

Regulation to amend the Regulation respecting the terms and conditions for the sale of medications

Pharmacy Act
(chapter P-10, s. 37.1)

1. Schedule III of the Regulation respecting the terms and conditions for the sale of medications (chapter P-10, r. 12), amended by section 2 of the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications, approved by Order in Council 1343-2023 of 6 September 2023, is further amended by inserting the following substance and specification after the substance “DYCLONINE AND ITS SALTS”:

“ELECTROLYTES” and “Dosage forms for colon cleansing and irrigation”.

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

106682

Gouvernement du Québec

O.C. 97-2024, 31 January 2024

Act respecting parental insurance
(chapter A-29.011)

Regulation — Amendment

Regulation to amend the Regulation under the Act respecting parental insurance

WHEREAS, under the third paragraph of section 7 of the Act respecting parental insurance (chapter A-29.011), payment of maternity benefits or exclusive benefits for the person, in connection with pregnancy or delivery, may also end after the expiry of the 20-week period, but may not exceed the 52nd week after the week of delivery if, in the cases and for the time determined by regulation of the Conseil de gestion, the benefit period is extended;

WHEREAS, under the second paragraph of section 8 of the Act, in the event of a termination of pregnancy occurring after the nineteenth week of pregnancy, payment of the benefits may end after the expiry of the 20-week period, but may not exceed the 52nd week after the week in which the termination of pregnancy occurs if, in the cases and for the time determined by regulation of the Conseil de gestion, the benefit period is extended;

WHEREAS, under the third paragraph of section 12.2 of the Act, as enacted by section 39 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project (2023, chapter 13), payment of the exclusive benefits for the woman or the person who has agreed to give birth to a child in the context of a surrogacy project may end after the expiry of the 20-week period, but may not exceed the 52nd week after the week of delivery or the week in which the termination of pregnancy occurs if, in the cases and for the time determined by regulation of the Conseil de gestion, the benefit period is extended;

WHEREAS, under the first paragraph of section 13 of the Act respecting parental insurance, no benefits under the parental insurance plan shall be granted unless an application is filed, except where an exemption is provided for in a regulation of the Conseil de gestion;

WHEREAS, under the second paragraph of section 16 of the Act, the Conseil de gestion may determine by regulation the conditions on which weeks of benefits are to be shared if there is no agreement between the parents;

WHEREAS, under the second paragraph of section 17.1 of the Act, the Conseil de gestion may, by regulation, determine the conditions governing how the parental insurance plan is to be applied when one of the parents is not resident in Québec at the time an application for benefits under that plan, the employment insurance plan or a plan established by another province or a territory is filed;

WHEREAS, under section 19 of the Act, the benefits may, on the conditions prescribed in a regulation of the Conseil de gestion, be increased, up to the limit fixed in the regulation, where the income is below the threshold determined in the regulation, and the regulation must establish, in particular, the constituents of the income taken into account;

WHEREAS, under the second paragraph of section 20 of the Act, the qualifying period may, for the purpose of determining a person’s entitlement to benefits, be extended on the conditions prescribed in a regulation of the Conseil de gestion; an extended qualifying period may not however exceed 104 weeks;

WHEREAS, under the second paragraph of section 23 of the Act, as amended by section 46 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project, the benefit period may not exceed the 78th week following the week of birth or the week of the arrival of the child into the care of one of

the parents for the purpose of the adoption, unless it is extended in accordance with the regulations of the Conseil de gestion;

WHEREAS, under the third paragraph of section 23 of the Act, as enacted by section 46 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project, in the case of a surrogacy project, unless it is extended in accordance with the regulations of the Conseil de gestion, the benefit period for the parents who are parties to the parental project involving surrogacy may not exceed the 78th week following the week in which the child is entrusted to one of the parents;

WHEREAS, under the third paragraph of section 23 of the Act respecting parental insurance, where the filiation of the child born in the context of a surrogacy project is established in accordance with the rules of filiation by acknowledgement or by blood, the benefit period for the woman or the person who gave birth to the child may not exceed the 78th week following, as applicable, the week of the child's birth if the child was not entrusted to the parents who are parties to the parental project involving surrogacy or, if the child was entrusted to them, the week in which they subsequently entrust the child to the woman or the person who gave birth to the child, unless the benefit period is extended in accordance with the regulations of the Conseil de gestion;

WHEREAS, under the fourth paragraph of section 23 of the Act respecting parental insurance, the circumstances in which the benefit period may be extended or end shall be fixed in a regulation of the Conseil de gestion, but a benefit period may not, once extended, exceed 104 weeks;

WHEREAS, under subparagraph 1 of the first paragraph of section 88 of the Act, in addition to its other regulatory powers under the Act, the Conseil de gestion may make regulations determining the procedure and time limits for making an application to the Minister and an application on behalf of a person who is deceased or unable to manage his or her affairs;

