1)(e)(v) and (1)(e)(vi) by the following:</p> <p>“ v) a water treatment device, vi) a drain or overflow from a <i>water system</i> or a heating system, vii) a drain from an ice machine, or viii) a drain from a heating, air-conditioning or ventilation system (see Note A-2.4.2.1.(1)(a)(i) and (e)).”;</p>
	<p>Replace Sentence (2) by the following:</p> <p>“2) Where the upper vertical part of an offset <i>stack</i> receives water from <i>fixtures</i> from more than one <i>storey</i>, a connection in that offset <i>stack</i> shall not be less than 1.5 m downstream from the base of the upper section of the <i>stack</i> or from another connection receiving <i>sewage</i> from another <i>stack</i> connected to the <i>offset</i>. (See Note A-2.4.2.1.(2).)”.</p>
	Insert “or dishwashing sink” after “more than one clothes washer” in the text preceding Clause (4)(a);
	<p>Insert the following Sentences:</p> <p>“6) Every connection at the bottom of a <i>stack</i> shall be more than 1.5 m in a <i>building drain</i> or a <i>branch</i> receiving <i>sewage</i> from the <i>stack</i>. (See Note A-2.4.2.1.(6).)”</p> <p>7) Every <i>trap arm</i> of a bathtub, shower, bidet, floor drain or service sink installed on the floor shall have a <i>nominally horizontal</i> part not less than 450 mm in <i>developed length</i>. The <i>developed length</i> of the <i>trap arm</i> of a floor drain shall be increased to 1.5 m if it is connected less than 3 m downstream from the bottom of a <i>stack</i> or a <i>leader</i>. (See Note A-2.4.2.1.(7).)”.</p>

Provisions	Amendments
2.4.2.3.	<p>Replace Sentences (1) to (3) by the following:</p> <p>“1) Two or more <i>fixture outlet pipes</i> that serve outlets from a single <i>fixture</i> that is listed in Clause 2.4.2.1.(1)(e) are permitted to be <i>directly connected</i> to a <i>branch</i> that</p> <ul style="list-style-type: none"> a) has a <i>nominal pipe size</i> of not less than <i>NPS 1¼</i>, b) is terminated above the <i>flood level rim</i> of a <i>directly connected fixture</i> to form an <i>air break</i>, and c) is located in the same room or <i>suite</i>. <p>2) <i>Fixture drains</i> from <i>fixtures</i> that are listed in Subclauses 2.4.2.1.(1)(e)(i) and (e)(ii) are permitted to be <i>directly connected</i> to a pipe that</p> <ul style="list-style-type: none"> a) is terminated to form an <i>air break</i> above the <i>flood level rim</i> of a <i>fixture</i> that is <i>directly connected</i> to a <i>sanitary drainage system</i>, b) is extended through the roof when <i>fixtures</i> on 3 or more <i>storeys</i> are connected to it (see Note A-2.4.2.1.(1)(a)(i) and (e)), and c) is located in the same room or <i>suite</i>. <p>3) <i>Fixture drains</i> from <i>fixtures</i> that are listed in Subclauses 2.4.2.1.(1)(e)(iii) to (e)(viii) are permitted to be <i>directly connected</i> to a pipe that</p> <ul style="list-style-type: none"> a) is terminated to form an <i>air break</i> above the <i>flood level rim</i> of a <i>fixture</i> that is <i>directly connected</i> to a <i>storm drainage system</i>, b) is extended through the roof when <i>fixtures</i> on 3 or more <i>storeys</i> are connected to it, and c) is located in the same room or <i>suite</i>.”
	<p>Add the following Article:</p> <p>“2.4.2.4. Toilet Wall Supports</p> <p>1) Toilet wall supports shall be fixed to the structural elements of the <i>building</i> to prevent stress from being transmitted to the <i>plumbing system</i>.”.</p>

Provisions	Amendments
2.4.3.5.	<p>Replace the title by the following: “2.4.3.5. Macerating Toilets and Macerating Systems”.</p> <hr/> <p>Replace “macerating toilet system shall only be installed” in Sentence (1) by “macerating toilet or macerating system shall only be installed”.</p>
2.4.3.6.	<p>Replace “that connects the sump well to the <i>drainage system</i>” in Clause (1)(b) by “that connects the pit to the sump well”.</p>
	<p>Insert the following Article:</p> <p>“2.4.3.7. Retention Pit</p> <p>1) A retention pit shall be made in one piece, be leakproof and smooth inside. Its length shall not be less than 600 mm and its minimum width shall not be less than 450 mm, the length being taken in the direction of its <i>fixture drain</i>. A round retention pit shall be not less than 560 mm diam.</p> <p>2) The <i>fixture drain</i> of the retention pit shall be not less than <i>NPS 3</i> and be protected by a reversed sanitary T fitting with a <i>cleanout</i> at the end or by a 100 mm-deep running <i>trap</i> with <i>cleanout</i>. The <i>fixture drain</i> shall be <i>NPS 4</i> if the retention pit receives <i>storm water</i>. Despite the foregoing, for a single-family house, the <i>fixture drain</i> may be <i>NPS 3</i>.</p> <p>3) Except as provided in Sentence (6), a reversed sanitary T fitting shall be located inside the retention pit and the running <i>trap</i> may be located inside or outside the retention pit. In the last case, the <i>trap cleanout</i> shall be extended to the floor level. The retention pit shall have a running <i>trap</i> where it is connected to an oil <i>interceptor</i>.</p> <p>4) The lower end of the reversed sanitary T fitting shall be placed 150 mm or more from the bottom of the retention pit. In the case of a retention pit that receives water from a <i>subsoil drainage pipe</i>, the reversed sanitary T fitting shall be placed 75 mm or more from the bottom of the retention pit. For a running <i>trap</i>, the upper end of the <i>trap</i> shall be placed not less than 300 mm from the bottom of the retention pit.</p> <p>5) The retention pit shall be covered, at the floor or ground level, by a cover designed to withstand the intended loads.</p> <p>6) The <i>fixture drain</i> of a retention pit exposed to frost shall have a <i>trap</i> inside the <i>building</i>, unless it drains into another retention pit that is not exposed.</p>

Provisions	Amendments
	<p>7) The <i>fixture drain</i> of a retention pit shall be <i>directly connected</i> to the <i>drainage system</i> and drain into it by gravity or in the manner described in Article 2.4.6.3.</p> <p>8) The invert of a discharge pipe connected to a retention pit shall be higher than the invert of the <i>fixture drain</i>.</p> <p>9) Except as provided in Sentence (2), a retention pit shall have a <i>fixture drain</i> of <i>NPS 3</i> for a draining area not more than 370 m². For a <i>fixture drain</i> more than <i>NPS 3</i>, the drained area may be increased by 280 m² per additional <i>NPS</i>.</p> <p>10) The requirements of Clause 2.5.1.1.(3)(c) do not apply to a retention pit used as a floor drain.</p> <p>11) Retention pits to which a <i>subsoil drainage pipe</i> is connected shall have</p> <ol style="list-style-type: none"> a) an air-tight cover, and b) a <i>vent pipe</i> at least <i>NPS 1½</i> if the content of the retention pit is pumped.”
2.4.4.1.	<p>Insert the following Sentences:</p> <p>2) Every beauty parlour lavatory shall be equipped with a hair <i>interceptor</i>.</p> <p>3) Every <i>fixture</i> that can receive dental amalgam waste shall have an amalgam <i>interceptor</i>.”.</p>
2.4.5.3.	<p>Insert “or a retention pit” after “a trapped sump” in Sentence (1).</p>
2.4.5.5.	<p>Strike out “or” in Clause (1)(b);</p> <hr/> <p>Replace Clause (1)(c) by the following:</p> <p>“c) using a floor drain trap seal, or</p> <p>d) other equally effective means.”</p> <hr/> <p>Add the following Sentence:</p> <p>2) Water from the <i>trap</i> seal of a floor drain in a <i>dwelling unit</i> need not be maintained by a <i>trap</i> seal primer. (See Note A-2.4.5.5.(2).)”.</p>

Provisions	Amendments
2.4.6.3.	<p>Replace Sentence (3) by the following:</p> <p>“3) Every sump or receiving tank to which a <i>subsoil drainage pipe</i> is connected shall have</p> <p>a) an air tight cover, and</p> <p>b) a <i>vent pipe</i> at least <i>NPS 1½</i> if the sump or tank is pumped.”.</p>
2.4.6.4.	<p>Replace Sentences (1) to (5) by the following:</p> <p>“2.4.6.4. Protection from Backflow</p> <p>1) Except as provided in Sentences (2), (3), (6) and (7), where a <i>fixture</i>, a retention pit, a sump or running <i>trap</i> is located below the <i>flood level rim</i> of the adjoining street or <i>private sewage disposal system</i>, a gate valve or a <i>backwater valve</i> shall be installed on every drain connected to a <i>building drain</i> or a <i>branch</i>.</p> <p>2) Where more than one <i>fixture</i> is located on a <i>storey</i> and all are connected to the same <i>branch</i>, the gate valve or the <i>backwater valve</i> is permitted to be installed on the <i>branch</i>.</p> <p>3) A <i>subsoil drainage pipe</i> that drains into a <i>sanitary drainage system</i> that is subject to surcharge shall be connected in such a manner that <i>sewage</i> cannot back up into the <i>subsoil drainage pipe</i>. (See Note A-2.4.6.4.(3).)</p> <p>4) Except as permitted in Sentence (5), a <i>backwater valve</i> or a gate valve that would prevent the free circulation of air shall not be installed in a <i>building drain</i> or in a <i>building sewer</i>.</p> <p>5) A <i>backwater valve</i> is permitted to be installed in a <i>building drain</i>, provided that</p> <p>a) it is a “normally open” design, and</p> <p>b) it does not serve more than one <i>dwelling unit</i>.</p> <p>6) Where the <i>fixture</i> is a floor drain, a removable screw cap is permitted to be installed on the upstream side of the <i>trap</i>.</p> <p>7) The installation of a gate valve or a <i>backwater valve</i> covered by Sentence (1) is not required if the <i>building drain</i> is protected from <i>backflows</i> in accordance with Sentence (5).”.</p>
2.4.7.1.	<p>Add the following Sentence:</p> <p>“12) In a separate system, a <i>storm building drain</i> shall be located to the left of the <i>sanitary building drain</i>, towards the street, from the <i>building</i>.”</p>

Provisions	Amendments
2.4.10.3.	Replace “an air-conditioning <i>fixture</i> ” in Sentence (1) by “an air-conditioning equipment”.
2.4.10.4.	Replace Sentence (4) by the following: “4) Where the height of the parapet is more than 150 mm or exceeds the height of the adjacent wall flashing, emergency roof overflows or scuppers described in Clause (2)(c) shall be provided.”.
2.5.2.1.	<p>Replace “2.5.8.1.” in Clauses (1)(a) and (1)(f) by “2.5.8.1.-A or 2.5.8.1.-B”;</p> <p>Replace Clauses (1)(d) and (1)(e) by the following: “d) the <i>trap arms</i> of the water closets connected to a vertical pipe are installed downstream of all other <i>fixtures</i>, e) <i>trap arms</i> and <i>fixture drains</i> do not exceed <i>NPS 2</i> when connected to a <i>wet vent</i> that extends above more than 1 <i>storey</i>, except for connections from <i>emergency floor drains</i> in accordance with Sentence 2.5.1.1.(3),”;</p> <p>Replace Clauses (1)(j) and (1)(k) by the following: “j) the <i>nominal pipe size</i> of the wet-vented portion is not reduced, except for the portion that is upstream of <i>emergency floor drains</i> in accordance with Sentence 2.5.1.1.(3), k) the length of the <i>wet vent</i> is not limited, l) the portion of the <i>stack</i> having a <i>wet vent</i> that extends through more than one <i>storey</i> is the same <i>NPS</i> from its bottom to the uppermost connection of a <i>fixture</i>, m) it is extended as a <i>stack vent</i> or as a <i>continuous vent</i>, and n) <i>trap arms</i> are connected separately and directly to the <i>wet vent</i>.”.</p>
2.5.6.2.	Add the following Sentence: “4) The plumbing <i>venting system</i> shall not be used in other systems.”.
2.5.6.5.	Add “, except pipes 4 in and bigger that may be of the same <i>NPS</i> ,” at the end of Clause (6)(a).”.

