

Regulations and other Acts

Gouvernement du Québec

O.C. 931-2018, 3 July 2018

An Act respecting the Régie de l'énergie
(chapter R-6.01)

Régie de l'énergie — Rules of procedure governing mediation

CONCERNING the Rules of procedure governing mediation of the Régie de l'énergie

WHEREAS, pursuant to the first paragraph of section 113 of the Act respecting the Régie de l'énergie (chapter R-6.01), the Régie may adopt rules of procedure applicable to the examination of applications, mediation, public information and consultation sessions or public hearings;

WHEREAS, pursuant to section 115 of the said Act, the rules of procedure and regulations made by the Régie must be submitted to the Government, which may approve them with or without amendments;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Rules of procedure governing mediation of the Régie de l'énergie was published in Part 2 of the *Gazette officielle du Québec* of 7 March 2018, with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS comments have been received and it is expedient to approve the Rules with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Energy and Natural Resources:

THAT the Rules of procedure governing mediation of the Régie de l'énergie, attached hereto, be approved.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Rules of procedure governing mediation of the Régie de l'énergie

An Act respecting the Régie de l'énergie
(chapter R-6.01, ss. 113 and 115)

CHAPTER I GENERAL PRINCIPLES

1. Mediation provides a means for reaching a negotiated settlement with respect to a complaint by a consumer against the electric power carrier or a distributor of electric power or natural gas, with a view to finding a mutually satisfactory solution.

2. The mediation process shall be governed by the rules provided herein and is intended to be flexible and non-formalistic.

CHAPTER II MEDIATION

3. The conference to which the Régie de l'énergie calls the parties pursuant to section 100.0.1 of the Act respecting the Régie de l'énergie (chapter R-6.01), as enacted by section 11 of the Act to implement the 2030 Energy Policy and to amend various legislative provisions (2016, chapter 35), may be held by using any appropriate technological means, with the parties' consent.

During this conference, the parties may confirm in writing their willingness to enter into mediation.

4. The reasons given by the electric power carrier or the distributor to justify its unwillingness to enter into mediation are transcribed in the decision on the complaint.

5. Within 15 days after receiving the parties' written confirmation of their willingness to enter into mediation, examination of the complaint is suspended and the mediator designated by the Régie calls the parties to a mediation session.

However, if the parties confirm in writing their willingness to enter into mediation during the conference referred to in section 3, examination of the complaint is suspended and a mediation session may, with the parties' consent, commence immediately before the mediator designated by the Régie.

6. The mediation sessions may be held by using any appropriate technological means, with the parties' consent.

DIVISION I ROLE OF THE MEDIATOR AND OBLIGATIONS OF THE PARTIES

7. The mediator must be capable of acting impartially and diligently and in accordance with the requirements of good faith.

The mediator has a duty to treat the parties fairly and must see that each party has an opportunity to argue its case. The mediator may also propose solutions, with the parties' consent.

8. The mediator may suspend a mediation session at any time in the interests of the parties or one of the parties. The mediator may also end the mediation session if warranted by the circumstances.

9. If the parties agree to enter into mediation to resolve the complaint, they shall sign a mediation agreement. The agreement shall specify, in particular, that mediation is undertaken freely and voluntarily, the role of the mediator, the obligations of the parties and the confidentiality of the mediation process.

10. The parties are required to participate in the mediation process in good faith, to be transparent with each other, including as regards the information in their possession, and to cooperate actively in searching for a solution.

The parties may, at any time in the mediation process, exchange offers, proposals or solutions in order to resolve the complaint.

DIVISION II CONFIDENTIALITY OF MEDIATION

11. The mediator and the parties to the mediation must preserve the confidentiality of anything said, written or done during mediation, subject to their agreement on the matter or to any special provisions of the law.

12. Consent to allow inadmissible evidence consisting of information and documents exchanged during mediation must be given in writing and be signed by the parties.

DIVISION III RESULTS OF MEDIATION

13. When mediation leads to an agreement, a written statement to that effect must be signed by the mediator and the parties.

The mediator must send this statement to the Régie, which ceases examining the complaint.

14. When mediation does not lead to an agreement, but the parties agree, in order that mediation be continued, to an extension of the period during which the examination of the complaint is suspended in accordance with section 100.1 of the Act respecting the Régie de l'énergie (chapter R-6.01), as amended by section 12 of the Act to implement the 2030 Energy Policy and to amend various legislative provisions (2016, chapter 35), the mediator sends written notice to that effect to the Régie prior to the end of this period. Failing such notice, the Régie resumes examining the complaint.

CHAPTER III FINAL PROVISIONS

15. Division I of Chapter III of the Rules of Procedure of the Régie de l'énergie (chapter R-6.01, r. 4.1) is repealed.

16. These Rules come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 963-2018, 3 July 2018

Québec Immigration Act
(2016, chapter 3)

Québec Immigration Regulation

WHEREAS the Québec Immigration Act (2016, chapter 3) was assented to on 6 April 2016;

WHEREAS the provisions of the Act come into force on 2 August 2018 under Order in Council 962-2018 dated 3 July 2018, except paragraph 2 of section 72;

WHEREAS, under sections 8 and 9 of the Québec Immigration Act, the Government may make regulations on the matters set forth therein with respect to classes of foreign nationals;

WHEREAS, under the first paragraph of section 10 and section 12 of the Act, the Government may, by regulation, determine exemptions related to the matters set forth therein;