

2. All other public bodies that, on 31 March of the preceding fiscal year, employed 50 employee or fewer are also exempt, for one fiscal year, from the obligation to establish the committee on access to information and the protection of personal information provided for in section 8.1 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

For the purposes of the application of the first paragraph, an employee is any natural person who undertakes to do work for remuneration under the direction or control of an employer, except:

(1) a student who works during the school year in an establishment chosen by an educational institution under a program recognized by the Ministère de l'Éducation, du Loisir et du Sport or the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie which combines practical experience with academic training or a student who works in a field related to his field of study in the educational institution he is attending;

(2) a student employed for his vacation period;

(3) a trainee undergoing professional training recognized by law;

(4) a person who, engages in an activity within the framework of an employment-assistance measure or program established under Title I of the Individual and Family Assistance Act (chapter A-13.1.1) and in respect of whom the provisions concerning the minimum wage in the Act respecting labour standards (chapter N-1.1) do not apply.

3. In the case of the public bodies referred to in sections 1 and 2, the person in charge of the protection of personal information must perform the duties entrusted to the committee on access to information and the protection of personal information by the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

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

106070

Draft Regulation

Act respecting the legal publicity of enterprises
(chapter P-44.1)

Compagnies Act
(chapter C-38)

Business Corporations Act
(chapter S-31.1)

Legal publicity of enterprises

Names of legal persons or associations governed by Part III of the Companies Act

Names of companies governed by Part I of the Companies Act

Names of companies governed by Part IA of the Companies Act
— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the legal publicity of enterprises and the Regulation to amend the Regulation respecting names of legal persons or associations governed by Part III of the Companies Act, the Regulation respecting names of companies governed by Part I of the Companies Act and the Regulation respecting names of companies governed by Part IA of the Companies Act, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation respecting the legal publicity of enterprises replaces the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (chapter P-45, r. 1)

The object of the draft Regulation is to implement certain provisions of the Act mainly to improve the transparency of enterprises (2021, chapter 19), by defining

— the cases and conditions in which a natural person is considered to be an ultimate beneficiary of a registrant;

— the terms for the declaration of the percentage of voting rights that an ultimate beneficiary may exercise based on the number of the registrant's shares or units that the beneficiary holds or controls, or of which the ultimate beneficiary is the beneficiary;

— the addition of information concerning a minor natural person who is an ultimate beneficiary that cannot be consulted in the enterprise register.

The second draft Regulation makes consequential amendments to the Regulation respecting names of legal persons or associations governed by Part III of the Companies Act (chapter C-38, r. 2), the Regulation respecting names of companies governed by Part I of the Companies Act (chapter S-31.1, r. 1.01) and the Regulation respecting names of companies governed by Part IA of the Companies Act (chapter S-31.1, r. 1.02), in connection with the draft Regulation respecting the legal publicity of enterprises.

Further information on the draft Regulations may be obtained by contacting Yves Pepin, Enterprise Registrar, Ministère de l'Emploi et de la Solidarité sociale, 3175, chemin des Quatre Bourgeois, bureau 105.08, Québec (Québec) G1W 2K7; telephone: 418 780-8968; email: yves.pepin@req.gouv.qc.ca.

Any person wishing to comment on the draft Regulations is requested to submit written comments within the 45-day period to the Minister of Employment, 425, rue Jacques-Parizeau, 4^e étage, Québec (Québec) G1R 4Z1; email: ministre@mtess.gouv.qc.ca.

KATERI CHAMPAGNE JOURDAIN
Minister of Employment

ERIC GIRARD
Minister of Finance

Regulation respecting the legal publicity of enterprises

Act respecting the legal publicity of enterprises (chapter P-44.1, ss. 150 and 151)

DIVISION I NAME

1. A natural person operating a sole proprietorship in Québec may not add, in or after the name used by the person, a word or expression indicating a plurality of members, unless such word or expression indicates the person's trade or profession.

A general partnership indicates its juridical form correctly if it uses the words "general partnership" in or after its name or if it uses the abbreviation "G.P." only after its name. If it has a limited liability, a limited liability partnership indicates its juridical form properly if it uses the words "limited liability partnership" in or after its name or if it uses the abbreviation "L.L.P." only after its name.

A limited partnership indicates its juridical form correctly if it uses the words "limited partnership" in or after its name or if it uses the abbreviation "L.P." only after its name.