Provisions	Amendments																																			
2.5.7.3.	Replace “2.5.8.1.” in Sentence (2) by “2.5.8.1.-A or 2.5.8.1.-B”.																																			
2.5.8.1.	<p>Replace the Article by the following:</p> <p>“2.5.8.1. Hydraulic Loads</p> <p>1) The hydraulic load that drains to a <i>wet vent</i> shall conform to Table 2.5.8.1.-A or 2.5.8.1.-B.</p> <p>2) When determining the <i>nominal pipe size</i> of a <i>wet vent</i>, the hydraulic load from the most downstream <i>fixture</i> or symmetrically connected <i>fixtures</i> shall not be included. (See Note A-2.5.8.1.(2).)</p> <p style="text-align: center;">Table 2.5.8.1.-A Maximum Permitted Hydraulic Loads Drained to a Wet Vent Serving Fixtures on the Same Storey Forming Part of Sentences 2.5.7.3.(2) and 2.5.8.1.(1)</p> <table border="1" data-bbox="422 766 1240 964"> <thead> <tr> <th data-bbox="422 766 831 806"><i>Nominal Pipe Size of Wet Vent, NPS</i></th> <th data-bbox="831 766 1240 806"><i>Maximum Hydraulic Load, fixture units</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="422 806 831 838">1¼</td> <td data-bbox="831 806 1240 838">1</td> </tr> <tr> <td data-bbox="422 838 831 870">1½</td> <td data-bbox="831 838 1240 870">2</td> </tr> <tr> <td data-bbox="422 870 831 903">2</td> <td data-bbox="831 870 1240 903">5</td> </tr> <tr> <td data-bbox="422 903 831 935">3</td> <td data-bbox="831 903 1240 935">18</td> </tr> <tr> <td data-bbox="422 935 831 964">4</td> <td data-bbox="831 935 1240 964">120</td> </tr> </tbody> </table> <p style="text-align: center;">Table 2.5.8.1.-B Maximum Permitted Hydraulic Loads Drained to a Wet Vent Forming Part of Sentences 2.5.7.3.(2) and 2.5.8.1.(1)</p> <table border="1" data-bbox="422 1082 1240 1390"> <thead> <tr> <th data-bbox="422 1082 694 1202" rowspan="2"><i>Nominal Pipe Size of Wet Vent, NPS</i></th> <th colspan="2" data-bbox="694 1082 1240 1121"><i>Maximum Hydraulic Load, fixture units</i></th> </tr> <tr> <th data-bbox="694 1121 966 1202"><i>Not Serving Water Closets</i></th> <th data-bbox="966 1121 1240 1202"><i>Fixtures, Other Than Water Closets, That Serve Not More Than 2 Water Closets</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="422 1202 694 1234">1½</td> <td data-bbox="694 1202 966 1234">2</td> <td data-bbox="966 1202 1240 1234">n/a</td> </tr> <tr> <td data-bbox="422 1234 694 1266">2</td> <td data-bbox="694 1234 966 1266">4</td> <td data-bbox="966 1234 1240 1266">3</td> </tr> <tr> <td data-bbox="422 1266 694 1299">3</td> <td data-bbox="694 1266 966 1299">12</td> <td data-bbox="966 1266 1240 1299">8</td> </tr> <tr> <td data-bbox="422 1299 694 1331">4</td> <td data-bbox="694 1299 966 1331">36</td> <td data-bbox="966 1299 1240 1331">14</td> </tr> <tr> <td data-bbox="422 1331 694 1363">5</td> <td data-bbox="694 1331 966 1363">n/a</td> <td data-bbox="966 1331 1240 1363">18</td> </tr> <tr> <td data-bbox="422 1363 694 1390">6</td> <td data-bbox="694 1363 966 1390">n/a</td> <td data-bbox="966 1363 1240 1390">23</td> </tr> </tbody> </table>	<i>Nominal Pipe Size of Wet Vent, NPS</i>	<i>Maximum Hydraulic Load, fixture units</i>	1¼	1	1½	2	2	5	3	18	4	120	<i>Nominal Pipe Size of Wet Vent, NPS</i>	<i>Maximum Hydraulic Load, fixture units</i>		<i>Not Serving Water Closets</i>	<i>Fixtures, Other Than Water Closets, That Serve Not More Than 2 Water Closets</i>	1½	2	n/a	2	4	3	3	12	8	4	36	14	5	n/a	18	6	n/a	23
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5	n/a	18																																		
6	n/a	23																																		

Provisions	Amendments										
2.5.8.4.	<p>Add the following Sentence:</p> <p>“5) At least one <i>stack</i> or vertical <i>sanitary drainage pipe</i> shall extend into a <i>stack vent</i> or into a <i>vent pipe</i> that is terminated in open air. That <i>stack</i> or vertical <i>sanitary drainage pipe</i> shall be not less than <i>NPS 3</i> up to the outlet on the roof.”.</p>										
2.5.9.2.	<p>Replace Clauses (1)(c) and (1)(d) by the following:</p> <p>“c) <i>fixtures</i> in one- and two-family dwellings during renovation work only, or</p> <p>d) <i>fixtures</i> in an existing <i>building</i> where connection to a vent may not be practical.”.</p>										
2.6.1.1.	<p>Add the following Sentences:</p> <p>“3) In a hot <i>water distribution system</i> with a recirculation loop, the temperature of the water being recirculated shall not be less than 55°C at any point of the system.</p> <p>4) The recirculation loop covered by Sentence (3) may be replaced by a self-regulating heat tracing system.”.</p>										
2.6.1.6.	<p>Replace Table 2.6.1.6. by the following:</p> <p>“</p> <table border="1" data-bbox="423 1059 1243 1279"> <thead> <tr> <th data-bbox="423 1059 831 1094"><i>Fixtures</i></th> <th data-bbox="831 1059 1243 1094">Maximum Water Usage per Flush Cycle, Lpf</th> </tr> </thead> <tbody> <tr> <td data-bbox="423 1094 831 1157">Water closets – <i>dwelling units</i> single-flush</td> <td data-bbox="831 1094 1243 1157">4.8</td> </tr> <tr> <td data-bbox="423 1157 831 1193">dual-flush</td> <td data-bbox="831 1157 1243 1193">6.0/4.1</td> </tr> <tr> <td data-bbox="423 1193 831 1247">Water closets – industrial, commercial, institutional, residential other than <i>dwelling units</i></td> <td data-bbox="831 1193 1243 1247">4.8</td> </tr> <tr> <td data-bbox="423 1247 831 1279">Urinals</td> <td data-bbox="831 1247 1243 1279">1.9</td> </tr> </tbody> </table> <p>”.</p>	<i>Fixtures</i>	Maximum Water Usage per Flush Cycle, Lpf	Water closets – <i>dwelling units</i> single-flush	4.8	dual-flush	6.0/4.1	Water closets – industrial, commercial, institutional, residential other than <i>dwelling units</i>	4.8	Urinals	1.9
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Provisions	Amendments
	<p>Replace Sentence (4) by the following:</p> <p>“4) In industrial, commercial and institutional <i>buildings</i>, and residential occupancies other than <i>dwelling units</i>, a maximum water usage of 6.0 Lpf shall be permitted for single-flush water closets where it can be demonstrated that a maximum water usage of 4.8 Lpf could lead to blockage given the configuration of the <i>drainage system</i> or municipal infrastructure.”.</p>
2.6.1.7.	<p>Replace Clauses (1)(a) and (1)(b) by the following:</p> <p>a) designed to open when the water pressure in the tank reaches the rated working pressure of the tank,</p> <p>b) so located that the pressure in the tank shall not exceed the pressure at the relief valve by more than 35 kPa under any condition of flow within the distribution system,</p> <p>c) that has a drainage pipe complying with the requirements of Sentence (5).”;</p> <hr/> <p>Replace “The drain pan” in the text preceding Clause (10)(a) by “Except as permitted in Sentence (11), the drain pan”;</p> <hr/> <p>Insert “without being less than <i>NPS 1¼</i>,” in Clause (10)(b) after “discharge pipe”;</p> <hr/> <p>Add the following Sentence:</p> <p>“11) The drain pan is not required to have a <i>fixture drain</i> where the relief valve discharge pipe conforms to Sentence (5).”.</p>
2.6.1.9.	<p>Replace Sentence (1) by the following:</p> <p>“1) <i>Water distribution systems</i> shall be protected from the adverse effects of water hammer by prefabricated water-hammer arrester. (See Note A-2.6.1.9.(1).)”.</p>
2.6.1.12.	<p>Replace Sentence (1) by the following:</p> <p>“1) The temperature control device for <i>service water heaters</i> shall be set so that the temperature of stored water is not less than 60°C. (See Note A-2.6.1.12.(1).)”.</p>

