

9. A monetary administrative penalty of \$1,500 in the case of a sole proprietorship and \$4,000 in any other case may be imposed on an enterprise

(1) that, while a party to a public contract or sub-contract or while holding an authorization to contract, omits or refuses to send to the Authority the information or documents required as part of an update made in accordance with section 7 of the Regulation to determine the fees payable by enterprises under Chapter V.1 of the Act respecting contracting by public bodies relating to the integrity of enterprises or in accordance with section 21.40 of the Act;

(2) that, while a party to a public contract or sub-contract or while holding an authorization to contract, omits or refuses to send to the Authority the information or documents required in accordance with section 21.48.9 of the Act;

(3) that fails to submit to an oversight or monitoring measure imposed on it by the Authority under Chapter V.1 of the Act or, where the measure was applied by the Authority, fails to pay to it the costs of such a measure.

10. A monetary administrative penalty of \$500 in the case of a sole proprietorship and \$1,000 in any other case may be imposed on an enterprise that fails or refuses to confirm the authenticity of documents or the veracity of information communicated to the Authority in accordance with the third paragraph of section 21.48.9 of the Act.

DIVISION II

RECOVERY CHARGE PAYABLE

11. The debtor of a recoverable amount is required to pay a recovery charge of

(1) \$50 for the recovery certificate filed at the office of the competent court under section 27.33 of the Act;

(2) \$175 for each measure for securing a claim taken under Title Three of Book Six of the Civil Code and for each execution measure taken under Book VIII of the Code of Civil Procedure (chapter C-25.01).

The charges are part of the recoverable amount.

CHAPTER III

TRANSITIONAL AND FINAL

12. Unless the context indicates otherwise, in any Act and regulation, a reference to the Fee related to an application for authorization filed by an enterprise with the Autorité des marchés publics for public contracts and subcontracts (chapter C-65.1, r. 7.2) is deemed to be a reference to this Regulation.

13. This Regulation replaces the Fee related to an application for authorization filed by an enterprise with the Autorité des marchés publics for public contracts and subcontracts (chapter C-65.1, r. 7.2).

14. This Regulation comes into force on 2 June 2023.
106245

Gouvernement du Québec

O.C. 739-2023, 26 April 2023

Act respecting legal aid and the provision of certain other legal services (chapter A-14)

Legal aid

—Amendment

Regulation to amend the Regulation respecting legal aid

WHEREAS, under subparagraphs *a*, *a.2* and *s* of the first paragraph of section 80 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14), regulations may be made for the purposes of Chapter II of the Act, unless the context requires a different meaning, in particular to

—determine, for the purpose of determining financial eligibility for legal aid, in what case a family is composed of a person, other than the father or mother or one of the parents, and children, designate that person and prescribe in what cases or circumstances and, where applicable, on what conditions a person ceases to be a member of a family;

—determine, for the purpose of determining financial eligibility for legal aid, in what cases and, if expedient, on what conditions and to what extent the income, liquidities and other assets of the applicant, of the spouse of the applicant and of a child, the only income, liquidities and other assets to be considered are those of a minor child and the income, liquidities and other assets of the spouse of the applicant are not to be considered;

—determine, for the purposes of the recovery of legal aid costs, in what cases and to what extent a person is required to repay such costs and determine the sums, or the portion of any sum, which the debtor is not required to repay;

WHEREAS, under the second paragraph of section 80 of the Act, the provisions of regulations under subparagraphs *a* to *a.8* of the first paragraph may vary in particular according to whether a person alone or a family is concerned, according to the composition of the family and according to the condition of the applicant or of a member of the family;

WHEREAS, under the third paragraph of section 80 of the Act, regulations under subparagraphs *a*, *a.2* and *s* in particular are made by the Government;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting legal aid was published in Part 2 of the *Gazette officielle du Québec* of 25 January 2023 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 without amendment;

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

THAT the Regulation to amend the Regulation respecting legal aid, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting legal aid

Act respecting legal aid and the provision of certain other legal services (chapter A-14, s. 80, 1st par., subpars. *a*, *a.2* and *s*, and 2nd and 3rd pars.)

1. The Regulation respecting legal aid (chapter A-14, r. 2) is amended in section 2 by inserting “or one of the parents” after “mother”.