2. The public authorities referred to in subparagraph 6 of the first paragraph of section 17 of the Act respecting the legal publicity of enterprises (chapter P-44.1) are

(1) His Majesty, the Governor General and the Lieutenant-Governor;

(2) the Senate, the House of Commons and the National Assembly;

(3) the departments of the Government of Canada or of the Gouvernement du Québec and the bodies that are mandataries thereof;

(4) the bodies to which staff is appointed in accordance with the Public Service Act (chapter F-3.1.1);

(5) the bodies referred to in the Public Service Employment Act (S.C. 2003, c. 22);

(6) the bodies of which the majority of members or the majority of the members of the board of directors are appointed by the Government of Canada or by the Gouvernement du Québec;

(7) the bodies to which staff is appointed in accordance with a regulation approved by the Government of Canada or by the Gouvernement du Québec;

(8) the bodies all of the voting shares of which are part of the public domain of Canada or Québec;

(9) the municipalities constituted under a general or special Act;

(10) the bodies of which the majority of members or the majority of the members of the board of directors are appointed by a municipality or by a supramunicipal body within the meaning of the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3);

(11) the bodies declared by law to be a mandatory or agent of a municipality;

(12) the supramunicipal bodies within the meaning of the Act respecting the Pension Plan of Elected Municipal Officers;

(13) the Cree Nation Government and the Kativik Regional Government;

- (14) health and social services agencies;
- (15) public institutions within the meaning of paragraphs 3 and 4 of section 98 of the Act respecting health services and social services (chapter S-4.2) and the Nunavik Regional Board of Health and Social Services established under that Act;
- (16) public institutions within the meaning of paragraph *a* of section 10 of the Act respecting health services and social services for Cree and Inuit Native persons (chapter S-5) and the Cree Board of Health and Social Services of James Bay established under that Act;
- (17) school service centres governed by the Education Act (chapter I-13.3), as well as the Comité de gestion de la taxe scolaire de l'île de Montréal;
- (18) the Cree School Board, the Kativik School Board and the Naskapi Education Committee, governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14);
- (19) general and vocational colleges;
- (20) the Université du Québec, its constituent universities, research institutes and superior schools within the meaning of the Act respecting the Université du Québec (chapter U-1);
- (21) professional orders within the meaning of the Professional Code (chapter C-26);
- (22) the governments of foreign States and their diplomatic and consular representations and the governments of their political divisions and their representations; and
- (23) international government bodies.
- 3.** The name of a registrant suggests that the registrant is related to another person, trust, partnership or group of persons if it suggests that the registrant
- (1) controls or sponsors the other person, trust, partnership or group;
 - (2) is controlled or sponsored by the other person, trust, partnership or group;
 - (3) is affiliated with the other person, trust, partnership or group; or
 - (4) carries on its activity with the support, approval or authorization of the other person, trust, partnership or group.

4. In determining whether a name suggests that a registrant is related to another person, trust, partnership or group of persons in the cases mentioned in section 3 or leads to confusion with a name used by another person, trust, partnership or group of persons in Québec, the following criteria must be taken into account:

- (1) the distinctiveness of each of the names and of each of their elements, their visual or phonetic similarity and the similarity between the images conjured up by the names; and

- (2) the way in which each name is used.

5. If a name is likely to suggest a relationship or lead to confusion in accordance with the criteria mentioned in section 4, the prominence of each name must be taken into account, along with the existence of competition or the likelihood of competition between the persons, trusts, partnerships or groups of persons that those names designate, having regard to

- (1) their objects or activities;

- (2) the goods they produce or the services they offer, the quantity thereof or the means by which they are produced or offered; and

- (3) the territories where they carry on their activities and the number of persons they serve.

DIVISION II ULTIMATE BENEFICIARY

6. A natural person who controls, directly or indirectly, the number of a registrant's shares or units referred to in subparagraph 1 or 2 of the first paragraph of section 0.4 of the Act is considered to be an ultimate beneficiary of a registrant.

The same applies to a natural person who controls, directly or indirectly, a number of the shares or units of an entity that is a party to an agreement referred to in the second paragraph of section 0.4 of the Act.

7. For the purposes of subparagraph 2.1 of the second paragraph of section 33 of the Act, a registrant must declare the percentage of voting rights that an ultimate beneficiary may exercise based on the number of the registrant's shares or units that the ultimate beneficiary holds or of which the ultimate beneficiary is the beneficiary, using the following ranges:

- (1) 25% to 50%;

- (2) over 50% to 75%;

- (3) over 75%.

The same applies to the declaration of the fair market value of the number of the registrant's shares or units that an ultimate beneficiary holds or controls or of which the ultimate beneficiary is the beneficiary.

DIVISION III INFORMATION CONTAINED IN THE REGISTER THAT CANNOT BE CONSULTED

8. In addition to the information provided for in subparagraph 3 of the first paragraph of section 99.1 of the Act, any other name used in Québec by a minor natural person who is an ultimate beneficiary and by which that person identifies himself or herself cannot be consulted.

