

Regulations and other Acts

Gouvernement du Québec

O.C. 610-2021, 28 April 2021

Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2)

Ministère de la Famille, des Aînés et de la Condition féminine

— Terms and conditions for the signing of certain deeds, documents or writings as regards families

Terms and conditions for the signing of certain deeds, documents or writings of the Ministère de la Famille, des Aînés et de la Condition féminine as regards families

WHEREAS the second paragraph of section 17 of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2) provides that no deed, document or writing is binding on the Minister or may be attributed to the Minister unless it is signed by the Minister, the Deputy Minister, a member of the personnel of the department or the holder of a position and, in the latter two cases, only so far as determined by the Government;

WHEREAS the second paragraph of section 18 of the Act provides that the Government may also allow a facsimile of the required signature to be engraved, lithographed or printed on the documents it determines and the facsimile must be countersigned by a person authorized by the Minister;

WHEREAS the Government made the Terms and conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille (chapter M-17.2, r. 2);

WHEREAS it is expedient to replace the Terms and conditions;

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

THAT the Terms and conditions for the signing of certain deeds, documents or writings of the Ministère de la Famille, des Aînés et de la Condition féminine as regards families, attached hereto, be made;

THAT the Terms and conditions come into force on the date of their publication in the *Gazette officielle du Québec* and that they replace the Terms and conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille (chapter M-17.2, r. 2).

YVES OUELLET
Clerk of the Conseil exécutif

Terms and conditions for the signing of certain deeds, documents or writings of the Ministère de la Famille, des Aînés et de la Condition féminine as regards families

Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2, s. 17, 2nd par., and s. 18, 2nd par.)

DIVISION I INTERPRETATION

1. Subject to the other conditions of validity that may be prescribed by law, a member of the personnel of the Ministère de la Famille, des Aînés et de la Condition féminine and the holder of a position mentioned below are authorized, insofar as they act within the limits of their duties and, where applicable, of their territorial assignment, to sign alone, with the same authority as the Minister of Families, Seniors and the Status of Women, any deed, document or writing listed after their respective positions.

The first paragraph also applies to a person authorized in writing to perform the duties on an interim or temporary basis or as a temporary replacement.

2. Hierarchical superiors of a member of the personnel of the department or of the holder of a position are also authorized to sign the deeds, documents or writings that those persons are authorized to sign under these terms and conditions.

3. The Québec sales tax (QST) and the goods and services tax (GST) or, where applicable, the harmonized sales tax (HST) are not included in the amounts provided for in these terms and conditions.

DIVISION II

AUTHORIZED PERSONNEL MEMBERS AND HOLDERS OF A POSITION

§1. General

4. Assistant deputy ministers and director generals are authorized to sign, for their sector of activity,

(1) supply contracts and services contracts for \$500,000 or less, except those related to telecommunications and information technologies;

(2) agreements entered into under section 10 of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2), except agreements for the occupation and equipment of immovables with the Société québécoise des infrastructures; and

(3) any document pertaining to the granting of subsidies or other financial contributions, except documents pertaining to the granting of subsidies under the Act to facilitate the establishment of a pension plan for employees working in childcare services (chapter E-12.011) or the Educational Childcare Act (chapter S-4.1.1).

Assistant deputy ministers and director generals are also authorized, for their sector of activity, to certify as true any document or any copy of a document originating from the department or forming part of its archives.

5. In addition to the authorizations mentioned in section 4, the assistant deputy minister or the director general responsible for immovable and contractual management is authorized to sign, for all the department's activities,

(1) supply contracts and services contracts for \$500,000 or less relating to telecommunications; and

(2) agreements for the occupation and equipment of immovables with the Société québécoise des infrastructures.

6. In addition to the authorizations mentioned in section 4, the assistant deputy minister or the director general responsible for information resources is authorized to sign, for all the department's activities, supply contracts and services contracts for \$500,000 or less relating to information technologies.

7. Senior directors are authorized to sign, for their sector of activity,

(1) supply contracts and services contracts for \$250,000 or less, except those related to telecommunications or information technologies;

(2) agreements for \$250,000 or less entered into under section 10 of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2), except agreements for the occupation and equipment of immovables with the Société québécoise des infrastructures; and

(3) any document pertaining to the granting of subsidies or other financial contributions for \$250,000 or less for which the terms of allocation, by means of a normative framework or otherwise, have been approved by the Government or the Conseil du trésor, except documents pertaining to the granting of subsidies under the Act to facilitate the establishment of a pension plan for employees working in childcare services (chapter E-12.011) or the Educational Childcare Act (chapter S-4.1.1).

