

## Regulations and other Acts

Gouvernement du Québec

### O.C. 936-2023, 7 June 2023

Act respecting the protection of personal information in the private sector (chapter P-39.1)

Act to modernize legislative provisions as regards the protection of personal information (2021, chapter 25)

#### Payment of a recovery charge for a monetary administrative penalty

Regulation respecting the payment of a recovery charge for a monetary administrative penalty

WHEREAS, under subparagraph 3.3 of the first paragraph of section 90 of the Act respecting the protection of personal information in the private sector (chapter P-39.1), enacted by section 158 of the Act to modernize legislative provisions as regards the protection of personal information (2021, chapter 25), the Government, after obtaining the advice of the Commission d'accès à l'information, may make regulations to determine the cases in which a recovery charge is payable under section 90.17 of the Act respecting the protection of personal information in the private sector, enacted by section 159 of the Act to modernize legislative provisions as regards the protection of personal information, as well as the conditions of payment and the amount payable;

WHEREAS, in accordance with the first paragraph of section 90 of the Act respecting the protection of personal information in the private sector, the Minister Responsible for Access to Information and the Protection of Personal Information obtained the advice of the Commission on 19 December 2022;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the payment of a recovery charge for a monetary administrative penalty was published in Part 2 of the *Gazette officielle du Québec* of 8 March 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 Responsible for Access to Information and the Protection of Personal Information:

THAT the Regulation respecting the payment of a recovery charge for a monetary administrative penalty, attached to this Order in Council, be made.

YVES OUELLET

*Clerk of the Conseil exécutif*

#### Regulation respecting the payment of a recovery charge for a monetary administrative penalty

Act respecting the protection of personal information in the private sector (chapter P-39.1, s. 90, 1st par., subpar. 3.3)

Act to modernize legislative provisions as regards the protection of personal information (2021, chapter 25, s. 158)

#### DIVISION I SCOPE

**1.** This Regulation applies to a debtor who, following an enforceable decision that states the debtor's debt pursuant to section 90.16 of the Act respecting the protection of personal information in the private sector (chapter P-39.1), is required, in accordance with section 90.17 of the Act, to pay a recovery charge for a monetary administrative penalty.

#### DIVISION II RECOVERY CHARGES

**2.** The debtor of a recoverable amount is required to pay the following recovery charges:

(1) \$50 for a recovery certificate filed pursuant to section 90.16 of the Act;

(2) \$175 for each measure to secure 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 form part of the recoverable amount.

**DIVISION III**  
**FINAL**

**3.** This Regulation comes into force on 22 September 2023.

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Gouvernement du Québec

**O.C. 949-2023, 7 June 2023**

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

**Threatened or vulnerable wildlife species  
and their habitats**  
— Amendment

Regulation to amend the Regulation respecting  
threatened or vulnerable wildlife species and  
their habitats

WHEREAS, under paragraph 1 of section 10 of the Act respecting threatened or vulnerable species (chapter E-12.01), on the recommendation of the Minister of the Environment, the Fight against Climate Change, Wildlife and Parks, after consultation with the other ministers mentioned in the third paragraph of section 6 of this Act, the Government may, by regulation, designate, as a threatened or vulnerable species, any species requiring it;

WHEREAS, under paragraph 2 of section 10 of the Act, on the recommendation of the Minister of the Environment, the Fight against Climate Change, Wildlife and Parks, after consultation with the other ministers mentioned in the third paragraph of section 6 of this Act, the Government may, by regulation, determine the features or conditions by which the habitats of threatened or vulnerable species may be identified, according to their biological features, such as sex or age, or according to their number, density or location, the time of year or environmental features, and, as the case may be, determine which habitats of threatened or vulnerable species must be demarcated on a chart prepared according to sections 11 to 15 of the Act;

WHEREAS, in accordance with paragraphs 1 and 2 of section 10 of the Act, the other ministers were consulted;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting threatened or vulnerable wildlife species and their habitats was published in Part 2 of the *Gazette officielle du Québec* of 21 December 2022 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 with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting threatened or vulnerable wildlife species and their habitats, attached to this Order in Council, be made.

YVES OUELLET  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation  
respecting threatened or vulnerable  
wildlife species and their habitats**

Act respecting threatened or vulnerable species  
(chapter E-12.01, s. 10)

**1.** The Regulation respecting threatened or vulnerable wildlife species and their habitats (chapter E-12.01, r. 2) is amended by adding “AND THEIR HABITATS” at the end of the heading of Division I.

**2.** Section 1 is replaced by the following:

“1. The species designated as threatened wildlife species and, where applicable, the characteristics used to identify their habitats are:

(1) among mollusks,

(a) the Alewife Floater (*Utterbackiana implicata*);

(b) the Hickorynut (*Obovaria olivaria*);

(2) among insects,

(a) the Rusty-patched Bumble Bee (*Bombus affinis*);

(b) the Nine-spotted Lady Beetle (*Coccinella novemnotata*);

(c) the Salt Marsh Copper (*Lycaena dospassosi*);

(d) the Maritime Ringlet (*Coenonympha nipisiquit*); the habitat of the Maritime Ringlet corresponds to a territory consisting of salt marshes dominated by host plants used for oviposition and larval development (Saltmeadow Cordgrass [*Sporobolus pumilus*]) and as a source of nectar for adults (for example, Carolina sea lavender [*Limonium carolinianum*]), and transitional zones and adjacent terrestrial environments where other plant species necessary for feeding are present, used for breeding, developing, feeding, resting or moving, as demarcated on a chart prepared by the Minister;