Provisions	Amendments
	<p>2) Drain water heat recovery units shall only be used to supply <i>service water heaters</i>.”.</p>
2.6.2.1.	<p>Add “(See Note A-2.6.2.1.(3).)” at the end of Sentence (3).</p> <hr/> <p>Add the following Sentence:</p> <p>“4) In the case of <i>backflow preventers</i> that, according to CSA B64.10, “Selection and Installation of Backflow Prevention Devices,” require testing after installation, the person testing the <i>backflow preventers</i> shall hold a certificate issued in accordance with CSA B64.10.1, “Maintenance and field testing of backflow preventers,” by an organization or association certified by AWWA.”.</p>
2.6.2.2.	<p>Replace Clauses (2)(j) and (2)(k) by the following:</p> <p>“j) a laboratory faucet type <i>vacuum breaker</i>,</p> <p>k) a dual <i>check valve backflow preventer</i> with vent, or</p> <p>l) an air space type <i>vacuum breaker</i>.”.</p>
2.6.2.4.	<p>Replace Sentence (4) by the following:</p> <p>“4) Where a reduced pressure principle <i>backflow preventer</i> is required on a <i>water service pipe</i> at a fire service connection located on the same premises as the <i>fire service pipe</i> in <i>Class 3, 4, 5 and 6 fire sprinkler/standpipe systems</i>, a reduced pressure principle <i>backflow preventer</i> conforming to the following standards shall also be required on the fire service connection:</p> <p>a) CSA B64.4, “Reduced pressure principle (RP) backflow preventers,” or</p> <p>b) CSA B64.4.1, “Reduced pressure principle backflow preventers for fire protection systems (RPF).””.</p>
	<p>Add the following Article:</p> <p>“2.6.2.13. Personal Hygiene Devices</p> <p>1) Water closet personal hygiene devices connected to a <i>potable water system</i> shall have a <i>backflow preventer</i> conforming to CSA B64.10, “Selection and installation of backflow preventers.””.</p>

Provisions	Amendments																																											
2.6.3.2.	<p>Replace “in Table 2.6.3.2.-A” in Sentence (2) by “in Table 2.6.3.2.-A, 2.6.3.2.-B or 2.6.3.2.-C”;</p> <hr/> <p>Replace</p> <p>“</p> <table border="1" data-bbox="419 476 1240 584"> <tr> <td>Bathtub with NPS ¾ spout</td> <td>¾</td> <td>7.5</td> <td>7.5</td> <td>10</td> <td>7.5</td> <td>7.5</td> <td>10</td> </tr> </table> <p>”</p> <p>in Table 2.6.3.2.-A by the following line:</p> <p>“</p> <table border="1" data-bbox="419 700 1240 808"> <tr> <td>Bathtub with NPS ¾ spout</td> <td>¾</td> <td>2.25</td> <td>2.25</td> <td>3</td> <td>4.5</td> <td>4.5</td> <td>6</td> </tr> </table> <p>”;</p> <hr/> <p>Replace Tables 2.6.3.2.-B and 2.6.3.2.-C by the following:</p> <p>“</p> <p style="text-align: center;">Table 2.6.3.2.-B Sizing of Water Distribution Systems for Urinals with Direct Flush Valves Forming Part of Sentences 2.6.3.2.(4) and 2.6.3.4.(5)</p> <table border="1" data-bbox="419 1059 1240 1304"> <thead> <tr> <th rowspan="2">Minimum Nominal Pipe Size of Supply Pipe, NPS</th> <th colspan="3">Private Use Hydraulic Load, fixture units</th> <th colspan="3">Public Use Hydraulic Load, fixture units</th> </tr> <tr> <th>Cold</th> <th>Hot</th> <th>Total</th> <th>Cold</th> <th>Hot</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>¾</td> <td>n/a</td> <td>n/a</td> <td>n/a</td> <td>5</td> <td>n/a</td> <td>5</td> </tr> <tr> <td>½</td> <td>2</td> <td>n/a</td> <td>2</td> <td>4</td> <td>n/a</td> <td>4</td> </tr> </tbody> </table> <p>”</p>	Bathtub with NPS ¾ spout	¾	7.5	7.5	10	7.5	7.5	10	Bathtub with NPS ¾ spout	¾	2.25	2.25	3	4.5	4.5	6	Minimum Nominal Pipe Size of Supply Pipe, NPS	Private Use Hydraulic Load, fixture units			Public Use Hydraulic Load, fixture units			Cold	Hot	Total	Cold	Hot	Total	¾	n/a	n/a	n/a	5	n/a	5	½	2	n/a	2	4	n/a	4
Bathtub with NPS ¾ spout	¾	7.5	7.5	10	7.5	7.5	10																																					
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Provisions	Amendments																				
	<p style="text-align: center;">Table 2.6.3.2-C Sizing of Water Distribution Systems for Water Closets with Direct Flush Valves Forming Part of Sentences 2.6.3.2.(4) and 2.6.3.4.(5)</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th rowspan="2" style="text-align: center;">Minimum Nominal Pipe Size of Supply Pipe, NPS</th> <th colspan="3" style="text-align: center;">Private Use Hydraulic Load, fixture units</th> <th colspan="3" style="text-align: center;">Public Use Hydraulic Load, fixture units</th> </tr> <tr> <th style="text-align: center;">Cold</th> <th style="text-align: center;">Hot</th> <th style="text-align: center;">Total</th> <th style="text-align: center;">Cold</th> <th style="text-align: center;">Hot</th> <th style="text-align: center;">Total</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">6</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">6</td> <td style="text-align: center;">10</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">10</td> </tr> </tbody> </table>	Minimum Nominal Pipe Size of Supply Pipe, NPS	Private Use Hydraulic Load, fixture units			Public Use Hydraulic Load, fixture units			Cold	Hot	Total	Cold	Hot	Total	1	6	n/a	6	10	n/a	10
Minimum Nominal Pipe Size of Supply Pipe, NPS	Private Use Hydraulic Load, fixture units			Public Use Hydraulic Load, fixture units																	
	Cold	Hot	Total	Cold	Hot	Total															
1	6	n/a	6	10	n/a	10															
2.6.3.4.	Add “, 2.6.3.2.-B, 2.6.3.2.-C or 2.6.3.2.-D” in Sentence (2) after “2.6.3.2.-A”.																				
2.6.3.5.	Add “without ever exceeding 3 m/s” in Sentence (1) after “manufacturer”.																				
2.7.1.1.	<p>Replace Sentences (1) and (2) by the following:</p> <p>“1) Non-potable water systems shall be designed, fabricated and installed in accordance with this Subsection and with good engineering practices such as those described in the ASHRAE Handbooks, the ASPE Handbooks and CAN/CSA-B128.1, “Design and Installation of Non-Potable Water Systems.” (See Note A-2.7.1.1.(1).)</p> <p>2) Except as provided in Sentence (3), non-potable water systems shall only be used to supply water closets, urinals, <i>trap</i> seal primers, <i>directly connected</i> underground irrigation systems that only dispense water below the surface of the ground, closed hydronic systems (heating and air-conditioning), and lavatories in tourist establishments covered by Chapter V.1 of the Regulation respecting the quality of drinking water (chapter Q-2, r. 40).”.</p> <p>Replace Sentence (3) by the following:</p> <p>“3) Non-potable water systems shall not be used to supply <i>fixtures</i> in <i>buildings</i> used for one of the occupancies provided for in Article 3.1.2.1. of Division B of the NBC and classified as one of the following <i>buildings</i> or occupancies:</p> <ul style="list-style-type: none"> a) hospitals, b) long-term care centres, c) private seniors’ residences, 																				

Provisions	Amendments
	<p>d) healthcare occupancies, e) social service occupancies, f) blood transfusion facilities, g) medical and human specimen laboratories, h) dental offices, i) educational buildings including preschool, j) childcare facilities, k) childcare centres, and l) daycare centres.”;</p> <p>Insert “also” in Sentence (4) after “non-<i>potable water system</i> is”.</p>
2.7.2.1.	Insert “tank” in Sentence (2) after “barrel”.
2.7.2.2.	<p>Replace Clauses (1)(e) to (1)(h) by the following: “e) underground irrigation systems, or f) closed hydronic systems.”.</p>
2.7.2.3.	Add “and cause a health hazard” in Sentence (2) after “use”.
2.7.2.4.	<p>Replace “good engineering practice. » in Sentence (1) by “and CSA B805/ICC 805, “Rainwater harvesting systems.”;</p> <p>Replace Sentence (4) by the following: “4 Except as provided in Sentence (3), non-<i>potable</i> rainwater harvesting systems shall be provided with a means to treat the harvested rainwater in such a manner that the quality of the non-<i>potable</i> water conforms to the water treatment and quality requirements stated in CSA B805/ICC 805, “Rainwater harvesting systems.” (See Note A-2.7.2.2.(1) and 2.7.2.4.(3) and (4).)”; Replace “lieu d’élimination” in Clause (7)(d) in the French text by “point de rejet”;</p>

Provisions	Amendments
	<p>Replace Sentence (8) by the following:</p> <p>“8) Where the storage tank outlet is located below the level of the adjoining street, the storage tank overflow required by Sentence (7) shall terminate with an indirect connection above a floor drain, sump, or other safe location with an <i>air break</i>.”.</p>
2.8.1.1.	<p>Replace the title of the appropriate Article in Table 2.8.1.1.. by the following:</p> <p>“2.4.3.5. Macerating Toilets and Macerating Systems”;</p> <hr/> <p>Replace respectively, in numerical order, the titles, objectives and functional statements in Table 2.8.1.1. by the following:</p> <p>“2.1.4.1. Structural Movement</p> <p>(1) [F23,F43-OS3.4] [F23-OH1.1] [F23-OH2.1,OH2.4] [F23-OH5] [F43-OH2.1,OH2.4] [F43-OH5] [F23,F43-OP5]”;</p> <p>“2.2.10.13. Service Water Heaters</p> <p>(1) [F31,F81-OS3.2] [F43-OS3.4] [F46-OH2.2] [F80,F81-OP5]”;</p> <p>“2.2.10.17. Drinking Water Treatment Systems</p> <p>(1) [F70,F81,F46-OH2.1,OH2.2,OH2.3] (2) [F70,F81,F46-OH2.1,OH2.2,OH2.3] (3) [F70,F81,F46-OH2.1,OH2.2,OH2.3] (4) [F70,F81,F46-OH2.1,OH2.2,OH2.3] (5) [F70,F81,F46-OH2.1,OH2.2,OH2.3]”;</p> <hr/> <p>Replace the attributions for the Article concerned below by the following in Table 2.8.1.1.:</p> <p>“2.2.3.2. Interceptors</p>