Senior directors are also authorized, for their sector of activity, to certify as true any document or any copy of a document originating from the department or forming part of its archives.

8. The Secretary General is authorized to sign, for his or her sector of activity,

(1) supply contracts and services contracts for \$100,000 or less, except those related to telecommunications or information technologies; and

(2) agreements for \$100,000 or less entered into under section 10 of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2), except agreements for the occupation and equipment of immovables with the Société québécoise des infrastructures.

The Secretary General is also authorized, for the whole department, to certify as true any document or any copy of a document originating from the department or forming part of its archives.

9. Directors, including the director responsible for communications under the Secrétariat à la communication gouvernementale of the Ministère du Conseil exécutif, are authorized to sign, for their sector of activity,

(1) supply contracts and services contracts for \$100,000 or less, except those related to telecommunications or information technologies;

(2) agreements for \$100,000 or less entered into under section 10 of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2), except agreements for the occupation and equipment of immovables with the Société québécoise des infrastructures; and

(3) any document pertaining to the granting of subsidies or other financial contributions for \$100,000 or less for which the terms of allocation, by means of a normative framework or otherwise, have been approved by the Government or the Conseil du trésor, except documents pertaining to the granting of subsidies under the Act to facilitate the establishment of a pension plan for employees working in childcare services (chapter E-12.011) or the Educational Childcare Act (chapter S-4.1.1).

Directors are also authorized, for their sector of activity, to certify as true any document or any copy of a document originating from the department or forming part of its archives.

10. In addition to the authorizations mentioned in section 9, directors under the authority of the assistant deputy minister or the director general responsible for information resources are authorized to sign, for all the department's activities, supply contracts and services contracts for \$100,000 or less relating to information technologies.

11. In addition to the authorizations mentioned in section 9, the director responsible for immovable and contractual management is authorized to sign, for all the department's activities,

(1) supply contracts and services contracts for \$100,000 or less relating to telecommunications;

(2) agreements for the occupation and equipment of immovables for \$100,000 or less with the Société québécoise des infrastructures; and

(3) deeds and documents relating to the alienation of surplus movable property.

12. Assistant directors are authorized to sign, for their sector of activity,

(1) supply contracts and services contracts for \$50,000 or less, except those related to telecommunications or information technologies; and

(2) agreements for \$50,000 or less entered into under section 10 of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2), except agreements for the occupation and equipment of immovables with the Société québécoise des infrastructures.

Assistant directors are also authorized, for their sector of activity, to certify as true any document or any copy of a document originating from the department or forming part of its archives.

§2. *Act to facilitate the establishment of a pension plan for employees working in childcare services*

13. In this subdivision, unless otherwise indicated by context, "the Act" means the Act to facilitate the establishment of a pension plan for employees working in childcare services (chapter E-12.011).

14. The assistant deputy minister or the director general responsible for the financing of educational childcare services is authorized to sign any document relating to the granting of subsidies pursuant to section 3 of the Act.

15. The assistant deputy minister or the director general responsible for workforce management in educational childcare services is authorized to sign

(1) any document relating to the designation of persons who may sit on the pension committee pursuant to section 5 of the Act; and

(2) any document relating to the signing of an agreement pursuant to section 7 of the Act.

16. The director responsible for the financing of educational childcare services is authorized to sign any document relating to the granting of subsidies for \$100,000 or less pursuant to section 3 of the Act.

§3. *Act respecting the representation of certain home childcare providers and the negotiation process for their group agreements*

17. In this subdivision, unless otherwise indicated by context, "the Act" means the Act respecting the representation of certain home childcare providers and the negotiation process for their group agreements (chapter R-24.0.1).

18. The assistant deputy minister or the director general responsible for workforce management in educational childcare services is authorized to sign

(1) written notice of a meeting given to the other party for the purpose of negotiating a group agreement pursuant to section 36 of the Act;

(2) any document relating to a request to designate a mediator pursuant to section 38 of the Act;

(3) any document relating to a request to submit a dispute to an arbitrator pursuant to section 42 of the Act;

(4) any document relating to the reduction or cessation of payment of a subsidy pursuant to section 52 of the Act; and

(5) any document relating to the cessation of participation in a program created under a group agreement pursuant to section 52 of the Act.