2. Section 5 is replaced by the following:

“**5.** For the purposes of section 1.2 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14), a minor child or a child of full age who meets any of the following conditions is considered to cease to be part of the family and to be an adult:

(1) no longer attends an educational institution on a full-time basis, holds employment and does not depend on the family for livelihood;

(2) holds an undergraduate university degree and attends an educational institution;

(3) met his or her own needs and did not reside with the family for at least 2 years, excluding any period of full-time attendance in an educational institution;

(4) held remunerated employment on a full-time basis or received, in respect of such employment, benefits under the Employment Insurance Act (S.C. 1996, c. 23), for at least 2 years;

(5) is or was married;

(6) lives or lived with another person in a de facto union and cohabits or cohabited at a given time with that person for at least 1 year;

(7) is or was the father or mother or parent of a child;

(8) has been pregnant for at least 20 weeks; or

(9) the child’s father or mother or parent cannot be found or they refuse to meet the child’s needs or the child is in the custody of a person referred to in section 2 who cannot be found or refuses to meet the child’s needs, as the case may be.”.

3. Section 6.1 is amended by striking out the second paragraph.

4. Section 7 is replaced by the following:

“**7.** Notwithstanding section 6.1, the financial eligibility of an applicant is determined not taking into consideration the income and assets of the applicant’s spouse where

(1) they have opposed interests in a case or recourse; or

(2) the applicant files an application for legal aid for the benefit of a minor child of whom the applicant has custody as the father or mother or parent or as a person referred to in section 2, as the case may be.”.

5. Section 39 is amended by replacing the first paragraph by the following:

“Once the legal aid services rendered to a minor child are completed, the father and mother or parents of that child or the person referred to in section 2, as the case may be, must repay to the legal aid centre, upon request, all the costs of the legal aid obtained by the child, without exceeding the contribution that would be exigible from them under Division III. Where such repayment is incumbent upon the father and mother or parents, they are jointly responsible for making it.”.

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

106246

Gouvernement du Québec

O.C. 741-2023, 26 April 2023

Act respecting the Ministère des Ressources naturelles et de la Faune
(chapter M-25.2)

Approval of the Program to authorize the annual harvesting of certain volumes of timber not included in the allowable cuts determined for fiscal years 2023-2024 to 2027-2028

WHEREAS, under subparagraph 16.1 of the first paragraph of section 12 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2), the functions and power of the Minister of Natural Resources and Forests consist in particular in overseeing all aspects of forest management in forests in the domain of the State;

WHEREAS, under the first paragraph of section 17.13 of the Act, the Minister may, with the approval of the Government, prepare programs for the development of lands that are under her authority, as well as natural resources in the domain of the State, and its wildlife and wildlife habitats, in order to encourage regional development or implement any other governmental policy;

WHEREAS, under the first paragraph of section 17.15 of the Act, land, property, natural resources and wildlife the Minister includes in a program may be exempted from the application of the Acts for which the Minister is responsible to the extent specified in the program;

WHEREAS, under the second paragraph of section 47 of the Sustainable Forest Development Act (chapter A-18.1), the Minister may entrust any forestry mandate to the chief forester and ask the chief forester for advice on any matter related to private forests or the forests in the domain of the State;

WHEREAS, under subparagraph 5 of the first paragraph of section 46 of that Act, the functions of the chief forester consist in particular, in keeping with the policy directions and objectives of the sustainable forest development strategy, in determining allowable cuts for forest development units, local forests and certain residual forests, given the regional and local sustainable forest development objectives;

WHEREAS the chief forester, in a decision dated 1 November 2021 updated on 9 August 2022, identified volumes of timber that are not included in the allowable cuts for the period 2023 to 2028 but that may be harvested in addition to the allowable cuts, in accordance with the provisions of the Act and of the Regulation respecting the sustainable development of forests in the domain of the State (chapter A-18.1, r. 0.01);

WHEREAS it is expedient to approve a program to allow the annual harvesting of certain volumes of timber not included in the allowable cuts determined for the period 2023-2024 to 2027-2028;

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

THAT the Program to authorize the annual harvesting of certain volumes of timber not included in the allowable cuts determined for fiscal years 2023-2024 to 2027-2028, attached to this Order in Council, be approved.

YVES OUELLET

Clerk of the Conseil exécutif

Program to authorize the annual harvesting of certain volumes of timber not included in the allowable cuts determined for fiscal years 2023-2024 to 2027-2028

1. PURPOSE OF THE PROGRAM

The purpose of this program (hereinafter referred to as the “Program”), drawn up pursuant to the provisions of subdivision 1 of Division II.2 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) (the “ARMRNF”), is to allow, during fiscal years 2023-2024 to 2027-2028, the harvesting of certain volumes of timber not included in the allowable cuts determined for forests in the domain of the State.

More specifically, the objective of the Program is to structure and permit the harvesting of volumes of

- sound dry timber;
- timber from wooded riparian strips; and
- timber from steep grades and from summit enclaves.