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Part 2
LAWS AND REGULATIONS

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Summary

Regulations and other Acts

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Gouvernement du Québec

O.C. 1359-2026, 7 September 2026

Regulation to amend the Regulation to impose conditions for the awarding of certain supply contracts by municipal bodies

WHEREAS, under subparagraph 1 of the first paragraph of section 136 of the Act respecting contracting by municipal bodies (chapter C-65.01), the Government may make regulations to determine any authorization, condition or rule relating to the awarding of contracts, in addition to those prescribed by the Act, to which a contract of a municipal body is subject;

WHEREAS, under paragraph 1 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 urgency of the situation requires it;

WHEREAS, under subparagraph 1 of the first paragraph of section 18 of the Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 and the second paragraph of section 18 of the Act, the reason justifying the absence of publication and such coming into force must be published with the regulation;

WHEREAS, the Government is of the opinion that the urgency due to the following circumstances justifies the absence of publication and such coming into force:

— the United States of America have unilaterally imposed customs duties on some products originating from Canada as of 4 March 2025;

— the Gouvernement du Québec has taken countermeasures for municipal bodies and other public bodies in response to the imposition of those customs duties;

— the customs duties remain in effect and have multiplied despite the numerous discussions regarding their removal;

— trade negotiations between Canada and the United States of America have not resulted in an agreement that includes the lifting of the customs duties;

— Canada has announced the imposition of customs duties on products originating from the United States of America as of 8 September 2026 in response to the customs duties imposed by the United States of America;

— it is expedient for municipal bodies to continue to participate in the implementation of countermeasures in the context of the awarding of certain contracts to protect the Québec economy;

WHEREAS it is expedient to make the Regulation to amend the Regulation to impose conditions for the awarding of certain supply contracts by municipal bodies;

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

THAT the Regulation to amend the Regulation to impose conditions for the awarding of certain supply contracts by municipal bodies, attached to this Order in Council, be made.

DAVID BAHAN
Clerk of the Conseil exécutif

Regulation to amend the Regulation to impose conditions for the awarding of certain supply contracts by municipal bodies

Act respecting contracting by municipal bodies
(chapter C-65.01, s. 136, 1st par., subpar. 1).

1. The Regulation to impose conditions for the awarding of certain supply contracts by municipal bodies (chapter C-19, r. 2.2) is amended in the title by inserting "and construction" after "supply".

2. Section 2 is replaced by the following:

"**2.** This Regulation applies to

(1) the following supply contracts:

(*a*) computer hardware and software;

(*b*) medical supplies and equipment;

(*c*) pharmaceutical products; and

(*d*) scientific instruments;

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(2) construction contracts involving an expenditure below the threshold from which the municipal body must, under the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States, offer to enterprises that have an establishment in a territory covered by the agreement to submit a tender for such a contract.".

3. Sections 3, 5 and 6 are amended by replacing "in section 2", wherever it appears, by "in paragraph 1 of section 2".

4. The following is inserted after section 6:

"**6.1.** Call for tender documents whose object is the awarding, according to an open procedure or a procedure by written invitation, of a contract referred to in paragraph 2 of section 2 must require at least 15% of the total value of the materials and equipment purchased for the carrying out of the contract to originate in Québec or Canada.

A contract referred to in paragraph 2 of section 2 awarded by mutual agreement must require that at least 15% of the total value of the materials and equipment purchased for the carrying out of the contract to originate in Québec or Canada.

The body's council may authorize a departure from the first or the second paragraph if the council considers that the public interest warrants it.".

5. The following is inserted after section 7:

"**7.1.** Section 6.1 does not apply to a call for tenders that was published on the electronic tendering system or was sent before 8 September 2026.".

6. Section 8 is amended by replacing "Sections 1 to 7" by "Paragraph 1 of section 2 and sections 3 to 6 and 7".

7. This Regulation comes into force on 8 September 2026.

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