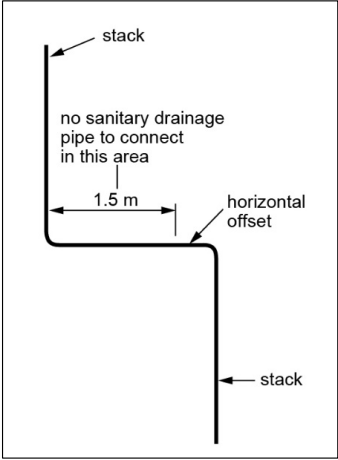
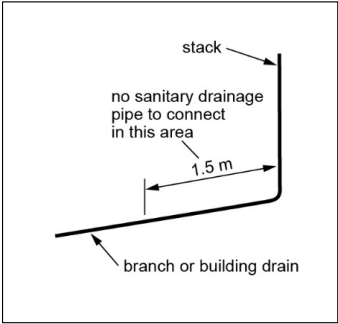
Provisions	Amendments
	<p>(1) [F81-OH2.1,OH2.3,OH2.4]</p> <p>(2) [F81-OH2.1,OH2.3,OH2.4] [F46-OH2.2]</p> <p>(3) [F81-OH2.1,OH2.3,OH2.4]</p> <p>(4) [F81-OH2.1]</p> <p>(5) [F80-OH2.1,OH2.3,OH2.4] [F43-OH5]</p> <p>(6) [F80-OH2.1,OH2.3,OH2.4]”;</p> <p>“2.2.10.7. Water Temperature Control</p> <p>(1) [F30,F31,F80-OS3.1,OS3.2]</p> <p>(2) [F31,F80-OS3.2]</p> <p>(3) [F30,F31,F80-OS3.1,OS3.2]</p> <p>(4) [F30,F31,F80-OS3.1,OS3.2]</p> <p>(5) [F31,F80-OS3.2]</p> <p>(6) [F31-OS3.2]”;</p> <p>“2.4.5.2. Traps for Storm Drainage Systems</p> <p>(3) [F81-OP5]”;</p> <p>“2.4.5.3. Connection of Subsoil Drainage Pipe to a Sanitary Drainage System</p> <p>(1) [F81-OH2.1]”;</p> <p>“2.4.5.4. Location and Cleanout for Building Traps</p> <p>(1) [F81-OH1.1] [F81-OH2.1]”;</p> <p>“2.4.6.3. Sumps or Tanks</p> <p>(2) [F81-OH2.1] Applies to the watertightness of sumps or tanks.</p> <p>(3) [F81-OH2.1]</p> <p>(8) [F43-OH1.1] [F81-OH2.1]”;</p> <p>“2.4.10.4. Hydraulic Loads from Roofs or Paved Surfaces</p> <p>(4) [F20,F81-OP5] [F20,F81-OS2.1]”;</p> <p>“2.6.3.3. Static Pressure</p> <p>(1) [F81-OS3.2]”;</p>

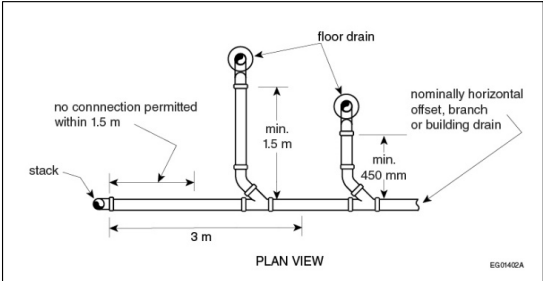
Provisions	Amendments
	<p>Insert respectively, in numerical order, the following objectives and functional statements in Table 2.8.1.1.:</p> <p>“2.2.6.1. Cast-Iron Drainage and Vent Pipe and Fittings (3) [F20-OH2.1,OH2.3]”;</p> <p>“2.4.2.1. Connections to Sanitary Drainage Systems (6) [F81-OH1.1] (7) [F81-OH1.1]”;</p> <p>“2.4.4.1. Sewage Treatment (2) [F81-OH2.1] (3) [F81-OH2.1]”;</p> <p>“2.4.5.5. Trap Seals (2) [F81-OH1.1]”;</p> <p>“2.4.6.4. Protection from Backflow (7) [F81-OH2.1]”;</p> <p>“2.4.7.1. Cleanouts for Drainage Systems (12) [F62-OH1.1] [F72-OH2.3]”;</p> <p>“2.5.6.2. Vent Pipe Connections (4) [F43-OS3.4,OH1.1]”;</p> <p>“2.6.1.1. Design (3) [F40-OH1.1] (4) [F40-OH1.1]”;</p> <p>“2.6.1.12. Service Water Heaters (2) [F30,F31-OS3.1,OS3.2] [F46-OH1.1]”;</p>
	<p>Insert, in numerical order, the following Articles, objectives and functional statements in Table 2.8.1.1.:</p> <p>“2.2.7.9. Quick Connection Push-Fit Fittings (1) [F46-OH2.2] [F80-OP5]”;</p>

Provisions	Amendments
	<p>“2.2.7.10. Mechanical Press Fittings</p> <p>(1) [F46-OH2.2] [F80-OP5]”;</p> <p>“2.2.10.19. Backwater Valves</p> <p>(1) [F80-OH2.1]”;</p> <p>“2.2.10.20. Floor Drains and Shower Drains</p> <p>(1) [F80-OH2.1,OH2.4]”;</p> <p>“2.2.10.21. Roof Drains</p> <p>(1) [F80-OP5] [F80-OS2.1]”;</p> <p>“2.2.10.22. Trap Seal Primer Devices</p> <p>(1) [F80-OH1.1]”;</p> <p>“2.2.10.23. Pipe Supports and Hangers</p> <p>(1) [F20-OH2.1] [F20-OS3.1] [F80-OP5]”;</p> <p>“2.2.10.24. Floor Drain Trap Seals</p> <p>(1) [F80,F82-OH1.1]”;</p> <p>“2.2.10.25. Expansion Tanks</p> <p>(1) [F80,F82-OH1.1]”;</p> <p>“2.2.10.26. Heat Recovery Units</p> <p>(1) [F80,F82-OH1.1]”;</p> <p>“2.3.6.8. Smoke Tests</p> <p>(1) [F81-OH1.1] [F81-OH2.1,OH2.3]”;</p> <p>“2.4.2.4. Toilet Wall Supports</p> <p>(1) [F20,F81-OH2.1,OH2.3]”;</p> <p>“2.4.3.7. Retention Pits</p> <p>(1) [F60,F61-OH1.1] (2) [F81-OH1.1] [F81-OH2.1] (3) [F81-OH1.1]</p>

Provisions	Amendments
	<p>(4) [F81-OH1.1] (5) [F40-OH1.1] [F30-OS3.1] (6) [F81-OH2.1,OH2.3] [F81-OP5] (7) [F81-OH2.1,OH2.2] [F72-OH2.1] (8) [F81-OH2.1] (9) [F72-OH2.1] [F81-OS2.1] [F81-OP5] (10) [F81-OH1.1] (11) [F43-OH1.1] [F81-OH2.1]”;</p> <p>Strike out the following objective and functional statement in Table 2.8.1.1.: “2.4.7.2. Size and Spacing of Cleanouts (5) [F81-OH2.1]”.</p>
Notes to Part 2	
A-2.2.5.15.(1)	Replace “Tube” by “Tubes and Fittings” in the title of the Note.
A-2.2.10.5.(1)	Replace “ou” in the title of the Note in the French text by “et” .
A-2.2.10.7.	<p>Replace the Note by the following:</p> <p>“A-2.2.10.7. Water Temperature Control. Hot water produced by a service water heater shall be at a minimum temperature of 60°C to prevent the development of potentially fatal bacteria. At that temperature, water causes second degree burns to the skin in 1 to 5 seconds. Consequently, Article 2.2.10.7. provides for the installation and adjustment of valves, mixing valves and limiting devices to provide a water outlet temperature that is lower than the temperature produced by a service water heater. Compliance with that Article reduces the risk of scalding in showers and</p>

Provisions	Amendments
	<p>bathtubs, where severe burns occur, and reduces the risk of thermal shock that may occur in the shower and lead to falls.</p> <p>Children, the elderly and handicapped persons are particularly at risk of scald burns because they are not always able to remove themselves quickly from a situation that could lead to burns. At 49°C, the time for a scald burn to occur on a healthy adult is nearly 10 minutes, whereas the time for a skin burn to occur on an elderly is 3 minutes, because the elderly's skin is thinner and less vascularized. For those persons, a temperature of 43°C provides a more adapted protection against burns because they can only occur after a number of hours of exposure.</p> <p>In private seniors' residences and care occupancies, Article 2.2.10.7. provides that the valves and thermostatic-mixing valves shall be adjusted to provide a maximum water outlet temperature at 43°C. The installation of pressure-balanced valves is also prohibited, because those valves are sensitive to seasonal changes of the cold water temperature and require some settings per year in order not to exceed the prescribed temperature.</p> <p>The water outlet temperature at other fixtures, such as lavatories, sinks, laundry trays or bidets, is not addressed by Article 2.2.10.7., but a scald risk may exist at such fixtures nonetheless.”.</p>
A- 2.4.2.1.(1)(a)(ii) and (e)(vi)	Replace “(1)(a)(ii) and (e)(vi)” wherever it appears in the Note by “(1)(a)(i) and (e)”.

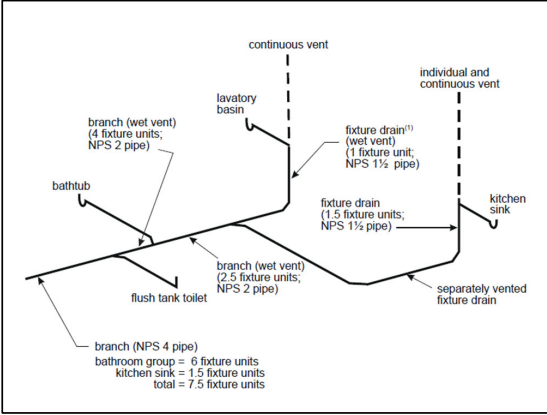
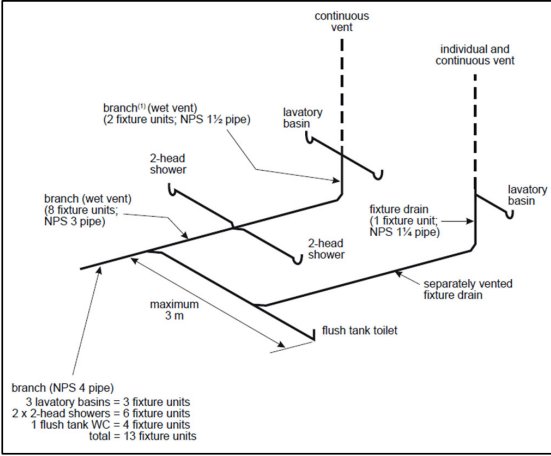
Provisions	Amendments
<p>A-2.4.2.1.(2)</p>	<p>Replace Figure A-2.4.2.1.(2) by the following:</p> <p>“</p>  <p>”</p>
	<p>Add the following Notes:</p> <p>“A-2.4.2.1.(6) Sanitary drainage pipe connections at the bottom of a stack.</p>  <p>Figure A-2.4.2.1.(6) Sanitary drainage pipe connections at the bottom of a stack</p>