DIVISION IV CHARGE PAYABLE

9. A charge of \$5 per document is payable for the issue of a copy or extract of a document deposited in the register.

DIVISION V FINAL

10. This Regulation replaces the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (chapter P-45, r. 1).

11. This Regulation comes into force on 31 March 2023.

Regulation to amend the Regulation respecting names of legal persons or associations governed by Part III of the Companies Act, the Regulation respecting names of companies governed by Part I of the Companies Act and the Regulation respecting names of companies governed by Part IA of the Companies Act

Compagnies Act
(chapter C-38, ss. 23, 123.169 and 233)

Business Corporations Act
(chapter S-31.1, s. 725)

1. The Regulation respecting names of legal persons or associations governed by Part III of the Companies Act (chapter C-38, r. 2) is amended in section 1

(1) by replacing “the reigning monarch” in paragraph 1 by “His Majesty”;

(2) by inserting the following after paragraph 4:

“(5) the bodies referred to in the Public Service Employment Act (S.C. 2003, c. 22);”;

(3) by replacing “one or more municipalities” in paragraph 10 by “a municipality or by a supramunicipal body within the meaning of the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3)”;

(4) by replacing paragraph 11 by the following:

“(11) the bodies declared by law to be a mandatory or agent of a municipality;”;

(5) by striking out paragraph 13;

(6) by adding “and the Nunavik Regional Board of Health and Social Services established under that Act” at the end of paragraph 16;

(7) by adding “and the Cree Board of Health and Social Services of James Bay established under that Act” at the end of paragraph 17;

(8) by replacing paragraph 23 by the following:

“(23) the governments of foreign States and their diplomatic and consular representations and the governments of their political divisions and their representations;”.

2. Section 5 is amended by replacing “If the name” in the portion before paragraph 1 by “If a name”.

3. The Regulation respecting names of companies governed by Part I of the Companies Act (chapter S-31.1, r. 1.01) is amended in section 1

(1) by replacing “the reigning monarch” in paragraph 1 by “His Majesty”;

(2) by inserting the following after paragraph 4:

“(5) the bodies referred to in the Public Service Employment Act (S.C. 2003, c. 22);”;

(3) by replacing “one or more municipalities” in paragraph 10 by “a municipality or by a supramunicipal body within the meaning of the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3)”;

(4) by replacing paragraph 11 by the following:

“(11) the bodies declared by law to be a mandatory or agent of a municipality;”;

- (5) by striking out paragraph 13;
- (6) by adding “and the Nunavik Regional Board of Health and Social Services established under that Act” at the end of paragraph 16;
- (7) by adding “and the Cree Board of Health and Social Services of James Bay established under that Act” at the end of paragraph 17;
- (8) by replacing paragraph 23 by the following:
- “(23) the governments of foreign States and their diplomatic and consular representations and the governments of their political divisions and their representations;”.
- 4.** Section 5 is amended by replacing “If the name” in the portion before paragraph 1 by “If a name”.
- 5.** The Regulation respecting names of companies governed by Part IA of the Companies Act (chapter S-31.1, r. 1.02) is amended in section 1
- (1) by replacing “the reigning monarch” in paragraph 1 by “His Majesty”;
- (2) by inserting the following after paragraph 4:
- “(5) the bodies referred to in the Public Service Employment Act (S.C. 2003, c. 22);”;
- (3) by replacing “one or more municipalities” in paragraph 10 by “a municipality or by a supramunicipal body within the meaning of the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3);”;
- (4) by replacing paragraph 11 by the following:
- “(11) the bodies declared by law to be a mandatory or agent of a municipality;”;
- (5) by striking out paragraph 13;
- (6) by adding “and the Nunavik Regional Board of Health and Social Services established under that Act” at the end of paragraph 16;
- (7) by adding “and the Cree Board of Health and Social Services of James Bay established under that Act” at the end of paragraph 17;
- (8) by replacing paragraph 23 by the following:
- “(23) the governments of foreign States and their diplomatic and consular representations and the governments of their political divisions and their representations;”.

- 6.** Section 5 is amended by replacing “If the name” in the portion before paragraph 1 by “If a name”.

FINAL

- 7.** This Regulation comes into force on 31 March 2023.

106073

Draft Regulation

Act respecting threatened or vulnerable species
(chapter E-12.01)

Threatened or vulnerable wildlife species and their habitats — 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 Regulation respecting threatened or vulnerable wildlife species and their habitats, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation designates new threatened or vulnerable species and amends the status of one species. It also updates or adds characteristics of certain habitats of threatened or vulnerable species.

Study of the matter has shown no impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Lysanne Rivard, coordinator, regulations governing structured wildlife territories, Service des affaires législatives fauniques, Direction de la conservation des habitats, des affaires législatives et des territoires fauniques, 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: 418 521-3888, extension 707378; email: lysanne.rivard@mffp.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Julie Bissonnette, Assistant Deputy Minister for Wildlife and Parks, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, 880, chemin Sainte-Foy, bureau RC-120, Québec (Québec), G1S 4X4.

BENOIT CHARETTE

*Minister of the Environment, the Fight Against
Climate Change, Wildlife and Parks*