19. The assistant director of the division responsible for workforce management in educational childcare services is authorized to sign

(1) any document relating to the sending of the list of names and contact information of home childcare providers pursuant to section 8 of the Act;

(2) any document relating to a request to the Administrative Labour Tribunal pursuant to section 24, 27 or 29 of the Act; and

(3) any document relating to a notice of modification of a territory pursuant to section 28 of the Act.

§4. Educational Childcare Act and Educational Childcare Regulation

20. In this subdivision, unless otherwise indicated by context, “the Act” means the Educational Childcare Act (chapter S-4.1.1).

21. The assistant deputy minister or the director general responsible for regional branches is authorized to sign

(1) childcare centre and day care centre permits, upon their issue or renewal pursuant to section 7, 10, 11 or 155 of the Act;

(2) any document relating to a refusal to issue or renew a childcare centre or day care centre permit, and any document relating to the suspension or revocation of such a permit pursuant to section 10, 26, 28, 28.1 or 29 of the Act;

(3) any document relating to a refusal to grant, renew or modify the accreditation of a coordinating office and any document relating to a revocation of accreditation pursuant to section 43, 45, 47 or 49 of the Act;

(4) any document relating to the designation of a person to provisionally administer a childcare centre, day care centre or coordinating office pursuant to section 66 of the Act;

(5) any document relating to the granting of subsidies pursuant to section 89 of the Act;

(6) any document relating to the cancellation or reduction of a subsidy granted under section 89 of the Act and any document relating to a suspension of the payment of such a subsidy pursuant to section 97 of the Act;

(7) any document refusing to authorize a day care permit applicant pursuant to section 94.1 of the Act to enter into an agreement referred to in that section; and

(8) any document relating to the designation of a regional representative pursuant to section 121 of the Act.

A facsimile of the signature of the assistant deputy minister or of the director general responsible for regional branches may be engraved, lithographed or printed on the permit referred to in subparagraph 1 of the first paragraph, if that permit is countersigned by a person authorized by the Minister.

22. The assistant deputy minister or the director general responsible for the financing of educational childcare services is authorized to sign

(1) any document relating to the granting of subsidies pursuant to section 89, 90, 91 or 96 of the Act;

(2) any document for entering into a subsidy agreement with a permit applicant or childcare provider pursuant to section 92 of the Act;

(3) any document relating to the cancellation or reduction of a subsidy or to a suspension of its payment pursuant to section 97 of the Act;

(4) any document relating to an agreement for the repayment of an amount owed as a subsidy received without entitlement that must be repaid in accordance with section 100 of the Act;

(5) any document relating to the designation of a non-profit legal person as the transferee of the assets of a childcare centre permit holder or coordinating office pursuant to section 101 of the Act;

(6) any document relating to the designation of a person responsible for reviewing decisions with regard to the imposition of administrative penalties pursuant to section 101.10 of the Act; and

(7) any document relating to the issue of a recovery certificate or a deduction from the payment of a subsidy pursuant to section 101.15 of the Act.

23. The assistant deputy minister or the director general responsible for workforce management in educational childcare services is authorized to sign any document relating to the granting of subsidies pursuant to section 91 of the Act.

24. The assistant deputy minister or the director general responsible for coordinating and supporting network development is authorized to sign any document relating to the granting of subsidies pursuant to section 91 of the Act.

25. The assistant deputy minister or the director general responsible for quality and accessibility standards for educational childcare services is authorized to sign

(1) any document relating to the granting of subsidies pursuant to section 91 of the Act;

(2) any document relating to the designation of a person responsible for reviewing decisions with regard to the concept of related person pursuant to section 93.8 of the Act;

(3) any document authorizing, pursuant to section 122 of the Act, a person, partnership or association to provide childcare services within a pilot project according to standards that depart from those established by or under the Act; and

(4) any document advising a person, partnership or association concerned of a change to or the ending of a pilot project pursuant to section 123 of the Act.

26. The assistant deputy minister or the director general responsible for financial resources is authorized to sign any document relating to an agreement for the payment of an amount owing as an administrative penalty pursuant to section 101.14 of the Act.