Provisions	Amendments
	<p>A-2.4.2.1.(7) Sanitary drainage pipe connections.</p>  <p>Figure A-2.4.2.1.(7) Sanitary drainage pipe connections</p>
<p>A-2.4.4.3.(1)</p>	<p>Replace “Grease Interceptors.” in the Note by “Grease Interceptors,” or CSA B481 SERIES, “Grease interceptors.”.</p>
<p>A-2.4.5.1.(5)</p>	<p>Replace “A-2.4.2.1.(1)(a)(ii) and (e)(vi)” in the Note by “A-2.4.2.1.(1)(a)(i) and (e)”.</p>
<p>A-2.4.5.3.(1)</p>	<p>Replace the Note by the following:</p> <p>“A-2.4.5.3.(1) Connection of Subsoil Drainage Pipe to a Drainage System. This Code does not regulate the installation of subsoil drainage pipes, but does regulate the connection of such pipes to the plumbing system. The intent of this Article is to place a trap between the subsoil drainage pipe and the storm water or combined system. The cleanout must be installed in accordance with Sentence 2.4.7.1.(2).</p>

Provisions	Amendments
	<p>Figure A-2.4.5.3.(1) Connection of subsoil drainage pipe to a drainage system”.</p>
	<p>Add the following Note:</p> <p>“A-2.4.5.5.(2) Maintaining Trap Seals in Floor Drains in Dwelling Units. Periodic manual replenishment of the water in a trap maintains the trap seal in floor drains in dwelling units.”.</p>

Provisions	Amendments								
<p>A-2.4.8.2.(1)</p>	<p>Replace the Note by the following:</p> <p>“A-2.4.8.2.(1) Island Fixture Installation.</p> <table border="1" data-bbox="812 820 1041 910"> <thead> <tr> <th>Fixture trap size, NPS</th> <th>Length of A, m</th> </tr> </thead> <tbody> <tr> <td>1 1/2</td> <td>1,8</td> </tr> <tr> <td>2</td> <td>2,4</td> </tr> <tr> <td>3</td> <td>3,6</td> </tr> </tbody> </table> <p>* One NPS larger than that of fixture trap (minimum)</p>	Fixture trap size, NPS	Length of A, m	1 1/2	1,8	2	2,4	3	3,6
Fixture trap size, NPS	Length of A, m								
1 1/2	1,8								
2	2,4								
3	3,6								

Figure A-2.4.8.2.(1)
Island fixture installation

Provisions	Amendments
<p>A-2.5.2.1.</p>	<p>Replace Figure A-2.5.2.1.-E by the following:</p> <p>“</p>  <p>continuous vent</p> <p>lavatory basin</p> <p>branch (wet vent) (4 fixture units; NPS 2 pipe)</p> <p>bath tub</p> <p>flush tank toilet</p> <p>branch (wet vent) (2.5 fixture units; NPS 2 pipe)</p> <p>separately vented fixture drain</p> <p>fixture drain⁽¹⁾ (wet vent) (1 fixture unit; NPS 1½ pipe)</p> <p>fixture drain (1.5 fixture units; NPS 1½ pipe)</p> <p>individual and continuous vent</p> <p>kitchen sink</p> <p>branch (NPS 4 pipe) bathroom group = 6 fixture units kitchen sink = 1.5 fixture units total = 7.5 fixture units</p> <p>”</p>
	<p>Replace Figure A-2.5.2.1.-F by the following:</p> <p>“</p>  <p>continuous vent</p> <p>individual and continuous vent</p> <p>branch⁽¹⁾ (wet vent) (2 fixture units; NPS 1½ pipe)</p> <p>lavatory basin</p> <p>2-head shower</p> <p>branch (wet vent) (8 fixture units; NPS 3 pipe)</p> <p>2-head shower</p> <p>flush tank toilet</p> <p>separately vented fixture drain</p> <p>fixture drain (1 fixture unit; NPS 1¼ pipe)</p> <p>lavatory basin</p> <p>maximum 3 m</p> <p>branch (NPS 4 pipe) 3 lavatory basins = 3 fixture units 2 x 2-head showers = 6 fixture units 1 flush tank WC = 4 fixture units total = 13 fixture units</p> <p>”</p>

Provisions	Amendments
A-2.6.1.12.(1)	<p>Replace the Note by the following:</p> <p>“A-2.6.1.12.(1) Service Water Heaters. Storing hot water at temperatures below 60°C in the hot water tank or in the delivery system may lead to the growth of legionella bacteria. Water heated at a temperature equal to or greater than 60°C reduces bacterial contamination of the hot water distribution system.”.</p>
	<p>Insert the following Note:</p> <p>“A-2.6.2.1.(3) Backflow preventers. CSA B64.10.1, “Maintenance and field testing of backflow preventers,” contains the methods of maintenance and field testing of backflow preventers.”.</p>
A-2.6.3.1.(2)	<p>Insert the following paragraph under “Small Building Method”:</p> <p>““Small building” means a building used for Group A, D, E, or F, Division 2 or 3, occupancy described in Subsection 3.1.2. of Division B of the NBC, not more than 3 storeys in building height (according to the definition of the NBC), and having a building area not more than 600 m².”.</p>
A-2.7.1.1.(1)	<p>Replace the title by the following:</p> <p>“A-2.7.1.1.(1) Design, Manufacture and Installation.”.</p> <hr/> <p>Replace “of good engineering practice in the” in the text by “relating to”;</p> <hr/> <p>Add the following at the end of the Note:</p> <p>“Article 2.7.1.1. applies to non-potable water systems, regardless of the origin of the water. The non-potable water must meet applicable water quality standards as determined by an authority having jurisdiction.”.</p>
A-2.7.2.4.(1)	<p>Replace the title of the Note by the following:</p> <p>“A-2.7.2.4.(1) Examples Relating to Design.”;</p> <hr/> <p>Replace “of good engineering practice in the” in the text by “relating to”;</p> <hr/> <p>Strike out “de l’art” in the French text.</p>

Provisions	Amendments
Division C	
Part 2	
2.2.1.	Strike out this Subsection.
2.2.2.	<p>Replace this Subsection by the following:</p> <p>“2.2.2. Plans and Specifications</p> <p>2.2.2.1. Requirements</p> <p>1) Except as provided in Sentence (2), a plumbing contractor or owner-builder may not begin construction work on a <i>plumbing system</i> to which Chapter III of the Construction Code applies unless there are plans and specifications for the work, prepared by a recognized person, if the total hydraulic load to be installed exceeds 180 <i>fixture units</i>.</p> <p>2) Sentence (1) does not apply to construction work on a <i>plumbing system</i> in a <i>building</i> to which Part 9 of Division B of the NBC applies.</p> <p>3) When required, the plans and specifications shall be available on the worksite.</p> <p>4) For the purposes of this Subsection, every engineer who is a member of the Ordre des ingénieurs du Québec is recognized <i>ex officio</i>.</p> <p>2.2.2.2. Content</p> <p>1) Plans shall be drawn to scale and show</p> <p>a) a plan view of the location and dimension of the drains and <i>cleanouts</i>, the location of <i>fixtures</i> and the <i>water distribution system</i>,</p> <p>b) an elevation view of the location of <i>fixtures</i> and <i>traps</i>, the dimension of drains, <i>leaders</i>, <i>stacks</i>, <i>stack vents</i> and <i>vent stacks</i> as well as the <i>water distribution system</i>, and</p> <p>c) the connection of the <i>subsoil drainage pipe</i> if it enters the <i>building</i>.</p>

Provisions	Amendments
	<p>2.2.3. Approval of Materials</p> <p>2.2.3.1. Approved Materials, Fixtures and Facilities used in a Plumbing System</p> <p>1) In a <i>plumbing system</i>, only materials, fixtures or facilities that are certified or approved by one of the following organizations may be used:</p> <ul style="list-style-type: none"> a) Canadian Gas Association (CGA), b) Bureau de normalisation du Québec (BNQ), c) CSA Group (CSA), d) IAPMO Group (UPC), e) ICC Evaluation Service (ICC-ES), f) Underwriters' Laboratories of Canada (ULC), g) LabTest Certification Inc. (LC), h) NSF International (NSF), i) Canadian General Standards Board (CGSB), j) Quality Auditing Institute (QAI), k) Intertek Testing Services NA Ltd. (ETL), l) Underwriters Laboratories Inc. (UL), m) Water Quality Association (WQA), or n) any other organization accredited by the Standards Council of Canada as a certifying organization in the field of plumbing which has notified the Régie du bâtiment du Québec of its accreditation. A list of these organizations is published on the Board's website. <p>2.2.3.2. Sale and Lease</p> <p>1) Materials, fixtures or facilities that may be used in a <i>plumbing system</i> shall be certified or approved by an organization listed in Sentence 2.2.3.1.(1) before being sold or leased.</p>

Provisions	Amendments
	<p>2.2.4. Declaration of Work</p> <p>2.2.4.1. Application</p> <p>1) A plumbing contractor or owner-builder shall declare to the Régie du bâtiment du Québec all construction work performed and to which Chapter III of the Construction Code applies if the work pertains to a new <i>plumbing system</i> or requires the replacement of a <i>service water heater</i> or pipes.</p> <p>2.2.4.2. Submission of the Declaration</p> <p>1) The declaration required under Article 2.2.4.1. shall be forwarded to the Régie du bâtiment du Québec not later than the twentieth day of the month following the date on which work starts.</p> <p>2.2.4.3. Form</p> <p>1) The declaration of work shall be made on the form provided by the Régie du bâtiment du Québec or on any other document prepared for that purpose.</p> <p>2.2.4.4. Content</p> <p>1) The declaration shall contain</p> <ol style="list-style-type: none"> a) the address of the site where the work is performed, b) the name, address and telephone number of the person for whom the work is performed, c) the name, address, telephone number and licence number of the plumbing contractor or owner-builder, where applicable, d) the estimated start and end dates of the construction work, e) the nature and type of the work, f) the <i>occupancy</i> of the <i>building</i> or facility intended for use by the public and the existing and planned number of <i>storeys</i>, and g) the number of <i>fixtures</i> and <i>service water heaters</i> to be installed.