WHEREAS the Conseil de gestion, by resolution dated 14 September 2023, adopted the Regulation to amend the Regulation under the Act respecting parental insurance;

WHEREAS, under the second paragraph of section 88 of the Act respecting parental insurance, the regulations of the Conseil de gestion require the approval of the Government, which may approve them with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the Regulation to amend the Regulation under the Act respecting parental insurance was published as a draft in Part 2 of the *Gazette officielle du Québec* of 1 November 2023 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation under the Act respecting parental insurance, attached to this Order in Council, be approved.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Regulation under the Act respecting parental insurance

Act respecting parental insurance
(chapter A-29.011, s. 7, 3rd par., s. 8, 2nd par., s. 12.2, 3rd par., s. 13, 1st par., s. 16, 2nd par., s. 17.1, 2nd par., s. 19, 20, 2nd par., s. 23, 2nd, 3rd and 4th pars. and s. 88, 1st par., subpar. 1; 2023, chapter 13, ss. 39 and 46)

1. The Regulation under the Act respecting parental insurance (chapter A-29.011, r. 2) is amended in section 10 by striking out “the net family” after “information on”.

2. Section 14 is amended by replacing “maternity benefits, paternity benefits, exclusive parental or adoption benefits of the deceased parent” in paragraph 2 by “exclusive benefits of the deceased parent provided for in sections 7, 9, 10.1, subparagraph 1 of the first paragraph of section 11, section 11.1, subparagraph 1 of the first paragraph of section 12.4 and section 12.5 of the Act”.

3. Section 15 is amended by replacing “welcome and support benefits relating to an adoption” in the second paragraph by “benefits provided for in sections 12.1 and 12.8 of the Act”.

4. Section 16 is amended by replacing “welcome and support benefits relating to an adoption” in the third paragraph by “benefits provided for in sections 12.1 and 12.8 of the Act”.

5. Section 17 is amended by replacing “sections 10 and 11” in the second paragraph by “section 10, subparagraph 2 of the first paragraph of section 11, and subparagraph 2 of the first paragraph of section 12.4”.

6. Section 26 is amended by replacing “second” by “fourth” wherever it appears.

7. Section 31.1.1 is amended by replacing “second” by “fourth”.

8. Section 33 is amended by striking out “sections 7 to 11, 15 or 17 of” in paragraph 2.

9. Section 33.1 is amended

(1) by striking out “maternity” wherever it appears;

(2) by replacing “, father’s or mother’s spouse” in paragraph 2 of the first paragraph by “or one of their parents, father’s or mother’s spouse or one of their parents.”.

10. Section 33.2 is amended by striking out “maternity” wherever it appears.

11. The following is added after section 33.2:

“**33.3.** For the purposes of the third paragraph of section 12.2 of the Act, the benefit period may be extended if the person who so requests is in one of the situations referred to in subparagraphs 1 to 3 of the first paragraph of section 33.1.

The benefit period is extended by the number of full weeks that the situation lasts, subject to the third paragraph of section 12.2 of the Act.

If a person is again in the situation referred to in the first paragraph during the extension of the benefit period, the benefit period is extended by the number of weeks that the situation lasts, subject to the third paragraph of section 12.2 of the Act.”.

12. Section 34 is amended

(1) by replacing the portion before subparagraph 1 of the first paragraph by the following:

“For the purposes of the second, third and fourth paragraphs of section 23 of the Act, the period during which the benefits provided for in sections 9 to 11.3, 12.1 and 12.3 to 12.8 of the Act may be paid is extended if the person is in one of the following situations:”;

(2) by replacing “, father’s or mother’s spouse” in subparagraph 3 of the first paragraph by “or one of their parents, father’s or mother’s spouse or one of their parents”;

(3) by replacing “third” in the second paragraph by “fourth”;

(4) by replacing “third” in the third paragraph by “fourth”.

13. Section 35 is amended by inserting “, the first paragraph of section 33.3” after “section 33.2”.

14. Sections 2 to 8 and 11 to 13, insofar as they concern benefits relating to a surrogacy project, apply only to a birth resulting from a surrogacy project occurring as of 6 March 2024, unless it is shown that the pregnancy began after 5 June 2023.

15. 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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Gouvernement du Québec

O.C. 102-2024, 31 January 2024

Educational Childcare Act
(chapter S-4.1.1)

**Educational Childcare
— Amendment**

Regulation to amend the Educational Childcare Regulation

WHEREAS, under subparagraph 13.1 of the first paragraph of section 106 of the Educational Childcare Act (chapter S-4.1.1), the Government may, by regulation, for part or all of Québec, set the ratio of staff to qualified staff present during the provision of childcare services to be respected by an educational childcare provider;

WHEREAS, under subparagraph 31 of the first paragraph of section 106 of the Act, the Government may, by regulation, for part or all of Québec, specify which provisions of a regulation give rise to the imposition of an administrative penalty, and specify, or give the calculation methods to be used to determine, the amount of the penalty;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Educational Childcare Regulation was