27. The senior director responsible for some regional branches is authorized to sign

(1) any document relating to the granting of subsidies for \$1,000,000 or less pursuant to section 89 of the Act; and

(2) any document relating to the reduction or suspension of the payment of a subsidy granted under section 89 of the Act when the amount reduced or suspended is \$1,000,000 or less pursuant to section 97 of the Act.

28. The director of a regional branch is authorized to sign

(1) childcare centre and day care centre permits, upon their issue or renewal, pursuant to section 7, 10, 11 or 155 of the Act;

(2) any document authorizing or refusing to allow a permit holder to provide childcare services elsewhere than at the address appearing on the permit, for a period specified pursuant to section 16 of the Act;

(3) any document relating to the approval or refusal of plans pursuant to section 19 of the Act;

(4) any document authorizing or refusing to authorize a childcare centre permit holder to increase the maximum number of children stated on the permit holder's permit, to alter a facility, to add a new facility or to permanently relocate a facility pursuant to section 21 of the Act;

(5) any document authorizing or refusing to authorize a day care centre permit holder to increase the maximum number of children stated on the permit holder's permit or to permanently relocate the facility pursuant to section 21.1 of the Act;

(6) any coordinating office accreditation, when it is granted, renewed or modified, pursuant to section 43, 45 or 47 of the Act;

(7) any document authorizing or refusing to authorize a coordinating office to change the address of its head office, dispose of or transfer an asset or make a change in its organization pursuant to section 48 of the Act;

(8) any written notice of non-compliance pursuant to section 65 of the Act;

(9) any document relating to a decision with regard to the concept of related person pursuant to Division II of Chapter VII of the Act, except a document relating to a review decision under section 93.9 of the Act;

(10) any document relating to the granting of subsidies for \$500,000 or less pursuant to section 89 of the Act;

(11) any document authorizing, pursuant to section 94.1 of the Act, a day care permit applicant to enter into an agreement referred to in that section;

(12) any document relating to the reduction or suspension of the payment of a subsidy granted under section 89 of the Act when the amount reduced or suspended is \$500,000 or less pursuant to section 97 of the Act;

(13) any document relating to the designation of a person responsible for imposing administrative penalties pursuant to section 101.3 of the Act;

(14) any document relating to a designation by a community organization with a family-related mandate pursuant to section 103.6 of the Act; and

(15) any document authorizing, pursuant to section 108 of the Act, a measure that departs from a standard established under subparagraph 3, 4 or 5 of the first paragraph of section 106 of the Act.

29. The director responsible for workforce management in educational childcare services is authorized to sign

(1) any written notice of non-compliance pursuant to section 65 of the Act; and

(2) any document relating to the granting of subsidies for \$100,000 or less pursuant to section 91 of the Act.

30. The director responsible for investigations is authorized to sign

(1) any certificate of authority authorizing a person to act as an inspector pursuant to section 72 of the Act;

(2) any document ordering the performance of the work necessary to make premises or equipment compliant or prohibiting access to the premises or equipment until the situation is corrected pursuant to section 74 of the Act;

(3) any document relating to the suspension or cancellation of an inspector's decision pursuant to section 75 of the Act;

(4) any document authorizing access to premises or play equipment that are no longer a hazard and authorizing the removal of any seals pursuant to section 77 of the Act;

(5) any certificate of authority designating a person to act as an investigator pursuant to section 80 of the Act;

(6) any document relating to the designation of a person responsible for imposing administrative penalties pursuant to section 101.3 of the Act;

(7) any document relating to evacuation and closure of a facility where activities requiring a permit or recognition are carried on without a permit pursuant to section 120 of the Act; and

(8) any notice or other document intended for a person who has filed a complaint for reprisal pursuant to sections 101.33 and 101.27, 101.28 or 101.29 of the Act.

31. The director responsible for inspections is authorized to sign

(1) any certificate of authority authorizing a person to act as an inspector pursuant to section 72 of the Act;

(2) any document relating to the designation of a person responsible for imposing administrative penalties pursuant to section 101.3 of the Act; and

(3) any notice or other document intended for a person who has filed a complaint for reprisal pursuant to sections 101.33 and 101.27, 101.28 or 101.29 of the Act.