Provisions	Amendments
	<p>2.2.5. Fees Payable</p> <p>2.2.5.1. Calculation</p> <p>1) The following fees shall be paid to the Régie du bâtiment du Québec by the plumbing contractor or owner-builder, when the plumbing contractor declares the construction work pertaining to <i>plumbing systems</i> for which a declaration is required under Article 2.2.4.1.:</p> <p>a) \$173.62 for a new single-family detached or semi-detached house or row house,</p> <p>b) \$105.10 per <i>dwelling unit</i> other than those covered by Clause (a) for the construction of a new <i>building</i> intended for housing or for the conversion of a <i>building</i> of another nature into a <i>building</i> intended for housing, regardless of the number of <i>fixtures</i> and <i>service water heaters</i>, or</p> <p>c) in the case of work other than work covered by Clauses (a) and (b),</p> <p>i) \$13.94 per <i>fixture</i> or <i>service water heater</i>, where the work is performed on more than one, or</p> <p>ii) \$23.91 where the work is performed on only one or no <i>fixture</i> or <i>service water heater</i>.</p> <p>2) A plumbing contractor or owner-builder shall pay the following inspection fees to the Régie du bâtiment du Québec for the inspection of a <i>plumbing system</i> following the issue of a remedial notice provided for in section 122 of the Building Act (chapter B-1.1):</p> <p>a) \$117.28 for the first hour or any fraction thereof, and</p> <p>b) half the hourly rate established in Clause (a) for each half-hour or fraction thereof added to the first hour.</p> <p>3) A plumbing owner-builder shall pay to the Régie du bâtiment du Québec the inspection fees fixed in Clauses (2)(a) and (b) for the inspection of a <i>plumbing system</i>.</p> <p>2.2.5.2. Sending</p> <p>1) The fees payable under Sentence 2.2.5.1.(1) shall be included with the declaration of work required under Article 2.2.4.1.</p> <p>2) The fees payable under Sentences 2.2.5.1.(2) and (3) shall be paid not later than 30 days after the billing date.”.</p>

Provisions	Amendments
2.3.1.	<p>Replace the Subsection by the following:</p> <p>“2.3.1. Approval of Alternative Solutions</p> <p>2.3.1.1. Conditions for Approval</p> <p>1) The proposed alternative solutions shall be approved by the Régie du bâtiment du Québec on the conditions it sets pursuant to section 127 of the Building Act (chapter B-1.1).”</p>

4. The Code is amended by revoking sections 3.05 and 3.06.
5. Section 3.07 is amended by replacing “except Subsection 2.2.5 of Division C of the Code, introduced by paragraph 3 of section 3.06” by “except Subsection 2.2.5. of Division C of the Code, introduced by section 3.04”.
6. The provisions of Chapter III of the Code, as they read before 10 August 2024, may be applied to construction work on a plumbing system, provided that the work began before 10 February 2025.
7. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

106923

Gouvernement du Québec

O.C. 1000-2024, 19 June 2024Charter of the French language
(chapter C-11)**Language of commerce and business**
— **Amendment**

Regulation to amend mainly the Regulation respecting the language of commerce and business

WHEREAS, under section 54.1 of the Charter of the French language (chapter C-11), the Government may, by regulation and on the conditions it fixes, provide for exceptions to the application of sections 51 to 54;

WHEREAS, under the third paragraph of section 58 of the Act, the Government may determine, by regulation, the places, cases, conditions or circumstances where

public signs and posters and commercial advertising must be in French only, where French need not be predominant or where such signs, posters and advertising may be in another language only;

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

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend mainly the Regulation respecting the language of commerce and business was published in Part 2 of the *Gazette officielle du Québec* of 10 January 2024 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend mainly the Regulation respecting the language of commerce and business, attached to this Order in Council, be made.

JOSÉE DE BELLEFEUILLE
*Associate Secretary General and Assistant Clerk
of the Secrétariat du Conseil exécutif*

Regulation to amend mainly the Regulation respecting the language of commerce and business

Charter of the French language
(chapter C-11, s. 54.1, s. 58, 3d par., and s. 93)

1. The Regulation respecting the language of commerce and business (chapter C-11, r. 9) is amended in section 7 by striking out paragraph 4.

2. The following is added after section 7:

“**7.1.** If no corresponding French version appears in the register kept under the Trademarks Act (R.S.C., 1985, c. T-13), a recognized trademark within the meaning of the Act, other than a trademark referred to in section 51.1 of the Charter of the French language (chapter C-11), as made by section 43 of the Act respecting French, the official and common language of Québec (2022, chapter 14), may be drawn up, even partially, on a product only in a language other than French.

If a generic term or a description of the product is included in the trademark, however, it must appear in French on the product or on a medium permanently attached to the product.”

3. Section 25 is amended by striking out paragraph 4.

4. Section 25.1 is replaced by the following:

“**25.1.** If no corresponding French version appears in the register kept under the Trademarks Act (R.S.C., 1985, c. T-13), a recognized trademark within the meaning of the Act, other than a trademark referred to in section 58.1 of the Charter of the French language (chapter C-11), as made by section 48 of the Act respecting French, the official and common language of Québec (2022, chapter 14), may be drawn up, even partially, on public signs and posters and in commercial advertising only in a language other than French.

However, on public signs and posters visible from outside premises, French must be markedly predominant if a trademark referred to in the first paragraph appears in a language other than French.”

5. Sections 25.2 to 25.5 are revoked.

6. The following is added after section 27:

“DIVISION IV.1 PROVISIONS TO FACILITATE THE IMPLEMENTATION OF CHAPTER VII OF THE CHARTER OF THE FRENCH LANGUAGE

§I. Inscription concerning a product and documents related to the product

27.1. For the purposes of section 51.1 of the Charter of the French language (chapter C-11), as made by section 43 of the Act respecting French, the official and common language of Québec (2022, chapter 14), a product includes its container or wrapping, as well as any document or object supplied with it.

27.2. For the purposes of section 51.1 of the Charter of the French language (chapter C-11), as made by section 43 of the Act respecting French, the official and common language of Québec (2022, chapter 14), and of section 7.1,

(1) a description refers to one or more words describing the characteristics of a product, excluding the name of the enterprise and the name of the product as sold;

(2) a generic term refers to one or more words describing the nature of a product, excluding the name of the enterprise and the name of the product as sold;

For the purposes of the first paragraph, designations of origin and distinctive names of a cultural nature are not considered a description or a generic term.

§II. Contracts of adhesion

27.3. For the purposes of section 55 of the Charter of the French language (chapter C-11),

(1) a document related to a contract of adhesion includes a document

(a) attesting to the existence of the contract, such as an insurance certificate;

(b) whose attachment to the contract is required by law, such as a resiliation or resolution form;

(c) that otherwise constitutes an ancillary document;

(2) the requirement to issue a French version of a contract of adhesion that is entered into by telephone is met if the adhering party has stated the express wish to enter into the contract in a language other than French, provided that

(a) the adhering party was explicitly invited to consult the applicable standard clauses in French using a technological means; or

(b) the contract is to take effect immediately and the adhering party does not have the technological means to access the applicable standard clauses in the contract;

(3) the requirement to issue a French version of a contract of adhesion entered into using a technological means is met by giving the adhering party the applicable standard clauses in French.

Despite subparagraphs 2 and 3 of the first paragraph, if the adhering party notes discrepancies between the French-language contract and the version in another language they were given or subsequently consulted, the adhering party may, under the third paragraph of section 91 of the Charter of the French language, invoke either version, according to their interests.

§III. Public signs and posters and commercial advertising

27.4. On public signs and posters and in commercial advertising that are both in French and in another language, French is markedly predominant where the text in French has a much greater visual impact than the text in the other language.

In assessing the marked predominance of French, the text in French for the business hours, telephone numbers, addresses, numbers, percentages or definite, indefinite or partitive articles is not considered.

In assessing the visual impact, the following are not considered where their presence is specifically allowed under an exception provided for in the Charter of the French language (chapter C-11) or in a regulation made for the application of the Charter:

- (1) a family name or a place name;
- (2) a trademark, except the trademark that appears on public signs and posters visible from outside premises and written, even partially, only in a language other than French;
- (3) other terms in a language other than French.

27.5. For the purposes of the second paragraph of section 58.1 and section 68.1 of the Charter of the French language (chapter C-11), as made by sections 48 and 49 respectively of the Act respecting French, the official and common language of Québec (2022, chapter 14), of the second paragraph of section 25.1 and of subparagraph 2 of the third paragraph of section 27.4, public signs and posters are visible from outside premises where they may be seen

(1) from outside a space, closed or not, including on an immovable, a group of immovables or inside a shopping centre;

(2) on a bollard or other independent structure, including a pylon sign except, in the latter case, where more than two trademarks or enterprise names appear on the public signs and posters.

27.6. For the purposes of section 27.4, French text has a much greater visual impact if, within the same visual field, the following conditions are met:

(1) the space allotted to the French text is at least twice as large as the space allotted to the text in another language;

(2) the French text's legibility and permanent visibility are equivalent to those of the text in another language.

Public signs and posters and commercial advertising whose components in French are permanent and, in relation to those in another language, are designed, lighted and situated so as to make them easy to read, both at the same time, at all times are presumed to meet the requirements for legibility and visibility.

A "same visual field" refers to an overall view where all the components of the public signs and posters and commercial advertising are visible and legible at the same time without having to move.

For the purposes of the first paragraph, public signs and posters or commercial advertising that, as a result of their materials or the manner in which the signage system is attached, are of a precarious nature, in particular public signs and posters or commercial advertising likely to be easily removed or tore off, are not considered to ensure permanent visibility, unless the system is the subject of measures to guarantee their presence or replacement.

Despite subparagraph 2 of the first paragraph, in dynamic signage including text in French and in another language displayed in alternation, the French text has a much greater visual impact if it is visible at least twice as long as the text in another language.

27.7. For the purposes of the second paragraph of section 58.1 and section 68.1 of the Charter of the French language (chapter C-11), as made by sections 48 and 49 respectively of the Act respecting French, the official and common language of Québec (2022, chapter 14), and of the second paragraph of section 25.1, to ensure that French is markedly predominant, public signs and posters of a trademark or an enterprise's name visible from outside premises must be accompanied by terms in French, in particular a generic term, a description of the relevant products or services, or a slogan.

For the purposes of the first paragraph,

(1) a description refers to one or more words describing the characteristics of the relevant products or services; and

(2) a generic term refers to one or more words describing the nature of the relevant products or services.”.

7. Until 1 June 2027, products that are non-compliant with section 51.1 of the Charter of the French language (chapter C-11) as made by section 43 of the Act respecting French, the official and common language of Québec (2022, chapter 14), or with section 7.1, may be distributed, retailed, leased, offered for sale or lease, or otherwise offered on the market, by gratuitous or onerous title, provided they were both

(1) manufactured before 1 June 2025; and

(2) no French-language version of the product's recognized trademark within the meaning of the Trademarks Act (R.S.C., 1985, c. T-13) was registered as of 26 June 2024.

The first paragraph also applies to products manufactured between 1 June 2025 and 31 December 2025 that are subject to the new labelling standards provided by the Regulations Amending the Food and Drug Regulations (Nutrition Symbols, Other Labelling Provisions, Vitamin D and Hydrogenated Fats or Oils) (SOR/2022-168) or the Regulations Amending the Food and Drug Regulations and the Cannabis Regulations (Supplemented Foods) (SOR/2022-169).

