

Regulations and other Acts

Gouvernement du Québec

O.C. 105-2022, 26 January 2022

Financial Administration Act
(chapter A-6.001)

Borrowings made by a body — Amendment

Regulation to amend the Regulation respecting borrowings made by a body

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

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

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting financial commitments made by a body was published in Part 2 of the *Gazette officielle du Québec* on 6 October 2021 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 to amend the Regulation respecting borrowings made by a body, without amendment;

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

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

YVES OUELLET
Clerk of the Conseil exécutif

Regulation amending Regulation respecting borrowings made by a body

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

1. Paragraph 3 of section 2 of the Regulation respecting borrowings made by a body (chapter A-6.001, r. 3) is amended by:

1. suppressing subparagraph iv of subparagraph *a*;
2. inserting, after subparagraph *b*, the following:

“c) the borrowing is made to finance operational needs or a capital project for which the body does not receive a government subsidy;”.

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

105522

M.O., 2022

Order of the Minister of Higher Education dated 26 January 2022

Act respecting private education
(chapter E-9.1)

Regulation to amend the Regulation respecting private educational institutions at the college level

THE MINISTER OF HIGHER EDUCATION,

CONSIDERING section 112 of the Act respecting private education (chapter E-9.1), which provides in particular that the Minister of Higher Education may, by regulation, determine the information and documents which a person must furnish when applying for a permit to obtain the authorization to dispense distance education services or the renewal of a permit giving such authorization;

CONSIDERING that the Regulation respecting private educational institutions at the college level was made (chapter E-9.1, r. 4);

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting private educational institutions at the college level was published in Part 2 of the *Gazette officielle du Québec* of 30 June 2021 with a notice that it could be made by the Minister on the expiry of 45 days following that publication;

CONSIDERING that, in accordance with section 114 of the Act respecting private education, the draft Regulation was subject before its making to examination by the Commission consultative de l'enseignement privé;

CONSIDERING that it is expedient to make the Regulation;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting private educational institutions at the college level, attached to this Order, is hereby made.

Québec, 26 January 2022

DANIELLE MCCANN
Minister of Higher Education

Regulation to amend the Regulation respecting private educational institutions at the college level

Act respecting private education
(chapter E-9.1, s. 112)

1. The Regulation respecting private educational institutions at the college level (chapter E-9.1, r. 4) is amended by inserting the following before section 3:

“**2.1.** An institution wishing to obtain authorization to dispense, as online distance education, the educational services mentioned in its permit shall

(1) provide a complete list of persons called upon to provide support or help to the student in his learning activities;

(2) for each person referred to in subparagraph 1,

(a) provide a curriculum vitae setting out, in particular, any training or work experience related to online distance education; and

(b) indicate any training related to online distance education that the institution intends to provide or require, as applicable; and

(3) describe the technological or other means that make it possible to disseminate courses, access instructional material, perform evaluations and have the student interact with the persons called upon to provide support or help to him.

In this Regulation, “online distance education” means education dispensed in whole or in part by technological means that enable the student and the persons called upon to provide support or help to him to see and hear each other simultaneously.”

2. Section 3 is amended

(1) by replacing the portion before subparagraph 1 by “An institution wishing to obtain authorization to dispense, as non-online distance education, the educational services mentioned in its permit shall”;

(2) by inserting the following after subparagraph 1:

“(1.1) describe the type of distance education provided for;”

3. Section 4 is amended by adding the following paragraph at the end:

“The authorization shall also specify whether it applies to online distance education or non-online distance education.”

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

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