32. The director responsible for quality and accessibility standards for educational childcare services is authorized to sign

(1) any document relating to a decision made following an application for review pursuant to section 87 of the Act;

(2) any document relating to the granting of subsidies for \$100,000 or less pursuant to section 91 of the Act; and

(3) any document authorizing, pursuant to section 108 of the Act, a measure that departs from a standard established under subparagraph 3, 4 or 5 of the first paragraph of section 106 of the Act.

33. The director responsible for the financing of educational childcare services is authorized to sign

(1) any document relating to the granting of subsidies for \$500,000 or less pursuant to section 89, 90, 91 or 96 of the Act;

(2) any document for entering into a subsidy agreement for \$500,000 or less with a permit applicant or childcare provider pursuant to section 92 of the Act;

(3) any document relating to the reduction of a subsidy or to a suspension of its payment when the amount reduced or suspended is \$500,000 or less pursuant to section 97 of the Act;

(4) any document relating to a recovery plan, including any document relating to the designation of a person to assist in carrying out the plan, pursuant to section 98 of the Act;

(5) any document relating to an agreement for the repayment of an amount for \$500,000 or less owed as a subsidy received without entitlement that must be repaid in accordance with section 100 of the Act; and

(6) any document relating to the issue of a recovery certificate or a deduction from the payment of a subsidy when the amount to be recovered or deducted is \$500,000 or less pursuant to section 101.15 of the Act.

34. The director responsible for coordinating and supporting network development is authorized to sign any document relating to the granting of subsidies for \$100,000 or less pursuant to section 91 of the Act.

35. The director responsible for financial resources is authorized to sign any document relating to an agreement for the payment of an amount for \$100,000 or less owing as an administrative penalty pursuant to section 101.14 of the Act.

36. The director responsible for complaints is authorized to sign

(1) any notice or other document intended for a person who has disclosed a wrongdoing pursuant to section 101.27, 101.28 or 101.29 of the Act; and

(2) any attestation establishing that no impediment exists with respect to a person referred to in section 6.1 of the Act and any document notifying such a person that he or she does not have the capacity to provide childcare pursuant to section 6.3 of the Educational Childcare Regulation (chapter S-4.1.1, r. 2).

37. The assistant director of the division responsible for the financing of educational childcare services is authorized to sign

(1) any written notice of non-compliance pursuant to section 65 of the Act;

(2) any document relating to the granting of subsidies for \$100,000 or less pursuant to section 89, 90, 91 or 96 of the Act;

(3) any document for entering into a subsidy agreement for \$100,000 or less with a permit applicant or childcare provider pursuant to section 92 of the Act;

(4) any document relating to the reduction of a subsidy or to a suspension of its payment when the amount reduced or suspended is \$100,000 or less pursuant to section 97 of the Act;

(5) any document relating to an agreement for the repayment of an amount for \$100,000 or less owed as a subsidy received without entitlement that must be repaid in accordance with section 100 of the Act; and

(6) any document relating to the issue of a recovery certificate or a deduction from the payment of a subsidy when the amount to be recovered or deducted is \$100,000 or less pursuant to section 101.15 of the Act.

38. The assistant director responsible for inspections is authorized to sign

(1) any document ordering the performance of the work necessary to make premises or equipment compliant or prohibiting access to the premises or equipment until the situation is corrected pursuant to section 74 of the Act;

(2) any document relating to the suspension or cancellation of an inspector's decision pursuant to section 75 of the Act; and

(3) any document authorizing access to premises or play equipment that are no longer a hazard and authorizing the removal of any seals pursuant to section 77 of the Act.

39. An inspector or investigator is authorized to sign any written notice of non-compliance pursuant to section 65 of the Act.

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Gouvernement du Québec

O.C. 622-2021, 28 April 2021

Act respecting collective agreement decrees
(chapter D-2)

Non-structural metalwork industry – Montréal — Amendment

Decree to amend the Decree respecting the non-structural metalwork industry in the Montréal region

WHEREAS, under section 2 of the Act respecting collective agreement decrees (chapter D-2), the Government may order that a collective agreement respecting any trade, industry, commerce or occupation is to also bind all the employees and professional employers in Québec or in a stated region of Québec, within the scope determined in such decree;

WHEREAS the Government made the Decree respecting the non-structural metalwork industry in the Montréal region (chapter D-2, r. 14);

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

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