8. The Regulation defining the scope of the expression “markedly predominant” for the purposes of the Charter of the French language (chapter C-11, r. 11) is revoked.

9. This Regulation comes into force on 1 June 2025, except section 6, insofar as it enacts subdivision II of Division IV.1, which comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

Draft Regulations

Draft Regulation

Insurers Act
(chapter A-32.1)

Act respecting financial services cooperatives
(chapter C-67.3)

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

Trust Companies and Savings Companies Act
(chapter S-29.02)

Acquisition and holding of securities or participations or a share of a right of ownership by certain financial institutions in excess of the limits imposed — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend mainly the Regulation respecting the acquisition and holding of securities or participations or a share of a right of ownership by certain financial institutions in excess of the limits imposed, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines in which cases, other than those provided by various Acts and the case provided by the Regulation respecting the acquisition and holding of securities or participations or a share of a right of ownership by certain financial institutions in excess of the limits imposed (chapter A-32.1, r. 0.1), the financial institutions referred to may acquire and hold contributed capital securities issued by a legal person or partnership or participations in a trust or a share of a right of ownership, in excess of the limits imposed. For that purpose, the draft Regulation provides for such an acquisition and holding of capital securities by a financial institution if this is done through a trust of which it is the holder of control, but whose financial information is not consolidated or combined with its own, in addition to the possibility to do so through a limited partnership. The draft Regulation

also provides that such an acquisition and holding may be done according to the principal activity of the legal person, partnership or trust. The draft Regulation further provides that a financial institution may acquire and hold a share of a right of ownership of an immovable if the immovable is purchased, held, leased, operated or administered by a legal person or partnership from which the financial institution acquired or holds contributed capital securities. It also provides that a financial institution may acquire and hold a share of a right of ownership of an immovable if the immovable comprises units to be sold or leased, or a share of land if it is acquired and held for the purpose of building such an immovable. In addition, it provides for the acquisition and holding of a share of an immovable or another asset if the immovable or asset is of public utility, and for the acquisition and holding of a share of a right of ownership in a contract if the contract pertains to such an immovable or asset. Lastly, the draft Regulation revokes the current sections 38 and 39 of the Regulation under the Act respecting insurance (chapter A-32.1, r. 1), which it reprises in substance.

Further information on the draft Regulation may be obtained by contacting Jean-Hubert Smith-Lacroix, coordinator, Direction générale du droit corporatif et des politiques relatives au secteur financier, Ministère des Finances, 8, rue Cook, 4^e étage, Québec (Québec) G1R 0A4; email: jean-hubert.smith-lacroix@finances.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Finance, 390, boulevard Charest Est, 8^e étage, Québec (Québec) G1K 3H4.

ERIC GIRARD
Minister of Finance

Regulation to amend mainly the Regulation respecting the acquisition and holding of securities or participations or a share of a right of ownership by certain financial institutions in excess of the limits imposed

Insurers Act
(chapter A-32.1, s. 85, 1st par.)

Act respecting financial services cooperatives
(chapter C-67.3, s. 474, 1st par., and s. 599, 1st par., subpar. 10)

Deposit Institutions and Deposit Protection Act
(chapter I-13.2.2, s. 28.32)

Trust Companies and Savings Companies Act
(chapter S-29.02, s. 69)

1. The Regulation respecting the acquisition and holding of securities or participations or a share of a right of ownership by certain financial institutions in excess of the limits imposed (chapter A-32.1, r. 0.1) is amended by inserting the following after section 1:

“**1.1.** The purpose of this Regulation is to determine the cases, other than those provided by the Insurers Act (chapter A-32.1), the Act respecting financial services cooperatives (chapter C-67.3), the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) and the Trust Companies and Savings Companies Act (chapter S-29.02), in which an authorized financial institution may acquire and hold contributed capital securities issued by a legal person or partnership or participations in a trust or a share of a right of ownership, in excess of the limits imposed in the Acts referred to in section 1.”

2. Section 2 is replaced by the following:

“**2.** An authorized financial institution may acquire and hold contributed capital securities issued by a legal person or partnership or participations in a trust or a share of a right of ownership if this is done through a limited partnership or a trust of which it is the holder of control, but whose financial information is not consolidated or combined with its own, in accordance with the Acts referred to in section 1.

“**2.1.** An authorized financial institution may acquire and hold contributed capital securities of a legal person if

(1) the legal person’s principal activity is the offering or the soliciting of shares in investment portfolios, the making of loans, the distribution of securities, including

bonds or contributed capital securities of legal persons, factoring, leasing, the offering of computing services or actuarial advisory services;

(2) the legal person’s principal activity is the purchase, holding, leasing, sale, operation or administration of an immovable;

(3) the legal person’s principal activity is complementary to the distribution of certain insurance products such as travel assistance, legal assistance and road assistance;

(4) the legal person is registered as a firm under the Act respecting the distribution of financial products and services (chapter D-9.2);

(5) the legal person offers financial products and services only outside Québec; or

(6) the legal person is registered as a mutual fund dealer under the Securities Act (chapter V-1.1) or registered as such under extra-provincial securities laws within the meaning of section 305.1 of that Act.

An authorized financial institution may also acquire and hold contributed capital securities of a partnership or participations in a trust if the principal activity of the trust or partnership corresponds to one of the activities referred to in subparagraphs 1 to 3 of the first paragraph as well as, in cases where that partnership is a limited partnership, the contributed capital securities of its general partner.

2.2. An authorized financial institution other than a mutual company that is a member of a federation may acquire and hold contributed capital securities of a legal person or a partnership or participations in a trust if the legal person, partnership or trust operates a residential and long-term care centre.

2.3. An authorized financial institution may, where it acquires or holds contributed capital securities of a legal person whose principal activity corresponds to the activity referred to in subparagraph 2 of the first paragraph of section 2.1, acquire and hold a share of a right of ownership in an immovable referred to in that subparagraph.

2.4. An authorized financial institution may acquire and hold a share of a right of ownership in an immovable if the immovable comprises units to be sold or leased, or in land, if the acquisition and holding are done for the purposes of building such an immovable;

2.5. An authorized financial institution may acquire and hold a share of a right of ownership in an immovable or another asset if the immovable or other asset is of public utility;

2.6. An authorized financial institution may acquire and hold a share of a right of ownership in a contract if the contract pertains to an immovable or an asset referred to in any of sections 2.3 to 2.5.”

3. Sections 38 and 39 of the Regulation under the Act respecting insurance (chapter A-32.1, r. 1) are revoked.

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

106920

Draft Regulation

Courts of Justice Act
(chapter T-16)

Act mainly to reform municipal courts and to improve the justice system’s efficiency, accessibility and performance
(2023, chapter 31)

Partition and assignment of benefits accrued under the pension plans of judges of the Court of Québec, judges of certain municipal courts and presiding justices of the peace — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the pension plans of judges of the Court of Québec, judges of certain municipal courts and presiding justices of the peace, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation sets out the conditions and terms for the partition of the benefits accrued by a judge or former judge under the pension plans established by Part V.1, VI or VI.1 of the Courts of Justice Act (chapter T-16) where the judge or former judge and their spouse, while neither married nor in a civil union, have ceased living together. The draft Regulation also provides the terms for obtaining a statement setting out the value of the benefits accrued by the judge or former judge under the pension plans.

Further information on the draft Regulation may be obtained by contacting Marie-Andrée Fortier, ministerial coordinator for the remuneration of judges, Direction des relations professionnelles et de la rémunération globale, Ministère de la Justice, 1200, route de l’Église, 8^e étage, Québec (Québec) G1V 4M1; telephone: 418 446-7656, extension 21675; fax: 418 646-6967; email: srt@justice.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l’Église, 9^e étage, Québec (Québec) G1V 4M1.

SIMON JOLIN-BARRETTE
Minister of Justice

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the pension plans of judges of the Court of Québec, judges of certain municipal courts and presiding justices of the peace

Courts of Justice Act
(chapter T-16, s. 246.16.1 and s. 246.22, 1st par.)

Act mainly to reform municipal courts and to improve the justice system’s efficiency, accessibility and performance
(2023, chapter 31, ss. 17 and 18)

1. The Regulation respecting the partition and assignment of benefits accrued under the pension plans of judges of the Court of Québec, judges of certain municipal courts and presiding justices of the peace (chapter T-16, r. 4) is amended by replacing “judges of certain municipal courts” in the title by “municipal judges”.

2. Section 1 is amended by inserting “under section 4 of the Act respecting Retraite Québec (chapter R-26.3)” after “benefits” in the second paragraph.

3. The following is inserted after section 1:

“**1.1.** Any application to obtain the statement referred to in the second paragraph of section 246.16.1 of the Act, made by section 17 of the Act mainly to reform municipal courts and to improve the justice system’s efficiency, accessibility and performance (2023, chapter 31), must be signed by the judge or former judge and the judge’s spouse. The application must contain the following information and be accompanied with the following documents:

(1) the name and address, social insurance number and date of birth of the judge or former judge and the judge's spouse;

(2) an attestation by the judge or former judge that they were neither married nor in a civil union on the date on which the spouses ceased living together and, where applicable, the date of the divorce or the dissolution of the civil union and the documents attesting thereto, unless those documents have already been sent to Retraite Québec;

(3) an attestation by the judge or former judge and their spouse of the dates on which they began and ceased living together and, where applicable, proof concerning their marital residence. Furthermore, if the spouses lived in a conjugal relationship for at least one year but not more than three years preceding the date on which they ceased living together, they must also attest that one of the situations referred to in subparagraphs *a* to *c* of paragraph 2 of section 224.14 of the Act occurred and, where applicable, provide proof thereof;

(4) the information that must be provided by the Minister of Justice and the municipalities having joined the pension plan provided for in Part V.1 or VI of the Act, in accordance with section 246.27 of the Act, for the year during which the assessment is determined up to the date set for that assessment, as well as for the previous year; that information must be certified by the Minister of Justice or the municipality concerned.”

4. Section 13 is amended by inserting the following after paragraph 3:

“(3.1) in the case of spouses referred to in section 246.16.1 of the Act, made by section 17 of the Act mainly to reform municipal courts and to improve the justice system's efficiency, accessibility and performance (2023, chapter 31), the partition of the benefits accrued by the judge or former judge under the pension plan established by Part V.1, VI or VI.1 of the Act, signed before a notary or attorney, or a sworn declaration signed by both spouses within 12 months following the date on which they ceased living together;”

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

Draft Regulation

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

Search for and killing of an animal that is fatally injured as a result of a hunting activity

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation providing the framework for the search for and killing of an animal that is fatally injured as a result of a hunting activity, appearing below, may be made by the Minister on the expiry of 45 days following this publication.

The draft Regulation regulates the activities of persons who help search for an animal that is fatally injured as a result of a hunting activity with the help of a dog. It also allows holders of a tracking dog handler certificate to be in possession of a firearm and, if applicable, to kill, on certain conditions, an animal that is fatally injured as a result of a hunting activity.

Further information on the draft Regulation may be obtained by contacting Daniel Couture, regulatory analyst, Direction des affaires législatives, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, 880, chemin Sainte-Foy, 2^e étage, Québec (Québec) G1S 4X4; telephone: 418 627-8691, extension 707277; email: daniel.couture@environnement.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jacob Martin-Malus, Assistant Deputy Minister for Biodiversity, Wildlife and Parks, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, 880, chemin Sainte-Foy, local 2.40, 2^e étage, Québec (Québec) G1S 4X4; email: dal@environnement.gouv.qc.ca.

BENOIT CHARETTE

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

Regulation providing the framework for the search for and killing of an animal that is fatally injured as a result of a hunting activity

Act respecting the conservation and development of wildlife
(chapter C-61.1, ss. 61.1, 61.2, 61.3, s. 163, 1st par., subpars. 1 and 3)

CHAPTER I TRACKING DOG HANDLER CERTIFICATE

1. The tracking dog handler certificate is a document establishing that the holder is authorized, on the conditions set out in this Regulation, to help search, with the help of a dog and in possession of a firearm, for an animal that is fatally injured as a result of a hunting activity and, if applicable, to kill the animal.

2. To obtain a tracking dog handler certificate, a person must apply to the Minister and must

(1) be a resident within the meaning of section 1.2 of the Act respecting the conservation and development of wildlife (chapter C-61.1);

(2) provide his or her name, address and date of birth; and

(3) hold an attestation confirming the successful completion of training on the search, with the help of a dog, for an animal that is fatally injured as a result of a hunting activity, that is recognized by the Minister and comprises

(a) a theoretical component and a practical component including the conduct, methods and good practices of such a search;

(b) a theoretical component on the applicable standards and the safe and efficient use of a firearm during such a search and, if applicable, during the killing of the animal; and

(c) following the successful completion of the components referred to in subparagraph *a*, the acquisition of at least 3 years of experience during which the person has been called upon a minimum of 45 times to help search, with the help of a dog, for an animal that is fatally injured as a result of a hunting activity.

3. The tracking dog handler certificate is valid for as long as the holder is a resident.

It indicates the holder's name and bears a number.

CHAPTER II DEROGATIONS

4. Despite section 30.2 of the Act respecting the conservation and development of wildlife (chapter C-61.1), a person who helps search, with the help of a dog, for an animal that is fatally injured as a result of a hunting activity may use a lighting at night to detect the presence of big game in a place frequented by it.

5. Despite section 30.3 of the Act respecting the conservation and development of wildlife (chapter C-61.1), the holder of a tracking dog handler certificate may be in possession of a loaded firearm at night in a place frequented by wildlife.

CHAPTER III CONDITIONS

6. The owner of a dog or the person using a dog to help search for an animal that is fatally injured as a result of a hunting activity must make sure that the dog is kept leashed at all times.

7. A person who helps search, with the help of a dog and in possession of a firearm, for an animal that is fatally injured as a result of a hunting activity must

(1) hold a tracking dog handler certificate, have it in his or her possession and, at the request of a wildlife protection officer or a wildlife protection assistant, identify himself or herself and produce the certificate of his or her capacity issued by the Minister;

(2) help search for an animal that is fatally injured, namely, a moose, a white-tailed deer, a black bear or a wild turkey;

(3) wear a fluorescent orange garment that covers at least 2,580 continuous cm² of the wearer's back, shoulders and chest and is visible at all times from all angles, and that, at night, has reflective strips;

(4) use a lighting device for a night search; and

(5) the firearm in his or her possession

(a) is a rifle of a caliber permitted for hunting the animal tracked, regardless of the hunting period and zone;

(b) is used with cartridges permitted for hunting the animal tracked, regardless of the hunting period and zone;

(c) is loaded only at the time the animal is within 100 metres from the person; and

(d) does not have a magnifying instrument.

8. A person accompanying a person referred to in section 7 and who helps search, with the help of a dog, for an animal that is fatally injured as a result of a hunting activity must comply with the conditions set out in paragraphs 3 and 4 of that section.

9. A person referred to in section 7 is authorized to kill, using a firearm in his or her possession, an animal that is fatally injured as a result of a hunting activity on the following conditions:

(1) it is before midnight the day after the last day of the hunting period during which the animal was fatally injured;

(2) after killing an animal, the person must

(a) inform without delay the hunter who requested his or her services in order to allow the hunter to comply with the transportation and registration obligations; and

(b) when the person discharges a firearm before midnight the day after the last day of the hunting period or at night, inform as soon as possible SOS Braconnage – Urgence faune sauvage, by telephone or using the platform or the form provided for that purpose, and provide

i. his or her name and telephone number;

ii. the number of the tracking dog handler certificate;

iii. the geographical coordinates of the location where the search for the animal began;

iv. the date and time at which the firearm was discharged; and

v. the name and telephone number, or the certificate number of the hunter requiring his or her services to help search for the animal that is fatally injured.

CHAPTER IV FINAL

10. The Tracking Dog Handler Pilot Project (chapter C-61.1, r. 25.1) is revoked.

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

106926

Draft Regulation

Courts of Justice Act
(chapter T-16)

Supplementary benefits plan for judges covered by the pension plan provided for in Part V.1 of the Courts of Justice Act — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Supplementary benefits plan for judges covered by the pension plan provided for in Part V.1 of the Courts of Justice Act, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation allocates, between the Consolidated Revenue Fund and the fund taking the form of a retirement compensation arrangement trust, the amounts destined to the payment of the supplementary benefits payable to judges of the Court of Québec, municipal judges and presiding justices of the peace.

The draft Regulation also provides for consequential provisions made necessary by the participation of judges of the Municipal Court of Montréal in the pension plan provided for in Part V.1 of the Courts of Justice Act (chapter T-16). To that end, the draft Regulation removes the obligation to enter into a transfer agreement in relation to the supplementary benefits plan where an agreement is entered into under section 246.24 of the Act. The draft Regulation also provides that the years of service accrued under the supplementary benefits plan in force in Ville de Montréal on 31 March 2024 are to be taken into consideration for the purpose of computing the special supplementary benefits.

Further information on the draft Regulation may be obtained by contacting Marie-Andrée Fortier, ministerial coordinator for the remuneration of judges, Direction des relations professionnelles et de la rémunération globale, Ministère de la Justice, 1200, route de l'Église, 8^e étage, Québec (Québec) G1V 4M1; telephone: 418 446-7656, extension 21675; fax: 418 646-6967; email: srt@justice.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, 9^e étage, Québec (Québec) G1V 4M1.

SIMON JOLIN-BARRETTE
Minister of Justice

Regulation to amend the Supplementary benefits plan for judges covered by the pension plan provided for in Part V.1 of the Courts of Justice Act

Courts of Justice Act
(chapter T-16, s. 122, 2nd par., and s. 122.1)

1. 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 in section 3 by adding the following paragraph at the end:

“The years of service considered for the purposes of the first paragraph also include, where applicable, the years thus accumulated as at 31 March 2024 for the calculation of special supplementary benefits under the supplementary benefits plan equivalent to this Plan in effect in Ville de Montréal on that date.”

2. The Plan is amended by inserting the following before section 13:

“**12.1.** The sums required for the payment of supplementary benefits are taken in a proportion of 90% out of the Consolidated Revenue Fund and in a proportion of 10% out of the retirement compensation arrangement trust provided for in the fifth paragraph of section 10.

The same applies to the sums required for the partition of the benefits accumulated by a judge or a former judge under the pension plan provided for in Part V.1 of the Act.

Despite the first and second paragraphs, in the case of a judge who has not made any contributions to the retirement compensation arrangement trust at the time of the payment of the supplementary benefits or on the date of assessment of the benefits because of the partition or the assignment of the accumulated benefits, the required sums are taken in total from the Consolidated Revenue Fund.

Notwithstanding the foregoing, in the case of a judge who has not made any contributions to the retirement compensation arrangement trust because of an exemption from doing so, the sums required for the purposes of the first and second paragraphs are taken in accordance with the first paragraph.”

3. Section 13.1 of the Plan is revoked.

4. This Regulation has effect from 1 April 2024.

5. Despite section 4, section 2 comes into force on 1 January 2025.

106921

Treasury Board

Gouvernement du Québec

T.B. 230782, 11 June 2024

Indexation of a part of the pension of the Government and Public Employees Retirement Plan

WHEREAS, under the first paragraph of section 77.0.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), the part of the pension attributable to service subsequent to 30 June 1982 but prior to 1 January 2000, paid out of the employees' contribution fund, is indexed on 1 January following the receipt by the Minister of the report of the independent actuary or of the actuarial valuation update referred to in the first paragraph of section 174 of the Act by one half of the rate of increase in the Pension Index determined in the Act respecting the Québec Pension Plan (chapter R-9) instead of being indexed in accordance with section 77 of the Act respecting the Government and Public Employees Retirement Plan, if certain conditions are met;

WHEREAS the conditions have been met in order for the indexation provided for in the first paragraph of section 77.0.1 of the Act to apply on 1 January 2024;

WHEREAS, under the first paragraph of section 77.0.2 of the Act, if the indexation provided for in the first paragraph of section 77.0.1 of the Act applies, the Government may, not later than 1 July of the year during which the indexation applies, decide to index in accordance with that section the part of the pension referred to in that paragraph but payable out of the employers' contributory fund at the Caisse de dépôt et placement du Québec or, if that fund is exhausted, first out of the funds capitalized in accordance with section 32 of the Act and after that, out of the Consolidated Revenue Fund;

WHEREAS, under the second paragraph of section 77.0.2 of the Act, if the Government decides to index the part of the pension credited through government contributions under the first paragraph, the part of the pension attributable to service subsequent to 30 June 1982 but prior to 1 January 2000, paid out of the Consolidated Revenue Fund under the third paragraph of section 130 of the Act, is indexed by one half of the rate of increase in the Pension Index determined in the Act respecting the Québec Pension Plan;

WHEREAS it is expedient to index, on 1 January 2024, the part of the pension referred to in section 77.0.2 of the Act respecting the Government and Public Employees Retirement Plan by one half of the rate of increase of the Pension Index determined in the Act respecting the Québec Pension Plan;

WHEREAS, under section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor, after consulting the Minister of Finance, exercises the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS that consultation has taken place;

THE CONSEIL DU TRÉSOR DECIDES:

TO index, on 1 January 2024, a part of the pension of the Government and Public Employees Retirement Plan relating to service subsequent to 30 June 1982 but prior to 1 January 2000 that is under the responsibility of the Government by one half of the rate of increase of the Pension Index determined in the Act respecting the Québec Pension Plan.

Le greffier du Conseil du trésor,
LOUIS TREMBLAY

106913